

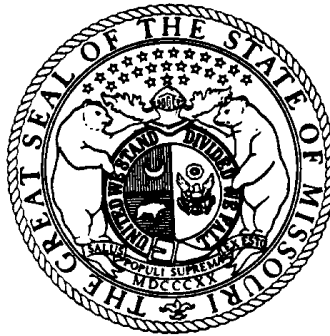
Ninety-Seventh General Assembly

Index

Journals of the Senate and House

of the

STATE OF MISSOURI



2013

FIRST REGULAR SESSION

January 9, 2013 to May 30, 2013

VETO SESSION

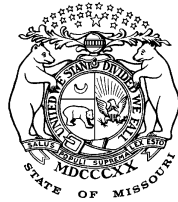
September 11, 2013

FIRST EXTRAORDINARY SESSION

December 2, 2013 to December 6, 2013

*Compiled under the direction of the
Secretary of the Senate and Chief Clerk of the House*

In compliance with Section 2.080, RSMo 2000



Missouri General Assembly

USER ADVISORY

This Index is for use with the bound version of the Journals of the Senate and House, First Regular Session, Veto Session and First Extraordinary Session, 97th General Assembly, State of Missouri.

The Journals are printed daily by the Senate and House. Corrections made in a daily journal subsequent to the printing of the Journal may be located by examining the "corrections" heading in this index.

The bound sets of Senate and House Journals constitute the official version of the Journals and take precedence over other versions which might be available electronically or otherwise.

Journal page numbers are given only in the numerical listing of SENATE BILLS INTRODUCED and HOUSE BILLS INTRODUCED. When using the TRULY AGREED TO and the CLASSIFIED INDEX, please refer to the numerical listing for journal page numbers.

Bill authors are not listed for substitute bills.

In the CLASSIFIED INDEX, bill captions (listed under SUBJECT) have been revised to take into account changes that occurred after introduction. Bills are classified in this portion of the index by the last version acted upon.

AUTHORITY FOR PUBLICATION

2.080. 1. Copies of the journals of the proceedings of each house of the general assembly shall be compiled under the superintendence and direction of the secretary of the senate and chief clerk of the house, in such number as may be determined to be necessary by the committee on legislative research, to be distributed as directed by the committee. After each session of the general assembly, the secretary of the senate and chief clerk of the house shall examine and correct the proof sheets of the journals of their respective chambers and prepare a table of the errata, if any errors have been made, and shall prepare an index of the journals. The secretary of the senate and chief clerk of the house shall develop and use a common indexing system for the journals.

2. Copies of the journals may be printed and bound into books, may be microphotographed, or may otherwise be copied so as to preserve the record of proceedings and to facilitate the use and storage of the journals.

2.091. The secretary of the senate and chief clerk of the house shall deliver, upon request, one copy of the journal of their respective chambers to the judge of any court of record, any member of either house of the general assembly, the head of any state department, bureau or state institution, the state university, the Missouri state historical society and any public library in the state, two copies of each to the law library association of St. Louis, and three copies of each to the Library of Congress at Washington, D.C. The remaining copies shall be preserved, subject to the orders of the general assembly.

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Abbreviations are as follows:

S	Senate
H	House
SB	Senate Bill
HB	House Bill
SCR	Senate Concurrent Resolution
HCR	House Concurrent Resolution
SJR	Senate Joint Resolution
HJR	House Joint Resolution
SS	Senate Substitute
SCS	Senate Committee Substitute
HCS	House Committee Substitute
CCR	Conference Committee Report
CCS	Conference Committee Substitute
EC	Emergency Clause
SV	Senate Veto
HV	House Veto

TRULY AGREED TO AND FINALLY PASSED LEGISLATION FIRST REGULAR SESSION

LEGISLATION SIGNED BY THE GOVERNOR

SENATE BILLS

No.	Author	Subject
CCS HCS SS#2 SCS SB 1	Munzlinger	Modifies the law relating to workers' compensation
SCS SBs 10 & 25		Creates a tax credit to attract amateur sporting events to the state
SB 16		Exempts farm work performed by children under 16 from certain child labor requirements
CCS HCS SCS SB 17		Establishes the Advisory Council on the Education of Gifted and Talented Children and the Career and Technical Education Advisory Council
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
CCS HCS SB 23	Wallingford	Modifies provisions relating to taxation, economic development, political subdivision, Kansas City public school teacher retirement, criminal law, and motor vehicles
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SB 35		Creates an income tax return check-off program to provide funds for CureSearch for Children's Cancer
CCS SCS SB 36		Modifies provisions related to juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
CCS HCS SB 43		Modifies various provisions relating to transportation
SCS SB 47		Adds to the list of legal guardians of a child who may receive subsidies
SB 58	Romine	Modifies annexation procedures, allows certain cities to adopt nuisance abatement ordinances, and modifies ordinance adoption procedures in certain cities
SB 59	Rupp	Modifies provisions relating to the regulation of the Missouri Property and Casualty Insurance Association and the Missouri Life and Health Insurance Guaranty Association
SCS SB 69	Schaefer	Modifies provision relating to administrative child support orders
SB 72		Designates the month of May as "Motorcycle Awareness Month" and designates December 4th as "Pallister-Killian Syndrome (PKS) Day"
HCS SB 75		Modifies provisions relating to public safety
SB 80		Requires the Missouri Board of Nursing Home Administrators to notify, instead of mail, an applicant when it is time for license renewal
HCS SCS SB 89	Romine	Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations

No.	Author	Subject
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
HCS SS SCS SB 116		Modifies the law relating to uniformed military and overseas voters
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
HCS SCS SB 118		Authorizes the creation of veterans treatment courts
SS SCS SB 121		Modifies provisions relating to liquor control laws
SS SCS SB 125		Modifies duties of boards of education
SCS SB 126		Prohibits any requirement that pharmacies carry a specific drug or device
CCS HCS SB 127		Modifies various public assistance provisions including MO HealthNet dental, home and community based referrals, Missouri adjusted gross income for MO HealthNet eligibility and extends Ticket-to-Work
HCS SB 148		Modifies provisions relating to the issuance of junking certificates and salvage motor vehicle titles
CCS HCS SCS SB 157 & SB 102		Modifies provisions relating to the disposition of personal property
SS SCS SB 159		Requires parity between the out-of-pocket expenses charged for physical therapist services and the out-of-pocket expenses charged for similar services provided by primary care physicians
CCS HCS SB 161		Requires actuarial analyses to be performed to determine potential costs of instituting oral anti-cancer parity and eating disorders mandate
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
HCS SB 188		Modifies provisions relating to civil commitment of sexually violent predators
SCS SB 191		Allows the Public Service Commission to publish certain papers, studies, reports, decisions and orders electronically
SB 197	Sater	Modifies current provisions relating to tuberculosis treatment and prevention and provides for meningococcal disease information
HCS SB 205		Allows for higher education or armed services visits for children in foster care or in the Division of Youth Services and raises the age limit for foster care reentry
SB 208	Justus	Raises the age limit for when a youth may reenter into foster care
SB 216	Silvey	Prohibits political activity restrictions on first responders and modifies current political activity restrictions on the Kansas City Police Department
HCS SCS SB 229		Modifies provisions relating to the Mental Health Employment Disqualification Registry
SB 230	Brown	Establishes's Chloe's Law which requires newborn screenings for critical congenital heart disease
SB 234	Wasson	Requires an applicant for a marital and family therapist license to show a master's or doctoral degree from a Commission on Accreditation for Marriage and Family Therapy accredited program
SB 235	Cunningham	Modifies the law relating to residential real estate loan reporting
SB 237	Emery	Exempts certain telecommunications companies from Public Service Commission price caps
CCS SCS SB 248		Modifies provisions relating to neighborhood improvement districts and delinquent property taxes

No.	Author	Subject
SS SB 251	Silvey	Updates provisions relating to public assistance fraud and abuse
HCS SS SB 252		Modifies provisions relating to the Department of Revenue, including provisions that prohibit the department from retaining copies of source documents used to obtain driver's licenses
SCS SB 254		Raises the fees a lender can charge for certain loans
CCS HCS SCS SB 256		Modifies provisions relating to child abuse and neglect including the Safe Place for Newborns Act
SB 257		Modifies provisions contained in the Port Improvement District Act
SCS SB 258		Reduces the membership of the Kansas City School District board of education and changes the election date for board members
CCS HCS SS SB 262		Modifies various provisions relating to health insurance
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SCS SB 287	Wasson	Modifies Missouri's captive insurance law to allow for the formation of sponsored captive insurance companies and other ancillary matters
SB 306		Allows the Board of Pharmacy to test the drugs possessed by licensees
SCS SB 324		Regulates the sale of travel insurance and establishes a limited lines travel insurance producer licensure system
CCS SB 327	Brown	Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
SB 329		Modifies the definition of eggs
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SS SB 357		Modifies the law relating to mechanics' liens for rental machinery and equipment
SCS SB 376		Allows hospital districts to permit higher education institutions to use space for health care education or training
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus

HOUSE BILLS

No.	Author	Subject
SCS HCS HB 1		Appropriates money to the Board of Fund Commissioners
CCS SCS HCS HB 2		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
CCS SCS HCS HB 3		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SCS HCS HB 4		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SCS HCS HB 5		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SCS HCS HB 6		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SCS HCS HB 7		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations
CCS SCS HCS HB 8		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety

No.	Author	Subject
CCS SCS HCS HB 9	Kelley	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SCS HCS HB 10		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
CCS SCS HCS HB 11		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SCS HCS HB 12		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
SCS HCS HB 13		Appropriates money for real property leases and related services
SCS HCS HB 14		Appropriates money for supplemental purposes
SCS HCS HB 17		Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28
SCS HB 18		Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities
SS SCS HCS HB 19		Appropriates money for capital improvement projects
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
SS HCS HB 58		Changes the laws regarding portable electronics insurance coverage
HB 68		Designates the month of November as "Pancreatic Cancer Awareness Month" and the last week in October as "Respiratory Syncytial Virus Awareness Week" in Missouri
CCS SCS HB 103		Changes the laws regarding transportation
SCS HCS HB 110		Changes the laws regarding the selection of public officials
SS#2 SCS HB 116	Gosen	Changes the laws regarding audits
CCS SS SCS HCS HB 117		Changes the laws regarding initiative and referendum petitions
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HB 133		Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance
SS SCS HB 142		Changes the laws regarding utilities
SCS HB 148	Fitzpatrick	Establishes the custody and visitation rights of a deploying military parent
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses
HCS HB 159		Allows an exemption from the proof of residency or domicile requirement to register a child for school whose parent or guardian is serving on specified active duty military orders
HB 163		Changes the laws regarding elections
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes

No.	Author	Subject
SS HB 184	Cox	Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
HB 212		Changes the law regarding secured transactions under the Uniform Commercial Code
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
HCS HB 235		Changes the laws regarding the qualifications for a candidate for county collector, county treasurer, or county collector-treasurer
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
SCS HCS HBs 303 & 304		Makes specified memorial bridge and highway designations
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
SS HCS HB 315		Changes the laws regarding health care services
HB 316	Phillips	Extends the expiration date of the Division of Tourism Supplemental Revenue Fund from the year 2015 to 2020
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
SS HB 331		Changes the laws regarding utilities
CCS SS HB 336		Changes the laws regarding emergency services
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HCS HB 349		Allows the owner of a property-carrying commercial motor vehicle registered at a gross weight in excess of 12,000 pounds to request and be issued two license plates
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HCS HB 418		Modifies the Kansas City police retirement systems
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 432	Funderburk	Authorizes the Missouri Public Service Commission to appear, participate, and intervene in any federal, state, or other administrative, regulatory, or judicial proceeding
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
HB 451	Fraker	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances

No.	Author	Subject
HB 478	Wieland	Changes the laws regarding shares in credit unions
SCS HB 498		Repeals the requirement that paid-in surplus distributions must be identified as liquidating dividends and the amount per share must be disclosed to shareholders when it is paid
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 510	Torpey	Allows a limited liability company to establish a designated series of members, managers, and company interests having separate rights and duties regarding specified property
SCS HB 533		Changes the laws regarding firearms
SS SCS HB 542		Changes the laws regarding agriculture
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HCS HB 656	Schatz	Combines the parking enforcement division and parking meter division in the City of St. Louis into a parking division
HB 673		Changes the name of Linn State Technical College to State Technical College of Missouri
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 702	Lorenz Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property
HB 715	McCaherty	Authorizes motorcycles to be equipped with a means of varying the brightness of the vehicle's brake light for up to five seconds upon application of the vehicle's brakes
SCS HCS HB 722		Changes the laws regarding the Police Retirement System of St. Louis
SCS HCS HB 986		Changes the laws regarding health care services
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions

HOUSE JOINT RESOLUTIONS

No.	Author	Subject
CCS#2 SS HCS HJRs 11 & 7		Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age

LEGISLATION VETOED BY THE GOVERNOR

SENATE BILLS

No.	Author	Subject
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture

No.	Author	Subject
SS SB 28		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SS SCS SB 29		Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks
CCS HCS SS SB 34		Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database and modifies provisions relating to experience ratings for workers' compensation insurance
CCS HCS SB 51		Modifies provisions relating to the regulation of motor vehicles
SB 60	Rupp	Modifies the law regarding the accreditation requirements for reinsurance companies and specifies when insurers can take credit or reduce liability due to reinsurance
HCS SB 73	Lamping	Modifies provisions relating to the judicial process, including provisions relating to motorcycle brake lights
SB 77		Allows for certain neighborhood youth development programs to be exempt from child care licensing requirements
HCS SB 110		Establishes procedures to follow in child custody and visitation cases for military personnel
SS SCS SB 129	Chappelle-Nadal	Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization
SB 170		Allows members of public governmental bodies to cast roll call votes in a meeting if the member is participating via videoconferencing
HCS SCS SB 182		Eliminates state and local use taxes on motor vehicle sales and modifies state and local sales taxes on such purchases
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SCS SB 240	Nieves	Modifies provisions relating to ratemaking for gas corporations
SB 265		Prohibits the state and political subdivisions from implementing policies affecting property rights and from entering into certain relationships with organizations
SS SB 267		Specifies how courts may rule in contractual disputes involving the law of other countries
CCS HCS SB 342		Modifies provisions relating to agriculture
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund

HOUSE BILLS

No.	Author	Subject
SS HB 253	Brattin	Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 278		Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
SCS HB 329	Wieland	Changes the laws regarding financial institutions
HB 339		Requires an uninsured motorist to forfeit recovery of noneconomic loss under specified circumstances
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution

No.	Author	Subject
SCS HCS HB 611		Changes the laws regarding employment

LEGISLATION NEITHER SIGNED NOR VETOED BY THE GOVERNOR*

SENATE BILLS

No.	Author	Subject
SB 236	Parson	Provides that a Highway Patrol fund include money for the maintenance of Highway Patrol vehicles, watercraft, and aircraft and be used for the maintenance of such items

HOUSE BILLS

No.	Author	Subject
SS#2 HB 34	Riddle	Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HB 400		Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans

*(Legislation becomes law pursuant to Article III, Section 31 of the Missouri Constitution)

INTRODUCED SENATE BILLS

SB 1 (Rupp) Relating to workers' compensation

First Read	S9
Second Read & Referred Small Business, Insurance & Industry Committee	S67
Reported from Small Business, Insurance & Industry Committee with SCS	S161
SA 1 - SA 2	S192-193; 203
SS for SCS offered	S203-204
SA 1 - SA 3	S204-205; 257
SS for SCS withdrawn	S257
SS#2 for SCS offered	S257
SA 1 - SA 8	S257-259
SS#2 for SCS, as amended, adopted	S259
Perfectd	S259
Reported Truly Perfected Rules Committee	S272
Referred Governmental Accountability & Fiscal Oversight Committee	S272
Reported from Governmental Accountability & Fiscal Oversight Committee	S283
Third Read & Passed - EC adopted	S289-290
House First Read	H363
Second Read	H375
Referred Workforce Development & Workplace Safety Committee	H466
HCS Reported Do Pass Workforce Development & Workplace Safety Committee	H736
Referred Rules Committee	H736
HCS Reported Do Pass Rules Committee	H1535
Referred Fiscal Review Committee	H1586
HCS Reported Do Pass Fiscal Review Committee	H1593
HA 1 to HA 9	H1868-1877; 1896
HCS, as amended, adopted	H1897
Third Read & Passed - EC adopted	H1897-1898 S1280-1289
Senate refuses to concur & requests House recede or grant conference	S1289 H1923
House refuses to recede & grants conference	H1960
.....	S1321-1322
House conferees appointed	H1962 S1322
Senate conferees appointed	S1323 H1978
Senate offered & adopted CCR	S1813-1814 H2573
Senate Third Read & Passed CCS	S1814-1815 H2573
House submits CCR	H2846
House adopted CCR	H2859 S2008
House Third Read & Passed CCS	H2860 S2008
Reported Duly Enrolled Rules Committee	S2440
Signed by Senate President Pro Tem	S2440
Signed by House Speaker	H3332
Delivered to Governor	S2441
Signed by Governor	S2442

SB 2 (Rupp) Relating to the initiative & referendum process

First Read	S9
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S67
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S544
SCS adopted	S648
Perfectd	S648
Reported Truly Perfected Rules Committee	S652
Third Read & Passed	S662-663
House First Read	H969
Second Read	H980
Referred Elections Committee	H1089
Reported Do Pass Elections Committee	H1534
Referred Rules Committee	H1534

SB 3 (Rupp) Relating to the early high school graduation scholarship program

First Read	S9
Second Read & Referred Education Committee	S67
Reported from Education Committee	S181
Bill Placed on Informal Calendar	S211

SA 1	S343-346
Bill Placed on Informal Calendar	S346

SB 4 (Lager) Relating to prohibited acts by members of the general assembly

First Read	S9
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S67

SB 5 (Lager) Relating to taxation

First Read	S9
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67

SB 6 (Lager) Relating to broadband

First Read	S9
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S67

SB 7 (Pearce) Relating to school accreditation

First Read	S9
Second Read & Referred Education Committee	S67
Reported from Education Committee with SCS	S181
SCS adopted	S205
Perfectd	S205
Reported Truly Perfected Rules Committee	S212
Third Read & Passed - EC adopted	S225-226
House First Read	H301
Second Read	H308
Referred Elementary & Secondary Education Committee	H735

SB 8 (Pearce) Relating to higher education

First Read	S9
Second Read & Referred Education Committee	S67

SB 9 (Pearce) Relating to University of Missouri extension districts

First Read	S9-10
Second Read & Referred Education Committee	S67
Reported from Education Committee with SCS	S253
Bill Placed on Informal Calendar	S269
SA 1	S274-275
SCS, as amended, adopted	S275
Perfectd	S275
Reported Truly Perfected Rules Committee	S295
Third Read & Passed	S306
House First Read	H399
Second Read	H406
Referred Agri-Business Committee	H735
HCS Reported Do Pass Agri-Business Committee	H1333
Referred Rules Committee	H1333
HCS Reported Do Pass Rules Committee	H1567
HA 1 - HA 7	H2037-2047
HCS, as amended, adopted	H2047
Third Read & Passed	H2047-2048 S1434-1440
Senate refuses to concur & requests House recede or grant conference	S1473 H2163
House refuses to recede & grants conference	H2305 S1600
Senate conferees appointed	S1600 H2350
House conferees appointed	H2310 S1630
House submits CCR#2	H2847
Senate offered & adopted CCR#2	S1991-1992 H2889
Senate Third Read & Passed CCS#2	S1992 H2889
House adopted CCR#2	H3196 S2428
House Third Read & Passed CCS#2	H3197 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2442-2443
Senate adopts motion to override veto	SV20-21 HV36

House adopts motion to override veto HV37-39 SV32

SB 10 (Schmitt) Relating to incentives to attract amateur sporting events to Missouri

First Read S10
 Second Read & Referred Jobs, Economic Development & Local Government Committee S67
 Reported from Jobs, Economic Development & Local Government Committee with SCS S130
 SCS adopted S161
 Bill Placed on Informal Calendar S161
 Motion to reconsider SCS adopted S161
 SA 1- SA 2 S162
 SCS, as amended, adopted S162
 Perfected S162
 Reported Truly Perfected Rules Committee S169-170
 Referred Governmental Accountability & Fiscal Oversight Committee S170
 Reported from Governmental Accountability & Fiscal Oversight Committee S178
 Third Read & Passed S180
 House First Read H255
 Second Read H255
 Referred General Laws Committee H358
 Reported Do Pass General Laws Committee H526
 Referred Rules Committee H526
 Reported Do Pass Rules Committee H546
 Referred Fiscal Review Committee H546
 Reported Do Pass Fiscal Review Committee H597
 Third Read & Passed H616-617
 Reported Duly Enrolled Rules Committee S529
 Signed by Senate President Pro Tem S530
 Signed by House Speaker H628
 Delivered to Governor S536
 Signed by Governor S626

SB 11 (Schmitt) Relating to the taxation of business income

First Read S10
 Second Read & Referred Ways & Means Committee S67

SB 12 (Schaefer) Relating to civil liability immunity for court appointed attorneys

First Read S10
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S67
 Reported from Judiciary & Civil & Criminal Jurisprudence Committee S212
 SA 1 S250
 Perfected, as amended S250
 Reported Truly Perfected Rules Committee S259-260
 Third Read & Passed - EC adopted S283
 House First Read H363
 Second Read H375
 Referred Judiciary Committee H951
 HCS Reported Do Pass Judiciary Committee H1566
 Referred Rules Committee H1566
 HCS Reported Do Pass Rules Committee H1880
 Referred Fiscal Review Committee H1969
 HCS Reported Do Pass Fiscal Review Committee H2077
 HA 1 - HA 10 H3009-3041
 HCS, as amended, adopted H3042
 Third Read & Passed - EC adopted H3042-3043
 S2207-2245
 Senate refuses to concur & requests House recede or grant conference S2250 H3094
 House refuses to recede & grants conference H3095 S2298
 House conferees appointed H3098 S2298
 Senate conferees appointed S2298 H3103
 House submits CCR H3115-3116
 Senate offered CCR S2399-2400

SB 13 (Schaefer) Relating to solid waste management

First Read S10
 Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee S67

Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS S331
 Bill Placed on Informal Calendar S356

SB 14 (Schaaf) Relating to Medicaid eligibility

First Read S10
 Second Read & Referred Veterans' Affairs & Health Committee S67

SB 15 (Richard) Relating to certain benevolent tax credits

First Read S10
 Second Read & Referred Jobs, Economic Development & Local Government Committee S67

SB 16 (Munzlinger) Relating to children performing agriculture work

First Read S10
 Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee S67
 Reported from Agriculture, Food Production & Outdoor Resources Committee S181
 Removed Consent Calendar S213
 Reported from Agriculture, Food Production & Outdoor Resources Committee S296
 Perfected S317
 Reported Truly Perfected Rules Committee S331
 Third Read & Passed S340
 House First Read H445
 Second Read H451
 Referred Agriculture Policy Committee H735
 Reported Do Pass Agriculture Policy Committee H966
 Referred Rules Committee H966
 Reported Do Pass Rules Committee H1120
 Third Read & Passed H1672 S984-985
 Reported Duly Enrolled Rules Committee S1229
 Signed by Senate President Pro Tem S1229-1230
 Signed by House Speaker H1915 S1291
 Delivered to Governor S1291
 Signed by Governor S1715

SB 17 (Munzlinger) Relating to career & technical education

First Read S10
 Second Read & Referred Financial & Governmental Organizations & Elections Committee S67
 Reported from Financial & Governmental Organizations & Elections Committee with SCS S254
 SA 1 - SA 2 S270-271
 SCS, as amended, adopted S271
 Perfected S271
 Reported Truly Perfected Rules Committee S275
 Third Read & Passed S292
 House First Read H363
 Second Read H375
 Referred Higher Education Committee H735
 HCS Reported Do Pass Higher Education Committee H1180
 Referred Rules Committee H1180
 HCS Reported Do Pass Rules Committee H1469
 HA 1 - HA 6 H1994-2021
 HCS, as amended, adopted H2021
 Third Read & Passed H2021-2022 S1348-1383
 Senate refuses to concur & requests House recede or grant conference S1472-1473 H2163
 House refuses to recede & grants conference H2305 S1599
 Senate conferees appointed S1600 H2350
 House conferees appointed H2310 S1629
 House submits CCR H2847-2848
 Senate offered & adopted CCR S1992-1993 H2889
 Senate Third Read & Passed CCS S1993-1994 H2889
 House adopted CCR H3194 S2427
 House Third Read & Passed CCS H3195 S2427
 Reported Duly Enrolled Rules Committee S2440
 Signed by Senate President Pro Tem S2440
 Signed by House Speaker H3332
 Delivered to Governor S2441
 Signed by Governor S2443

SB 18 (Munzlinger) Relating to the transparency & accountability of public schools

First Read	S10
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S67
Reported from Governmental Accountability & Fiscal Oversight Committee	S398
SA 1	S418
Perfected, as amended	S418
Reported Truly Perfected Rules Committee	S421
Third Read & Passed - EC adopted	S478-479
House First Read	H548
Second Read	H558
Referred Downsizing State Government Committee	H735
HCS Reported Do Pass Downsizing State Government Committee	H1650
Referred Rules Committee	H1650
HCS Reported Do Pass Rules Committee	H1919

SB 19 (Wasson) Relating to tax credits for renovations for disability access

First Read	S10
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67

SB 20 (Dixon) Relating to certain benevolent tax credits

First Read	S10
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67
Reported from Jobs, Economic Development & Local Government Committee with SCS	S130
SS for SCS offered	S142
SA 1- SA 4	S142-143; 153-154
SS for SCS, as amended, adopted	S154
Perfected	S154
Reported Truly Perfected Rules Committee	S161
Referred Governmental Accountability & Fiscal Oversight Committee	S161
Reported from Governmental Accountability & Fiscal Oversight Committee	S178
Third Read & Passed - EC adopted	S179
House First Read	H255
Second Read	H268
Referred Children, Families & Persons with Disabilities Committee	H297
HCS Reported Do Pass Children, Families & Persons with Disabilities Committee	H410
Referred Rules Committee	H410
HCS Reported Do Pass Rules Committee	H423
Referred Fiscal Review Committee	H546
HCS Reported Do Pass Fiscal Review Committee	H597
HCS adopted	H612
Third Read & Passed - EC adopted	H612-614 S519-520
Senate concurs in HCS	S525
Senate Third Read & Passed - EC adopted	S525-526 H628
Reported Duly Enrolled Rules Committee	S529
Signed by Senate President Pro Tem	S530
Signed by House Speaker	H628
Delivered to Governor	S536
Signed by Governor	S626

SB 21 (Dixon) Relating to the transfer of judicial positions by the supreme court

First Read	S11
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S67
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S181
Bill Placed on Informal Calendar	S211

SB 22 (Dixon) Relating to the alteration of judicial boundaries

First Read	S11
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S67
Reported from Judiciary & Civil & Criminal Jurisprudence	

Committee	S181
Bill Placed on Informal Calendar	S211

SB 23 (Parson) Relating to the Pettis County transient guest tax

First Read	S11
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67
Reported from Jobs, Economic Development & Local Government Committee	S295
Removed Consent Calendar	S318
Reported from Jobs, Economic Development & Local Government Committee	S343
Perfected	S356
Reported Truly Perfected S Rules Committee	S357
Third Read & Passed	S395-396
House First Read	H490
Second Read	H496
Referred General Laws Committee	H735
HCS Reported Do Pass General Laws Committee	H1534
Referred Rules Committee	H1534
HCS Reported Do Pass Rules Committee	H1567
Referred Fiscal Review Committee	H1586
HCS Reported Do Pass Fiscal Review Committee	H1593
HA 1 - HA 24	H1676-1817; 1819-1828
HCS, as amended, adopted	H1829
Third Read & Passed - EC adopted	H1829-1830 S985-1192
Senate refuses to concur & requests House recede or grant conference	S1230 H1877
H refuses to recede & grants conference	H1877 S1250-1251
House conferees appointed	H1878 S1250-1251
Senate conferees appointed	S1251 H1924
H submits CCR	H2296
Senate offered & adopted CCR	S1491-1492 H2235
Senate Third Read & Passed CCS - EC adopted	S1492-1494
.....	H2235
House adopted CCR	H2404-2405 S1707
House Third Read & Passed CCS - EC adopted	H2405-2406
.....	S1707
Reported Duly Enrolled Rules Committee	S2440
Signed by Senate President Pro Tem	S2440
Signed by House Speaker	H3332
Delivered to Governor	S2441
Signed by Governor	S2444-2445

SB 24 (Parson) Relating to county building codes

First Read	S11
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67
Reported from Jobs, Economic Development & Local Government Committee	S295
Perfected	S317
Reported Truly Perfected Rules Committee	S318
Third Read & Passed	S328-329
House First Read	H414
Second Read	H421
Referred General Laws Committee	H735
HCS Reported Do Pass General Laws Committee	H1651
Referred Rules Committee	H1651
HCS Reported Do Pass Rules Committee	H2078
Referred Fiscal Review Committee	H2079
HCS Reported Do Pass Fiscal Review Committee	H2283
HA 1 - HA 8	H2864-2888
Placed back on Calendar	H2888
HA 9 - HA 13	H2892-2991
HCS, as amended, adopted	H2991
Third Read & Passed - EC adopted	H2991-2993
.....	S2025-2196
Senate refuses to concur & requests House recede or grant conference	S2250 H3094
House refuses to recede & grants conference	H3096 S2297
House conferees appointed	H3098 S2298
Senate conferees appointed	S2298 H3103
House submits CCR	H3116

SB 25 (Parson) Relating to tax incentives to attract sporting events to Missouri

First Read	S11
Second Read & Referred Jobs, Economic Development & Local Government Committee	S67

SB 26 (Kraus) Relating to taxation

First Read	S11
Second Read & Referred Ways & Means Committee	S67
Reported from Ways & Means Committee with SCS	S343
SS for SCS offered	S384
SA 1	S384
Bill Placed on Informal Calendar	S384
SS for SCS withdrawn	S429
SS#2 for SCS offered	S429-430
SA 1- SA 9	S430-466
SS#2 for SCS, as amended, adopted	S466
Perfectured	S466
Reported Truly Perfectured Rules Committee	S495
Referred Governmental Accountability & Fiscal Oversight Committee	S496
Reported from Governmental Accountability & Fiscal Oversight Committee	S506
Third Read & Passed	S507-508
House First Read	H601
Second Read	H608
Referred Ways & Means Committee	H735
HCS Reported Do Pass Ways & Means Committee	H1335
Referred Rules Committee	H1335
HCS Reported Do Pass Rules Committee	H1365
Referred Fiscal Review Committee	H1367
HCS Reported Do Pass Fiscal Review Committee	H1469
HA 1 - HA 3	H1518-1527
Motion to postpone discussion until review of Fiscal Note is completed	H1528
HCS, as amended, adopted	H1529
House Third Read & Passed - EC adopted	H1530-1531
.....	S895-905

SB 27 (Kraus) Relating to voter photo identification

First Read	S11
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S67

SB 28 (Kraus) Relating to disqualification from unemployment benefits

First Read	S11
Second Read & Referred Small Business, Insurance & Industry Committee	S67
Reported from Small Business, Insurance & Industry Committee	S253
SA 1	S269
Bill Placed on Informal Calendar	S269
SS offered & adopted	S270
Perfectured	S270
Reported Truly Perfectured Rules Committee	S272
Third Read & Passed	S289
House First Read	H364
Second Read	H375
Referred Workforce Development & Workplace Safety Committee	H735
Reported Do Pass Workforce Development & Workplace Safety Committee	H1336
Referred Rules Committee	H1336
Reported Do Pass Rules Committee	H1469
Taken up for Third Reading	H1585
Laid over	H1585
Third Read & Passed	H1862 S1212
Reported Duly Enrolled Rules Committee	S1251
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2445-2447
Senate adopts motion to override veto	SV18 HV36

SB 29 (Brown) Relating to labor organizations

First Read	S11
Second Read & Referred Small Business, Insurance & Industry Committee	S67
Re-referred Governmental Accountability & Fiscal Oversight Committee	S130
Reported from Governmental Accountability & Fiscal Oversight Committee with SCS	S296
Bill Placed on Informal Calendar	S318
SA 1 - SA 2	S347
Bill Placed on Informal Calendar	S347
Taken up for Perfection	S383
Bill Placed on Informal Calendar	S383
SA 2 - SA 3	S428; 496
SS for SCS offered	S497
SA 1	S497
SS for SCS, as amended, adopted	S497
Perfectured	S497
Reported Truly Perfectured Rules Committee	S505
Referred Governmental Accountability & Fiscal Oversight Committee	S505-506
Reported from Governmental Accountability & Fiscal Oversight Committee	S535
Third Read & Passed	S536-537
House First Read	H654
Second Read	H664
Referred Workforce Development & Workplace Safety Committee	H735
Reported Do Pass Workforce Development & Workplace Safety Committee	H1092
Referred Rules Committee	H1092
Reported Do Pass Rules Committee	H1365
Referred Fiscal Review Committee	H2079
Reported Do Pass Fiscal Review Committee	H2283
Third Read & Passed	H2369 S1654
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2447-2448
Senate defeats motion to override veto	SV18

SB 30 (Brown) Relating to public contracts

First Read	S11-12
Second Read & Referred Small Business, Insurance & Industry Committee	S68
Reported from Small Business, Insurance & Industry Committee with SCS	S914
Bill Placed on Informal Calendar	S1233

SB 31 (Lamping) Relating to taxation

First Read	S12
Second Read & Referred Ways & Means Committee	S68

SB 32 (Lamping) Relating to taxation

First Read	S12
Second Read & Referred Jobs, Economic Development & Local Government Committee	S68

SB 33 (Lamping) Relating to accommodations for persons with mental disabilities

First Read	S12
Second Read & Referred Seniors, Families & Pensions Committee	S68
Reported from Seniors, Families & Pensions Committee with SCS	S181
SA 1	S211
SCS, as amended, adopted	S211
Perfectured	S212
Reported Truly Perfectured Rules Committee	S214
Third Read & Passed	S226-227
House First Read	H301
Second Read	H308
Referred Children, Families & Persons with Disabilities Committee	H735

HCS Reported Do Pass Children, Families & Persons with Disabilities Committee	H1334
Referred Rules Committee	H1334
Returned Committee of Origin	H1567
Reported Do Pass Children, Families & Persons with Disabilities Committee	H1650
Referred Rules Committee	H1650
Reported Do Pass Rules Committee	H1919
HA 1- HA 6	H2237-2238; 2252-2265
Third Read & Passed, as amended - EC adopted	H2265-2267 S1577-1594
Senate refuses to concur & requests House recede or grant conference	S1597 H2350
House refuses to recede & grants conference	H2416 S1708-1709
House conferees appointed	H2417 S1710
Senate conferees appointed	S1710 H2492
House submits CCR	H2848
Senate offered & adopted CCR	S1891-1892 H2573
Senate Third Read & Passed CCS	S1892-1893 H2573
House adopted CCR	H3147 S2427
House Third Read & Passed CCS	H3148 S2427
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2448

SB 34 (Cunningham) Relating to a database for workers' compensation claims

First Read	S12
Second Read & Referred Small Business, Insurance & Industry Committee	S68
Reported from Small Business, Insurance & Industry Committee	S295
SS offered	S316
SA 1 - SA 2	S316-317
SS, as amended, adopted	S317
Perfectured	S317
Reported Truly Perfectured Rules Committee	S318
Third Read & Passed	S329
House First Read	H415
Second Read	H421
Referred Workforce Development & Workplace Safety Committee	H735
HCS Reported Do Pass Workforce Development & Workplace Safety Committee	H1092
Referred Rules Committee	H1092
HCS Reported Do Pass Rules Committee	H1470
HA 1	H1864-1865
HCS, as amended, adopted	H1867
Third Read & Passed	H1868 S1249-1250
Senate refuses to concur & requests House recede or grant conference	S1276-1277 H1924
House refuses to recede & grants conference	H1960 S1321
House conferees appointed	H1962 S1322
Senate conferees appointed	S1323 H1978
House submits CCR	H2353
Senate offered & adopted CCR	S1595-1596 H2350
Senate Third Read & Passed CCS	S1596-1597 H2350
House adopted CCR	H2411 S1708
House Third Read & Passed CCS	H2412 S1708
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2448-2450
Senate adopts motion to override veto	SV20 HV36
House defeats motion to override veto	HV39-40

SB 35 (Wallingford) Relating to designation of tax refunds to certain funds

First Read	S12
Second Read & Referred Ways & Means Committee	S68
Reported from Ways & Means Committee	S488
Perfectured	S574

Reported Truly Perfectured Rules Committee	S578
Third Read & Passed	S591-592
House First Read	H772
Second Read	H782
Referred General Laws Committee	H951
Reported Do Pass General Laws Committee	H1565
Referred Rules Committee	H1565
Reported Do Pass Rules Committee	H1880
Third Read & Passed	H2172-2173 S1507
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2450

SB 36 (Wallingford) Relating to Jonathan's Law

First Read	S12
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S68
Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S419
SA 1	S428
SCS, as amended, adopted	S428
Perfectured	S428
Reported Truly Perfectured Rules Committee	S429
Third Read & Passed	S481-482
House First Read	H569
Second Read	H578
Referred Judiciary Committee	H951
Reported Do Pass Judiciary Committee	H1468
Referred Rules Committee	H1468
Reported Do Pass Rules Committee	H1535
HA 1 - HA 2	H2022
Third Read & Passed, as amended	H2023 S1383
Senate refuses to concur & requests House recede & pass bill	S1472 H2163
House refuses to recede & requests Senate grant conference	H2305 S1599
Senate grants conference	S1631 H2360
Senate conferees appointed	S1631 H2360
House conferees appointed	H2367 S1646
House submits CCR	H2546
Senate offered & adopted CCR	S1721-1722 H2492
Senate Third Read & Passed CCS	S1722 H2492
House adopted CCR	H3098-3099 S2326
House Third Read & Passed CCS	H3099-3100 S2326
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2450

SB 37 (Wallingford) Relating to the designation of medical radiation safety awareness day

First Read	S12
Second Read & Referred General Laws Committee	S68

SB 38 (Sifton) Relating to banning lobbyist gifts

First Read	S12
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S68

SB 39 (Sifton) Relating to the Missouri homestead preservation act

First Read	S12
Second Read & Referred Ways & Means Committee	S68

SB 40 (Sifton) Relating to maternity health insurance coverage

First Read	S12-13
Second Read & Referred Small Business, Insurance & Industry Committee	S68

SB 41 (Munzlinger) Relating to private nuisance actions

First Read	S13
Second Read & Referred Commerce, Consumer Protection,	

Energy & the Environment Committee	S68
Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S212
SA 1	S237
Bill Placed on Informal Calendar	S237
Perfected	S397
Reported Truly Perfected Rules Committee	S413
Third Read & Passed	S473
House First Read	H548
Second Read	H558
Referred Judiciary Committee	H735
HCS Reported Do Pass Judiciary Committee	H1566
Referred Rules Committee	H1566
HCS Reported Do Pass Rules Committee	H1880
HA 1 - HA 3	H2238-2248
HCS, as amended, adopted	H2249
Third Read & Passed	H2249 S1564-1576
Senate refuses to concur & requests House recede or grant conference	S1599 H2350
H refuses to recede & grants conference	H2417 S1709
Senate conferees appointed	S1710 H2492
House conferees appointed	H2443 S1730
Senate conferee committee change	S1960 H2827

SB 42 (Munzlinger) Relating to delinquent debts for the costs of imprisonment in a county jail

First Read	S13
Second Read & Referred Ways & Means Committee	S68
Reported from Ways & Means Committee with SCS	S212
SCS adopted	S251
Perfected	S251
Reported Truly Perfected Rules Committee	S259-260
Referred Governmental Accountability & Fiscal Oversight Committee	S269
Reported from Governmental Accountability & Fiscal Oversight Committee	S283
Third Read & Passed	S284
House First Read	H364
Second Read	H375
Referred General Laws Committee	H735
HCS Reported Do Pass General Laws Committee	H1879
Referred Rules Committee	H1879
HCS Reported Do Pass Rules Committee	H1919
Referred H Fiscal Review Committee	H1920
HCS Reported Do Pass Fiscal Review Committee	H1968
HA 1 - HA 5	H2173-2179
HCS, as amended, adopted	H2180
Third Read & Passed	H2180-2181 S1507-1510
Senate refuses to concur & requests House recede or grant conference	S1597 H2350
House refuses to recede & grants conference	H2415 S1708
House conferees appointed	H2417 S1709
Senate conferees appointed	S1710 H2492
House submits CCR	H2849
Senate offered & adopted CCR	S2005 H2891
Senate Third Read & Passed CCS	S2006 H2891
House adopted CCR	H3203 S2428
House Third Read & Passed CCS	H3204 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2451

SB 43 (Munzlinger) Relating to compliance with federal law regarding the weight allowance for idle reduction technology

First Read	S13
Second Read & Referred Transportation & Infrastructure Committee	S68
Reported from Transportation & Infrastructure Committee to Floor	S213
Perfected	S252
Reported Truly Perfected Rules Committee	S259-260
Third Read & Passed	S284-285

House First Read	H364
Second Read	H375
Referred Transportation Committee	H735
HCS Reported Do Pass Transportation Committee	H1335
Referred Rules Committee	H1335
Reported Do Pass Rules Committee	H1652
Referred Fiscal Review Committee	H1652
HCS Reported Do Pass Fiscal Review Committee	H1878
HA 1 - HA 5	H2049-2074
HCS, as amended, adopted	H2074
Third Read & Passed - EC adopted	H2074-2076
Senate refuses to concur & requests House recede or grant conference	S1441-1472
House refuses to recede & grants conference	H2305 S1600
Senate conferees appointed	S1600 H2351
House conferees appointed	H2310 S1630
House submits CCR	H2436
Senate offered & adopted CCR	S1710-1711 H2446
Senate Third Read & Passed CCS - EC adopted	S1711-1712
House adopted CCR	H3198 S2428
House Third Read & Passed CCS - EC adopted	H3199-3201
Reported Duly Enrolled Rules Committee	S2440
Signed by Senate President Pro Tem	S2440
Signed by House Speaker	H3332
Delivered to Governor	S2441
Vetoed by Governor	S2451-2453
No motion made to override veto	SV18

SB 44 (Dixon) Relating to a surcharge on civil court cases

First Read	S13
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S68

SB 45 (Dixon) Relating to family court commissioners

First Read	S13
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S68
Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S296
SCS adopted	S318
Perfected	S318
Reported Truly Perfected Rules Committee	S331
Third Read & Passed	S341
House First Read	H445
Second Read	H451
Referred Judiciary Committee	H735
HCS Reported Do Pass Judiciary Committee	H1566
Referred Rules Committee	H1566
HCS Reported Do Pass Rules Committee	H1652
Referred Fiscal Review Committee	H1652
HCS Reported Do Pass Fiscal Review Committee	H1878
HA 1 - HA 3	H2182-2184
HCS, as amended, adopted	H2184
Third Read & Passed	H2185 S1510-1512
Senate refuses to concur & requests House recede or grant conference	S1643 H2435
House refuses to recede & grants conference	H2532 S1810
House conferees appointed	H2543 S1811
Senate conferees appointed	S1888 H2573

SB 46 (Parson) Relating to tax incentives for data storage centers

First Read	S13
Second Read & Referred Jobs, Economic Development & Local Government Committee	S68

SB 47 (Lamping) Relating to the placement of children with relatives

First Read	S13
Second Read & Referred Seniors, Families & Pensions Committee	S68
Reported from Seniors, Families & Pensions Committee to Floor with SCS	S130

SCS adopted	S170		H3300
Perfected	S170	House adopted CCR	H3304-3305 S2432
Reported Truly Perfected Rules Committee	S180	House Third Read & Passed CCS - EC defeated	H3305-3306
Third Read & Passed	S225		S2432
House First Read	H301	Reported Duly Enrolled Rules Committee	S2440
Second Read	H308	Signed by Senate President Pro Tem	S2440
Referred Children, Families & Persons with Disabilities Committee	H735	Signed by House Speaker	H3332
Reported Do Pass Children, Families & Persons with Disabilities Committee	H1334	Delivered to Governor	S2441
Referred Rules Committee	H1334	Vetoed by Governor	S2453-2455
Reported Do Pass Rules Committee	H1652	No motion made to override veto	SV18
Referred Fiscal Review Committee	H1652		
Reported Do Pass Fiscal Review Committee	H1879	SB 52 (Munzlinger) Relating to charges in criminal cases for law enforcement services	
Third Read & Passed	H2076-2077 S1472	First Read	S14
Reported Duly Enrolled Rules Committee	S2434	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S68
Signed by Senate President Pro Tem	S2434-2435	Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S915
Signed by House Speaker	H3330-3331		
Delivered to Governor	S2438	SB 53 (Lamping) Relating to restricting public contracts with entities that invest in the energy sector in Iran	
Signed by Governor	S2453	First Read	S14
SB 48 (Lamping) Relating to the prohibition of racial considerations in adoption proceedings		Second Read & Referred Financial & Governmental Organizations & Elections Committee	S68
First Read	S13	Reported from Financial & Governmental Organizations & Elections Committee	S812
Second Read & Referred Seniors, Families & Pensions Committee	S68	Bill Placed on Informal Calendar	S877
Reported from Seniors, Families & Pensions Committee	S130		
Taken up for Perfection	S170	SB 54 (Lamping) Relating to the joint election of governor & lieutenant governor	
Bill Placed on Informal Calendar	S170	First Read	S14
SB 49 (Lamping) Relating to eligibility for the special needs adoption tax credit		Second Read & Referred Financial & Governmental Organizations & Elections Committee	S68
First Read	S13		
Second Read & Referred Seniors, Families & Pensions Committee	S68	SB 55 (Lamping) Relating to unsecured loans of five hundred dollars or less	
SB 50 (Wallingford) Relating to alternatives-to-abortion agencies		First Read	S14
First Read	S13	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S68
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S68		
SB 51 (Munzlinger) Relating to compliance with federal law regarding the equipment & operation of farm vehicles		SB 56 (Munzlinger) Relating to inspection of meat processors	
First Read	S13	First Read	S14
Second Read & Referred Transportation & Infrastructure Committee	S68	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S101
Reported from Transportation & Infrastructure Committee	S213		
SA 1	S252-253	SB 57 (Romine) Relating to the removal of weeds or trash in certain cities	
Perfected, as amended	S253	First Read	S14
Reported Truly Perfected Rules Committee	S259-260	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S101
Third Read & Passed	S285	Reported from Agriculture, Food Production & Outdoor Resources Committee	S608
House First Read	H364	SA 1	S732
Second Read	H375	Perfected, as amended	S732
Referred Agri-Business Committee	H735	Reported Truly Perfected Rules Committee	S744
HCS Reported Do Pass Agri-Business Committee	H1333	Third Read & Passed	S782-783
Referred Rules Committee	H1333	House First Read	H1336
HCS Reported Do Pass Rules Committee	H1567	Second Read	H1344
HCS Referred Fiscal Review Committee	H1586	Referred Local Government Committee	H1383
HCS Reported Do Pass Fiscal Review Committee	H1594	Re-referred General Laws Committee	H1470
HA 1 - HA 10	H2116-2161	HCS Reported Do Pass General Laws Committee	H1879
Laid over	H2161	Referred Rules Committee	H1879
HA 11 - HA 16	H2533-2539	HCS Reported Do Pass Rules Committee	H1968
HCS, as amended, adopted	H2540	HA 1	H2268-2269
Third Read & Passed - EC defeated	H2540-2542	HCS, as amended, adopted	H2270
.....	S1820-1888	Third Read & Passed	H2270-2271 S1594-1595
Senate refuses to concur & requests House recede or grant conference	S1893 H2573	Senate refuses to concur & requests House recede or grant conference	S1597 H2351
House refuses to recede & grants conference .	H2575 S1926-1927	House refuses to recede & grants conference	H2415 S1708
House conferees appointed	H2593 S1953	House conferees appointed	H2417 S1709
Senate conferees appointed	S1953 H2827	Senate conferees appointed	S1710 H2492
House submits CCR	H3117	Senate requests further conference	S1925 H2827
Senate offered & adopted CCR	S2414 H3300	House grants further conference	H2841 S1990
Senate Third Read & Passed CCS - EC adopted	S2414-2416	House conferees re-appointed	H2842 S1990
		House submits CCR	H2850

Senate conferees re-appointed S1991 H2889

SB 58 (Romine) Relating to the passage of ordinances in the city of Farmington

First Read S14
 Second Read & Referred Financial & Governmental Organizations & Elections Committee S101
 Reported from Financial & Governmental Organizations & Elections Committee S212
 Third Read & Passed S292-293
 House First Read H388
 Second Read H396
 Referred Local Government Committee H735
 Reported Do Pass Local Government Committee H1118
 Referred Rules Committee H1118
 Reported Do Pass Rules Committee H1968
 HA 1 - HA 2 H2361-2366
 Third Read & Passed, as amended H2366 S1647-1654
 Senate concurs in HA 1 - HA 2 S1713-1714
 Senate Third Read & Passed, as amended S1714 H2492
 Reported Duly Enrolled Rules Committee S2434
 Signed by Senate President Pro Tem S2434-2435
 Signed by House Speaker H3330-3331
 Delivered to Governor S2438
 Signed by Governor S2455

SB 59 (Rupp) Relating to the regulation of insurance guaranty associations

First Read S14
 Second Read & Referred Small Business, Insurance & Industry Committee S101
 Reported from Small Business, Insurance & Industry Committee S295
 Bill Placed on Informal Calendar S316
 Perfected S331
 Reported Truly Perfected Rules Committee S343
 Third Read & Passed S355
 House First Read H445
 Second Read H451
 Referred Health Insurance Committee H951
 Re-Referred Insurance Policy Committee H966
 Reported Do Pass Insurance Policy Committee H1091
 Referred Rules Committee H1091
 Reported Do Pass Rules Committee H1120
 Third Read & Passed H1662 S983
 Reported Duly Enrolled Rules Committee S1229
 Signed by Senate President Pro Tem S1229-1230
 Signed by House Speaker H1915 S1291
 Delivered to Governor S1291
 Signed by Governor S2425-2426

SB 60 (Rupp) Relating to reinsurance

First Read S14
 Second Read & Referred Small Business, Insurance & Industry Committee S101
 Reported from Small Business, Insurance & Industry Committee S295
 Removed from Consent Calendar S319
 Reported from Small Business, Insurance & Industry Committee S343
 Perfected S356
 Reported Truly Perfected Rules Committee S357
 Third Read & Passed S395
 House First Read H490
 Second Read H496
 Referred Insurance Policy Committee H951
 Reported Do Pass Insurance Policy Committee H1091
 Referred Rules Committee H1091
 Reported Do Pass H Rules Committee H1120
 Third Read & Passed H1663 S983
 Reported Duly Enrolled Rules Committee S1229
 Signed by Senate President Pro Tem S1229-1230
 Signed by House Speaker H1915 S1291
 Delivered to Governor S1291
 Vetoed by Governor S2425

No motion made to override veto SV17

SB 61 (Keaveny) Relating to requiring the state auditor to report on the costs of administering the death penalty

First Read S14
 Second Read & Referred Governmental Accountability & Fiscal Oversight Committee S101
 Reported from Governmental Accountability & Fiscal Oversight Committee S487
 Bill Placed on Informal Calendar S560

SB 62 (Keaveny) Relating to seat belts

First Read S14
 Second Read & Referred Transportation & Infrastructure Committee S101

SB 63 (Schmitt) Relating to taxation

First Read S15
 Second Read & Referred Jobs, Economic Development & Local Government Committee S101

SB 64 (Dixon) Relating to the evidentiary standard for proving noneconomic damages in medical malpractice cases

First Read S15
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S101

SB 65 (Dixon) Relating to the state auditor's office responsibilities, duties, and enforcement

First Read S15
 Second Read & Referred Financial & Governmental Organizations & Elections Committee S101
 Reported from Financial & Governmental Organizations & Elections Committee S486
 Bill Placed on Informal Calendar S559

SB 66 (Dixon) Relating to the repeal of certain committees

First Read S15
 Second Read & Referred Governmental Accountability & Fiscal Oversight Committee S101
 Reported from Governmental Accountability & Fiscal Oversight Committee S546
 Third Read & Passed S605
 House First Read H928
 Second Read H935
 Referred Downsizing State Government Committee H951

SB 67 (Dixon) Relating to references to higher education statutes that were previously repealed

First Read S15
 Second Read & Referred Education Committee S101
 Reported from Education Committee S607
 Bill Placed on Informal Calendar S717
 SA 1 - 2 S727-730
 Perfected, as amended S730
 Reported Truly Perfected Rules Committee S744
 Third Read & Passed S782
 House First Read H1336
 Second Read H1344
 Referred Higher Education Committee H1383
 HCS Reported Do Pass Higher Education Committee H1651
 Referred Rules Committee H1651
 Reported Do Pass Rules Committee H2842

SB 68 (Parson) Relating to prevailing wage determinations for third class counties

First Read S15
 Second Read & Referred Small Business, Insurance & Industry Committee S101

SB 69 (Keaveny) Relating to administrative child support decisions

First Read S15
 Second Read & Referred Seniors, Families & Pensions Committee S101

Reported from Seniors, Families & Pensions Committee with SCS	S254
SCS adopted	S316
Perfected	S316
Reported Truly Perfected Rules Committee	S317
Third Read & Passed	S327-328
House First Read	H415
Second Read	H421
Referred Judiciary Committee	H951
Reported Do Pass Judiciary Committee	H1468
Referred to Rules Committee	H1468
Reported Do Pass Rules Committee	H1968
HA 1 - HA 2	H2371-2373
Third Read & Passed	H2373-2374 S1658
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2455

SB 70 (Munzlinger) Relating to Missouri ethics commission operations & procedures

First Read	S15
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S101

SB 71 (Parson) Relating to labor organizations

First Read	S15
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S101

SB 72 (Schaefer) Relating to the designation of motorcycle awareness month

First Read	S16
Second Read & Referred General Laws Committee	S101
Reported from General Laws Committee	S486
Perfected	S559
Reported Truly Perfected Rules Committee	S561
Third Read & Passed	S565-566
House First Read	H689
Second Read	H696
Referred Tourism & Natural Resources Committee	H951
Reported Do Pass Tourism & Natural Resources Committee	H1586
Referred Rules Committee	H1586
Reported Do Pass Rules Committee	H1919
HA 1	H2832
Third Read & Passed, as amended	H2833-2834
.....	S1985-1986
Senate concurs in HA 1	S2012 H2891
Third Read & Passed	S2012-2013 H2891
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2455-2456

SB 73 (Schaefer) Relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types

First Read	S16
Second Read & Referred Transportation & Infrastructure Committee	S101
Reported from Transportation & Infrastructure Committee	S399
Perfected	S419
Reported Truly Perfected Rules Committee	S421
Third Read & Passed	S477-478
House First Read	H548
Second Read	H558
Referred Judiciary Committee	H951
HCS Reported Do Pass Judiciary Committee	H1566
Referred Rules Committee	H1566
HCS Reported Do Pass Rules Committee	H2349
HA 1 - HA 4	H2554-2563
HCS, as amended, adopted	H2564

Third Read & Passed	H2564 S1899-1906
Senate refuses to concur & requests House recede or grant conference	S1960 H2827
House refuses to recede & grants conference	H2841 S1990
House conferees appointed	H2842 S1990
Senate conferees appointed	S1991 H2889
Senate offered & adopted CCR, as amended	S2248-2249 H3094
Senate Third Read & Passed Bill	S2249-2250 H3094
House submits CCR	H3117-3118
House adopted CCR, as amended	H3213-3214 S2429
House Third Read & Passed Bill	H3215 S2429
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2456
No motion made to override veto	SV22

SB 74 (Richard) Relating to disaster areas

First Read	S16
Second Read & Referred Jobs, Economic Development & Local Government Committee	S101

SB 75 (Brown) Relating to safety in public elementary & secondary schools

First Read	S16
Second Read & Referred General Laws Committee	S101
Reported from General Laws Committee	S295-296
Bill Placed on Informal Calendar	S317
SA 1	S318
Perfected, as amended	S318
Reported Truly Perfected Rules Committee	S331
Third Read & Passed	S341-342
House First Read	H445
Second Read	H451
Referred General Laws Committee	H466
HCS Reported Do Pass General Laws Committee	H1917
Referred Rules Committee	H1917
HCS Reported Do Pass Rules Committee	H2078
Referred Fiscal Review Committee	H2079
HCS Reported Do Pass Fiscal Review Committee	H2283
HA 1 - HA 2	H2834-2838
HCS, as amended, adopted	H2839
Third Read & Passed - EC adopted	H2839-2841
.....	S1986-1990
Senate refuses to concur & requests House recede or grant conference	S2014
Senate motion to reconsider vote to refuse to concur	S2245
& request House recede or grant conference	S2246 H3095
Senate concurs in HCS, as amended	S2246-2247 H3095
Senate Third Read & Passed - EC adopted ..	S2246-2247 H3095
Reported Duly Enrolled Rules Committee	S2440
Signed by Senate President Pro Tem	S2440
Signed by House Speaker	H3332
Delivered to Governor	S2441
Signed by Governor	S2457

SB 76 (Brown) Relating to labor organizations

First Read	S16
Second Read & Referred Small Business, Insurance & Industry Committee	S101

SB 77 (Lamping) Relating to neighborhood youth development programs

First Read	S16
Second Read & Referred Seniors, Families & Pensions Committee	S101
Reported from Seniors, Families & Pensions Committee	S213
Third Read & Passed	S293-294
House First Read	H388
Second Read	H396
Referred Children, Families & Persons with Disabilities Committee	H735

Reported Do Pass Children, Families & Persons with Disabilities Committee	H1334
Referred Rules Committee	H1334
Reported Do Pass Rules Committee	H1567
HA 1- HA 2	H2029-2031
Third Read & Passed, as amended	H2032-2033
.....	S1431-1433
Senate refuses to concur & requests House recede or grant conference	S1597 H2351
House refuses to recede & grants conference	H2415 S1708
House conferees appointed	H2417 S1709
Senate conferees appointed	S1710 H2492
Senate dissolves conference committee	S1918 H2795
Senate requests House recede & take up & pass bill	S1918
.....	H2795
House recedes	H3311 S2432
House Third Read & Passed	H3311 S2432
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2457
No motion made to override veto	SV22

SB 78 (Lamping) Relating to a waiting period for general assembly members seeking to become lobbyists

First Read	S16
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S101
Reported from Rules, Joint Rules, Resolutions & Ethics Committee with SCS	S915
SS for SCS offered	S1234
SA 1	S1234-1235
Bill Placed on Informal Calendar	S1235

SB 79 (Lamping) Relating to changing the primary election date

First Read	S16
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S101

SB 80 (Romine) Relating to the notification of license renewal for nursing home administrators

First Read	S16
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S101
Reported from Financial & Governmental Organizations & Elections Committee	S212
Third Read & Passed	S293
House First Read	H389
Second Read	H396
Referred Professional Registration & Licensing Committee	H735
Reported Do Pass Professional Registration & Licensing Committee	H1091
Referred Rules Committee	H1091
Reported Do Pass Rules Committee	H1120
Third Read & Passed	H1664 S983
Reported Duly Enrolled Rules Committee	S1229
Signed by Senate President Pro Tem	S1229-1230
Signed by House Speaker	H1915 S1291
Delivered to Governor	S1291
Signed by Governor	S2328

SB 81 (Schaefer) Relating to the recovery of attorney's fees in civil actions for the deprivation of rights

First Read	S16
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S101

SB 82 (Schaefer) Relating to the lieutenant governor

First Read	S16-17
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S101
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S544

Bill Placed on Informal Calendar	S648
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SB 83 (Parson) Relating to delinquent property taxes

First Read	S17
Second Read & Referred Jobs, Economic Development & Local Government Committee	S101
Reported from Jobs, Economic Development & Local Government Committee with SCS	S543
SS for SCS offered	S623
SA 1	S623-624
SS for SCS, as amended, adopted	S624
Perfected	S624
Reported Truly Perfected Rules Committee	S631
Third Read & Passed	S660
House First Read	H969
Second Read	H980
Referred General Laws Committee	H1089
HCS Reported Do Pass General Laws Committee	H1879
Referred Rules Committee	H1879
HCS Reported Do Pass Rules Committee	H2078
Referred Fiscal Review Committee	H2079
HCS Reported Do Pass Fiscal Review Committee	H2283
HA 1 - HA 37	H2595-2791
HCS, as amended, adopted	H2791
House defeated on Third Reading	H2791-2792

SB 84 (Rupp) Relating to the conscience rights of all individuals who provide medical services

First Read	S17
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S101

SB 85 (McKenna) Relating to utilities in third class cities

First Read	S17
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S101

SB 86 (Keaveny) Relating to benefit changes to retirement plans

First Read	S17
Second Read & Referred Seniors, Families & Pensions Committee	S102
Reported from Seniors, Families & Pensions Committee with SCS	S213
SCS adopted	S253
Perfected	S253
Reported Truly Perfected Rules Committee	S259-260
Third Read & Passed - EC adopted	S286
House First Read	H364
Second Read	H375
Referred Retirement Committee	H735
HCS Reported Do Pass Retirement Committee	H984
Referred Rules Committee	H984

SB 87 (SchAAF) Relating to breast-feeding

First Read	S17
Second Read & Referred Veterans' Affairs & Health Committee	S102
Reported from Veterans' Affairs & Health Committee with SCS	S546
SA 1	S675
SCS adopted	S675
Perfected	S675
Reported Truly Perfected Rules Committee	S679
Third Read & Passed	S740
House First Read	H1121
Second Read	H1129
Referred Children, Families & Persons with Disabilities Committee	H1179
Reported Do Pass Children, Families & Persons with Disabilities Committee	H1650
Referred Rules Committee	H1650
Reported Do Pass Rules Committee	H1919

SB 88 (SchAAF) Relating to medical records

First Read	S17
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Second Read & Referred Veterans' Affairs & Health Committee	S102	SB 92 (Justus) Relating to limiting financial contributions to support campaigns for certain public offices	
Reported from Veterans' Affairs & Health Committee with SCS	S296	First Read	S17
Bill Placed on Informal Calendar	S330	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S102
SCS adopted	S343	SB 93 (Justus) Relating to encouraging investment in science & technology	
Perfectd	S343	First Read	S17
Reported Truly Perfected Rules Committee	S346	Second Read & Referred Jobs, Economic Development & Local Government Committee	S102
Third Read & Passed	S356	SB 94 (Justus) Relating to voting in advance of an election	
House First Read	H445	First Read	S18
Second Read	H451	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S102
Referred Health Care Policy Committee	H735	SB 95 (Justus) Relating to voluntary prekindergarten	
HCS Reported Do Pass Health Care Policy Committee	H1117	First Read	S18
Referred Rules Committee	H1117	Second Read & Referred Education Committee	S102
HCS Reported Do Pass Rules Committee	H1535	SB 96 (Justus) Relating to discrimination based on sexual orientation or gender identity	
SB 89 (Munzlinger) Relating to nursing home districts		First Read	S18
First Read	S17	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S102
Second Read & Referred Seniors, Families & Pensions Committee	S102	SB 97 (Schaefer) Relating to the tobacco master settlement agreement	
Reported from Seniors, Families & Pensions Committee with SCS	S254	First Read	S18
SCS adopted	S316	Second Read & Referred General Laws Committee	S102
Perfectd	S316	SB 98 (Schaefer) Relating to animal shelter fees	
Reported Truly Perfected Rules Committee	S317	First Read	S18
Third Read & Passed	S327	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S102
House First Read	H415	SB 99 (Keaveny) Relating to public administrators	
Second Read	H421	First Read	S18
Referred General Laws Committee	H546	Second Read & Referred Jobs, Economic Development & Local Government Committee	S102
HCS Reported Do Pass General Laws Committee	H686	Reported from Jobs, Economic Development & Local Government Committee	S607
Referred Rules Committee	H686	Perfectd	S717
HCS Reported Do Pass Rules Committee	H1157	Reported Truly Perfected Rules Committee	S719
HA 1	H3100-3101	Third Read & Passed	S742
HCS, as amended, adopted	H3101	House First Read	H1121
Third Read & Passed - EC defeated	H3101-3103	Second Read	H1129
.....	S2336-2337	Referred Elections Committee	H1179
Senate concurs	S2339	HCS Reported Do Pass Elections Committee	H1534
Senate Third Read & Passed	S2339-2340	Referred Rules Committee	H1534
Reported Duly Enrolled Rules Committee	S2434	HCS Reported Do Pass Rules Committee	H1968
Signed by Senate President Pro Tem	S2434-2435	HA 1 - HA 6	H2512-2523
Signed by House Speaker	H3330-3331	HCS, as amended, adopted	H2524
Delivered to Governor	S2438	Third Read & Passed - EC adopted	H2524-2526
Signed by Governor	S2458		S1788-1803
SB 90 (McKenna) Relating to terms for councilmen in third class cities		Senate concurs in HCS, as amended	S1811-1812
First Read	S17	Senate Third Read & Passed - EC adopted	S1812
Second Read & Referred Jobs, Economic Development & Local Government Committee	S102	Reported Duly Enrolled Rules Committee	S2440
Reported from Jobs, Economic Development & Local Government Committee	S398	Signed by Senate President Pro Tem	S2440
Third Read & Passed	S483	Signed by House Speaker	H3332
House First Read	H569	Delivered to Governor	S2441
Second Read	H578	Signed by Governor	S2458
Referred Elections Committee	H735	SB 100 (Keaveny) Relating to the exemption from attachment & execution of a person's interest in inherited retirement accounts & health savings plans	
HCS Reported Do Pass Elections Committee	H1334	First Read	S18
Referred Rules Committee	H1334	Second Read & Referred Veterans' Affairs & Health Committee	S102
HCS Reported Do Pass Rules Committee	H1535	Re-referred Seniors, Families & Pensions Committee	S130
HA 1 - HA 19	H2185-2225	Reported from Seniors, Families & Pensions Committee	S297
HCS, as amended, adopted	H2225	Perfectd	S331
Third Read & Passed - EC adopted	H2225-2226	Reported Truly Perfected Rules Committee	S343
.....	S1522-1564		
Senate refuses to concur & requests House recede or grant conference	S1597		
House refuses to recede & grants conference	H2415		
House conferees appointed	H2417		
Senate conferees appointed	S1710		
SB 91 (Justus) Relating to tax credits for investors			
First Read	S17		
Second Read & Referred Jobs, Economic Development & Local Government Committee	S102		

Third Read & Passed	S354-355	SB 106 (Brown) Relating to current & former military personnel	First Read	S19
House First Read	H445		Second Read & Referred Veterans' Affairs & Health Committee	S130
Second Read	H451		Reported from Veterans' Affairs & Health Committee with SCS	S212-213
Referred Judiciary Committee	H1089		SCS adopted	S251
HCS Reported Do Pass Judiciary Committee	H1566		Perfected	S251
Referred Rules Committee	H1566		Reported Truly Perfected Rules Committee	S259-260
HCS Reported Do Pass Rules Committee	H1968		Third Read & Passed	S287
Referred Fiscal Review Committee	H1969		House First Read	H364
HCS Reported Do Pass Fiscal Review Committee	H2077		Second Read	H375
HA 1 - HA 7	H2993-3007		Referred Veterans Committee	H735
HCS, as amended, adopted	H3007		Reported Do Pass Veterans Committee	H952
Third Read & Passed - EC adopted	H3008-3009		Referred Rules Committee	H952
.....	S2196-2207		Reported Do Pass Rules Committee	H1365
Senate refuses to concur & requests House recede or grant conference	S2250 H3095		HA 1 - HA 5	H1831-1845
House refuses to recede & grants conference	H3096 S2298		Third Read & Passed, as amended	H1845-1846
House conferees appointed	H3098 S2298			S1193-1212
Senate conferees appointed	S2298 H3103		Senate refuses to concur & requests House recede or grant conference	S1231 H1924
House submits CCR	H3119		House refuses to recede & grants conference	H1945 S1306
Senate offered & adopted CCR	S2398 H3254		Senate conferees appointed	S1306 H1962
Senate Third Read & Passed CCS	S2398-2399 H3254		House conferees appointed	H1963 S1322
House adopted CCR	H3302-3303 S2431		House submits CCR	H2095
House Third Read & Passed CCS	H3303-3304 S2431		Senate offered & adopted CCR	S1473-1474 H2163
Reported Duly Enrolled Rules Committee	S2434		Senate Third Read & Passed CCS	S1474 H2163
Signed by Senate President Pro Tem	S2434-2435		House adopted CCR	H2407 S1707
Signed by House Speaker	H3330-3331		House Third Read & Passed CCS	H2408 S1707
Delivered to Governor	S2438		Reported Duly Enrolled Rules Committee	S2434
Signed by Governor	S2458-2459		Signed by Senate President Pro Tem	S2434-2435
			Signed by House Speaker	H3330-3331
			Delivered to Governor	S2438
			Signed by Governor	S2459
SB 101 (Wasson) Relating to florists		SB 107 (Lamping) Relating to the firemen's retirement system of St. Louis	First Read	S19
First Read	S18		Second Read & Referred Seniors, Families & Pensions Committee	S130
Second Read & Referred General Laws Committee	S130			
Reported from General Laws Committee with SCS	S296		SB 108 (Kraus) Relating to automated traffic enforcement systems	
SCS adopted	S317		First Read	S19
Perfected	S317		Second Read & Referred Transportation & Infrastructure Committee	S130
Reported Truly Perfected Rules Committee	S318			
Third Read & Passed	S328		SB 109 (Brown) Relating to hospital licensure	
House First Read	H415		First Read	S19
Second Read	H421		Second Read & Referred Veterans' Affairs & Health Committee	S130
Referred Professional Registration & Licensing Committee	H735		Reported from Veterans' Affairs & Health Committee with SCS	S812
Reported Do Pass Professional Registration & Licensing Committee	H1879		Bill Placed on Informal Calendar	S877
Referred Rules Committee	H1879			
Reported Do Pass Rules Committee	H2078		SB 110 (Brown) Relating to child custody & visitation for military personnel	
SB 102 (Kraus) Relating to catalytic converters			First Read	S19
First Read	S18		Second Read & Referred Veterans' Affairs & Health Committee	S131
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S130		Reported from Veterans' Affairs & Health Committee	S254
Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S397		Perfected	S271
SA 1 - SA 3	S410-411		Reported Truly Perfected Rules Committee	S275
Perfected, as amended	S411		Third Read & Passed	S290-291
Reported Truly Perfected Rules Committee	S419		House First Read	H365
Third Read & Passed	S477		Second Read	H375
House First Read	H549		Referred Judiciary Committee	H735
Second Read	H558		HCS Reported Do Pass Judiciary Committee	H1566
Referred General Laws Committee	H735		Referred Rules Committee	H1566
SB 103 (Kraus) Relating to alternative fuels tax credits			HCS Reported Do Pass Rules Committee	H1880
First Read	S18		HA 1	H2506-2507
Second Read & Referred Jobs, Economic Development & Local Government Committee	S130		HCS, as amended, adopted	H2507
SB 104 (Kraus) Relating to the issuance of state license plates			Third Read & Passed	H2507-2508 S1783-1786
First Read	S18			
Second Read & Referred Transportation & Infrastructure Committee	S130			
SB 105 (Brown) Relating to a statutory cause of action against healthcare providers				
First Read	S18-19			
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S130			

Senate concurs	S1893
Senate Third Read & Passed	S1893-1894 H2573
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2459-2461
Senate adopts motion to override veto	SV21 HV36
House adopts motion to override veto	HV40-41 SV33

SB 111 (Emery) Relating to pharmacy inventories

First Read	S19
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S131

SB 112 (Rupp) Relating to the new markets tax credit

First Read	S19
Second Read & Referred Jobs, Economic Development & Local Government Committee	S131
Reported from Jobs, Economic Development & Local Government Committee	S543
SS offered	S631
SA 1	S631-639
Bill Placed on Informal Calendar	S639
SA 1	S651
SS withdrawn	S651
SA 1 - SA 2	S651-652
Perfected	S652
Reported Truly Perfected Rules Committee	S657
Referred Governmental Accountability & Fiscal Oversight Committee	S670
Reported from Governmental Accountability & Fiscal Oversight Committee	S764
Third Read & Passed - EC adopted	S773-774
House First Read	H1337
Second Read	H1344
Referred General Laws Committee	H1367
HCS Reported Do Pass General Laws Committee	H2283
Referred Rules Committee	H2283
HCS Reported Do Pass Rules Committee	H2433
Referred Fiscal Review Committee	H2433
HCS Reported Do Pass Fiscal Review Committee	H2443
HA 1 - HA 7	H3046-3078
HCS, as amended, adopted	H3079
Third Read & Passed - EC adopted	H3079-3081
.....	S2253-2296
Motion made & withdrawn to concur	S2340
Senate requests House recede & take up & pass bill	S2340
.....	H3183

SB 113 (Schmitt) Relating to persons required to report child abuse & neglect

First Read	S19
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S131

SB 114 (Schmitt) Relating to intoxicating liquor manufactured for personal or family use

First Read	S19
Second Read & Referred General Laws Committee	S131
Reported from General Laws Committee with SCS	S398
SS for SCS offered	S412
Perfected	S412
Reported Truly Perfected Rules Committee	S419
Third Read & Passed - EC adopted	S476
House First Read	H549
Second Read	H558
Referred General Laws Committee	H735
Reported Do Pass General Laws Committee	H1364
Referred Rules Committee	H1364
Reported Do Pass Rules Committee	H1919
HA 1	H2102-2111
Third Read & Passed, as amended - EC adopted	H2112-2113
.....	S1482-1485
Motion to concur	S1778

Substitute motion to refuse to concur & request House recede or grant conference	S1778
Motion to concur withdrawn	S1778
Senate refuses to concur & requests House recede or grant conference	S1895 H2573
House refuses to recede & grants conference	H2575 S1927
House conferees appointed	H2593 S1953
Senate conferees appointed	S2298 H3103
House submits CCR	H3119-3120
Senate offered CCR	S2413
Point of order CCR exceeds differences taken under advisement	S2413
Point of order withdrawn	S2417
Motion to adopt CCR withdrawn	S2417

SB 115 (Schmitt) Relating to the Missouri employers mutual insurance company, with an effective date for certain sections

First Read	S19
Second Read & Referred Small Business, Insurance & Industry Committee	S131

SB 116 (Kraus) Relating to uniformed military voters

First Read	S19
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S131
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S487
SS for SCS offered & adopted	S559-560
Perfected	S560
Reported Truly Perfected Rules Committee	S565
Referred Governmental Accountability & Fiscal Oversight Committee	S568
Reported from Governmental Accountability & Fiscal Oversight Committee	S590
Third Read & Passed	S591
House First Read	H772
Second Read	H782
Referred Elections Committee	H951
HCS Reported Do Pass Elections Committee	H1334
Referred Rules Committee	H1334
HCS Reported Do Pass Rules Committee	H1470
Referred Fiscal Review Committee	H1586
HCS Reported Do Pass Fiscal Review Committee	H1594
HA 1 - HA 3	H2025-2028
HCS, as amended, adopted	H2028
Third Read & Passed	H2028-2029 S1383-1384
Senate concurs	S1495
Senate Third Read & Passed	S1495-1496 H2235
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2461

SB 117 (Kraus) Relating to residency at public institutions of higher education

First Read	S20
Second Read & Referred Veterans' Affairs & Health Committee	S131
Reported from Veterans' Affairs & Health Committee with SCS	S213
SA 1 - SA 3	S251-252
SCS, as amended, adopted	S252
Perfected	S252
Reported Truly Perfected Rules Committee	S259-260
Referred Governmental Accountability & Fiscal Oversight Committee	S269
Reported from Governmental Accountability & Fiscal Oversight Committee	S283
Third Read & Passed	S287-288
House First Read	H365
Second Read	H375
Referred Veterans Committee	H735
HCS Reported Do Pass Veterans Committee	H952
Referred to Rules Committee	H952

HCS Reported Do Pass Rules Committee	H1365	SB 121 (Schaefer) Relating to liquor control	
Referred Fiscal Review Committee	H1367	First Read	S20
HCS Reported Do Pass Fiscal Review Committee	H1375	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S131
HA 1 - HA 4	H1846-1858	Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S253
HCS, as amended, adopted	H1858	Bill Placed on Informal Calendar	S269
Third Read & Passed	H1858-1859 S1212-1228	SS for SCS offered	S273
Senate refuses to concur & requests House to recede or grant conference	S1231 H1924	SA 1 - SA 2	S273-274
House refuses to recede & grants conference	H1945 S1306	SS for SCS, as amended, adopted	S274
Senate conferees appointed	S1306 H1962	Perfectd	S274
House conferees appointed	H1963 S1322	Reported Truly Perfected Rules Committee	S295
House submits CCR	H2096	Third Read & Passed - EC adopted	S306-307
Senate offered & adopted CCR	S1474-1475 H2163	House First Read	H399
Senate Third Read & Passed CCS	S1475-1476 H2163	Second Read	H406
House adopted CCR	H2409 S1708	Referred General Laws Committee	H735
House Third Read & Passed CCS	H2410 S1708	Reported Do Pass General Laws Committee	H1364
Reported Duly Enrolled Rules Committee	S2434	Referred Rules Committee	H1364
Signed by Senate President Pro Tem	S2434-2435	Reported Do Pass Rules Committee	H1919
Signed by House Speaker	H3330-3331	Third Read & Passed - EC adopted	H3273-3274 S2430
Delivered to Governor	S2438	Reported Duly Enrolled Rules Committee	S2434
Signed by Governor	S2461-2462	Signed by Senate President Pro Tem	S2434-2435
SB 118 (Kraus) Relating to veterans treatment courts		Signed by House Speaker	H3330-3331
First Read	S20	Delivered to Governor	S2438
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S131	Signed by Governor	S2462
Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S608-609	SB 122 (Schaefer) Relating to public records & meetings	
SCS adopted	S733	First Read	S20
Perfectd	S733	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S131
Reported Truly Perfected Rules Committee	S744	SB 123 (Chappelle-Nadal) Relating to municipal hotel & motel taxes	
Third Read & Passed	S781-782	First Read	S20
House First Read	H1337	Second Read & Referred Jobs, Economic Development & Local Government Committee	S131
Second Read	H1344	SB 124 (Chappelle-Nadal) Relating to firearms	
Referred Judiciary Committee	H1383	First Read	S20
HCS Reported Do Pass Judiciary Committee	H1918	Second Read & Referred General Laws Committee	S131
Referred Rules Committee	H1918	SB 125 (Nasheed) Relating to employment of school personnel	
HCS Reported Do Pass Rules Committee	H2433	First Read	S20
HCS adopted	H2565	Second Read & Referred Education Committee	S131
Third Read & Passed	H2565 S1905-1906	Reported from Education Committee with SCS	S486
Senate concurs	S2004 H2891	SS for SCS offered	S517
Senate Third Read & Passed	S2004-2005 H2891	SA 1	S517-519
Reported Duly Enrolled Rules Committee	S2434	SS for SCS, as amended, adopted	S519
Signed by Senate President Pro Tem	S2434-2435	Perfectd	S519
Signed by House Speaker	H3330-3331	Reported Truly Perfected Rules Committee	S525
Delivered to Governor	S2438	Third Read & Passed	S538
Signed by Governor	S2462	House First Read	H654
SB 119 (Emery) Relating to the state sovereignty commission		Second Read	H664
First Read	S20	Referred Elementary & Secondary Education Committee ...	H735
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S131	HCS Reported Do Pass Elementary & Secondary Education Committee	H1334
SB 120 (Schmitt) Relating to an air export incentive		Referred Rules Committee	H1334
First Read	S20	HCS Reported Do Pass Rules Committee	H1470
Second Read & Referred Jobs, Economic Development & Local Government Committee	S131	Referred Fiscal Review Committee	H1470
Reported from Jobs, Economic Development & Local Government Committee with SCS	S331	HCS Reported Do Pass Fiscal Review Committee	H1576
Bill Placed on Informal Calendar	S356	HA 1 - HA 4	H2274-2280
SS for SCS offered	S357	HCS, as amended, defeated	H2281-2282
Bill Placed on Informal Calendar	S357	Laid over	H2282
SA 1 - SA 13	S358-372	HA 1	H2526-2530
SS for SCS, as amended, adopted	S372	Third Read & Passed, as amended	H2530-2531 S1803-1809
Perfectd	S372	Senate concurs	S1889
Reported Truly Perfected Rules Committee	S383	Senate Third Read & Passed, as amended	S1889 H2574
Referred Governmental Accountability & Fiscal Oversight Committee	S383	Reported Duly Enrolled Rules Committee	S2434
Reported from Governmental Accountability & Fiscal Oversight Committee	S395	Signed by Senate President Pro Tem	S2434-2435
Third Read & Passed - EC adopted	S396-397	Signed by House Speaker	H3330-3331
House First Read	H490	Delivered to Governor	S2438
Second Read	H496	Signed by Governor	S2463
Referred Economic Development Committee	H735	SB 126 (Sater) Relating to pharmacy inventories	
		First Read	S61

Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S181
Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S545
SCS adopted	S649
Perfected	S649
Reported Truly Perfected Rules Committee	S652
Third Read & Passed	S663
House First Read	H969
Second Read	H980
Referred Health Care Policy Committee	H1089
HCS Reported Do Pass Health Care Policy Committee	H1383
Referred Rules Committee	H1383
HCS Reported Do Pass Rules Committee	H1535
HCS defeated	H2023-2024
H Third Read & Passed	H2025 S1384
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2463

SB 127 (Sater) Relating to MO HealthNet dental benefits

First Read	S61
Second Read & Referred Veterans' Affairs & Health Committee	S181
Reported from Veterans' Affairs & Health Committee	S296
Bill Placed on Informal Calendar	S330
Perfected	S383
Reported Truly Perfected Rules Committee	S384
Referred Governmental Accountability & Fiscal Oversight Committee	S385
Reported from Governmental Accountability & Fiscal Oversight Committee	S472
Third Read & Passed	S472
House First Read	H549
Second Read	H558
Referred Health Care Policy Committee	H735
HCS Reported Do Pass Health Care Policy Committee	H1566
Referred Rules Committee	H1566
HCS Reported Do Pass Rules Committee	H1919
Referred Fiscal Review Committee	H1969
HCS Reported Do Pass Fiscal Review Committee	H2077
HA 1 - HA 2	H2375-2387
HCS, as amended, adopted	H2387
Third Read & Passed	H2387-2388 S1658-1676
Senate refuses to concur & requests House recede or grant conference	S1733 H2531
H refuses to recede & grants conference	H2533 S1810
House conferees appointed	H2543 S1811
Senate conferees appointed	S1811 H2574
House submits CCR	H2849-2850
Senate offered & adopted CCR	S1994-1995 H2889
Senate Third Read & Passed CCS	S1995 H2889
House adopted CCR	H3207 S2428
House Third Read & Passed CCS	H3208 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2463-2464

SB 128 (Sater) Relating to electronic benefits transfer cards

First Read	S61
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S181

SB 129 (Sater) Relating to volunteer health services

First Read	S61
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S181
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S398
SS for SCS offered	S417
SA 1	S417

SS for SCS, as amended, adopted	S417
Perfected	S418
Reported Truly Perfected Rules Committee	S421
Third Read & Passed	S479
House First Read	H549
Second Read	H558
Referred Health Care Policy Committee	H735
Reported Do Pass Health Care Policy Committee	H1566
Referred Rules Committee	H1566
Reported Do Pass Rules Committee	H1880
Taken up for Third Reading	H2282
Laid over	H2282
Third Read & Passed	H2419-2420 S1709
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2464-2465
Senate adopts motion to override veto	SV21 HV37
House adopts motion to override veto	HV41-43, 49-51
.....	SV33-34

SB 130 (Schaefer) Relating to fines for failing to yield the right-of-way, with penalty provisions

First Read	S61
Second Read & Referred Transportation & Infrastructure Committee	S181

SB 131 (Nasheed) Relating to Mo HealthNet services

First Read	S61
Second Read & Referred Veterans' Affairs & Health Committee	S181

SB 132 (Keaveny) Relating to state funding for pre-kindergarten programs

First Read	S61
Second Read & Referred Education Committee	S181

SB 133 (Keaveny) Relating to state funding for pre-kindergarten programs

First Read	S61
Second Read & Referred Education Committee	S181
Reported from Education Committee with SCS	S666
Bill Placed on Informal Calendar	S877
SA 1	S892-894
Bill Placed on Informal Calendar	S894

SB 134 (Sater) Relating to labor organizations

First Read	S76
Second Read & Referred Small Business, Insurance & Industry Committee	S181

SB 135 (Sater) Relating to ballot language

First Read	S77
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S181

SB 136 (Sater) Relating to the registration of motor vehicles

First Read	S77
Second Read & Referred Transportation & Infrastructure Committee	S182

SB 137 (Sater) Relating to procedures for counties to decrease their budgets

First Read	S77
Second Read & Referred Jobs, Economic Development & Local Government Committee	S182
Reported from Jobs, Economic Development & Local Government Committee	S397-398
Removed Consent Calendar	S420
Reported from Jobs, Economic Development & Local Government Committee	S486
Perfected	S519
Reported Truly Perfected Rules Committee	S525
Third Read & Passed	S539

House First Read	H655	Jurisprudence Committee	S182
Second Read	H664		
Referred Downsizing State Government Committee	H735		
SB 138 (Kraus) Relating to neighborhood improvement district special assessments		SB 144 (Walsh) Relating to obstruction of an ethics investigation	
First Read	S77	First Read	S91
Second Read & Referred Ways & Means Committee	S182	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S182
Reported from Ways & Means Committee	S296		
Perfectured	S318	SB 145 (Walsh) Relating to voting in advance of an election	
Reported Truly Perfectured Rules Committee	S331	First Read	S91
Third Read & Passed	S342	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S182
House First Read	H446		
Second Read	H451	SB 146 (Schaaf) Relating to prescription drug monitoring program	
Referred Local Government Committee	H735	First Read	S91
Reported Do Pass Local Government Committee	H1118	Second Read & Referred Veterans' Affairs & Health Committee	S182
Referred Rules Committee	H1118		
Reported Do Pass Rules Committee	H1652	SB 147 (Wasson) Relating to prescription eye drop refills	
SB 139 (Kehoe) Relating to the closure of public records, meetings, & votes		First Read	S91
First Read	S86	Second Read & Referred Small Business, Insurance & Industry Committee	S182
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182	Reported from Small Business, Insurance & Industry Committee with SCS	S485
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S212	Removed Consent Calendar	S507
SA 1	S237-244	Reported from Small Business, Insurance & Industry Committee with SCS	S542
Bill Placed on Informal Calendar	S244	SCS adopted	S576
SA 2	S249-250	Perfectured	S576
Perfectured, as amended	S250	Reported Truly Perfectured Rules Committee	S584
Reported Truly Perfectured Rules Committee	S259-260	Third Read & Passed	S596-597
Referred Governmental Accountability & Fiscal Oversight Committee	S269	House First Read	H772
Reported from Governmental Accountability & Fiscal Oversight Committee	S283	Second Read	H782
Third Read & Passed - EC adopted	S288-289	Referred Health Insurance Committee	H951
House First Read	H365		
Second Read	H375	SB 148 (Wasson) Relating to the issuance of salvage certificate of titles or junking certificates to insurance companies	
Referred General Laws Committee	H736	First Read	S91
SB 140 (Brown) Relating to water quality standards for Missouri beaches		Second Read & Referred Transportation & Infrastructure Committee	S182
First Read	S86	Reported from Transportation & Infrastructure Committee	S399
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S182	Third Read & Passed	S484-485
SB 141 (Dempsey) Relating to the distribution of revenues collected from traffic violations		House First Read	H569
First Read	S86	Second Read	H578
Second Read & Referred Transportation & Infrastructure Committee	S182	Referred Transportation Committee	H736
Reported from Transportation & Infrastructure Committee	S667	HCS Reported Do Pass Transportation Committee	H1335
Bill Placed on Informal Calendar	S877	Referred Rules Committee	H1335
SB 142 (Sifton) Relating to the distribution of paid-in surplus		HCS Reported Do Pass Rules Committee	H1567
First Read	S91	HA 1	H2048
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182	HCS, as amended, adopted	H2048
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S487	Third Read & Passed	H2049 S1440-1441
Removed Consent Calendar	S507	Senate concurs	S1494
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S545	Senate Third Read & Passed	S1494-1495 H2235
SA 1	S649	Reported Duly Enrolled Rules Committee	S2434
Perfectured	S649	Signed by Senate President Pro Tem	S2434-2435
Reported Truly Perfectured Rules Committee	S652	Signed by House Speaker	H3330-3331
Third Read & Passed	S663-664	Delivered to Governor	S2438
House First Read	H969	Signed by Governor	S2465
Second Read	H980		
Referred Judiciary Committee	H3327	SB 149 (Keaveny) Relating to possession of exotic animals	
SB 143 (Walsh) Relating to religious & charitable associations		First Read	S92
First Read	S91	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S182
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182	SB 150 (Munzlinger) Relating to certain federal laws regarding firearms	
		First Read	S92
		Second Read & Referred General Laws Committee	S182
		SB 151 (Curls) Relating to foreclosure notice to tenants	
		First Read	S92
		Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182

SB 152 (Curls) Relating to sentences under dual jurisdiction

First Read	S92
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182

SB 153 (Curls) Relating to child support

First Read	S92
Second Read & Referred Seniors, Families & Pensions Committee	S182

SB 154 (Richard) Relating to insurance payments for covered loss or damage

First Read	S92
Second Read & Referred Small Business, Insurance & Industry Committee	S182

SB 155 (Nasheed) Relating to the labeling of genetically modified food

First Read	S92
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S182

SB 156 (Sater) Relating to the implementation of the Patient Protection & Affordable Care Act

First Read	S92
Second Read & Referred Small Business, Insurance & Industry Committee	S182

SB 157 (Sater) Relating to scrap metal

First Read	S92
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S182
Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S419
SA 1	S427
SCS, as amended, adopted	S427
Perfected	S427
Reported Truly Perfected Rules Committee	S429
Third Read & Passed	S481
House First Read	H570
Second Read	H578
Referred General Laws Committee	H736
HCS Reported Do Pass General Laws Committee	H1117
Referred Rules Committee	H1117
HCS Reported Do Pass Rules Committee	H1365
HA 1 - HA 4	H1982-1985
HCS, as amended, adopted	H1985
Third Read & Passed	H1985-1986 S1343-1347
Senate refuses to concur & requests House recede or grant conference	S1384-1385 H2095
House refuses to recede & grants conference	H2305 S1599
Senate conferees appointed	S1600 H2351
House conferees appointed	H2310 S1629
House submits CCR	H2547
Senate offered & adopted CCR	S2006-2007 H2891
Senate Third Read & Passed CCS	S2007-2008 H2891
House adopted CCR	H3189 S2427
House Third Read & Passed CCS	H3190 S2427
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2465-2466

SB 158 (Sater) Relating to enabling health insurers authorized to sell health insurance coverage in selected state to engage in the business of health insurance in Missouri

First Read	S92
Second Read & Referred Small Business, Insurance & Industry Committee	S182

SB 159 (Schmitt) Relating to insurance coverage for physical therapy services

First Read	S92
Second Read & Referred Small Business, Insurance &	

Industry Committee	S182
Reported from Small Business, Insurance & Industry Committee with SCS	S607
Taken up for perfection	S675
Bill Placed on Informal Calendar	S675
SS for SCS offered & adopted	S684
Perfected	S684
Reported Truly Perfected Rules Committee	S712
Referred Governmental Accountability & Fiscal Oversight Committee	S716
Reported from Governmental Accountability & Fiscal Oversight Committee	S764
Third Read & Passed	S774
House First Read	H1337
Second Read	H1344
Referred General Laws Committee	H1367
Reported Do Pass General Laws Committee	H1651
Referred Rules Committee	H1651
Reported Do Pass Rules Committee	H1919
Third Read & Passed	H1945-1946 S1306
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2466

SB 160 (Pearce) Relating to the treatment of eating disorders

First Read	S99
Second Read & Referred Small Business, Insurance & Industry Committee	S182

SB 161 (Pearce) Relating to an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders

First Read	S99
Second Read & Referred Small Business, Insurance & Industry Committee	S182
Reported from Small Business, Insurance & Industry Committee	S542
Perfected	S576
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S596
House First Read	H772
Second Read	H782
Referred Health Insurance Committee	H1089
HCS Reported Do Pass Health Insurance Committee	H1468
Referred Rules Committee	H1468
HCS Reported Do Pass Rules Committee	H1567
Referred Fiscal Review Committee	H2079
HCS Reported Do Pass Fiscal Review Committee	H2283
HA 1	H2388-2402
HCS, as amended, adopted	H2402
Third Read & Passed - EC adopted	H2402-2404 S1676-1696
Senate refuses to concur & requests House recede or grant conference	S1713 H2447
House refuses to recede & grants conference	H2532 S1810
House conferees appointed	H2543 S1811
Senate conferees appointed	S1811 H2574
Senate offered & adopted CCR	S1918-1919 H2795
Senate Third Read & Passed CCS	S1919-1920 H2795
House submits CCR	H2851
House adopted CCR	H3205 S2428
House Third Read & Passed CCS	H3206 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2466-2467

SB 162 (Keaveny) Relating to criminal procedure

First Read	S99
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S182

SB 163 (Kraus) Relating to tax credits

First Read	S99
Second Read & Referred Jobs, Economic Development & Local Government Committee	S182

SB 164 (Walsh) Relating to employee password protection

First Read	S99
Second Read & Referred General Laws Committee	S182
Reported from General Laws Committee with SCS	S398
SCS adopted	S412
Perfected	S412
Reported Truly Perfected Rules Committee	S419
Third Read & Passed	S474-475
House First Read	H549
Second Read	H558
Referred General Laws Committee	H3327

SB 165 (Walsh) Relating to regulation of contract carriers that transport railroad employees

First Read	S99
Second Read & Referred Transportation & Infrastructure Committee	S182

SB 166 (Schaaf) Relating to nonresident entertainer income taxes

First Read	S99
Second Read & Referred Ways & Means Committee	S182

SB 167 (Sater) Relating to nursing scope of practice

First Read	S99-100
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S182
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S666
Bill Placed on Informal Calendar	S877

SB 168 (Chappelle-Nadal) Relating to the use of student assessment data

First Read	S100
Second Read & Referred Education Committee	S183

SB 169 (Chappelle-Nadal) Relating to school district bond issuances

First Read	S100
Second Read & Referred Education Committee	S183

SB 170 (Chappelle-Nadal) Relating to participation by members of public governmental bodies in roll call votes

First Read	S100
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S183
Reported from Financial & Governmental Organizations & Elections Committee	S545
Removed Consent Calendar	S568
Reported from Financial & Governmental Organizations & Elections Committee	S608
SA 1	S733
Perfected	S733
Reported Truly Perfected Rules Committee	S744
Third Read & Passed	S781
House First Read	H1337
Second Read	H1344
Referred Downsizing State Government Committee	H1383
Reported Do Pass Downsizing State Government Committee	H2433
Referred Rules Committee	H2433
Reported Do Pass Rules Committee	H2544
Third Read & Passed	H3267 S2430
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2467-2468
Senate adopts motion to override veto	SV22-23 HV37
House adopts motion to override veto	HV43-45 SV34-35

SB 171 (Chappelle-Nadal) Relating to charter school sponsors

First Read	S100
Second Read & Referred Education Committee	S183

SB 172 (Chappelle-Nadal) Relating to workforce development

First Read	S100
Second Read & Referred Jobs, Economic Development & Local Government Committee	S183

SB 173 (Nasheed) Relating to the board of education of the metropolitan school districts

First Read	S100
Second Read & Referred Education Committee	S183

SB 174 (Parson) Relating to the determination of what are business activities within this state

First Read	S100
Second Read & Referred Ways & Means Committee	S183
Reported from Ways & Means Committee with SCS	S667
Bill Placed on Informal Calendar	S877

SB 175 (Wallingford) Relating to administration of abortion-inducing drugs

First Read	S100
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S666
Bill Placed on Informal Calendar	S877

SB 176 (Schmitt) Relating to the designation of the new Mississippi River bridge

First Read	S108
Second Read & Referred Transportation & Infrastructure Committee	S183
Reported from Transportation & Infrastructure Committee with SCS	S296
SA 1	S330
SCS, as amended, adopted	S330
Perfected	S330-331
Reported Truly Perfected Rules Committee	S343
Third Read & Passed	S354
House First Read	H446
Second Read	H451
Referred Transportation Committee	H3327

SB 177 (Schmitt) Relating to the date of the presidential primary

First Read	S108
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S183

SB 178 (Schaaf) Relating to mental health facility safety provisions

First Read	S108
Second Read & Referred Veterans' Affairs & Health Committee	S183
Reported from Veterans' Affairs & Health Committee with SCS	S488
SA 1	S574-575
SCS, as amended, adopted	S575
Perfected	S575
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S595
House First Read	H773
Second Read	H782
Referred Health Care Policy Committee	H951
Reported Do Pass Health Care Policy Committee	H1384
Referred Rules Committee	H1384
Reported Do Pass Rules Committee	H1881

SB 179 (Parson) Relating to a tax deduction for job creation for new home purchasers

First Read	S108
Second Read & Referred Ways & Means Committee	S183

SB 180 (Kraus) Relating to service-disabled veteran business contracts

First Read	S108
Second Read & Referred Veterans' Affairs & Health Committee	S183

SB 181 (Kraus) Relating to ethics

First Read	S108-109
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S183

SB 182 (Kehoe) Relating to local taxes on motor vehicle sales

First Read	S109
Second Read & Referred Transportation & Infrastructure Committee	S183
Reported from Transportation & Infrastructure Committee with SCS	S254
SCS adopted	S275
Perfected	S275
Reported Truly Perfected Rules Committee	S295
Third Read & Passed - EC adopted	S307-308
House First Read	H399
Second Read	H406
Referred Special Standing Committee on Small Business Committee	H466
HCS Reported Do Pass Special Standing Committee on Small Business Committee	H598
Referred Rules Committee	H598
HCS Reported Do Pass Rules Committee	H637
Taken up for Third Reading	H763
Laid Over	H763
HA 1	H935-936
HCS, as amended, adopted	H936
Third Read & Passed - EC adopted	H936-938 S645
Senate concurs in HCS, as amended	S646
Senate Third Read & Passed - EC adopted	S646-647
Reported Duly Enrolled Rules Committee	S657
Signed by Senate President Pro Tem	S657
Signed by House Speaker	H958
Delivered to Governor	S659
Vetoed by Governor	S824-825

SB 183 (Sater) Relating to the offense of unlawful search, with a penalty provision

First Read	S109
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183

SB 184 (Sater) Relating to alimony & maintenance

First Read	S109
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183

SB 185 (Sater) Relating to substance abuse during pregnancy

First Read	S109
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183

SB 186 (Brown) Relating to unclaimed veterans' remains

First Read	S109
Second Read & Referred Veterans' Affairs & Health Committee	S183
Reported from Veterans' Affairs & Health Committee with SCS	S488
SCS adopted	S575
Perfected	S575
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S594-595
House First Read	H773
Second Read	H782
Referred Veterans Committee	H951
HCS Reported Do Pass Veterans Committee	H1118
Referred Rules Committee	H1118
HCS Reported Do Pass Rules Committee	H1365
HA 1	H1859-1860

HCS, as amended, adopted	H1860
Third Read & Passed	H1860-1861 S1228-1229
Senate concurs	S1231-1232
Senate Third Read & Passed	S1232 H1924
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2468

SB 187 (Brown) Relating to protective headgear for operation of motorcycles or motortricycles

First Read	S109
Second Read & Referred Transportation & Infrastructure Committee	S183

SB 188 (Romine) Relating to petitions for conditional release of sexually violent predators

First Read	S109
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S545-546
Third Read & Passed	S604-605
House First Read	H928
Second Read	H935
Referred Special Standing Committee on Corrections Committee	H951
HCS Reported Do Pass Special Standing Committee on Corrections Committee	H1091
Referred Rules Committee	H1091
HCS Reported Do Pass Rules Committee	H1120
HCS adopted	H1665
Third Read & Passed - EC adopted	H1665 S983
Senate motion to concur withdrawn	S984
Senate concurs	S1230
Senate Third Read & Passed - EC adopted	S1230-1231
Reported Duly Enrolled Rules Committee	S1251
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2469

SB 189 (Romine) Relating to the failure to vacate leased premises in a rent and possession case

First Read	S109
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183

SB 190 (Walsh) Relating to mandatory wage reporting for the purposes of determining the prevailing wage

First Read	S109
Bill Withdrawn	S177

SB 191 (Lamping) Relating to the public service commission

First Read	S109-110
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S183
Reported from Governmental Accountability & Fiscal Oversight Committee with SCS	S487
SCS adopted	S542
Third Read & Passed	S542
House First Read	H655
Second Read	H664
Referred Utilities Committee	H736
Reported Do Pass Utilities Committee	H952
Referred Rules Committee	H952
Reported Do Pass Rules Committee	H1120
Third Read & Passed	H1673 S985
Reported Duly Enrolled Rules Committee	S1229
Signed by Senate President Pro Tem	S1229-1230
Signed by House Speaker	H1915 S1291
Delivered to Governor	S1291
Signed by Governor	S2330

SB 192 (Lamping) Relating to the designation of the new Mississippi River bridge

First Read	S110
Second Read & Referred Transportation & Infrastructure Committee	S183

SB 193 (Schaefer) Relating to the education of gifted & talented children

First Read	S110
Second Read & Referred Education Committee	S183
Reported from Education Committee	S398
Perfectd	S417
Reported Truly Perfected Rules Committee	S419
Third Read & Passed	S475
House First Read	H549
Second Read	H558
Referred Elementary & Secondary Education Committee ..	H951

SB 194 (Schaaf) Relating to certificate of need for long-term care facilities

First Read	S119
Second Read & Referred Veterans' Affairs & Health Committee	S183

SB 195 (Keaveny) Relating to professional development programs for public schools

First Read	S119
Second Read & Referred Education Committee	S183

SB 196 (Keaveny) Relating to the examination of private trust companies and alternative dispute resolution for trust agreements

First Read	S119
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S183

SB 197 (Sater) Relating to tuberculosis testing

First Read	S119
Second Read & Referred Veterans' Affairs & Health Committee	S183
Reported from Veterans' Affairs & Health Committee	S254
SA 1 - SA 2	S271-272
Perfectd, as amended	S272
Reported Truly Perfected Rules Committee	S275
Third Read & Passed	S291
House First Read	H365
Second Read	H375
Referred Health Care Policy Committee	H736
Reported Do Pass Health Care Policy Committee	H1117
Referred Rules Committee	H1117
Reported Do Pass Rules Committee	H1365
HA 1	H1817-1818
Third Read & Passed, as amended	H1818-1819 S1192-1193
Senate concurs in HA 1	S1277
Senate Third Read & Passed, as amended	S1277 H1924
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2469

SB 198 (Chappelle-Nadal) Relating to the women, infants and children special supplemental food program

First Read	S119
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S183

SB 199 (Chappelle-Nadal) Relating to long-term care facilities

First Read	S119
Second Read & Referred Seniors, Families & Pensions Committee	S183
Reported from Seniors, Families & Pensions Committee	S420
Perfectd	S428
Reported Truly Perfected Rules Committee	S429
Third Read & Passed	S480

House First Read	H550
Second Read	H558
Referred Retirement Committee	H1089

SB 200 (Chappelle-Nadal) Relating to violence prevention education in elementary and secondary schools

First Read	S119
Second Read & Referred Education Committee	S183

SB 201 (Chappelle-Nadal) Relating to the Missouri indoor clean air act

First Read	S120
Second Read & Referred Veterans' Affairs & Health Committee	S184

SB 202 (Chappelle-Nadal) Relating to workplace violence

First Read	S120
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S184

SB 203 (Chappelle-Nadal) Relating to unauthorized & unlawfully present aliens

First Read	S120
Second Read & Referred Seniors, Families & Pensions Committee	S184

SB 204 (Brown) Relating to the tax credit for wood energy procedures

First Read	S126
Second Read & Referred Jobs, Economic Development & Local Government Committee	S184

SB 205 (Sater) Relating to foster children

First Read	S126
Second Read & Referred Seniors, Families & Pensions Committee	S184
Reported from Seniors, Families & Pensions Committee	S609
SA 1	S764-765
Perfectd, as amended	S765
Reported Truly Perfected Rules Committee	S783
Third Read & Passed	S808
House First Read	H1367
Second Read	H1374
Referred Children, Families & Persons with Disabilities Committee	H1586
HCS Reported Do Pass Children, Families & Persons with Disabilities Committee	H1878
Referred Rules Committee	H1878
HCS Reported Do Pass Rules Committee	H2078
HCS adopted	H2370
Third Read & Passed	H2370 S1654
Senate concurs	S1726-1727
Senate Third Read & Passed	S1727 H2492
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2469-2470

SB 206 (Schaaf) Relating to the designation of the official state exercise

First Read	S126
Second Read & Referred General Laws Committee	S184

SB 207 (Kehoe) Relating to ratemaking for public utilities

First Read	S126
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S184
Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S485
Bill Placed on Informal Calendar	S516

SB 208 (Justus) Relating to reentry into the custody of the children's division

First Read	S126
Second Read & Referred Seniors, Families & Pensions Committee	S184
Reported from Seniors, Families & Pensions Committee	S399
Perfected	S419
Reported Truly Perfected Rules Committee	S421
Third Read & Passed	S479-480
House First Read	H550
Second Read	H558
Referred Children, Families & Persons with Disabilities Committee	H951
Reported Do Pass Children, Families & Persons with Disabilities Committee	H1363
Referred Rules Committee	H1363
Reported Do Pass Rules Committee	H1968
Third Read & Passed	H2374-2375 S1658
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2470

SB 209 (Justus) Relating to higher education tuition policy

First Read	S126
Second Read & Referred Education Committee	S184

SB 210 (Lamping) Relating to the Common Core Standards Initiative

First Read	S126
Second Read & Referred Education Committee	S184
Reported from Education Committee with SCS	S666
Bill Placed on Informal Calendar	S877
SS for SCS offered	S1299
SA 1 - SA 5	S1299-1305
SS for SCS, as amended, adopted	S1305
Perfected	S1305
Reported Truly Perfected Rules Committee	S1332-1333
Third Read & Passed - EC adopted	S1479-1480
House First Read	H2164
Second Read	H2302
Referred Elementary & Secondary Education Committee	H2348
HCS Reported Do Pass Elementary & Secondary Education Committee	H2433
Referred Rules Committee	H2433
HCS Reported Do Pass Rules Committee	H2544
HCS adopted	H3268
Third Read & Passed - EC defeated	H3269-3270 S2416
Senate motion to concur withdrawn	S2416

SB 211 (Rupp) Relating to the management of diabetes in elementary & secondary schools

First Read	S126
Second Read & Referred Education Committee	S254
Reported from Education Committee	S486
Removed Consent Calendar	S507
Reported from Education Committee	S543
SA 1 - SA 3	S578-579
Perfected, as amended	S579
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S593
House First Read	H773
Second Read	H782
Referred Elementary & Secondary Education Committee	H951

SB 212 (Cunningham) Relating to the state board of chiropractic examiners

First Read	S138
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S254

SB 213 (Kraus) Relating to tax increment financing

First Read	S138
Second Read & Referred Jobs, Economic Development & Local Government Committee	S254

SB 214 (Silvey) Relating to crime

First Read	S138
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S254

SB 215 (Silvey) Relating to Kansas City police retirement systems

First Read	S138
Second Read & Referred Seniors, Families & Pensions Committee	S254

SB 216 (Silvey) Relating to first responder political activity

First Read	S138
Second Read & Referred Jobs, Economic Development & Local Government Committee	S254
Reported from Jobs, Economic Development & Local Government Committee	S486
Perfected	S519
Reported Truly Perfected Rules Committee	S525
Third Read & Passed	S539-540
House First Read	H655
Second Read	H664
Referred Crime Prevention & Public Safety Committee	H736
Reported Do Pass Crime Prevention & Public Safety Committee	H984
Referred Rules Committee	H984
Reported Do Pass Rules Committee	H1567
Third Read & Passed	H2181-2182 S1510
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2470-2471

SB 217 (LeVota) Relating to the replacement of stolen license plate tabs

First Read	S138
Second Read & Referred S Transportation & Infrastructure Committee	S254

SB 218 (LeVota) Relating to the display of the Honor and Remember flag at state buildings and state parks

First Read	S138
Second Read & Referred General Laws Committee	S254
Reported from General Laws Committee	S398
Third Read & Passed	S483-484
House First Read	H570
Second Read	H578
Referred Tourism & Natural Resources Committee	H1089
Reported Do Pass Tourism & Natural Resources Committee	H1586
Referred Rules Committee	H1586
Reported Do Pass Rules Committee	H2349

SB 219 (Sater) Relating to the scope of practice for physician assistants

First Read	S138
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S255

SB 220 (Lamping) Relating to taxation

First Read	S138-139
Second Read & Referred S Ways & Means Committee	S255

SB 221 (Lamping) Relating to teacher & school employee retirement systems

First Read	S139
Second Read & Referred Seniors, Families & Pensions Committee	S297

SB 222 (Lamping) Relating to domestic violence

First Read	S139
Second Read & Referred Seniors, Families & Pensions Committee	S297
Reported from Seniors, Families & Pensions Committee	S488
Perfected	S576
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S594
House First Read	H773
Second Read	H782
Referred Judiciary Committee	H951
HCS Reported Do Pass Judiciary Committee	H1468
Referred Rules Committee	H1468
HCS Reported Do Pass Rules Committee	H1567
HA 1 - HA 2	H2457-2485
HCS, as amended, adopted	H2486
Third Read & Passed - EC adopted	H2487-2488 S1734-1777

SB 223 (Curls) Relating to the public school retirement system of Kansas City

First Read	S139
Second Read & Referred Seniors, Families & Pensions Committee	S297

SB 224 (Curls) Relating to the Kansas City police department

First Read	S139
Second Read & Referred Progress & Development Committee	S297
Reported from Progress & Development Committee with SCS	S486
SCS adopted	S541
Third Read & Passed	S541
House First Read	H655
Second Read	H664
Referred Crime Prevention & Public Safety Committee	H951
HCS Reported Do Pass Crime Prevention & Public Safety Committee	H1180
Referred Rules Committee	H1180
Returned Committee of Origin	H1365
Reported Do Pass Crime Prevention & Public Safety Committee	H1468
Referred Rules Committee	H1468
Reported Do Pass Rules Committee	H1568
HA 1 - HA 2	H2566-2572
Placed back on calendar	H2572
HA 3 - HA 8	H2575-2591
Third Read & Passed, as amended	H2592 S1927-1952
Senate refuses to concur & requests House recede or grant conference	S1960 H2827
H refuses to recede & grants conference	H2841 S1990
House conferees appointed	H2842 S1990
Senate conferees appointed	S1991 H2889
House submits CCR	H3120
Senate offered & adopted CCR	S2396-2397 H3254
Senate Third Read & Passed CCS	S2397 H3254
House adopted CCR	H3300-3301 S2431
House Third Read & Passed CCS	H3301-3302 S2431
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2471-2472
No motion made to override veto	SV22

SB 225 (Curls) Relating to child support

First Read	S139
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S297

SB 226 (Schaefer) Relating to mental health services

First Read	S139
Second Read & Referred Veterans' Affairs & Health Committee	S297
Reported from Veterans' Affairs & Health Committee	

with SCS	S609
SA 1 - SA 2	S751
SCS, as amended, adopted	S751
Perfected	S751
Reported Truly Perfected Rules Committee	S773
Third Read & Passed	S807
House First Read	H1367
Second Read	H1374
Referred Health Care Policy Committee	H3327

SB 227 (LeVota) Relating to ethics

First Read	S158-159
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S297

SB 228 (Holsman) Relating to urban agricultural zones

First Read	S159-160
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S297

SB 229 (Brown) Relating to the mental health employment disqualification registry

First Read	S160
Second Read & Referred Veterans' Affairs & Health Committee	S297
Reported from Veterans' Affairs & Health Committee with SCS	S546
SA 1	S651
SCS, as amended, adopted	S651
Perfected	S651
Reported Truly Perfected Rules Committee	S652
Third Read & Passed	S662
House First Read	H970
Second Read	H980
Referred Children, Families & Persons with Disabilities Committee	H1089
Reported Do Pass Children, Families & Persons with Disabilities Committee	H1334
Referred Rules Committee	H1334
Returned Committee of Origin	H1652
HCS Reported Do Pass Children, Families & Persons with Disabilities Committee	H1878
Referred Rules Committee	H1878
HCS Reported Do Pass Rules Committee	H2078
HCS adopted	H2367
Third Read & Passed	H2367-2368 S1654
Senate concurs in HCS	S1724
Third Read & Passed	S1724-1725 H2493
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2472-2473

SB 230 (Brown) Relating to newborn screenings

First Read	S160
Second Read & Referred Veterans' Affairs & Health Committee	S297
Reported from Veterans' Affairs & Health Committee	S488
Perfected	S576
Reported Truly Perfected Rules Committee	S584
Third Read & Passed	S593
House First Read	H773
Second Read	H782
Referred Health Care Policy Committee	H951
Reported Do Pass Health Care Policy Committee	H1118
Referred Rules Committee	H1118
Reported Do Pass Rules Committee	H1365
HA 1	H1992-1993
Third Read & Passed, as amended	H1994 S1347-1348
Senate concurs in HA 1	S1496
Senate Third Read & Passed	S1496-1497 H2288
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331

Delivered to Governor	S2438	Perfected	S420
Signed by Governor	S2473	Reported Truly Perfected Rules Committee	S429
SB 231 (Munzlinger) Relating to debt setoffs for unpaid healthcare expenses		Referred Governmental Accountability & Fiscal Oversight Committee	S429
First Read	S160	Reported from Governmental Accountability & Fiscal Oversight Committee	S472
Second Read & Referred Ways & Means Committee	S297	Third Read & Passed	S482
Reported from Ways & Means Committee	S609	House First Read	H570
SA 1	S749-750	Second Read	H578
Bill Placed on Informal Calendar	S750	Referred Crime Prevention & Public Safety Committee	H951
SB 232 (Wallingford) Relating to school employee retirement		Reported Do Pass Crime Prevention & Public Safety Committee	H1180
First Read	S160	Referred Rules Committee	H1180
Second Read & Referred Seniors, Families & Pensions Committee	S297	Reported Do Pass Rules Committee	H2349
SB 233 (Sater) Relating to a prescription drug monitoring program		Third Read & Passed	H2493-2494 S1778
First Read	S160	Reported Duly Enrolled Rules Committee	S2434
Second Read & Referred Veterans' Affairs & Health Committee	S297	Signed by Senate President Pro Tem	S2434-2435
SB 234 (Wasson) Relating to marital & family therapists		Signed by House Speaker	H3330-3331
First Read	S160	Delivered to Governor	S2438
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S297	SB 237 (Emery) Relating to telecommunications	
Reported from Financial & Governmental Organizations & Elections Committee	S398	First Read	S169
Third Read & Passed	S484	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S297
House First Read	H570	Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S485
Second Read	H578	Perfected	S516
Referred Professional Registration & Licensing Committee	H736	Reported Truly Perfected Rules Committee	S519
Reported Do Pass Professional Registration & Licensing Committee	H1091	Third Read & Passed	S537
Referred Rules Committee	H1091	House First Read	H655
Reported Do Pass Rules Committee	H1120	Second Read	H664
Third Read & Passed	H1666 S983	Referred Utilities Committee	H736
Reported Duly Enrolled Rules Committee	S1229	Reported Do Pass Utilities Committee	H952
Signed by Senate President Pro Tem	S1229-1230	Referred Rules Committee	H952
Signed by House Speaker	H1915 S1291	Reported Do Pass Rules Committee	H1120
Delivered to Governor	S1291	Third Read & Passed	H1674 S985
Signed by Governor	S2426	Reported Duly Enrolled Rules Committee	S1229
SB 235 (Cunningham) Relating to residential real estate loan reporting		Signed by Senate President Pro Tem	S1229-1230
First Read	S160	Signed by House Speaker	H1915 S1291
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S297	Delivered to Governor	S1291
Reported from Financial & Governmental Organizations & Elections Committee	S545	Signed by Governor	S2426-2427
Third Read & Passed	S603	SB 238 (Emery) Relating to labor organizations	
House First Read	H928	First Read	S169
Second Read	H935	Second Read & Referred Small Business, Insurance & Industry Committee	S297
Referred Financial Institutions Committee	H951	SB 239 (Emery) Relating to elementary & secondary education	
Reported Do Pass Financial Institutions Committee	H1090	First Read	S169
Referred Rules Committee	H1090	Second Read & Referred General Laws Committee	S297
Reported Do Pass Rules Committee	H1120	Reported from General Laws Committee with SCS	S608
Third Read & Passed	H1667 S983-984	SA 1 - SA 2	S717-718
Reported Duly Enrolled Rules Committee	S1229	Bill Placed on Informal Calendar	S718
Signed by Senate President Pro Tem	S1229-1230	SB 240 (Lager) Relating to ratemaking for gas corporations	
Signed by House Speaker	H1915 S1291	First Read	S169
Delivered to Governor	S1291	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S297
Signed by Governor	S2426	Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S397
SB 236 (Parson) Relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund		SA 1 - SA 4	S409-410
First Read	S169	SCS, as amended, adopted	S410
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S297	Perfected	S410
Reported from Governmental Accountability & Fiscal Oversight Committee	S398	Reported Truly Perfected Rules Committee	S419
SA 1	S419	Referred Governmental Accountability & Fiscal Oversight Committee	S420
Bill Placed on Informal Calendar	S419	Reported from Governmental Accountability & Fiscal Oversight Committee	S472
SA 2	S420	Third Read & Passed - EC adopted	S473-474
		House First Read	H550
		Second Read	H558
		Referred Utilities Committee	H951
		Reported Do Pass Utilities Committee	H1534
		Referred Rules Committee	H1534
		Reported Do Pass Rules Committee	H1968

Referred Fiscal Review Committee	H1969
Reported Do Pass Fiscal Review Committee	H2077
Taken up for Third Reading	H2102
Laid over	H2102
Third Read & Passed	H2336 S1630-1631
Reported Duly Enrolled Rules Committee	S2440
Signed by Senate President Pro Tem	S2440
Signed by House Speaker	H3332
Delivered to Governor	S2441
Vetoed by Governor	S2473-2475
No motion made to override veto	SV17

SB 241 (Lager) Relating to broadband

First Read	S169
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S297
Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S486
Bill Placed on Informal Calendar	S516
SS for SCS offered	S527
SA 1 - SA 6	S528-529
SS for SCS, as amended, adopted	S529
Perfectured	S529
Reported Truly Perfectured Rules Committee	S546
Third Read & Passed	S558-559
House First Read	H655
Second Read	H664
Referred Utilities Committee	H951
HCS Reported Do Pass Utilities Committee	H1335
Referred Rules Committee	H1335
HCS Reported Do Pass Rules Committee	H1652
HCS defeated	H3081
HA 1	H3081-3085
Placed on Calendar	H3085

SB 242 (Kehoe) Relating to the sale or provision of certain commodities to seven director school districts

First Read	S169
Second Read & Referred Education Committee	S297
Reported from Education Committee	S486
Removed Consent Calendar	S507
Reported from Education Committee	S543
Bill Placed on Informal Calendar	S590
Perfectured	S622
Reported Truly Perfectured Rules Committee	S626
Third Read & Passed	S659
House First Read	H970
Second Read	H980
Referred Elementary & Secondary Education Committee	H1089

SB 243 (Brown) Relating to the crime of sexual misconduct in the second degree

First Read	S169
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S297

SB 244 (Schaefer) Relating to death certificates

First Read	S176
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S297

SB 245 (Justus) Relating to waiver of court costs & expenses in civil cases

First Read	S176
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S297
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S546
Removed Consent Calendar	S568
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S609
SS offered & adopted	S733-734
Perfectured	S734
Reported Truly Perfectured Rules Committee	S744

Third Read & Passed	S780
House First Read	H1337
Second Read	H1344
Referred Judiciary Committee	H1383
HCS Reported Do Pass Judiciary Committee	H1918
Referred Rules Committee	H1918
HCS Reported Do Pass Rules Committee	H2078

SB 246 (Walsh) Relating to the Missouri juneteenth heritage & jazz festival & memorial

First Read	S176
Second Read & Referred Ways & Means Committee	S297

SB 247 (Walsh) Relating to repealing the death penalty

First Read	S176
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S297

SB 248 (Wasson) Relating to notice of neighborhood improvement districts

First Read	S176
Second Read & Referred Jobs, Economic Development & Local Government Committee	S298
Reported from Jobs, Economic Development & Local Government Committee with SCS	S543
SCS adopted	S599
Third Read & Passed	S599
House First Read	H773
Second Read	H782
Referred Economic Development Committee	H951
Reported Do Pass Economic Development Committee	H1534
Referred Rules Committee	H1534
Reported Do Pass Rules Committee	H1881
HA 1 - HA 2	H2164-2171
Third Read & Passed, as amended	H2171-2172 S1497-1507
Senate refuses to concur & requests House recede or grant conference	S1643 H2435
House refuses to recede & grants conference	H2533 S1810
House conferees appointed	H2543 S1811
Senate conferees appointed	S1811 H2574
House submits CCR	H2851-2852
Senate offered & adopted CCR	S1998-1999 H2889
Senate Third Read & Passed CCS	S1999-2000 H2889
House adopted CCR	H3209 S2428
House Third Read & Passed CCS	H3210 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2475

SB 249 (Nasheed) Relating to school attendance

First Read	S176
Second Read & Referred Education Committee	S298

SB 250 (Schaaf) Relating to possession of child pornography

First Read	S176
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S298
Reported from Judiciary & Civil & Criminal Jurisprudence Committee with SCS	S666
Bill Placed on Informal Calendar	S877

SB 251 (Kraus) Relating to public assistance fraud & abuse

First Read	S176
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S331
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S609
SS offered	S733
Perfectured	S733
Reported Truly Perfectured Rules Committee	S744
Referred Governmental Accountability & Fiscal Oversight Committee	S744
Reported from Governmental Accountability & Fiscal	

Oversight Committee	S764
Third Read & Passed	S779-780
House First Read	H1337
Second Read	H1344
Referred Government Oversight & Accountability Committee	H1383
HCS Reported Do Pass Government Oversight & Accountability Committee	H2348
Referred Rules Committee	H2348
HCS Reported Do Pass Rules Committee	H2544
Referred Fiscal Review Committee	H2545
HCS Reported Do Pass Fiscal Review Committee	H2553
HCS defeated	H3044
Third Read & Passed	H3045 S2253
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2475

SB 252 (Kraus) Relating to the copying and retention of source documents used to obtain driver's licenses and nondriver's licenses

First Read	S176
Second Read & Referred Transportation & Infrastructure Committee	S331
Reported from Transportation & Infrastructure Committee	S488
Bill Placed on Informal Calendar	S576
SS offered	S684-685
SA 1	S685-708; 712-713
Bill Placed on Informal Calendar	S708
SA 2 - SA 4	S713-715
SS, as amended, adopted	S715
Perfectd	S715
Reported Truly Perfected Rules Committee	S719
Referred Governmental Accountability & Fiscal Oversight Committee	S719
Reported from Governmental Accountability & Fiscal Oversight Committee	S764
Third Read & Passed - EC adopted	S776-777
House First Read	H1338
Second Read	H1344
Referred Government Oversight & Accountability Committee	H1383
HCS Reported Do Pass Government Oversight & Accountability Committee	H1879
Referred Rules Committee	H1879
HCS Reported Do Pass Rules Committee	H1919
Referred Fiscal Review Committee	H1920
HCS Reported Do Pass Fiscal Review Committee	H1968
HA 1 - HA 5	H2497-2503
HCS, as amended, adopted	H2504
Third Read & Passed - EC adopted	H2504-2505 S1780-1783
Senate concurs	S1894
Senate Third Read & Passed - EC adopted	S1894-1895 H2574
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2476

SB 253 (Justus) For the sole purpose of restructuring the Missouri criminal code

First Read	S189-191
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S331

SB 254 (Pearce) Relating to loan fees

First Read	S191
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S331
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S544
SA 1 - SA 2	S648-649

SCS, as amended, adopted	S649
Perfectd	S649
Reported Truly Perfected Rules Committee	S652
Third Read & Passed	S664
House First Read	H970
Second Read	H980
Referred Financial Institutions Committee	H1089
Reported Do Pass Financial Institutions Committee	H1334
Referred Rules Committee	H1334
Reported Do Pass Rules Committee	H1470
Third Read & Passed	H1864 S1249
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2476

SB 255 (Schmitt) Relating to the administrative law judge review committee

First Read	S191
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S331

SB 256 (Silvey) Relating to the safe place for newborns act

First Read	S191
Second Read & Referred Seniors, Families & Pensions Committee	S331
Reported from Seniors, Families & Pensions Committee with SCS	S609-610
SA 1 - SA 7	S765-771
SCS, as amended, adopted	S771
Perfectd	S771
Reported Truly Perfected Rules Committee	S783
Referred Governmental Accountability & Fiscal Oversight Committee	S783
Reported from Governmental Accountability & Fiscal Oversight Committee	S806
Third Read & Passed	S807-808
House First Read	H1367
Second Read	H1374
Referred Crime Prevention & Public Safety Committee	H1586
HCS Reported Do Pass Crime Prevention & Public Safety Committee	H1917
Referred Rules Committee	H1917
HCS Reported Do Pass Rules Committee	H2078
Referred Fiscal Review Committee	H2079
HCS Reported Do Pass Fiscal Review Committee	H2283
HA 1 - HA 3	H2494-2496
HCS, as amended, adopted	H2496
Third Read & Passed	H2496-2497 S1778-1780
Senate refuses to concur & requests House recede or grant conference	S1813 H2574
House refuses to recede & grants conference	H2575 S1926
House conferees appointed	H2593 S1952
Senate conferees appointed	S1953 H2827
Senate offered & adopted CCR	S2013-2014 H2891
Senate Third Read & Passed CCS	S2014 H2891
House submits CCR	H3121
House adopted CCR	H3211 S2428
House Third Read & Passed CCS	H3212 S2428
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2476-2477

SB 257 (Silvey) Relating to port improvement districts

First Read	S191
Second Read & Referred Jobs, Economic Development & Local Government Committee	S331
Reported from Jobs, Economic Development & Local Government Committee	S543
Bill Placed on Informal Calendar	S590
Perfectd	S727
Reported Truly Perfected Rules Committee	S734

Third Read & Passed	S743	Bill Placed on Informal Calendar	S577
House First Read	H1121	Point of order withdrawn	S579
Second Read	H1129	SS adopted	S579
Referred International Trade Committee	H1179	Perfectured	S580
Reported Do Pass International Trade Committee	H1534	Reported Truly Perfectured Rules Committee	S584
Referred Rules Committee	H1534	Third Read & Passed	S592
Reported Do Pass Rules Committee	H1881	House First Read	H774
Third Read & Passed	H1986-1987 S1347	Second Read	H782
Reported Duly Enrolled Rules Committee	S2434	Referred Health Insurance Committee	H1089
Signed by Senate President Pro Tem	S2434-2435	HCS Reported Do Pass Health Insurance Committee	H1468
Signed by House Speaker	H3330-3331	Referred Rules Committee	H1468
Delivered to Governor	S2438	HCS Reported Do Pass Rules Committee	H1568
Signed by Governor	S2477	HA 1 - HA 7	H1946-1959
		HCS, as amended, adopted	H1959
		Third Read & Passed - EC adopted	H1959-1962 S1307-1321
		Senate refuses to concur & requests House recede or grant conference	S1323 H1978
		House refuses to recede & grants conference	H2304 S1599
		Senate conferees appointed	S1600 H2351
		House conferees appointed	H2310 S1629
		House submits CCR	H2852
		Senate offered & adopted CCR	S2000-2001 H2891
		Senate Third Read & Passed CCS - EC adopted	S2001-2002 H2891
		House adopted CCR	H3184-3185 S2427
		House Third Read & Passed CCS - EC adopted	H3185-3188 S2427
		Reported Duly Enrolled Rules Committee	S2440
		Signed by Senate President Pro Tem	S2440
		Signed by House Speaker	H3332
		Delivered to Governor	S2441
		Signed by Governor	S2478
SB 258 (LeVota) Relating to the board of directors of the Kansas City school district			
First Read	S191-192		
Second Read & Referred Education Committee	S331		
Reported from Education Committee with SCS	S543		
Bill Placed on Informal Calendar	S590		
SCS adopted	S622		
Perfectured	S622		
Reported Truly Perfectured Rules Committee	S626		
Third Read & Passed	S658-659		
House First Read	H970		
Second Read	H980		
Referred Elections Committee	H1089		
HCS Reported Do Pass Elections Committee	H1334		
Referred Rules Committee	H1334		
HCS Reported Do Pass Rules Committee	H2842		
HCS defeated	H3270		
Third Read & Passed	H3271 S2430		
Reported Duly Enrolled Rules Committee	S2434		
Signed by Senate President Pro Tem	S2434-2435		
Signed by House Speaker	H3330-3331		
Delivered to Governor	S2438		
Signed by Governor	S2477-2478		
SB 259 (Schaaf) Relating to reportable infectious diseases			
First Read	S192		
Second Read & Referred Veterans' Affairs & Health Committee	S331		
Reported from Veterans' Affairs & Health Committee with SCS	S812		
Bill Placed on Informal Calendar	S878		
SB 260 (Brown) Relating to reimbursement of nonparticipating facility-based providers			
First Read	S192		
Second Read & Referred Small Business, Insurance & Industry Committee	S331		
SB 261 (Rupp) Relating to the assignment of hearing officers by the state tax commission			
First Read	S203		
Second Read & Referred Ways & Means Committee	S332		
Reported from Ways & Means Committee	S546		
Bill Placed on Informal Calendar	S650		
Perfectured	S651		
Reported Truly Perfectured Rules Committee	S652		
Third Read & Passed	S661		
House First Read	H970		
Second Read	H980		
Referred Ways & Means Committee	H1089		
SB 262 (Curls) Relating to the reimbursement of covered health care services provided through telemedicine			
First Read	S203		
Second Read & Referred Small Business, Insurance & Industry Committee	S332		
Reported from Small Business, Insurance & Industry Committee	S542		
SS offered	S576		
SA 1	S576-577; 579		
Point of order	S577		
SB 263 (Curls) Relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties			
First Read	S203		
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S332		
SB 264 (Dempsey) Relating to petitions to exclude property from a fire protection district			
First Read	S203		
Second Read & Referred Jobs, Economic Development & Local Government Committee	S332		
SB 265 (Nieves) Relating to prohibition on certain policies that infringe on private property rights			
First Read	S210		
Second Read & Referred General Laws Committee	S332		
Reported from General Laws Committee	S543-544		
SA 1	S647-648		
Perfectured	S648		
Reported Truly Perfectured Rules Committee	S649		
Third Read & Passed	S660-661		
House First Read	H970		
Second Read	H980		
Referred Downsizing State Government Committee	H1089		
Reported Do Pass Downsizing State Government Committee	H1651		
Referred Rules Committee	H1651		
Reported Do Pass Rules Committee	H1919		
Third Read & Passed	H2237 S1564		
Reported Duly Enrolled Rules Committee	S2434		
Signed by Senate President Pro Tem	S2434-2435		
Signed by House Speaker	H3330-3331		
Delivered to Governor	S2438		
Vetoed by Governor	S2478-2479		
Senate adopts motion to override veto	SV22 HV37		
House defeats motion to override veto	HV45-47		
SB 266 (Nieves) Relating to privacy concerning firearms			
First Read	S210		
Second Read & Referred General Laws Committee	S332		

SB 267 (Nieves) Relating to the laws of other countries

First Read	S210
Second Read & Referred General Laws Committee	S332
Reported from General Laws Committee	S608
SA 1	S719
Bill Placed on Informal Calendar	S719
SA 1 withdrawn	S726
SS offered	S726
SA 1	S726-727
SS, as amended, adopted	S727
Perfected	S727
Reported Truly Perfected Rules Committee	S734
Third Read & Passed	S743-744
House First Read	H1121
Second Read	H1129
Referred Downsizing State Government Committee	H1179
Reported Do Pass Downsizing State Government Committee	H1651
Referred Rules Committee	H1651
Reported Do Pass Rules Committee	H1919
Third Read & Passed	H2267-2268 S1594
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Vetoed by Governor	S2479-2480
Senate adopts motion to override veto	SV22 HV37
House defeats motion to override veto	HV47-49

SB 268 (Nieves) Relating to ordinances adopted by political subdivisions regulating firearms

First Read	S210
Second Read & Referred General Laws Committee	S332

SB 269 (Nieves) Relating to the preferential use of the capitol complex by private entities

First Read	S210
Second Read & Referred General Laws Committee	S332

SB 270 (Nieves) Relating to state enforcement of certain federal laws

First Read	S210
Second Read & Referred General Laws Committee	S332

SB 271 (Nieves) Relating to emergency dispatch operator training

First Read	S210
Second Read & Referred General Laws Committee	S332

SB 272 (Nieves) Relating to fire sprinkler contractors

First Read	S210
Second Read & Referred General Laws Committee	S332
Reported from General Laws Committee	S608
SA 1 - SA 2	S718
Bill Placed on Informal Calendar	S718

SB 273 (Wallingford) Relating to the release of crime scene materials under the state open records law

First Read	S210
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S332

SB 274 (Walsh) Relating to mandatory wage reporting for the purposes of determining the prevailing wage

First Read	S210
Second Read & Referred Small Business, Insurance & Industry Committee	S332

SB 275 (Walsh) Relating to utility regulation

First Read	S211
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S332
Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S607
Perfected	S675
Reported Truly Perfected Rules Committee	S679

Third Read & Passed	S740-741
House First Read	H1122
Second Read	H1129
Referred Utilities Committee	H1179
HCS Reported Do Pass Utilities Committee	H1534
Referred Rules Committee	H1534
HCS Reported Do Pass Rules Committee	H2842

SB 276 (Emery) Relating to virtual schools

First Read	S211
Second Read & Referred Education Committee	S332

SB 277 (Holsman) Relating to the Missouri energy efficiency performance standard

First Read	S224
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S332

SB 278 (Kehoe) Relating to workers' compensation

First Read	S224
Second Read & Referred Small Business, Insurance & Industry Committee	S332

SB 279 (Kehoe) Relating to the administration of state employee benefits

First Read	S224
Second Read & Referred Seniors, Families & Pensions Committee	S332

SB 280 (Wasson) Relating to the designation of a bridge

First Read	S224
Second Read & Referred Transportation & Infrastructure Committee	S332

SB 281 (Wasson) Relating to insurance coverage for dental services

First Read	S224
Second Read & Referred Small Business, Insurance & Industry Committee	S332

SB 282 (Wasson) Relating to the endangerment of emergency workers

First Read	S224
Second Read & Referred Transportation & Infrastructure Committee	S332
Reported from Transportation & Infrastructure Committee	S609
SS Offered	S751
SA 1	S751-753
SS adopted	S753
Perfected	S753
Reported Truly Perfected Rules Committee	S773
Third Read & Passed	S806-807
House First Read	H1367
Second Read	H1374
Referred Transportation Committee	H1383
HCS Reported Do Pass Transportation Committee	H1651
Referred Rules Committee	H1651
HCS Reported Do Pass Rules Committee	H1969
HA 1 - HA 4	H2861-2863
HCS, as amended, adopted	H2863
Third Read & Passed	H2863-2864 S2008-2011
Senate refuses to concur & requests House recede or grant conference	S2247-2248 H3095
House refuses to recede & requests Senate take up & pass bill	H3095 S2326
Senate motion to reconsider the vote by which HCS, as amended defeated	S2422
Senate concurs in HCS, as amended	S2422-2423
Senate Third Read & Passed	S2423 H3327
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2480-2481

SB 283 (Parson) Relating to candidacy qualifications for certain county offices

First Read	S224
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S332

SB 284 (Sifton) Relating to school safety

First Read	S224
Second Read & Referred Education Committee	S332

SB 285 (Romine) Relating to access to certain electronic monitoring information by local law enforcement agencies

First Read	S224
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S332
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S667
Bill Placed on Informal Calendar	S877

SB 286 (Romine) Relating to the designation of memorial highways

First Read	S224
Second Read & Referred Transportation & Infrastructure Committee	S332

SB 287 (Rupp) Relating to captive insurance companies

First Read	S224
Second Read & Referred Small Business, Insurance & Industry Committee	S332
Reported from Small Business, Insurance & Industry Committee with SCS	S542-543
SCS adopted	S597
Third Read & Passed	S597
House First Read	H774
Second Read	H782
Referred Insurance Policy Committee	H1089
Reported Do Pass Insurance Policy Committee	H1335
Referred Rules Committee	H1335
Reported Do Pass Rules Committee	H1470
Third Read & Passed	H1584-1585 S931
Reported Duly Enrolled Rules Committee	S1229
Signed by Senate President Pro Tem	S1229-1230
Signed by House Speaker	H1915 S1291
Delivered to Governor	S1291
Signed by Governor	S2329

SB 288 (Lamping) Relating to retirement of higher education employees

First Read	S224
Second Read & Referred Seniors, Families & Pensions Committee	S332

SB 289 (Sifton) Relating to professional applications containing Social Security numbers

First Read	S233
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S332
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S545
SCS adopted	S604
Third Read & Passed	S604
House First Read	H928
Second Read	H935
Referred Downsizing State Government Committee	H1089

SB 290 (Walsh) Relating to campaign finance

First Read	S233
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S332

SB 291 (Rupp) Relating to awarding state contracts to vendors employing individuals with qualifying disabilities

First Read	S233
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S332

Reported from Governmental Accountability & Fiscal Oversight Committee	S609
Taken up for Perfection	S749
Bill Placed on Informal Calendar	S749

SB 292 (Rupp) Relating to workers' compensation tax overpayments

First Read	S234
Second Read & Referred Small Business, Insurance & Industry Committee	S332
Reported from Small Business, Insurance & Industry Committee	S485
Bill Placed on Informal Calendar	S516

SB 293 (Pearce) Relating to the transfer of property by the governing bodies of certain public institutions of higher education

First Read	S234
Second Read & Referred Education Committee	S333

SB 294 (Schmitt) Relating to public service commission intervention in certain legal proceedings

First Read	S234
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S333
Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S485
Perfect	S516
Reported Truly Perfected Rules Committee	S519
Third Read & Passed	S537-538
House First Read	H656
Second Read	H664
Referred Utilities Committee	H1179
HCS Reported Do Pass Utilities Committee	H1880
Referred Rules Committee	H1880
HCS Reported Do Pass Rules Committee	H2078

SB 295 (Lager) Relating to paid members of any fire department or fire district

First Read	S234
Second Read & Referred Jobs, Economic Development & Local Government Committee	S333

SB 296 (Lager) Relating to college or university police officers

First Read	S234
Second Read & Referred Transportation & Infrastructure Committee	S333

SB 297 (Lager) Relating to ratemaking for water utilities

First Read	S234
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S333
Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S607
SA 1 - SA 5	S675-679
SCS, as amended, adopted	S679
Perfect	S679
Reported Truly Perfected Rules Committee	S712
Referred Governmental Accountability & Fiscal Oversight Committee	S712
Reported from Governmental Accountability & Fiscal Oversight Committee	S764
Defeated on Third Reading	S775

SB 298 (Holsman) Relating to campaign finance

First Read	S248
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S333

SB 299 (Holsman) Relating to energy efficiency improvements to certain state buildings

First Read	S248
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S333

SB 300 (Holsman) Relating to medical assistance benefits

First Read	S248
Second Read & Referred Veterans' Affairs & Health Committee	S333

SB 301 (McKenna) Relating to prevailing wage

First Read	S248
Second Read & Referred Small Business, Insurance & Industry Committee	S399

SB 302 (Wasson) Relating to emergency prescription refills

First Read	S248
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S544
SCS adopted	S600
Third Read & Passed	S600
House First Read	H774
Second Read	H782
Referred Health Care Policy Committee	H1089
Reported Do Pass Health Care Policy Committee	H1384
Referred Rules Committee	H1384
Reported Do Pass Rules Committee	H1652
HA 1 - HA 4	H2508-2511
Third Read & Passed, as amended	H2511-2512 S1786-1788

SB 303 (Wasson) Relating to pharmacy permits

First Read	S249
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399
Reported from Financial & Governmental Organizations & Elections Committee	S544
Removed Consent Calendar	S567
Reported from Financial & Governmental Organizations & Elections Committee	S608
Perfectured	S732
Reported Truly Perfectured Rules Committee	S744
Third Read & Passed	S779
House First Read	H1338
Second Read	H1344
Referred Professional Registration & Licensing Committee	H1383

SB 304 (Wasson) Relating to the restriction of athletic trainers' licenses

First Read	S249
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399
Reported from Financial & Governmental Organizations & Elections Committee	S544
Removed Consent Calendar	S567
Reported from Financial & Governmental Organizations & Elections Committee	S608
Perfectured	S732
Reported Truly Perfectured Rules Committee	S744
Third Read & Passed	S778
House First Read	H1338
Second Read	H1344
Referred Professional Registration & Licensing Committee	H1383

SB 305 (Wasson) Relating to examination requirements for physicians

First Read	S249
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399
Reported from Financial & Governmental Organizations & Elections Committee with SCS	S544-545
SCS adopted	S601
Third Read & Passed	S601
House First Read	H774
Second Read	H782
Referred Professional Registration & Licensing Committee	H1090

SB 306 (Wasson) Relating to pharmaceutical testing by the board of pharmacy

First Read	S249
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399
Reported from Financial & Governmental Organizations & Elections Committee	S545
Third Read & Passed	S602
House First Read	H928
Second Read	H935
Referred Professional Registration & Licensing Committee	H951
Reported Do Pass Professional Registration & Licensing Committee	H1091
Referred Rules Committee	H1091
Reported Do Pass Rules Committee	H1121
Third Read & Passed	H1669 S984
Reported Duly Enrolled Rules Committee	S1229
Signed by Senate President Pro Tem	S1229-1230
Signed by House Speaker	H1915 S1291
Delivered to Governor	S1291
Signed by Governor	S2329-2330

SB 307 (Schaaf) Relating to disclosure of contractual payment amounts for health care services between health carriers and health care providers

First Read	S267
Second Read & Referred Small Business, Insurance & Industry Committee	S399

SB 308 (Schaaf) Relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications

First Read	S267
Second Read & Referred Small Business, Insurance & Industry Committee	S399
Reported from Small Business, Insurance & Industry Committee	S811
Bill Placed on Informal Calendar	S877

SB 309 (Schaaf) Relating to the operation of health benefit exchanges by certain public benefit corporations

First Read	S267
Second Read & Referred Small Business, Insurance & Industry Committee	S399

SB 310 (Nasheed) Relating to expungement of criminal records

First Read	S268
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S399

SB 311 (Nasheed) Relating to school turnaround models to transform public schools designated in the lowest performing twenty percent of schools in the state

First Read	S268
Second Read & Referred Education Committee	S399

SB 312 (LeVota) Relating to retirement benefits

First Read	S268
Second Read & Referred Seniors, Families & Pensions Committee	S399

SB 313 (LeVota) Relating to criminal case surcharges for counties or cities with domestic violence shelters

First Read	S268
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S399

SB 314 (Wallingford) Relating to professional applications containing Social Security numbers

First Read	S268
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399

SB 315 (Pearce) Relating to collection of property taxes

First Read	S268
Second Read & Referred Ways & Means Committee	S399
Reported from Ways & Means Committee	S667
Bill Placed on Informal Calendar	S877

SB 316 (Parson) Relating to surcharges for municipal traffic violations

First Read	S268
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S399

SB 317 (Romine) Relating to providing proof of financial responsibility for motor vehicle operation in an electronic format

First Read	S268
Second Read & Referred Small Business, Insurance & Industry Committee	S399
Reported from Small Business, Insurance & Industry Committee with SCS	S665
SA 1 - SA 2	S800
SCS, as amended, adopted	S800
Perfectd	S800
Reported Truly Perfected Rules Committee	S813
Third Read & Passed	S912
House First Read	H1568
Second Read	H1575
Referred Insurance Policy Committee	H1586
HCS Reported Do Pass Insurance Policy Committee	H1918
Referred Rules Committee	H1918
HCS Reported Do Pass Rules Committee	H2078

SB 318 (Rupp) Relating to abortion recordkeeping

First Read	S268
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S399

SB 319 (Rupp) Relating to the modernization of certain information provided by insurance companies

First Read	S268
Second Read & Referred Small Business, Insurance & Industry Committee	S399

SB 320 (Schaefer) Relating to the University of Missouri board of curators

First Read	S268
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399

SB 321 (Schaefer) Relating to the licensing of home inspectors

First Read	S269
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S399

SB 322 (Dixon) Relating to the immunity from civil liability for law enforcement officers

First Read	S269
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S399

SB 323 (Dixon) Relating to job creation incentives

First Read	S269
Second Read & Referred Jobs, Economic Development & Local Government Committee	S400

SB 324 (Wallingford) Relating to limited lines travel insurance producer licensing

First Read	S282
Second Read & Referred Small Business, Insurance & Industry Committee	S400
Reported from Small Business, Insurance & Industry Committee with SCS	S543
SCS adopted	S598
Third Read & Passed	S598
House First Read	H774
Second Read	H782

Referred Insurance Policy Committee	H951
Reported Do Pass Insurance Policy Committee	H1091
Referred Rules Committee	H1091
Reported Do Pass Rules Committee	H1121
Third Read & Passed	H1670 S984
Reported Duly Enrolled Rules Committee	S1229
Signed by Senate President Pro Tem	S1229-1230
Signed by House Speaker	H1915 S1291
Delivered to Governor	S1291
Signed by Governor	S2329

SB 325 (Nieves) Relating to firearms

First Read	S282
Second Read & Referred General Laws Committee	S400
Reported from General Laws Committee	S915
Bill Placed on Informal Calendar	S1234

SB 326 (McKenna) Relating to exempting certain railroad crew members from the state driver's licensing law

First Read	S282
Second Read & Referred Transportation & Infrastructure Committee	S400

SB 327 (Dixon) Relating to the cost of electronic monitoring

First Read	S282
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S546
Removed Consent Calendar	S568
Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S609
Perfectd	S733
Reported Truly Perfected Rules Committee	S744
Third Read & Passed	S777-778
House First Read	H1338
Second Read	H1344
Referred Crime Prevention & Public Safety Committee	H1383
Reported Do Pass Crime Prevention & Public Safety Committee	H1650
Referred Rules Committee	H1650
Reported Do Pass Rules Committee	H1881
HA 1	H2249-2250
Third Read & Passed, as amended	H2251-2252 S1577
Senate refuses to concur & requests House recede & take up & pass bill	S1597 H2351
House refuses to recede & requests Senate grant conference	H2417 S1709
Senate grants conference	S1713 H2447
Senate conferees appointed	S1715 H2447
House conferees appointed	H2543 S1810-1811
House submits CCR	H2853
Senate offered & adopted CCR	S2002-2003 H2891
Senate Third Read & Passed CCS	S2003 H2891
House adopted CCR	H3153 S2427
House Third Read & Passed CCS	H3154 S2427
Reported Duly Enrolled Rules Committee	S2434
Signed by Senate President Pro Tem	S2434-2435
Signed by House Speaker	H3330-3331
Delivered to Governor	S2438
Signed by Governor	S2481

SB 328 (Brown) Relating to sweepstakes terminal devices

First Read	S282
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S400

SB 329 (Brown) Relating to eggs

First Read	S282
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S400
Reported from Agriculture, Food Production & Outdoor Resources Committee	S544
Third Read & Passed	S599-600
House First Read	H774

Second Read	H782	SB 335 (Sifton) Relating to the public service commission assessment of the water & sewer industry	
Referred Agriculture Policy Committee	H951	First Read	S304
Reported Do Pass Agriculture Policy Committee	H1011	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S400
Referred Rules Committee	H1011	SB 336 (Walsh) Relating to real estate foreclosure	
Reported Do Pass Rules Committee	H1121	First Read	S304-305
Third Read & Passed	H1675 S985	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400
Reported Duly Enrolled Rules Committee	S1229	SB 337 (Sater) Relating to the sale of tobacco related products to minors	
Signed by Senate President Pro Tem	S1229-1230	First Read	S305
Signed by House Speaker	H1915 S1291	Second Read & Referred General Laws Committee	S400
Delivered to Governor	S1291	SB 338 (Romine) Relating to correctional treatment programs for offenders of a certain age	
Signed by Governor	S1716	First Read	S305
SB 330 (Wasson) Relating to collaborative practice arrangements between a physician and an advanced practice registered nurse		Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400
First Read	S282	SB 339 (Romine) Relating to workforce development programs	
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S400	First Read	S305
Reported from Financial & Governmental Organizations & Elections Committee	S545	Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S400
Third Read & Passed	S602	Reported from Governmental Accountability & Fiscal Oversight Committee	S667
House First Read	H928	Bill Placed on Informal Calendar	S877
Second Read	H935	SB 340 (Schmitt) Relating to taxation	
Referred Professional Registration & Licensing Committee	H1090	First Read	S305
HCS Reported Do Pass Professional Registration & Licensing Committee	H1335	Second Read & Referred Ways & Means Committee	S400
Referred Rules Committee	H1335	SB 341 (Schmitt) Relating to political subdivisions	
HCS Reported Do Pass Rules Committee	H1568	First Read	S305
Referred Fiscal Review Committee	H1586	Second Read & Referred Education Committee	S400
HCS Reported Do Pass Fiscal Review Committee	H1594	SB 342 (Parson) Relating to agricultural loans	
HA 1 - HA 3	H2033-2035	First Read	S305
HCS, as amended, adopted	H2036	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S400
Third Read & Passed	H2037 S1433-1434	Reported from Agriculture, Food Production & Outdoor Resources Committee	S544
Senate refuses to concur & requests House recede or grant conference	S1473 H2164	Removed Consent Calendar	S567
House refuses to recede & grants conference	H2305 S1600	Reported from Agriculture, Food Production & Outdoor Resources Committee	S608
Senate conferees appointed	S1600-1601 H2351	Perfectd	S719
House conferees appointed	H2310 S1629-1630	Reported Truly Perfected Rules Committee	S726
Senate requests further conference	S1710 H2447	Third Read & Passed	S742
House submits CCR	H2436-2437	House First Read	H1122
House grants further conference	H2532 S1810	Second Read	H1129
House conferees reappointed	H2543 S1810	Referred Agri-Business Committee	H1179
Senate conferees reappointed	S1811 H2574	HCS Reported Do Pass Agri-Business Committee	H1363
House submits CCR#2	H2853	Referred Rules Committee	H1363
Senate offered & adopted CCR#2	S1890 H2574	HCS Reported Do Pass Rules Committee	H2349
Third Read & Passed CCS#2	S1890-1891 H2574	HA 1 - HA 7	H2796-2813
House adopted CCR#2	H3191 S2427	HCS, as amended, adopted	H2814
House Third Read & Passed CCS#2	H3192 S2427	Third Read & Passed	H2814-2815 S1968-1985
Reported Duly Enrolled Rules Committee	S2434	Senate refuses to concur & requests House recede or grant conference	S2012 H2891
Signed by Senate President Pro Tem	S2434-2435	House refuses to recede & grants conference	H2892 S2015
Signed by House Speaker	H3330-3331	House conferees appointed	H2993 S2196
Delivered to Governor	S2438	Senate conferees appointed	S2015 H3095
Signed by Governor	S2481-2482	House submits CCR	H3121-3122
SB 331 (Schmitt) Relating to restitution		Senate offered & defeated CCR	S2395-2396
First Read	S282	Senate motion to reconsider CCR	S2421
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400	Senate adopted CCR	S2421 H3312
SB 332 (Libra) Relating to educator quality		Senate Third Read & Passed CCS	S2421-2422 H3312
First Read	S304	House adopted CCR	H3316 S2432
Second Read & Referred Education Committee	S400	House Third Read & Passed CCS	H3317 S2432
SB 333 (Silvey) Relating to tax credits for qualified research expenses		Reported Duly Enrolled Rules Committee	S2434
First Read	S304	Signed by Senate President Pro Tem	S2434-2435
Second Read & Referred Jobs, Economic Development & Local Government Committee	S400	Signed by House Speaker	H3330-3331
SB 334 (Sifton) Relating to approval by the public service commission for the sale or transfer of a water or sewer utility		Delivered to Governor	S2438
First Read	S304		
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S400		

Vetoed by Governor	S2482	SB 354 (Schmitt) Relating to credit card surcharge fees	
No motion made to override veto	SV18	First Read	S325
SB 343 (Parson) Relating to real estate loans		Second Read & Referred Financial & Governmental Organizations & Elections Committee	S400
First Read	S305	SB 355 (Munzlinger) Relating to the sheriffs' retirement fund	
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S400	First Read	S325
Reported from Financial & Governmental Organizations & Elections Committee	S666	Second Read & Referred Seniors, Families & Pensions Committee	S400
Bill Placed on Informal Calendar	S877	SB 356 (Kehoe) Relating to products liability	
SB 344 (Parson) Relating to school attendance center report cards		First Read	S325
First Read	S305	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S401
Second Read & Referred Education Committee	S400	SB 357 (Romine) Relating to statutory liens against real estate	
SB 345 (Lamping) Relating to funds for vulnerable persons		First Read	S325
First Read	S305	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401
Bill Withdrawn	S316	Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S607
SB 346 (Curls) Relating to eligibility for food stamps		SS Offered	S715
First Read	S315	Perfected	S715
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S400	Reported Truly Perfected Rules Committee	S716-717
SB 347 (Nasheed) Relating to the offense of nonsupport		Third Read & Passed	S741
First Read	S315	House First Read	H1122
Second Read & Referred Progress & Development Committee	S400	Second Read	H1129
SB 348 (LeVota) Relating to health insurance premium rate reviews		Referred General Laws Committee	H1179
First Read	S315	Reported Do Pass General Laws Committee	H1879
Second Read & Referred Small Business, Insurance & Industry Committee	S400	Referred Rules Committee	H1879
SB 349 (LeVota) Relating to MO HealthNet services		Reported Do Pass Rules Committee	H1919
First Read	S315	Third Read & Passed	H2360-2361 S1647
Second Read & Referred Appropriations Committee	S400	Reported Duly Enrolled Rules Committee	S2434
SB 350 (Dempsey) Relating to funds for vulnerable persons		Signed by Senate President Pro Tem	S2434-2435
First Read	S317	Signed by House Speaker	H3330-3331
Second Read & Referred Appropriations Committee	S400	Delivered to Governor	S2438
Reported from Appropriations Committee	S508	Signed by Governor	S2483
Bill Placed on Informal Calendar	S576	SB 358 (Holsman) Relating to industrial hemp	
Perfected	S580	First Read	S325
Reported Truly Perfected Rules Committee	S590	Second Read & Referred General Laws Committee	S401
Third Read & Passed	S622-623	SB 359 (LeVota) Relating to year-round educational programs for school districts	
House First Read	H929	First Read	S325
Second Read	H935	Second Read & Referred Education Committee	S401
Referred Budget Committee	H951	SB 360 (Rupp) Relating to sewer charges	
Reported Do Pass Budget Committee	H1090	First Read	S326
Referred Rules Committee	H1090	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401
Reported Do Pass Rules Committee	H1365	SB 361 (Rupp) Relating to wastewater treatment facilities	
Third Read & Passed	H2334 S1630	First Read	S326
Reported Duly Enrolled Rules Committee	S1639	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401
Signed by Senate President Pro Tem	S1639-1640	SB 362 (Chappelle-Nadal) Relating to the licensing of clinical laboratory science personnel	
Signed by House Speaker	H2446 S1727	First Read	S326
Delivered to Governor	S1727	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S401
Vetoed by Governor	S1809	SB 363 (Chappelle-Nadal) Relating to the residential electronic products recycling & reuse act	
No motion made to override veto	SV17	First Read	S326
SB 351 (Lager) Relating to judge disqualification		Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401
First Read	S325	SB 364 (Parson) Relating to title insurance	
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400	First Read	S326
SB 352 (Lager) Relating to programs in which individuals are given a thing of value in exchange for surrendering a firearm		Second Read & Referred Small Business, Insurance & Industry Committee	S401
First Read	S325	Reported from Small Business, Insurance & Industry Committee	S607
Second Read & Referred General Laws Committee	S400	SB 353 (Lager) Relating to unlawful discriminatory practices	
SB 353 (Lager) Relating to unlawful discriminatory practices		First Read	S325
First Read	S325	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S400		

Bill Placed on Informal Calendar	S675	Reported from Agriculture, Food Production & Outdoor Resources Committee with SCS	S608
SB 365 (Parson) Relating to alcohol franchise		SS Offered	S732
First Read	S326	SA 1	S732
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401	SS for SCS, as amended, adopted	S732
SB 366 (Lamping) Relating to rebuilding damaged infrastructure		Perfected	S732
First Read	S326	Reported Truly Perfected Rules Committee	S744
Second Read & Referred Transportation & Infrastructure Committee	S401	Referred Governmental Accountability & Fiscal Oversight Committee	S744
Reported from Transportation & Infrastructure Committee	S609	Reported from Governmental Accountability & Fiscal Oversight Committee	S764
Bill Placed on Informal Calendar	S764	Third Read & Passed	S777
SS Offered	S789	House First Read	H1338
SA 1 - SA 5	S789-798	Second Read	H1344
SCS, as amended, adopted	S798	Referred Agri-Business Committee	H1383
Perfected	S798	SB 374 (Nieves) Relating to museums	
Reported Truly Perfected Rules Committee	S799	First Read	S340
Referred Governmental Accountability & Fiscal Oversight Committee	S799	Second Read & Referred General Laws Committee	S401
Reported from Governmental Accountability & Fiscal Oversight Committee	S806	SB 375 (Nieves) Relating to elections	
Third Read & Passed - EC adopted	S809-810	First Read	S340
House First Read	H1368	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S401
Second Read	H1374	Reported from Financial & Governmental Organizations & Elections Committee with SCS	S915
Referred Economic Development Committee	H1565	SB 376 (Sater) Relating to the powers of hospital districts	
Reported Do Pass Economic Development Committee ...	H2348	First Read	S340
Referred Rules Committee	H2348	Second Read & Referred Veterans' Affairs & Health Committee	S401
Reported Do Pass Rules Committee	H2544	Reported from Veterans' Affairs & Health Committee with SCS	S546
Referred Fiscal Review Committee	H2545	SCS adopted	S606
Reported Do Pass Fiscal Review Committee	H2553	Third Read & Passed	S606
SB 367 (Walsh) Relating to domestic violence		House First Read	H929
First Read	S339	Second Read	H935
Second Read & Referred Seniors, Families & Pensions Committee	S401	Referred Health Care Policy Committee	H951
SB 368 (Holsman) Relating to the use of solar energy systems by property owners located within certain planned communities		Reported Do Pass Health Care Policy Committee	H1090
First Read	S339	Referred Rules Committee	H1090
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401	Reported Do Pass Rules Committee	H1121
SB 369 (LeVota) Relating to illegal conduct involving prescription medications		Third Read & Passed	H1671 S984
First Read	S339	Reported Duly Enrolled Rules Committee	S1229
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S401	Signed by Senate President Pro Tem	S1229-1230
SB 370 (Wasson) Relating to the discipline of a nursing license		Signed by House Speaker	H1915 S1291
First Read	S339	Delivered to Governor	S1291
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S401	Signed by Governor	S2328-2329
SB 371 (Munzlinger) Relating to agriculture		SB 377 (Dixon) Relating to penalties for first degree murder when the offender was under the age of eighteen at the time the offense was committed	
First Read	S339	First Read	S340
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S401	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S401
Reported from Agriculture, Food Production & Outdoor Resources Committee with SCS	S811	Reported from Judiciary & Civil & Criminal Jurisprudence Committee	S812
Bill Placed on Informal Calendar	S877	Bill placed on Informal Calendar	S877
SB 372 (Munzlinger) Relating to firearms		SB 378 (Pearce) Relating to higher education scholarship programs	
First Read	S339-340	First Read	S352
Second Read & Referred General Laws Committee	S401	Second Read & Referred Education Committee	S401
SB 373 (Munzlinger) Relating to agricultural weights & measures fees		Reported from Education Committee with SCS	S665-666
First Read	S340	Bill Placed on Informal Calendar	S877
Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S401	SA 1 - SA 5	S888-890
		SCS, as amended, adopted	S890
		Perfected	S890
		Reported Truly Perfected Rules Committee	S913
		Referred Governmental Accountability & Fiscal Oversight Committee	S914
		Reported from Governmental Accountability & Fiscal Oversight Committee	S1491
		Third Read & Passed	S1598-1599
		House First Read	H2351
		Second Read	H2359

Referred Higher Education Committee	H3327	SB 388 (Curls) Relating to contracts for deeds	
SB 379 (Keaveny) Relating to the distressed areas land assemblage tax credit act		First Read	S353
First Read	S352	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S402
Second Read & Referred Jobs, Economic Development & Local Government Committee	S401	SB 389 (Curls) Relating to the duties of the board of probation & parole	
SB 380 (Kraus) Relating to criminal offenders participating in certain programs provided by the department of corrections		First Read	S353
First Read	S352	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S402
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S401	SB 390 (Chappelle-Nadal) Relating to the calculation of weighted average daily attendance	
SB 381 (Kraus) Relating to the innovation education campus fund		First Read	S353
First Read	S352	Second Read & Referred Education Committee	S402
Second Read & Referred Education Committee	S401	SB 391 (Dixon) Relating to the remedy of civil contempt for failure to comply with child support orders	
Reported from Education Committee with SCS	S607	First Read	S353
SA 1	S716	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S402
SCS, as amended, adopted	S716	SB 392 (Dixon) Relating to institutions of higher education	
Perfected	S716	First Read	S353
Reported Truly Perfected Rules Committee	S716-717	Second Read & Referred Education Committee	S402
Referred Governmental Accountability & Fiscal Oversight Committee	S717	SB 393 (Libra) Relating to informed consent for abortions	
Reported from Governmental Accountability & Fiscal Oversight Committee	S764	First Read	S378
Third Read & Passed	S775-776	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S520
House First Read	H1339	SB 394 (Silvey) Relating to tax incentives for data storage centers	
Second Read	H1344	First Read	S378
Referred Higher Education Committee	H1383	Second Read & Referred Jobs, Economic Development & Local Government Committee	S520
Reported Do Pass Higher Education Committee	H1651	SB 395 (Kraus) Relating to county political party committees	
Referred Rules Committee	H1651	First Read	S379
Reported Do Pass Rules Committee	H1969	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S520
Referred Fiscal Review Committee	H2433	SB 396 (Holsman) Relating to renewable energy	
Reported Do Pass Fiscal Review Committee	H2443	First Read	S379
Third Read & Passed	H2553-2554 S1899	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S520
Reported Duly Enrolled Rules Committee	S2434	Reported from Commerce, Consumer Protection, Energy & the Environment Committee with SCS	S665
Signed by Senate President Pro Tem	S2434-2435	Bill Placed on Informal Calendar	S877
Signed by House Speaker	H3330-3331	SB 397 (Holsman) Relating to donations by motor vehicle registration applications to fund the National World War I Memorial at Liberty Memorial	
Delivered to Governor	S2438	First Read	S379
Signed by Governor	S2483	Second Read & Referred Veterans' Affairs & Health Committee	S520
SB 382 (Kraus) Relating to taxation		SB 398 (Holsman) Relating to an income tax deduction for energy efficiency projects	
First Read	S352	First Read	S379
Second Read & Referred Ways & Means Committee	S401	Second Read & Referred Ways & Means Committee	S520
SB 383 (Wallingford) Relating to retainage requirements on construction public works projects		SB 399 (Holsman) Relating to the Missouri Korean War Veterans Memorial	
First Read	S352	First Read	S379
Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S401	Second Read & Referred Veterans' Affairs & Health Committee	S520
Reported from Commerce, Consumer Protection, Energy & the Environment Committee	S811	SB 400 (Holsman) Relating to the renewable energy standard	
Bill Placed on Informal Calendar	S877	First Read	S379
SB 384 (Rupp) Relating to personal guarantee loans		Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S520
First Read	S352	SB 401 (Rupp) Relating to the regulation & licensure of navigators	
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S401	First Read	S379
SB 385 (Rupp) Relating to campaign finance			
First Read	S352-353		
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S401		
SB 386 (LeVota) Relating to elections			
First Read	S353		
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S401		
SB 387 (Nasheed) Relating to film production tax credits			
First Read	S353		
Second Read & Referred Jobs, Economic Development & Local Government Committee	S401		

Second Read & Referred Small Business, Insurance & Industry Committee	S520	SB 411 (Kehoe) Relating to the operation of commercial motor vehicles	First Read	S380
Reported from Small Business, Insurance & Industry Committee	S665	Second Read & Referred Transportation & Infrastructure Committee	S521	
Bill Placed on Informal Calendar	S877	Reported from Transportation & Infrastructure Committee with SCS	S667	
SS offered	S890	Bill Placed on Informal Calendar	S877	
SA 1	S890-891	SCS adopted	S891	
SS, as amended, adopted	S891	Perfected	S891	
Perfected	S891	Reported Truly Perfected Rules Committee	S913	
Reported Truly Perfected Rules Committee	S913	Referred Governmental Accountability & Fiscal Oversight Committee	S914	
Referred Governmental Accountability & Fiscal Oversight Committee	S914	Reported from Governmental Accountability & Fiscal Oversight Committee	S1258	
Reported from Governmental Accountability & Fiscal Oversight Committee	S1258	Third Read & Passed - EC adopted	S1275-1276	
Third Read & Passed - EC adopted	S1275-1276	House First Read	H1924	
House First Read	H1924	Second Read	H1931	
Second Read	H1931	Referred Insurance Policy Committee	H1969	
Referred Insurance Policy Committee	H1969	HCS Reported Do Pass Insurance Policy Committee	H2283	
HCS Reported Do Pass Insurance Policy Committee	H2283	Referred Rules Committee	H2283	
Referred Rules Committee	H2283	HCS Reported Do Pass Rules Committee	H2433	
HCS Reported Do Pass Rules Committee	H2433	Referred Fiscal Review Committee	H2433	
Referred Fiscal Review Committee	H2433	HCS Reported Do Pass Fiscal Review Committee	H2443	
HCS Reported Do Pass Fiscal Review Committee	H2443			
SB 402 (Rupp) Relating to the regulation of insurance business		SB 412 (Kehoe) Relating to beer wholesalers	First Read	S380
First Read	S379	Second Read & Referred General Laws Committee	S521	
Second Read & Referred Small Business, Insurance & Industry Committee	S520			
SB 403 (Rupp) Relating to health insurance		SB 413 (Wasson) Relating to services under the MO HealthNet program	First Read	S380
First Read	S379	Second Read & Referred Veterans' Affairs & Health Committee	S521	
Second Read & Referred Small Business, Insurance & Industry Committee	S520			
Reported from Small Business, Insurance & Industry Committee with SCS	S744	SB 414 (Dixon) Relating to the legal defense of indigent persons	First Read	S380
Bill Placed on Informal Calendar	S877	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S521	
SB 404 (Munzlinger) Relating to emergency vehicles		SB 415 (Dixon) Relating to a sales tax for early childhood education programs	First Read	S381
First Read	S379	Second Read & Referred Ways & Means Committee	S521	
Second Read & Referred Transportation & Infrastructure Committee	S520			
SB 405 (Sater) Relating to personal funeral trust accounts		SB 416 (Dixon) Relating to the department of natural resources	First Read	S381
First Read	S379	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S521	
Second Read & Referred Financial & Governmental Organizations & Elections Committee	S521			
SB 406 (Wallingford) Relating to health insurance benefit determinations for serious and urgent conditions		SB 417 (Lager) Relating to the department of natural resources	First Read	S381
First Read	S380	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S521	
Second Read & Referred Small Business, Insurance & Industry Committee	S521			
SB 407 (Wallingford) Relating to deduction of federal income tax liability		SB 418 (Lager) Relating to the crossing of railroad right-of-ways by certain utilities	First Read	S381
First Read	S380	Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S521	
Second Read & Referred Ways & Means Committee	S521			
SB 408 (Emery) Relating to elementary & secondary education		SB 419 (Lager) To authorize the conveyance of certain property owned by the state to the state highways and transportation commission	First Read	S381
First Read	S380	Second Read & Referred Transportation & Infrastructure Committee	S521	
Second Read & Referred Education Committee	S521	Reported from Transportation & Infrastructure Committee with SCS	S667	
SB 409 (Keaveny) Relating to first degree murder		Bill Placed on Informal Calendar	S877	
First Read	S380			
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S521	SB 420 (Lager) Relating to renewable energy	First Read	S381
SB 410 (Kehoe) Relating to the renaming of Linn State Technical College		Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S521	
First Read	S380			
Second Read & Referred Education Committee	S521	SB 421 (Walsh) Relating to the meningococcal conjugate vaccine	First Read	S381
Reported from Education Committee	S666			
Bill Placed on Informal Calendar	S877			

Second Read & Referred Veterans' Affairs & Health Committee	S521	SB 433 (Lamping) Relating to campaign contribution limits	
SB 422 (Curls) Relating to the designation of highways		First Read	S382
First Read	S381	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S521
Second Read & Referred Transportation & Infrastructure Committee	S521	SB 434 (Lamping) Relating to campaign contribution limits	
SB 423 (Nasheed) Relating to powers of the supervisor of parking meters in certain cities		First Read	S382
First Read	S381	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S521
Second Read & Referred Jobs, Economic Development & Local Government Committee	S521	SB 435 (McKenna) Relating to disqualification from public office	
Reported from Jobs, Economic Development & Local Government Committee	S811	First Read	S382
Bill Placed on Informal Calendar	S877	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S522
SB 424 (Nasheed) Relating to reporting requirements for employees of jails		SB 436 (McKenna) Relating to small business incubators	
First Read	S381	First Read	S390
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S521	Second Read & Referred Jobs, Economic Development & Local Government Committee	S522
SB 425 (Nasheed) Relating to real estate foreclosure		SB 437 (Pearce) Relating to higher education	
First Read	S382	First Read	S390
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S521	Second Read & Referred Education Committee	S522
SB 426 (Nasheed) Relating to mathematics & science tutoring centers		Reported from Education Committee with SCS	S811
First Read	S382	Bill Placed on Informal Calendar	S877
Second Read & Referred Education Committee	S521	SS for SCS Offered	S878
SB 427 (Sifton) Relating to the reporting of data and scores of neglected children and delinquent children		Bill Placed on Informal Calendar	S878
First Read	S382	SA 1 - SA 4	S882-887
Second Read & Referred Education Committee	S521	SS for SCS, as amended, adopted	S887
SB 428 (Sifton) Relating to homelessness		Perfectd	S887
First Read	S382	Reported Truly Perfected Rules Committee	S913
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S521	Bill Placed on Informal Calendar	S1276
SB 429 (Chappelle-Nadal) Relating to transient guest taxes		Third Read & Passed	S1608
First Read	S382	House First Read	H2352
Second Read & Referred Ways & Means Committee	S521	Second Read	H2359
SB 430 (Chappelle-Nadal) Relating to adult day care programs		Referred Higher Education Committee	H3327
First Read	S382	SB 438 (Munzlinger) Relating to the use of agricultural fees	
Second Read & Referred Seniors, Families & Pensions Committee	S521	First Read	S390
SB 431 (Cunningham) Relating to electric cooperatives		Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S522
First Read	S382	SB 439 (Munzlinger) Relating to specialty fuels	
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S521	First Read	S390
SB 432 (Cunningham) Relating to the preparation of food for a charitable purpose		Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S522
First Read	S382	SB 440 (Munzlinger) Relating to consumer litigation loans	
Second Read & Referred Small Business, Insurance & Industry Committee	S521	First Read	S390
Reported from Small Business, Insurance & Industry Committee with SCS	S665	Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S522
SS for SCS Offered	S798	SB 441 (Dempsey) Relating to taxes imposed on nongovernmental agencies providing disaster relief services	
SA 1 - SA 3	S798-799	First Read	S391
SS for SCS, as amended, adopted	S799	Second Read & Referred Ways & Means Committee	S522
Perfectd	S799	Reported from Ways & Means Committee	S667
Reported Truly Perfected Rules Committee	S813	Bill Placed on Informal Calendar	S877
Third Read & Passed	S912-913	SB 442 (Silvey) Relating to the assignment of property tax liens	
House First Read	H1568	First Read	S391
Second Read	H1575	Second Read & Referred Jobs, Economic Development & Local Government Committee	S522
Referred Professional Registration & Licensing Committee	H1586	SB 443 (Silvey) Relating to an election for a charter hospital to be governed by Missouri's nonprofit corporation law	
		First Read	S391
		Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S522
		SB 444 (Schaaf) Relating to health care	
		First Read	S391
		Second Read & Referred Veterans' Affairs & Health Committee	S522

SB 445 (Wasson) Relating to sinkhole insurance coverage for property damage caused by sinkhole activity

First Read S391
 Second Read & Referred Small Business, Insurance & Industry Committee S522

SB 446 (Brown) Relating to rural regional development grants

First Read S391
 Second Read & Referred Jobs, Economic Development & Local Government Committee S522

SB 447 (Brown) Relating to local hospitals

First Read S391
 Second Read & Referred Ways & Means Committee S522

SB 448 (Schmitt) Relating to the creation of a special armed offender docket

First Read S391
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S522
 Reported from Judiciary & Civil & Criminal Jurisprudence Committee S812
 Bill Placed on Informal Calendar S877

SB 449 (Romine) Relating to a deduction for business income

First Read S391
 Second Read & Referred Ways & Means Committee S522

SB 450 (Justus) Relating to sexual education

First Read S391
 Second Read & Referred Education Committee S522

SB 451 (Justus) Relating to the removal of civil court records from automated case management systems

First Read S391
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S522

SB 452 (Justus) Relating to the appointment of a guardian for a minor

First Read S391-392
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S522

SB 453 (Cunningham) Relating to health care billing practices by the department of corrections

First Read S392
 Second Read & Referred Veterans' Affairs & Health Committee S522

SB 454 (Nieves) Relating to motor vehicle valuations by a county assessor

First Read S392
 Second Read & Referred Jobs, Economic Development & Local Government Committee S522

SB 455 (Nieves) Relating to certification by the American Board for Certification of Teacher Excellence

First Read S392
 Second Read & Referred Financial & Governmental Organizations & Elections Committee S522
 Reported from Financial & Governmental Organizations & Elections Committee with SCS S666
 Bill Placed on Informal Calendar S877

SB 456 (Parson) Relating to the expiration of certain changes to the MO HealthNet program

First Read S392
 Second Read & Referred Appropriations Committee S522

SB 457 (Parson) Relating to state employee salaries

First Read S392
 Second Read & Referred Governmental Accountability & Fiscal Oversight Committee S522

SB 458 (Kehoe) Relating to the reduction of state unemployment benefits

First Read S392
 Second Read & Referred Small Business, Insurance & Industry Committee S522

SB 459 (Kehoe) Relating to electric corporation rate cases

First Read S392
 Bill Withdrawn S519

SB 460 (Kehoe) Relating to the designation of a highway

First Read S392
 Second Read & Referred Transportation & Infrastructure Committee S522

SB 461 (Wallingford) Relating to division of interstate income for corporate income taxation

First Read S392
 Second Read & Referred Ways & Means Committee S522

SB 462 (Schaefer) Relating to fees for garnishments

First Read S392
 Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee S522

SB 463 (Schaefer) Relating to county ordinances establishing minimum standards for residential occupancy

First Read S392
 Second Read & Referred Jobs, Economic Development & Local Government Committee S522

SB 464 (Schaefer) Relating to revenue bonds for public projects

First Read S393
 Second Read & Referred Appropriations Committee S522

SB 465 (Schaefer) Relating to amnesty for certain taxes

First Read S393
 Second Read & Referred Appropriations Committee S522

SB 466 (Schaefer) Relating to donated goods receptacles

First Read S393
 Second Read & Referred General Laws Committee S523

SB 467 (Schaefer) Relating to tobacco

First Read S393
 Second Read & Referred General Laws Committee S523

SB 468 (Schaefer) Relating to local hospitals

First Read S393
 Second Read & Referred Ways & Means Committee S523

SB 469 (Chappelle-Nadal) Relating to weapons

First Read S393
 Second Read & Referred General Laws Committee S523

SB 470 (Rupp) Relating to campaign finance

First Read S393
 Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee S523

SB 471 (Rupp) Relating to the publishing of Missouri statutes

First Read S394
 Second Read & Referred Governmental Accountability & Fiscal Oversight Committee S523

SB 472 (Rupp) Relating to responsibilities of the division of employment security

First Read S394
 Second Read & Referred Governmental Accountability & Fiscal Oversight Committee S523

SB 473 (Lamping) Relating to prohibiting governments from compelling individuals to purchase health insurance and participate in health care systems

First Read S394

Second Read & Referred Small Business, Insurance & Industry Committee	S523	First Read	S394
SB 474 (Lamping) Relating to school facilities & equipment		Second Read & Referred Small Business, Insurance & Industry Committee	S523
First Read	S394	SB 480 (Richard) Relating to local health departments	
Second Read & Referred Education Committee	S523	First Read	S402
SB 475 (Lamping) Relating to the funded ratio of assets for certain state retirement plans		Second Read & Referred Veterans' Affairs & Health Committee	S523
First Read	S394	SB 481 (Rupp) Relating to financial transactions of gaming establishments	
Second Read & Referred Seniors, Families & Pensions Committee	S523	First Read	S402
SB 476 (Lamping) Relating to school retirement		Second Read & Referred Commerce, Consumer Protection, Energy & the Environment Committee	S523
First Read	S394	SB 482 (Nasheed) Relating to the special armed offender docket in any circuit court in a city not within a county	
Second Read & Referred Seniors, Families & Pensions Committee	S523	First Read	S402
SB 477 (Lamping) Relating to a defined contribution plan for certain state employees		Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S523
First Read	S394	SB 483 (Nasheed) Relating to alternative educational procedures for public schools	
Second Read & Referred Seniors, Families & Pensions Committee	S523	First Read	S402
SB 478 (Lamping) Relating to the electronic publication of official legal material		Second Read & Referred Education Committee	S523
First Read	S394	SB 484 (Cunningham) Relating to the regulation of motor vehicle dealers	
Second Read & Referred Governmental Accountability & Fiscal Oversight Committee	S523	First Read	S402
SB 479 (Dixon) Relating to repealing an obsolete & unnecessary section		Second Read & Referred Transportation & Infrastructure Committee	S523

INTRODUCED SENATE CONCURRENT RESOLUTIONS

SCR 1 (Dempsey) Appointment of an Inaugural Committee		Adopted	S1640
Offered	S8	Reported to the House	H2434
Rules suspended & resolution adopted	S8	Referred Elementary & Secondary Education Committee	H3327
Reported to the House	H29	SCR 5 (Lamping) Relating to reimbursement for a portion of the state's Medicaid DSH payments	
Adopted	H61 S68	Offered	S127-128
House Inaugural Committee Appointed	H61 S69	Referred Rules, Joint Rules, Resolutions & Ethics Committee	S160
Senate Inaugural Committee Appointed	S69 H86	Reported from Rules, Joint Rules, Resolutions & Ethics Committee with SCS	S420-421
SCR 2 (Richard) Missouri's bicentennial		SCS adopted	S503
Offered	S90-91	Reported to the House	H600-601
Referred Rules, Joint Rules, Resolutions & Ethics Committee	S100	Referred Health Care Policy Committee	H950
Reported from Rules, Joint Rules, Resolutions & Ethics Committee	S319	Reported Do Pass Health Care Policy Committee	H1117
Adopted	S324-325	Referred Rules Committee	H1117
Reported to the House	H414	Reported Do Pass Rules Committee	H1365
Referred General Laws Committee	H950	SCR 6 (Justus) Relating to the ratification of the Equal Rights Amendment to the United States Constitution	
SCR 3 (Walsh) Relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri		First Read	S128
First Read	S107-108	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S160
Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S120	SCR 7 (Pearce) Keystone XL project	
Reported from Rules, Joint Rules, Resolutions & Ethics Committee	S1418	Offered	S231-233
Third Read & Passed	S1642-1643	Referred Rules, Joint Rules, Resolutions & Ethics Committee	S255
House First Read	H2434	SCR 8 (Sifton) Relating to water pollution discharge permits for conventional coal-fueled electric generating units	
Second Read	H2442	Offered	S266-267
Referred Special Standing Committee on Emerging Issues in Health Care	H3327	Referred Rules, Joint Rules, Resolutions & Ethics Committee	S298
SCR 4 (Schmitt) Relating to establishing a Joint Interim Committee on Funding for Elementary and Secondary Education			
Offered	S126-127		
Referred Rules, Joint Rules, Resolutions & Ethics Committee	S160		
Reported from Rules, Joint Rules, Resolutions & Ethics Committee	S1516		

SCR 9 (Justus) Endorses Taiwan's participation in the International Civil Aviation Organization

Offered S281-282
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S308

SCR 10 (Chappelle-Nadal) Federal Immigration Policy

Offered S314
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S333

SCR 11 (Chappelle-Nadal) Remediation authority of the West Lake Landfill

Offered S314-315
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S333

SCR 12 (Lamping) Relating to immigration

Offered S378
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S402

SCR 13 (Brown) Relating to Fort Leonard Wood reduction & realignment

Offered S502-503
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S519
 Reported from Rules, Joint Rules, Resolutions & Ethics

Committee S783
 Adopted S788-789
 Reported to the House H1336
 Referred Veterans Committee H1585
 Reported Do Pass Veterans Committee H2543
 Referred Rules Committee H2543
 Reported Do Pass Rules Committee H2842

SCR 14 (Keaveny) Relating to Legislative Oversight to conduct a comprehensive study of the costs of the death penalty

Offered S573-574
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S610

SCR 15 (Romine) Relating to the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force

Offered S922-923
 Referred Rules, Joint Rules, Resolutions & Ethics Committee
 S941-942
 Reported from Rules, Joint Rules, Resolutions & Ethics
 Committee S1418
 SS offered S1641-1642
 SS adopted S1642
 Reported to the House H2435
 Referred Rules Committee H2545
 Reported Do Pass Rules Committee H2842
 Adopted H3254-3255 S2430

INTRODUCED SENATE JOINT RESOLUTIONS**SJR 1 (Lager) Relating to noneconomic damage awards in civil cases**

First Read S20
 Second Read & Referred Judiciary & Civil & Criminal
 Jurisprudence Committee S68

SJR 2 (Lager) Relating to the commonsense obligation to provide accountability and pending stabilization act

First Read S20
 Second Read & Referred Ways & Means Committee S68
 Reported from Ways & Means Committee S667
 Bill Placed on Informal Calendar S877

SJR 3 (Schaefer) Relating to the fifth state building fund

First Read S20-21
 Second Read & Referred Appropriations Committee S131

SJR 4 (Lamping) Relating to elective state officers

First Read S21
 Second Read & Referred Financial & Governmental
 Organizations & Elections Committee S131

SJR 5 (Lamping) Relating to the adjournment of the legislative session

First Read S21
 Second Read & Referred Governmental Accountability & Fiscal
 Oversight Committee S131

SJR 6 (Kraus) Relating to voter photo identification

First Read S21
 Second Read & Referred Financial & Governmental
 Organizations & Elections Committee S131

SJR 7 (Dixon) Relating to apportionment commissions

First Read S21
 Second Read & Referred Rules, Joint Rules, Resolutions &
 Ethics Committee S131

SJR 8 (Dixon) Relating to the appointment of judges to the reapportionment commission

First Read S21
 Second Read & Referred Judiciary & Civil & Criminal

Jurisprudence Committee S255

SJR 9 (Emery) Relating to impeachment trials

First Read S21
 Second Read & Referred Judiciary & Civil & Criminal
 Jurisprudence Committee S255

SJR 10 (Nasheed) Relating to term limits

First Read S61
 Second Read & Referred Rules, Joint Rules, Resolutions &
 Ethics Committee S255

SJR 11 (Curls) Relating to the budget reserve fund

First Read S92
 Second Read & Referred Ways & Means Committee S255

SJR 12 (Sater) Relating to the conservation commission

First Read S92-93
 Second Read & Referred Financial & Governmental
 Organizations & Elections Committee S255

SJR 13 (Chappelle-Nadal) Relating to the city and county of St. Louis

First Read S100
 Second Read & Referred Jobs, Economic Development & Local
 Government Committee S255

SJR 14 (Schaefer) Relating to the right of Missouri citizens to keep and bear arms

First Read S100
 Second Read & Referred General Laws Committee S255
 Reported from General Laws Committee with SCS S486
 Joint Resolution Placed on Informal Calendar S559
 SA 1 S566
 SCS adopted S567
 Perfected S567
 Reported Truly Perfected Rules Committee S574
 Referred Governmental Accountability & Fiscal Oversight
 Committee S578
 Reported from Governmental Accountability & Fiscal Oversight
 Committee S657
 Third Read & Passed S657-658

House First Read	H969	Reported Do Pass Fiscal Review Committee	H1593
Second Read	H980	HA 1 - HA 2	H2454
Referred General Laws Committee	H1179	HCS, as amended, adopted	H2455
Reported Do Pass General Laws Committee	H2283	Third Read & Passed	H2456 S1733-1734
Referred Rules Committee	H2283	Senate motion to concur in HCS, as amended	S1813; S2337
Reported Do Pass Rules Committee	H2433		
Referred Fiscal Review Committee	H2545	SJR 17 (Nieves) Relating to state sovereignty	
Reported Do Pass Fiscal Review Committee	H2553	First Read	S211
HA 1	H3279-3280	Second Read & Referred General Laws Committee	S523
Third Read & Passed, as amended	H3281-3282		
Senate motion to concur in HA 1	S2416-2417	SJR 18 (Schmitt) Relating to apportionment commissions	
Senate request House recede & take up & pass	S2417	First Read	S234
		Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S523
SJR 15 (Schaaf) Relating to admissibility of evidence		SJR 19 (Lager) Relating to term limits for statewide elected officials	
First Read	S176	First Read	S234
Second Read & Referred Judiciary & Civil & Criminal Jurisprudence Committee	S255	Second Read & Referred Rules, Joint Rules, Resolutions & Ethics Committee	S523
SJR 16 (Kehoe) Relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system		SJR 20 (Curls) Relating to creation of show-me small business districts	
First Read	S203	First Read	S326
Second Read & Referred Transportation & Infrastructure Committee	S255	Second Read & Referred Jobs, Economic Development & Local Government Committee	S523
Reported from Transportation & Infrastructure Committee with SCS	S419-420	SJR 21 (LeVota) Relating to the department of transportation	
Joint Resolution Placed on Informal Calendar	S428	First Read	S326
SS for SCS offered	S504	Second Read & Referred Transportation & Infrastructure Committee	S523
SS for SCS withdrawn	S526		
SS#2 for SCS offered	S526-527	SJR 22 (Parson) Relating to the right to farm	
SA 1	S527	First Read	S382-383
SS#2 for SCS adopted	S527	Second Read & Referred Agriculture, Food Production & Outdoor Resources Committee	S523
Perfected	S527	SJR 23 (Cunningham) Relating to the duties of the lieutenant governor	
Reported Truly Perfected Rules Committee	S529	First Read	S394
Referred Governmental Accountability & Fiscal Oversight Committee	S529	Second Read & Referred Financial & Governmental Organizations & Elections Committee	S610
Reported from Governmental Accountability & Fiscal Oversight Committee	S535	SJR 24 (Emery) Relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax	
Third Read & Passed	S540	First Read	S394
House First Read	H654	Second Read & Referred Ways & Means Committee	S610
Second Read	H664		
Referred Transportation Committee	H1089		
HCS Reported Do Pass Transportation Committee	H1180		
Referred Rules Committee	H1180		
HCS Reported Do Pass Rules Committee	H1535		
Referred Fiscal Review Committee	H1585		

INTRODUCED HOUSE BILLS

HB 1 (Stream) Appropriates money to the Board of Fund Commissioners

Introduced & Read First Time (H)	H359
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H632
Taken Up for Perfection (H)	H651
Laid Over (H)	H651
Taken Up for Perfection (H)	H664
Laid Over (H)	H665
Taken Up for Perfection (H)	H683
HCS Adopted (H)	H683
Perfected (H)	H683
Taken Up for Third Reading (H)	H748
Third Read & Passed (H)	H748 - 749
Reported to the Senate & First Read (S)	S610 - 611
Second read & referred: Senate Appropriations (S)	S621
SCS Reported Do Pass (S)	S818
Taken Up for Third Reading (S)	S828
SCS Adopted (S)	S828
Third Read & Passed (S)	S828 - 829
Reported to the House (H)	H1384
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1576 S929
Senate Refuses to Recede, Grants Conference (S) ..	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S959
Conference Committee Was Dissolved	H2306 - 2307 S1606
House Concurs (H)	H2306 - 2307
Truly Agreed To & Finally Passed	H2307 - 2308 S1606
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 2 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education

Introduced & Read First Time (H)	H359
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H632
Taken Up for Perfection (H)	H651
Laid Over (H)	H651
Taken Up for Perfection (H)	H665
Laid Over (H)	H668
Taken Up for Perfection (H)	H680
Laid Over (H)	H680
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfected with Amendments (H)	H684
Taken Up for Third Reading (H)	H749
Third Read & Passed (H)	H749 - 750
Reported to the Senate & First Read (S)	S611
Second read & referred: Senate Appropriations (S)	S621
SCS Reported Do Pass (S)	S818
Taken Up for Third Reading (S)	S829
SCS Adopted (S)	S829
Third Read & Passed (S)	S829 - 830
Reported to the House (H)	H1384
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1577 S929
Senate Refuses to Recede, Grants Conference (S) ..	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2289
House Adopts Conference Committee Report (H) ..	H2308 - 2309
Third Read & Passed (H)	H2309 - 2310 S1606
Senate Submits Conference Committee Report (S)	S1606

Senate Adopts Conference Committee Report (S)	S1607
Truly Agreed To & Finally Passed	S1607 - 1608 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2438
Delivered to Governor	H3330

HB 3 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education

Introduced & Read First Time (H)	H359
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H632
Taken Up for Perfection (H)	H651
Laid Over (H)	H651
Taken Up for Perfection (H)	H668
Laid Over (H)	H668
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfected (H)	H684
Taken Up for Third Reading (H)	H750
Third Read & Passed (H)	H750 - 751
Reported to the Senate & First Read (S)	S611
Second read & referred: Senate Appropriations (S)	S621
SCS Reported Do Pass (S)	S818 - 819
Taken Up for Third Reading (S)	S830
SCS Adopted (S)	S830
Third Read & Passed (S)	S830 - 831
Reported to the House (H)	H1384
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1577 S929
Senate Refuses to Recede, Grants Conference (S) ..	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2289 - 2290
House Adopts Conference Committee Report (H) ..	H2310 - 2311
Third Read & Passed (H)	H2311 - 2312 S1609
Senate Submits Conference Committee Report (S)	S1610
Senate Adopts Conference Committee Report (S) ..	S1610 - 1611
Truly Agreed To & Finally Passed	S1611 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 4 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H632
Taken Up for Perfection (H)	H651
Laid Over (H)	H652
Taken Up for Perfection (H)	H668
Laid Over (H)	H668
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfected with Amendments (H)	H684
Taken Up for Third Reading (H)	H751
Third Read & Passed (H)	H751 - 752
Reported to the Senate & First Read (S)	S611 - 612
Second read & referred: Senate Appropriations (S)	S621
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S831
SCS Adopted (S)	S831
Third Read & Passed (S)	S831 - 832
Reported to the House (H)	H1470
House Refuses to Concur, Requests Senate to Recede or Grant	

Conference	H1577 S929
Senate Refuses to Recede, Grants Conference (S) . . .	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2290
House Adopts Conference Committee Report (H) ..	H2312 - 2313
Third Read & Passed (H)	H2313 - 2314 S1609
Senate Submits Conference Committee Report (S)	S1612
Senate Adopts Conference Committee Report (S)	S1612
Truly Agreed To & Finally Passed	S1613 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 5 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration,

Department of Transportation, and Department of Public Safety

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H668
Laid Over (H)	H670
Taken Up for Perfection (H)	H679
Laid Over (H)	H680
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfectured with Amendments (H)	H684
Taken Up for Third Reading (H)	H752
Third Read & Passed (H)	H752 - 753
Reported to the Senate & First Read (S)	S612
Second read & referred: Senate Appropriations (S)	S621
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S832
SCS Adopted (S)	S832
Third Read & Passed (S)	S832 - 833
Reported to the House (H)	H1471
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1577 S930
Senate Refuses to Recede, Grants Conference (S) . . .	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2291
House Adopts Conference Committee Report (H) ..	H2314 - 2315
Third Read & Passed (H)	H2315 S1609
Senate Submits Conference Committee Report (S) ..	S1613 - 1614
Senate Adopts Conference Committee Report (S)	S1614
Truly Agreed To & Finally Passed	S1614 - 1615 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 6 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture,

Department of Natural Resources, and Department of Conservation

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H618
Referred: Rules (H)	H618
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H670
Laid Over (H)	H672
Taken Up for Perfection (H)	H672
Laid Over (H)	H672
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfectured with Amendments (H)	H684

Taken Up for Third Reading (H)	H753
Third Read & Passed (H)	H753 - 754
Reported to the Senate & First Read (S)	S612
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S833
SCS Adopted (S)	S836
Third Read & Passed with Amendments (S)	S836
Reported to the House (H)	H1471
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1577 S930
Senate Refuses to Recede, Grants Conference (S) . . .	S947 H1638
Senate Conference Committee Appointed (S)	S949 H1638
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2291 - 2292
House Adopts Conference Committee Report (H)	H2316
Third Read & Passed (H)	H2317 S1609
Senate Submits Conference Committee Report (S)	S1615
Senate Adopts Conference Committee Report (S)	S1616
Truly Agreed To & Finally Passed	S1616 - 1617 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 7 (Stream) Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H672
Laid Over (H)	H672
Taken Up for Perfection (H)	H672
Laid Over (H)	H674
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfectured with Amendments (H)	H684
Taken Up for Third Reading (H)	H754
Third Read & Passed (H)	H754 - 755
Reported to the Senate & First Read (S)	S612 - 613
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S836
SCS Adopted (S)	S838
Third Read & Passed with Amendments (S)	S838
Reported to the House (H)	H1472
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1577 S930
Senate Refuses to Recede, Grants Conference (S) . . .	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2292
House Adopts Conference Committee Report (H)	H2318
Third Read & Passed (H)	H2319 S1609
Senate Submits Conference Committee Report (S)	S1617
Senate Adopts Conference Committee Report (S) . . .	S1617 - 1618
Truly Agreed To & Finally Passed	S1618 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 8 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619

Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H675
Laid Over (H)	H676
Taken Up for Perfection (H)	H684
HCS Adopted (H)	H684
Perfected (H)	H684
Taken Up for Third Reading (H)	H755
Third Read & Passed (H)	H755 - 756
Reported to the Senate & First Read (S)	S613
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S838
SCS Adopted (S)	S839
Third Read & Passed (S)	S839
Reported to the House (H)	H1472
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1578 S930
Senate Refuses to Recede, Grants Conference (S) ...	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2293
House Adopts Conference Committee Report (H)	H2320
Third Read & Passed (H)	H2321 S1609
Senate Submits Conference Committee Report (S) ..	S1618 - 1619
Senate Adopts Conference Committee Report (S)	S1619
Truly Agreed To & Finally Passed	S1619 - 1620 H2349
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 9 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H676
Laid Over (H)	H676
Taken Up for Perfection (H)	H685
HCS Adopted (H)	H685
Perfected (H)	H685
Taken Up for Third Reading (H)	H756
Third Read & Passed (H)	H756 - 757
Reported to the Senate & First Read (S)	S613
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S839
SCS Adopted (S)	S840
Third Read & Passed (S)	S840
Reported to the House (H)	H1473
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1578 S930
Senate Refuses to Recede, Grants Conference (S) ...	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2293 - 2294
House Adopts Conference Committee Report (H)	H2322
Third Read & Passed (H)	H2323 S1609
Senate Submits Conference Committee Report (S) ..	S1620 - 1621
Senate Adopts Conference Committee Report (S)	S1621
Truly Agreed To & Finally Passed	S1621 - 1622 H2350
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 10 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services

Introduced & Read First Time (H)	H360
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H676
Laid Over (H)	H678
Taken Up for Perfection (H)	H679
Laid Over (H)	H679
Taken Up for Perfection (H)	H685
HCS Adopted (H)	H685
Perfected with Amendments (H)	H685
Taken Up for Third Reading (H)	H757
Third Read & Passed (H)	H757 - 759
Reported to the Senate & First Read (S)	S613 - 614
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S840
SCS Adopted (S)	S841
Third Read & Passed (S)	S841
Reported to the House (H)	H1473
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1578 S930
Senate Refuses to Recede, Grants Conference (S) ...	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S960
House Submits Conference Committee Report (H)	H2294
House Adopts Conference Committee Report (H)	H2324
Third Read & Passed (H)	H2325 S1609
Senate Submits Conference Committee Report (S)	S1622
Senate Adopts Conference Committee Report (S) ...	S1622 - 1623
Truly Agreed To & Finally Passed	S1623 H2350
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 11 (Stream) Appropriates money for the expenses, grants, and distributions of the Department of Social Services

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H678
Laid Over (H)	H679
Taken Up for Perfection (H)	H679
Laid Over (H)	H679
Taken Up for Perfection (H)	H680
Laid Over (H)	H680
Taken Up for Perfection (H)	H680
Laid Over (H)	H683
Taken Up for Perfection (H)	H685
HCS Adopted (H)	H685
Perfected with Amendments (H)	H685
Taken Up for Third Reading (H)	H759
Third Read & Passed (H)	H759 - 761
Reported to the Senate & First Read (S)	S614
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S841
SCS Adopted (S)	S843
Third Read & Passed with Amendments (S)	S843 - 844
Reported to the House (H)	H1473 - 1474
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1578 - 1580 S930

Senate Refuses to Recede, Grants Conference (S) . . .	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S960 - 961
House Submits Conference Committee Report (H)	H2295
House Adopts Conference Committee Report (H)	H2327 - 2328
Third Read & Passed (H)	H2328 S1610
Senate Submits Conference Committee Report (S)	S1623 - 1624
Senate Adopts Conference Committee Report (S)	S1624
Truly Agreed To & Finally Passed	S1624 - 1625 H2350
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2438
Delivered to Governor	H3330

HB 12 (Stream) Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H683
Laid Over (H)	H683
Taken Up for Perfection (H)	H685
HCS Adopted (H)	H685
Perfected with Amendments (H)	H685
Taken Up for Third Reading (H)	H761
Third Read & Passed (H)	H761
Reported to the Senate & First Read (S)	S614
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S819
Taken Up for Third Reading (S)	S844
SCS Adopted (S)	S844
Third Read & Passed (S)	S844 - 845
Reported to the House (H)	H1474
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1580 S930
Senate Refuses to Recede, Grants Conference (S)	S947 H1639
Senate Conference Committee Appointed (S)	S949 H1639
House Conference Committee Appointed (H)	H1640 S961
House Submits Conference Committee Report (H)	H2295 - 2296
House Adopts Conference Committee Report (H)	H2329
Third Read & Passed (H)	H2330 S1610
Senate Submits Conference Committee Report (S)	S1625 - 1626
Senate Adopts Conference Committee Report (S)	S1626
Truly Agreed To & Finally Passed	S1626 - 1627 H2350
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 13 (Stream) Appropriates money for real property leases and related services

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Budget (H)	H376
HCS Reported Do Pass (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass with Time Limit (H)	H633
Taken Up for Perfection (H)	H652
Laid Over (H)	H652
Taken Up for Perfection (H)	H683
Laid Over (H)	H683
Taken Up for Perfection (H)	H685
HCS Adopted (H)	H685
Perfected (H)	H685
Taken Up for Third Reading (H)	H762
Third Read & Passed (H)	H762
Reported to the Senate & First Read (S)	S614 - 615
Second read & referred: Senate Appropriations (S)	S622
SCS Reported Do Pass (S)	S820

Taken Up for Third Reading (S)	S845
SCS Adopted (S)	S845
Third Read & Passed (S)	S845 - 846
Reported to the House (H)	H1474
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1580 S930
Senate Refuses to Recede, Grants Conference (S)	S947 H1640
Senate Conference Committee Appointed (S)	S949 H1640
House Conference Committee Appointed (H)	H1640 S961
Conference Committee Was Dissolved	H2331
House Concurs (H)	H2331
Truly Agreed To & Finally Passed	H2332 S1610
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 14 (Stream) Appropriates money for supplemental purposes

Introduced & Read First Time (H)	H286
Read Second Time (H)	H293
Referred: Budget (H)	H296
HCS Reported Do Pass (H)	H358
Referred: Rules (H)	H358
Rules - Reported Do Pass (H)	H422
Taken Up for Perfection (H)	H454
HCS Adopted (H)	H454
Perfected with Amendments (H)	H455
Taken Up for Third Reading (H)	H482
Third Read & Passed (H)	H482 - 483
Reported to the Senate & First Read (S)	S412
Second read & referred: Senate Appropriations (S)	S488
SCS Reported Do Pass (S)	S508
Taken Up for Third Reading (S)	S535
SCS Adopted (S)	S535
Third Read & Passed (S)	S535 - 536
Reported to the House (H)	H638
House Concurs (H)	H744 - 745
Truly Agreed To & Finally Passed	H745 - 746 S590
Signed by House Speaker (H)	H746
Signed by President Pro Tem (S)	S590
Delivered to Governor	H746

HB 17 (Stream) Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28

Introduced & Read First Time (H)	H768
Read Second Time (H)	H781
Referred: Budget (H)	H950
HCS Reported Do Pass (H)	H1533
Referred: Rules (H)	H1533
Rules - Reported Do Pass (H)	H1651
Taken Up for Perfection (H)	H1893
HCS Adopted (H)	H1893
Perfected (H)	H1893
Taken Up for Third Reading (H)	H1914
Third Read & Passed (H)	H1914 - 1915
Reported to the Senate & First Read (S)	S1290 - 1291
Second read & referred: Senate Appropriations (S)	S1295
SCS Reported Do Pass (S)	S1339
Taken Up for Third Reading (S)	S1476
SCS Adopted (S)	S1476
Third Read & Passed (S)	S1476 - 1477
Reported to the House (H)	H2161
House Concurs (H)	H2341
Truly Agreed To & Finally Passed	H2342 S1630
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 18 (Stream) Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities

Introduced & Read First Time (H)	H768
Read Second Time (H)	H781
Referred: Budget (H)	H950
Reported Do Pass (H)	H1533
Referred: Rules (H)	H1533

Rules - Reported Do Pass (H)	H1651
Taken Up for Perfection (H)	H1893
Perfected (H)	H1893
Taken Up for Third Reading (H)	H1915
Third Read & Passed (H)	H1915 - 1916
Reported to the Senate & First Read (S)	S1291
Second read & referred: Senate Appropriations (S)	S1295
SCS Reported Do Pass (S)	S1339
Taken Up for Third Reading (S)	S1477
SCS Adopted (S)	S1477
Third Read & Passed (S)	S1477 - 1478
Reported to the House (H)	H2161
House Concurs (H)	H2343
Truly Agreed To & Finally Passed	H2344 S1630
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 19 (Stream) Appropriates money for capital improvement projects

Introduced & Read First Time (H)	H769
Read Second Time (H)	H781
Referred: Budget (H)	H950
HCS Reported Do Pass (H)	H1534
Referred: Rules (H)	H1534
Rules - Reported Do Pass (H)	H1652
Taken Up for Perfection (H)	H1903
HCS Adopted (H)	H1905
Perfected with Amendments (H)	H1905
Taken Up for Third Reading (H)	H1916
Third Read & Passed (H)	H1916 - 1917
Reported to the Senate & First Read (S)	S1291
Second read & referred: Senate Appropriations (S)	S1295
SCS Reported Do Pass (S)	S1339
Taken Up for Third Reading (S)	S1478
Senate Substitute Offered (S)	S1478 - 1479
SS Adopted (S)	S1479
Third Read & Passed (S)	S1479
Reported to the House (H)	H2161
House Concurs (H)	H2345 - 2346
Truly Agreed To & Finally Passed	H2345 - 2347 S1630
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 26 (Lant) Relating to an income tax deduction for storm shelters

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Ways & Means (H)	H240

HB 27 (Lant) Relating to fire sprinkler contractors

Withdrawn (H)	H32
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HB 28 (Lichtenegger) Relating to natural disaster ordinances

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Local Government (H)	H240
HCS Reported Do Pass (H)	H508
Referred: Rules (H)	H508
Rules - Reported Do Pass (H)	H766
Taken Up for Perfection (H)	H1040
HCS Adopted (H)	H1042
Perfected with Amendments (H)	H1042
Taken Up for Third Reading (H)	H1100
Third Read & Passed (H)	H1100 - 1102
Reported to the Senate & First Read (S)	S754
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S814
SCS Reported Do Pass (S)	S1896
Placed on Informal Calendar	S2341
Taken Up for Third Reading (S)	S2417
Senate Substitute Offered (S)	S2418
SS Adopted (S)	S2418
Third Read & Passed (S)	S2418

Emergency Clause Adopted (S)	S2418 - 2419
Reported to the House (H)	H3299 - 3300
House Concurs (H)	H3312
Truly Agreed To & Finally Passed	H3313 - 3314 S2432
Emergency Clause Adopted on Truly Agreed to Bill	H3314
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 29 (Lichtenegger) Relating to insurance reimbursement for physical therapist services

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Health Insurance (H)	H240

HB 30 (Scharnhorst) Relating to insurance coverage for physical therapy services

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Special Standing Committee on Small Business (H)	H215
Re-referred to Committee: Health Insurance (H)	H223
HCS Reported Do Pass (H)	H443
Referred: Rules (H)	H443
Rules - Reported Do Pass (H)	H545
Taken Up for Perfection (H)	H940
Laid Over (H)	H940
Taken Up for Perfection (H)	H992
HCS Adopted (H)	H992
Perfected (H)	H992
Referred: Fiscal Review (H)	H1011
Reported Do Pass (H)	H1017
Taken Up for Third Reading (H)	H1106
Third Read & Passed (H)	H1107
Reported to the Senate & First Read (S)	S755
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S814
Reported Do Pass (S)	S1895
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1906

HB 31 (Gatschenberger) Relating to alternatives-to-abortion agencies

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Children, Families, & Persons with Disabilities (H)	H409

HB 32 (Guernsey) Relating to property assessments

Read First Time (H)	H23
Read Second Time (H)	H61
Referred: Ways & Means (H)	H192

HB 33 (Guernsey) Relating to government meetings & records

Read First Time (H)	H23
Read Second Time (H)	H61
Referred: General Laws (H)	H143
HCS Reported Do Pass (H)	H275

HB 34 (Guernsey) Relating to wages for work done on behalf of a school

Read First Time (H)	H23
Read Second Time (H)	H61
Referred: Workforce Development & Workplace Safety (H)	H143
Reported Do Pass (H)	H192
Referred: Rules (H)	H192
Rules - Reported Do Pass (H)	H232
Taken Up for Perfection (H)	H439
Laid Over (H)	H442
Taken Up for Perfection (H)	H461
Perfected with Amendments (H)	H463
Taken Up for Third Reading (H)	H478
Third Read & Passed (H)	H479 - 480
Reported to the Senate & First Read (S)	S403
Second read & referred: Senate Small Business, Insurance, &	

Industry (S)	S488	Read Second Time (H)	H61
Reported Do Pass (S)	S810	Referred: Elementary & Secondary Education (H)	H143
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S847 - 848		
Reported Do Pass (S)	S906	HB 44 (Korman) Relating to renewable energy definitions	
Taken Up for Third Reading (S)	S923	Read First Time (H)	H23
Senate Substitute Offered (S)	S923	Read Second Time (H)	H61
Placed on Informal Calendar	S925	Referred: Utilities (H)	H143
Taken Up for Third Reading (S)	S934	Reported Do Pass (H)	H243
Senate Substitute Offered (S)	S934	Referred: Rules (H)	H243
SS Adopted (S)	S934	Rules - Reported Do Pass (H)	H254
Third Read & Passed (S)	S934 - 935	Taken Up for Perfection (H)	H457
Reported to the House (H)	H1653	Laid Over (H)	H459
House Concurs (H)	H1936 - 1937	Taken Up for Perfection (H)	H460
Truly Agreed To & Finally Passed	H1938 S1305	Perfected with Amendments (H)	H461
Signed by House Speaker (H)	H3330	Referred: Fiscal Review (H)	H464
Signed by President Pro Tem (S)	S2435	Reported Do Pass (H)	H475
Delivered to Governor	H3330	Taken Up for Third Reading (H)	H476
		Third Read & Passed (H)	H477 - 478
		Reported to the Senate & First Read (S)	S403
		Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S488
HB 35 (Higdon) Relating to alcohol regulation fees			
Read First Time (H)	H23	HB 45 (Hinson) Relating to building codes	
Read Second Time (H)	H61	Read First Time (H)	H23
Referred: Crime Prevention & Public Safety (H)	H240	Read Second Time (H)	H61
		Referred: Local Government (H)	H240
HB 36 (Higdon) Relating to peace officer safety alerts			
Read First Time (H)	H23	HB 46 (Guernsey) Relating to unmanned aerial surveillance	
Read Second Time (H)	H61	Read First Time (H)	H23
Referred: Crime Prevention & Public Safety (H)	H541	Read Second Time (H)	H61
		Referred: Agri-Business (H)	H143
HB 37 (Roorda) Relating to retailer hours on Thanksgiving Day		HCS Reported Do Pass (H)	H376
Read First Time (H)	H23	Referred: Rules (H)	H376
Read Second Time (H)	H61	Rules - Reported Do Pass (H)	H422
Referred: General Laws (H)	H296	Taken Up for Perfection (H)	H941
		HCS Adopted (H)	H944
HB 38 (Roorda) Relating to altering or falsifying drug or alcohol tests or test results		Perfected with Amendments (H)	H944
Read First Time (H)	H23	Taken Up for Third Reading (H)	H962
Read Second Time (H)	H61	Third Read & Passed (H)	H963 - 964
Referred: Crime Prevention & Public Safety (H)	H541	Emergency Clause Defeated (H)	H964
		Reported to the Senate & First Read (S)	S679
HB 39 (Roorda) Relating to the Agreement Among the States to Elect the President by National Popular Vote Act		Second read & referred: Senate General Laws (S)	S745
Read First Time (H)	H23	Re-referred to Committee (S)	S814
Read Second Time (H)	H61		
Referred: Elections (H)	H3321	HB 47 (Cross) Relating to tanning facilities	
HB 40 (Roorda) Relating to taxation of unauthorized substances		Read First Time (H)	H23
Read First Time (H)	H23	Read Second Time (H)	H61
Read Second Time (H)	H61	Referred: Health Care Policy (H)	H240
Referred: Crime Prevention & Public Safety (H)	H3321	Reported Do Pass (H)	H507
		Referred: Rules (H)	H507
HB 41 (Rowland) Relating to declarations of candidacy		Rules - Reported Do Pass (H)	H633
Read First Time (H)	H23	Taken Up for Perfection (H)	H992
Read Second Time (H)	H61	Laid Over (H)	H995
Referred: Elections (H)	H3321	Taken Up for Perfection (H)	H995
		Perfected with Amendments (H)	H996
HB 42 (Rowland) Relating to prohibition on certain policies that infringe on private property rights		Taken Up for Third Reading (H)	H1107
Read First Time (H)	H23	Third Read & Passed (H)	H1108
Read Second Time (H)	H61	Reported to the Senate & First Read (S)	S755
Referred: Tourism & Natural Resources (H)	H143	Second read & referred: Senate General Laws (S)	S814
Reported Do Pass (H)	H632		
Referred: Rules (H)	H632	HB 48 (Dugger) Relating to elections	
Rules - Reported Do Pass (H)	H653	Read First Time (H)	H23
Taken Up for Perfection (H)	H981	Read Second Time (H)	H61
Perfected (H)	H981 - 982	Referred: Elections (H)	H143
Taken Up for Third Reading (H)	H1036	HCS Reported Do Pass (H)	H286
Third Read & Passed (H)	H1036 - 1037	Referred: Rules (H)	H286
Reported to the Senate & First Read (S)	S734	Rules - Reported Do Pass (H)	H297
Second read & referred: Senate General Laws (S)	S745	Taken Up for Perfection (H)	H324
SCS Reported Do Pass (S)	S1897	Laid Over (H)	H324
Placed on Informal Calendar	S2342	Taken Up for Perfection (H)	H333
		Laid Over (H)	H337
HB 43 (Rowland) Relating to the school calendar		Taken Up for Perfection (H)	H340
Read First Time (H)	H23	HCS Adopted (H)	H341
		Perfected with Amendments (H)	H341
		Referred: Fiscal Review (H)	H342

Reported Do Pass (H)	H350	HB 57 (Fitzpatrick) Relating to the unlawful detention of citizens	
Taken Up for Third Reading (H)	H354	Read First Time (H)	H24
Third Read & Passed (H)	H355 - 356	Read Second Time (H)	H61
Reported to the Senate & First Read (S)	S295	Referred: Downsizing State Government (H)	H296
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S333	HB 58 (Molendorp) Relating to portable electronics devices	
Reported Do Pass (S)	S1418	Read First Time (H)	H24
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1640	Read Second Time (H)	H61
HB 49 (Dugger) Relating to county annual budgets		Referred: Insurance Policy (H)	H296
Read First Time (H)	H23	HCS Reported Do Pass by Consent (H)	H508
Withdrawn (H)	H32	Referred: Rules (H)	H508
HB 50 (Lair) Relating to school accreditation		Rules - Reported Do Pass - Consent (H)	H633
Read First Time (H)	H23	Perfect by Consent - Pursuant to House Rules (H)	H768
Read Second Time (H)	H61	Taken Up for Third Reading (H)	H783
Referred: Elementary & Secondary Education (H)	H240	Third Read & Passed (H)	H783 - 784
HB 51 (Miller) Relating to water quality standards for Missouri beaches		Emergency Clause Adopted (H)	H784 - 785
Read First Time (H)	H23	Reported to the Senate & First Read (S)	S624
Read Second Time (H)	H61	Second read & referred: Senate Small Business, Insurance, & Industry (S)	S668
Referred: Tourism & Natural Resources (H)	H240	Reported Do Pass (S)	S1338
HB 52 (Miller) Relating to insurance reimbursement		Placed on Informal Calendar	S1643
Read First Time (H)	H24	Taken Up for Third Reading (S)	S1654
Read Second Time (H)	H61	Senate Substitute Offered (S)	S1654
Referred: Insurance Policy (H)	H356	SS Adopted (S)	S1654
HB 53 (Gatschenberger) Relating to insurance coverage		Third Read & Passed (S)	S1654 - 1655
Read First Time (H)	H24	Emergency Clause Adopted (S)	S1655
Read Second Time (H)	H61	Reported to the House (H)	H2434
Referred: Insurance Policy (H)	H356	House Concurs (H)	H3220
Reported Do Pass by Consent (H)	H507	Truly Agreed To & Finally Passed	H3221 S2429
Referred: Rules (H)	H507	Emergency Clause Adopted on Truly Agreed to Bill	H3222
Rules - Reported Do Pass - Consent (H)	H633	Signed by House Speaker (H)	H3330
Perfect by Consent - Pursuant to House Rules (H)	H768	Signed by President Pro Tem (S)	S2435
Taken Up for Third Reading (H)	H782	Delivered to Governor	H3330
Third Read & Passed (H)	H782 - 783	HB 59 (Engler) Relating to licensure of nursing home administrators	
Reported to the Senate & First Read (S)	S624	Read First Time (H)	H24
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S668	Read Second Time (H)	H61
Reported Do Pass (S)	S811	Referred: Professional Registration & Licensing (H)	H541
Placed on Informal Calendar	S855	HB 60 (Engler) Relating to the removal of weeds & trash in certain cities	
HB 54 (Dugger) Relating to recounts of votes		Read First Time (H)	H24
Read First Time (H)	H24	Read Second Time (H)	H61
Read Second Time (H)	H61	Referred: Local Government (H)	H240
Referred: Elections (H)	H356	Reported Do Pass by Consent (H)	H497
HB 55 (Flanigan) Relating to amnesty for certain taxes		Referred: Rules (H)	H497
Read First Time (H)	H24	Rules - Reported Do Pass - Consent (H)	H634
Read Second Time (H)	H61	Perfect by Consent - Pursuant to House Rules (H)	H768
Referred: Ways & Means (H)	H192	Taken Up for Third Reading (H)	H785
Reported Do Pass (H)	H343	Third Read & Passed (H)	H785 - 786
Referred: Rules (H)	H343	Reported to the Senate & First Read (S)	S624
Rules - Reported Do Pass (H)	H359	Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668
Taken Up for Perfection (H)	H396	SCS Reported Do Pass (S)	S1896
Perfect with Amendments (H)	H397	Placed on Informal Calendar	S2341
Taken Up for Third Reading (H)	H407	HB 61 (Engler) Relating to the passage of ordinances in the city of Farmington	
Third Read & Passed (H)	H407	Read First Time (H)	H24
Emergency Clause Adopted (H)	H408	Read Second Time (H)	H61
Reported to the Senate & First Read (S)	S333	Referred: Local Government (H)	H143
Second read & referred: Senate Appropriations (S)	S488	HB 62 (Gatschenberger) Relating to drivers' license examination fees	
SCS Reported Do Pass (S)	S543	Read First Time (H)	H24
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S561	Read Second Time (H)	H61
Reported Do Pass (S)	S590	Referred: Transportation (H)	H409
Placed on Informal Calendar	S725	Reported Do Pass (H)	H686
HB 56 (Thomson) Relating to career & technical education		Referred: Rules (H)	H686
Read First Time (H)	H24	Rules - Returned to the Committee of Origin (H)	H766
Read Second Time (H)	H61	HCS Reported Do Pass (H)	H1335
Referred: Agriculture Policy (H)	H240	Referred: Rules (H)	H1335

HB 63 (Gatschenberger) Relating to property tax bills

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Downsizing State Government (H)	H143
HCS Reported Do Pass by Consent (H)	H631
Referred: Rules (H)	H631

HB 64 (Burlison) Relating to labor organizations

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Workforce Development & Workplace Safety (H)	H143
Reported Do Pass (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass (H)	H497
Taken Up for Perfection (H)	H582
Perfecting with Amendments (H)	H587
Taken Up for Third Reading (H)	H614
Third Read & Passed (H)	H615 - 616
Reported to the Senate & First Read (S)	S520
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S610

HB 65 (Lant) Relating to qualifications of certain aldermen

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Local Government (H)	H240

HB 66 (Burlison) Relating to fire protection district audits

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Local Government (H)	H240

HB 67 (Higdon) Relating to local law enforcement agencies

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Crime Prevention & Public Safety (H)	H240

HB 68 (Kelley 127) Relating to the designation of pancreatic cancer awareness month

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Children, Families, & Persons with Disabilities (H)	H356
Reported Do Pass by Consent (H)	H524
Referred: Rules (H)	H524
Rules - Reported Do Pass - Consent (H)	H545
Perfecting by Consent - Pursuant to House Rules (H)	H687
Taken Up for Third Reading (H)	H729
Third Read & Passed (H)	H729
Reported to the Senate & First Read (S)	S583
Second read & referred: Senate General Laws (S)	S668
Reported Do Pass (S)	S811
Taken Up for Third Reading (S)	S855
Third Read & Passed with Amendments (S)	S856
Reported to the House (H)	H1475
House Concurs (H)	H1931 - 1932
Truly Agreed To & Finally Passed	H1933 S1305
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 69 (Kelley 127) Relating to certain court actions against correctional facilities

Read First Time (H)	H24
Read Second Time (H)	H61
Referred: Special Standing Committee on Corrections (H) ..	H240

HB 70 (Kelley 127) Relating to teachers & school administrators carrying concealed firearms on school premises

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: General Laws (H)	H386

HB 71 (Fraker) Relating to motor vehicle fee offices

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Special Standing Committee on Small Business (H)	H541

HB 72 (Barnes) Relating to tanning facilities

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Health Care Policy (H)	H241

HB 73 (Barnes) Relating to drug courts

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Veterans (H)	H241
HCS Reported Do Pass (H)	H968

HB 74 (Gatschenberger) Relating to political subdivisions

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Local Government (H)	H357
HCS Reported Do Pass (H)	H923
Referred: Rules (H)	H923

HB 75 (Gatschenberger) Relating to political subdivisions

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Local Government (H)	H285
HCS Reported Do Pass (H)	H1180
Referred: Rules (H)	H1180
Rules - Returned to the Committee of Origin (H)	H1364

HB 76 (Rowland) Relating to Missouri school improvement program standards

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Elementary & Secondary Education (H)	H241
HCS Reported Do Pass (H)	H525
Referred: Rules (H)	H525
Rules - Reported Do Pass (H)	H1118
Taken Up for Perfection (H)	H1430
HCS Adopted (H)	H1430
Perfecting (H)	H1430
Taken Up for Third Reading (H)	H1546
Third Read & Passed (H)	H1547
Reported to the Senate & First Read (S)	S926
Second read & referred: Senate Education (S)	S959
SCS Reported Do Pass (S)	S1896
Placed on Informal Calendar	S2341
Taken Up for Third Reading (S)	S2419
Placed on Informal Calendar	S2419

HB 77 (Burlison) Relating to labor organizations

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Workforce Development & Workplace Safety (H)	H143
HCS Reported Do Pass (H)	H1180
Referred: Rules (H)	H1180
Rules - Reported Do Pass (H)	H2349

HB 78 (Johnson) Relating to the Missouri Jobs for Education Program

Read First Time (H)	H25
Read Second Time (H)	H61
Referred: Special Standing Committee on Small Business (H)	H285
HCS Reported Do Pass (H)	H765
Referred: Rules (H)	H765
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1430
HCS Adopted (H)	H1431
Perfecting (H)	H1431
Referred: Fiscal Review (H)	H1533
Reported Do Pass (H)	H1576

Taken Up for Third Reading (H)	H1583	Placed on Informal Calendar	S1646
Third Read & Passed (H)	H1583		
Reported to the Senate & First Read (S)	S931		
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S959		
HB 79 (Johnson) Relating to the Missouri International Business Advertising Fund			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: International Trade (H)	H285		
HCS Reported Do Pass by Consent (H)	H497		
Referred: Rules (H)	H497		
Rules - Reported Do Pass - Consent (H)	H634		
Perfect by Consent - Pursuant to House Rules (H)	H768		
Taken Up for Third Reading (H)	H786		
Third Read & Passed (H)	H786 - 787		
Reported to the Senate & First Read (S)	S624		
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668		
HB 80 (Johnson) Relating to a tax credit for construction of data centers			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Economic Development (H)	H3321		
HB 81 (Johnson) Relating to the Missouri international agriculture exchange website			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Emerging Issues in Agriculture (H)	H241		
HCS Reported Do Pass by Consent (H)	H596		
Referred: Rules (H)	H596		
Rules - Reported Do Pass - Consent (H)	H634		
Perfect by Consent - Pursuant to House Rules (H)	H768		
Taken Up for Third Reading (H)	H787		
Third Read & Passed (H)	H787 - 788		
Reported to the Senate & First Read (S)	S625		
Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S668		
HB 82 (Johnson) Relating to corporate income taxation			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Ways & Means (H)	H285		
HB 83 (Berry) Relating to a tax credit for processed biomass engineered fiber fuel			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Agriculture Policy (H)	H285		
HCS Reported Do Pass (H)	H1011		
Referred: Rules (H)	H1011		
Rules - Reported Do Pass (H)	H1652		
HB 84 (Berry) Relating to fines & court costs for traffic violations			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Local Government (H)	H241		
HB 85 (Kelley 127) Relating to emergency utility response permits			
Read First Time (H)	H25		
Read Second Time (H)	H61		
Referred: Transportation (H)	H241		
Reported Do Pass by Consent (H)	H343		
Referred: Rules (H)	H343		
Rules - Reported Do Pass - Consent (H)	H422		
Perfect by Consent - Pursuant to House Rules (H)	H526		
Taken Up for Third Reading (H)	H628		
Third Read & Passed (H)	H628 - 629		
Reported to the Senate & First Read (S)	S549		
Second read & referred: Senate Transportation & Infrastructure (S)	S610		
Reported Do Pass (S)	S1515		
HB 87 (Burlison) Relating to certain benevolent tax credits			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Children, Families, & Persons with Disabilities (H)	H143		
HCS Reported Do Pass (H)	H224		
Referred: Rules (H)	H224		
Rules - Reported Do Pass (H)	H232		
Taken Up for Perfection (H)	H268		
HCS Adopted (H)	H270 - 273		
Perfect with Amendments (H)	H274		
Referred: Fiscal Review (H)	H275		
Reported Do Pass (H)	H294		
Taken Up for Third Reading (H)	H294		
Third Read & Passed (H)	H294 - 295		
Emergency Clause Adopted (H)	H295 - 296		
Reported to the Senate & First Read (S)	S237		
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S333		
HB 88 (Burlison) Relating to drug courts			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Judiciary (H)	H3321		
HB 89 (Colona) Relating to the crime of failure to secure a firearm			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: General Laws (H)	H541		
HB 90 (Gosen) Relating to intervention of insurers in civil lawsuits			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Insurance Policy (H)	H357		
HB 91 (Lichtenegger) Relating to labor organizations			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Workforce Development & Workplace Safety (H)	H241		
HCS Reported Do Pass (H)	H1180		
HB 92 (Gatschenberger) Relating to concealed carry endorsements			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: General Laws (H)	H386		
Reported Do Pass (H)	H1917		
Referred: Rules (H)	H1917		
HB 93 (Lichtenegger) Relating to retirement benefits			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Retirement (H)	H3321		
HB 94 (Miller) Relating to license & permit fees for certain nonresidents			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Withdrawn (H)	H140		
HB 95 (White) Relating to labor organizations			
Read First Time (H)	H26		
Read Second Time (H)	H61		
Referred: Workforce Development & Workplace Safety (H)	H143		
HCS Reported Do Pass (H)	H1180		
HB 96 (White) Relating to tax increment financing			
Read First Time (H)	H26		
Read Second Time (H)	H61		

Referred: Economic Development (H)	H241		S2407 - 2408
HB 97 (White) Relating to the prevailing wage on low-income housing		Signed by House Speaker (H)	H3332
Read First Time (H)	H26	Signed by President Pro Tem (S)	S2440 - 2441
Read Second Time (H)	H61	Delivered to Governor	H3332
Referred: Workforce Development & Workplace Safety (H)	H143		
HB 98 (White) Relating to prevailing wages		HB 104 (Solon) Relating to neighborhood improvement districts	
Read First Time (H)	H26	Read First Time (H)	H26
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Workforce Development & Workplace Safety (H)	H143	Referred: Local Government (H)	H241
HB 99 (White) Relating to health insurance providers		HB 105 (Kelley 127) Relating to withholding tax returns	
Read First Time (H)	H26	Read First Time (H)	H26
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Health Care Policy (H)	H241	Referred: Special Standing Committee on Small Business (H)	H285
HB 100 (White) Relating to the adult health care consent act		HB 106 (Kelley 127) Relating to the sex offender registry	
Read First Time (H)	H26	Read First Time (H)	H27
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Health Care Policy (H)	H357	Referred: Crime Prevention & Public Safety (H)	H541
HB 101 (White) Relating to child abuse		HB 107 (Berry) Relating to adoption	
Read First Time (H)	H26	Read First Time (H)	H27
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Children, Families, & Persons with Disabilities (H)	H357	Referred: Children, Families, & Persons with Disabilities (H)	H357
HB 102 (White) Relating to adoption proceedings		HB 108 (Kelley 127) Relating to making a false declaration	
Read First Time (H)	H26	Read First Time (H)	H27
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Judiciary (H)	H357	Referred: Crime Prevention & Public Safety (H)	H285
HB 103 (Kelley 127) Relating to all-terrain & utility vehicle use in municipalities		HB 109 (Berry) Relating to caffeinated malt beverages	
Read First Time (H)	H26	Read First Time (H)	H27
Read Second Time (H)	H61	Read Second Time (H)	H61
Referred: Emerging Issues in Agriculture (H)	H285	Referred: Special Standing Committee on Small Business (H)	H541
Reported Do Pass (H)	H631	HB 110 (Smith 120) Relating to vacancies in certain statewide offices	
Referred: Rules (H)	H631	Read First Time (H)	H27
Rules - Reported Do Pass (H)	H653	Read Second Time (H)	H61
Taken Up for Perfection (H)	H1004	Referred: Elections (H)	H80
Perfected (H)	H1004	HCS Reported Do Pass (H)	H94
Taken Up for Third Reading (H)	H1133	Referred: Rules (H)	H133
Third Read & Passed (H)	H1133 - 1134	Rules - Reported Do Pass (H)	H155
Reported to the Senate & First Read (S)	S756	Taken Up for Perfection (H)	H160
Second read & referred: Senate Transportation & Infrastructure (S)	S814	HCS Adopted (H)	H172
SCS Reported Do Pass (S)	S1339	Perfected with Amendments (H)	H172
Placed on Informal Calendar	S1643	Taken Up for Third Reading (H)	H172
Taken Up for Third Reading (S)	S1696	Third Read & Passed (H)	H172 - 173
SCS Adopted (S)	S1707	Emergency Clause Adopted (H)	H173 - 174
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1707	Reported to the Senate & First Read (S)	S131
Reported Do Pass (S)	S1897	Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S204
Taken Up for Third Reading (S)	S1960 - 1961	SCS Reported Do Pass (S)	S1514
Third Read & Passed with Amendments (S)	S1961	Placed on Informal Calendar	S1645
Emergency Clause Adopted (S)	S1961	Taken Up for Third Reading (S)	S2385 - 2386
Reported to the House (H)	H2818 - 2822	SCS Adopted (S)	S2388
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H2892 S2015	Third Read & Passed with Amendments (S)	S2389
Senate Refuses to Recede, Grants Conference (S) ..	S2247 H3085	Emergency Clause Adopted (S)	S2389
Senate Conference Committee Appointed (S)	S2247 H3085	Reported to the House (H)	H3228 - 3230
House Conference Committee Appointed (H)	H3098 S2297	House Concurs (H)	H3307 - 3308
House Submits Conference Committee Report (H)	H3113	Truly Agreed To & Finally Passed	H3309 S2432
House Adopts Conference Committee Report (H)	H3149	Emergency Clause Defeated on Truly Agreed to Bill	H3310
Third Read & Passed (H)	H3150 S2405 - 2406	Signed by House Speaker (H)	H3332
Emergency Clause Adopted (H)	H3151	Signed by President Pro Tem (S)	S2440 - 2441
Senate Submits Conference Committee Report (S)	S2406	Delivered to Governor	H3332
Senate Adopts Conference Committee Report (S)	S2406	HB 111 (Solon) Relating to school enrollment options for students from unaccredited districts	
Truly Agreed To & Finally Passed	S2407 H3275	Read First Time (H)	H27
Emergency Clause Adopted on Truly Agreed to Bill		Read Second Time (H)	H61
		Referred: Elementary & Secondary Education (H)	H241

HB 112 (Burlison) Relating to claims arising out of the rendering of or failure to render health care services

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H192
Reported Do Pass (H)	H467
Referred: Rules (H)	H467
Rules - Reported Do Pass (H)	H634
Taken Up for Perfection (H)	H706
Laid Over (H)	H706
Taken Up for Perfection (H)	H733
Perfected (H)	H734
Taken Up for Third Reading (H)	H746
Third Read & Passed (H)	H747 - 748
Reported to the Senate & First Read (S)	S610
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S668
Reported Do Pass (S)	S811
Placed on Informal Calendar	S855
Taken Up for Third Reading (S)	S950
Placed on Informal Calendar	S959

HB 113 (Davis) Relating to uniformed military voters

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Elections (H)	H143

HB 114 (Davis) Relating to educational credits for veterans

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Veterans (H)	H241
HCS Reported Do Pass (H)	H632
Referred: Rules (H)	H632
Rules - Reported Do Pass (H)	H766
Taken Up for Perfection (H)	H1004
HCS Adopted (H)	H1004
Perfected (H)	H1004
Referred: Fiscal Review (H)	H1011
Reported Do Pass (H)	H1017
Taken Up for Third Reading (H)	H1134
Third Read & Passed (H)	H1134 - 1135
Emergency Clause Adopted (H)	H1135 - 1136
Reported to the Senate & First Read (S)	S756 - 757
Second read & referred: Senate Veterans' Affairs & Health (S)	S814
Reported Do Pass (S)	S1515
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	H1631
Reported Do Pass (S)	S1995 - 1996
Placed on Informal Calendar	S2341

HB 115 (Davis) Relating to the disclosure of private information to employers

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Workforce Development & Workplace Safety (H)	H3321

HB 116 (Dugger) Relating to county government accounts audits

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Local Government (H)	H241
Reported Do Pass by Consent (H)	H422
Referred: Rules (H)	H422
Rules - Reported Do Pass - Consent (H)	H634
Perfected by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H788
Third Read & Passed (H)	H788 - 789
Reported to the Senate & First Read (S)	S625
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668
SCS Reported Do Pass (S)	S1514
Taken Up for Third Reading (S)	S1643
Senate Substitute Offered (S)	S1644

Placed on Informal Calendar	S1645
Taken Up for Third Reading (S)	S2016
Senate Substitute Offered (S)	S2016
SS Adopted (S)	S2024
Third Read & Passed with Amendments (S)	S2024
Emergency Clause Adopted (S)	S2024
Reported to the House (H)	H3085 - 3090
House Concurs (H)	H3257 - 3258
Truly Agreed To & Finally Passed	H3259 S2432
Emergency Clause Defeated on Truly Agreed to Bill	H3260
Taken Up	H3318
Motion to Reconsider Adopted (H)	H3318
Emergency Clause Adopted on Truly Agreed to Bill	H3319 S2432
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 117 (Dugger) Relating to initiative & referendum petitions

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Elections (H)	H241
HCS Reported Do Pass (H)	H397
Referred: Rules (H)	H397
Rules - Reported Do Pass (H)	H422
Taken Up for Perfection (H)	H506
HCS Adopted (H)	H506
Perfected (H)	H506
Taken Up for Third Reading (H)	H539
Third Read & Passed (H)	H539 - 540
Reported to the Senate & First Read (S)	S489
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S610
SCS Reported Do Pass (S)	S1339
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1954
Senate Substitute Offered (S)	S1954 - 1955
SS Adopted (S)	S1955
Third Read & Passed (S)	S1955
Reported to the House (H)	H2822
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H2841 S1990
Senate Refuses to Recede, Grants Conference (S) ..	S2008 H2891
Senate Conference Committee Appointed (S)	S2008 H2891
House Conference Committee Appointed (H)	H2892
House Submits Conference Committee Report (H)	H3113 - 3114
House Adopts Conference Committee Report (H) ..	H3138 - 3139
Third Read & Passed (H)	H3140 S2400
Senate Submits Conference Committee Report (S)	S2400
Senate Adopts Conference Committee Report (S)	S2401
Truly Agreed To & Finally Passed	S2401 - 2402 H3275
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 118 (Shull) Relating to closed meetings

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Utilities (H)	H241

HB 119 (Berry) Relating to the net metering & easy connection act

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Utilities (H)	H241

HB 120 (Rowland) Relating to teacher contracts

Read First Time (H)	H27
Read Second Time (H)	H61
Referred: Elementary & Secondary Education (H)	H3321

HB 121 (Barnes) Relating to the appointment of guardians ad litem

Read First Time (H)	H27
Read Second Time (H)	H61

Referred: Utilities (H)	H241	Read Second Time (H)	H61
Re-referred to Committee: Judiciary (H)	H254	Referred: Health Insurance (H)	H541
HB 122 (Dugger) Relating to overweight vehicles hauling recyclable waste			
Read First Time (H)	H27		
Read Second Time (H)	H61		
Referred: Transportation (H)	H241		
HB 123 (Neth) Relating to transient guest taxes			
Read First Time (H)	H27		
Read Second Time (H)	H61		
Referred: Local Government (H)	H409		
HB 124 (Gatschenberger) Relating to the manufacturing jobs act			
Read First Time (H)	H27		
Read Second Time (H)	H61		
Referred: Economic Development (H)	H192		
Reported Do Pass (H)	H410		
Referred: Rules (H)	H410		
HB 125 (Sommer) Relating to qualifications of voters			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Elections (H)	H143		
HB 126 (Sommer) Relating to nominations of candidates for special elections			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Elections (H)	H143		
HB 127 (Sommer) Relating to the presidential primary date			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Elections (H)	H143		
HB 128 (Sommer) Relating to property taxation			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Local Government (H)	H192		
HCS Reported Do Pass by Consent (H)	H343		
Referred: Rules (H)	H343		
Rules - Reported Do Pass - Consent (H)	H422		
Perfect by Consent - Pursuant to House Rules (H)	H526		
Taken Up for Third Reading (H)	H707		
Third Read & Passed (H)	H707 - 708		
Reported to the Senate & First Read (S)	S580		
Second read & referred: Senate Ways & Means (S)	S668		
Reported Do Pass (S)	S1515		
Placed on Informal Calendar	S1645		
Taken Up for Third Reading (S)	S2298		
Third Read & Passed with Amendments (S)	S2310		
Reported to the House (H)	H3104 - 3112		
House Concurs (H)	H3263		
Truly Agreed To & Finally Passed	H3264 S2430		
Signed by House Speaker (H)	H3332		
Signed by President Pro Tem (S)	S2440 - 2441		
Delivered to Governor	H3332		
HB 129 (Gatschenberger) Relating to Missouri state employee benefits			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Retirement (H)	H241		
Reported Do Pass (H)	H1469		
Referred: Rules (H)	H1469		
HB 130 (Gosen) Relating to gold star license plates			
Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Transportation (H)	H241		
HB 131 (Stream) Relating to the treatment of eating disorders			
Introduced & Read First Time (H)	H28		
HB 132 (Stream) Relating to health insurance coverage			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Health Insurance (H)	H541		
HCS Reported Do Pass (H)	H631		
Referred: Rules (H)	H631		
Rules - Reported Do Pass (H)	H1469		
HB 133 (Gosen) Relating to reinsurance			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Insurance Policy (H)	H215		
Reported Do Pass by Consent (H)	H286		
Referred: Rules (H)	H286		
Rules - Reported Do Pass - Consent (H)	H423		
Perfect by Consent - Pursuant to House Rules (H)	H526		
Taken Up for Third Reading (H)	H708		
Third Read & Passed (H)	H708		
Reported to the Senate & First Read (S)	S580		
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S668		
Reported Do Pass (S)	S914		
Taken Up for Third Reading (S)	S933		
Truly Agreed To & Finally Passed	S933 - 934 H1653		
Signed by House Speaker (H)	H3330		
Signed by President Pro Tem (S)	S2435		
Delivered to Governor	H3330		
HB 134 (Allen) Relating to school safety			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Elementary & Secondary Education (H)	H241		
Reported Do Pass (H)	H411		
Referred: Rules (H)	H411		
Rules - Returned to the Committee of Origin (H)	H488		
HCS Reported Do Pass (H)	H525		
Referred: Rules (H)	H525		
Rules - Reported Do Pass (H)	H634		
Taken Up for Perfection (H)	H944		
HCS Adopted (H)	H948		
Perfect with Amendments (H)	H948		
Taken Up for Third Reading (H)	H1010		
Third Read & Passed (H)	H1010		
Reported to the Senate & First Read (S)	S716		
Second read & referred: Senate Education (S)	S745		
SCS Reported Do Pass (S)	S1514		
Placed on Informal Calendar	S1643		
HB 135 (Diehl) Relating to the authority of political subdivisions to enter into "design-build" contracts			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: General Laws (H)	H3321		
HB 136 (Hinson) Relating to math & science coursework			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Elementary & Secondary Education (H)	H241		
HB 137 (Hinson) Relating to state implementation of federal programs			
Introduced & Read First Time (H)	H28		
Read Second Time (H)	H61		
Referred: Downsizing State Government (H)	H143		
HCS Reported Do Pass (H)	H524		
Referred: Rules (H)	H524		
Rules - Reported Do Pass (H)	H634		
Taken Up for Perfection (H)	H996		
HCS Adopted (H)	H996		
Perfect (H)	H996		
Taken Up for Third Reading (H)	H1109		
Third Read & Passed (H)	H1110		

Reported to the Senate & First Read (S)	S755
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S814
Reported Do Pass (S)	S1996
HB 138 (Dugger) Relating to county annual budgets	
Introduced & Read First Time (H)	H28
Read Second Time (H)	H61
Referred: Local Government (H)	H285
HB 139 (McManus) Relating to ethics	
Introduced & Read First Time (H)	H28
Read Second Time (H)	H61
Referred: General Laws (H)	H3321
HB 140 (Thomson) Relating to transient guest taxes for tourism purposes	
Introduced & Read First Time (H)	H28
Read Second Time (H)	H61
Referred: Local Government (H)	H965
HB 141 (Haefner) Relating to the Missouri poison center funding pool	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Health Insurance (H)	H241
HB 142 (Dugger) Relating to utilities	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Utilities (H)	H285
Reported Do Pass by Consent (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass - Consent (H)	H545
Perfectured by Consent - Pursuant to House Rules (H)	H687
Taken Up for Third Reading (H)	H730
Third Read & Passed (H)	H730
Reported to the Senate & First Read (S)	S583 - 584
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S668
SCS Reported Do Pass (S)	S1339
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1911
Senate Substitute Offered (S)	S1912
SS Adopted (S)	S1916
Third Read & Passed with Amendments (S)	S1916
Reported to the House (H)	H2792 - 2795
House Concurs (H)	H3240
Truly Agreed To & Finally Passed	H3241 S2429
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330
HB 143 (McCaherty) Relating to utilities in third class cities	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Utilities (H)	H3321
HB 144 (Austin) Relating to the examination of private trust companies & alternative dispute resolution for trust agreements	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Judiciary (H)	H241
HB 145 (Gatschenberger) Relating to the use of hand-held electronic wireless communications devices while driving	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: General Laws (H)	H541
HB 146 (Davis) Relating to real estate transactions involving registered sex offenders	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Crime Prevention & Public Safety (H)	H3321
HB 147 (Davis) Relating to residential property tax assessment procedures	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Ways & Means (H)	H3321
HB 148 (Davis) Relating to child custody & visitation for military personnel	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Veterans (H)	H143
Reported Do Pass (H)	H387
Referred: Rules (H)	H387
Rules - Reported Do Pass (H)	H423
Taken Up for Perfection (H)	H1007
Perfectured with Amendments (H)	H1008
Taken Up for Third Reading (H)	H1140
Third Read & Passed (H)	H1141 - 1142
Reported to the Senate & First Read (S)	S757
Second read & referred: Senate Veterans' Affairs & Health (S)	S814
SCS Reported Do Pass (S)	S1339
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S2252
SCS Adopted (S)	S2253
Third Read & Passed (S)	S2253
Reported to the House (H)	H3090
House Concurs (H)	H3250
Truly Agreed To & Finally Passed	H3251 S2430
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330
HB 149 (Burlison) Relating to sales tax	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Ways & Means (H)	H285
HCS Reported Do Pass (H)	H1880
Referred: Rules (H)	H1880
Rules - Reported Do Pass (H)	H2544
HB 150 (Brown) Relating to a women veterans license plate	
Introduced & Read First Time (H)	H81
Withdrawn (H)	H82
HB 151 (Brown) Relating to bingo	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Veterans (H)	H241
HB 152 (Solon) Relating to school officers	
Introduced & Read First Time (H)	H81
Read Second Time (H)	H86
Referred: Crime Prevention & Public Safety (H)	H241
Reported Do Pass (H)	H442
Referred: Rules (H)	H442
Rules - Reported Do Pass (H)	H488
Taken Up for Perfection (H)	H824
Perfectured with Amendments (H)	H830
Taken Up for Third Reading (H)	H938
Third Read & Passed (H)	H939 - 940
Reported to the Senate & First Read (S)	S645 - 646
Second read & referred: Senate Education (S)	S744
SCS Reported Do Pass (S)	S1895
Placed on Informal Calendar	S2341
Taken Up for Third Reading (S)	S2392
SCS Adopted (S)	S2393
Third Read & Passed (S)	S2393
Reported to the House (H)	H3230
House Concurs (H)	H3292
Truly Agreed To & Finally Passed	H3293 S2431
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 153 (Solon) Relating to assault of a law enforcement officer

Introduced & Read First Time (H) H81
 Read Second Time (H) H86
 Referred: Crime Prevention & Public Safety (H) H3321

HB 154 (Solon) Relating to special license plates

Introduced & Read First Time (H) H81
 Read Second Time (H) H86
 Referred: Transportation (H) H241

HB 155 (Gatschenberger) Relating to private probation services

Introduced & Read First Time (H) H81
 Read Second Time (H) H86
 Referred: Crime Prevention & Public Safety (H) H3321

HB 156 (Sommer) Relating to a prohibition on use of public assistance benefits

Introduced & Read First Time (H) H89
 Read Second Time (H) H94
 Referred: Children, Families, & Persons with Disabilities (H) H541

HB 157 (Franklin) Relating to violent video games

Introduced & Read First Time (H) H89
 Read Second Time (H) H94
 Withdrawn (H) H553

HB 158 (Flanigan) Relating to disaster areas

Introduced & Read First Time (H) H89
 Read Second Time (H) H94
 Referred: Economic Development (H) H192
 HCS Reported Do Pass (H) H358
 Referred: Rules (H) H358
 Rules - Reported Do Pass (H) H387
 Taken Up for Perfection (H) H406
 HCS Adopted (H) H406
 Perfected with Amendments (H) H406
 Referred: Fiscal Review (H) H422
 Reported Do Pass (H) H442
 Taken Up for Third Reading (H) H455
 Third Read & Passed (H) H455 - 456
 Emergency Clause Adopted (H) H456
 Reported to the Senate & First Read (S) S383
 Second read & referred: Senate Jobs, Economic Development, & Local Government (S) S488

HB 159 (Guernsey) Relating to school district residency for children of certain military members

Introduced & Read First Time (H) H90
 Read Second Time (H) H94
 Referred: Veterans (H) H357
 HCS Reported Do Pass by Consent (H) H509
 Referred: Rules (H) H509
 Rules - Reported Do Pass - Consent (H) H545
 Perfected by Consent - Pursuant to House Rules (H) H687
 Taken Up for Third Reading (H) H731
 Third Read & Passed (H) H731
 Reported to the Senate & First Read (S) S584
 Second read & referred: Senate Veterans' Affairs & Health (S) S668
 Reported Do Pass-Placed on Third Read Consent Calendar (S) S753
 Taken Up for Third Reading (S) S943
 Truly Agreed To & Finally Passed S943 - 944 H1653
 Signed by House Speaker (H) H3330
 Signed by President Pro Tem (S) S2435
 Delivered to Governor H3330

HB 160 (Sommer) Relating to campaign activities near polling places

Introduced & Read First Time (H) H90
 Read Second Time (H) H94
 Withdrawn (H) H217

HB 161 (Gatschenberger) Relating to political subdivisions

Introduced & Read First Time (H) H90

Read Second Time (H) H94
 Referred: Local Government (H) H285
 HCS Reported Do Pass (H) H544
 Referred: Rules (H) H544
 Rules - Reported Do Pass (H) H968
 Taken Up for Perfection (H) H1391
 HCS Adopted (H) H1408
 Perfected with Amendments (H) H1408
 Taken Up for Third Reading (H) H1559
 Third Read & Passed (H) H1559
 Reported to the Senate & First Read (S) S929
 Second read & referred: Senate Jobs, Economic Development, & Local Government (S) S959
 SCS Reported Do Pass (S) S1725
 Placed on Informal Calendar S1925

HB 162 (Sommer) Relating to the Missouri firearms freedom act

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: General Laws (H) H241
 Reported Do Pass (H) H525
 Referred: Rules (H) H525
 Rules - Reported Do Pass (H) H766
 Taken Up for Perfection (H) H1614
 Perfected with Amendments (H) H1629

HB 163 (Fitzpatrick) Relating to primary elections

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: Elections (H) H241
 Reported Do Pass by Consent (H) H342
 Referred: Rules (H) H342
 Rules - Reported Do Pass - Consent (H) H423
 Perfected by Consent - Pursuant to House Rules (H) H526
 Taken Up for Third Reading (H) H711
 Third Read & Passed (H) H711
 Reported to the Senate & First Read (S) S581
 Second read & referred: Senate Financial & Governmental Organizations & Elections (S) S668
 Reported Do Pass (S) S812
 Taken Up for Third Reading (S) S856
 Third Read & Passed with Amendments (S) S864
 Emergency Clause Adopted (S) S864
 Reported to the House (H) H1475 - 1480
 House Concurs (H) H1562
 Truly Agreed To & Finally Passed H1563 S926
 Emergency Clause Adopted on Truly Agreed to Bill H1564
 Signed by House Speaker (H) H1594
 Signed by President Pro Tem (S) S947
 Delivered to Governor H1594

HB 164 (Pace) Relating to use of credit scores by prospective employers

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: Workforce Development & Workplace Safety (H) H464

HB 165 (Gosen) Relating to intoxicating liquor manufactured for personal or family use

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: Special Standing Committee on Small Business (H) H3321

HB 166 (Hubbard) Relating to a pilot project for increasing children's access to incarcerated mothers

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: Urban Issues (H) H143

HB 167 (Hubbard) Relating to repealing the death penalty

Introduced & Read First Time (H) H119
 Read Second Time (H) H124
 Referred: Special Standing Committee on Corrections (H) H3321

HB 168 (Davis) Relating to residency at public institutions of higher education

Introduced & Read First Time (H)	H119
Read Second Time (H)	H124
Referred: Higher Education (H)	H285
HCS Reported Do Pass (H)	H487
Referred: Rules (H)	H487
Rules - Reported Do Pass (H)	H545
Taken Up for Perfection (H)	H940
HCS Adopted (H)	H940
Perfected with Amendments (H)	H941
Referred: Fiscal Review (H)	H950
Reported Do Pass (H)	H957
Taken Up for Third Reading (H)	H959
Third Read & Passed (H)	H959 - 960
Reported to the Senate & First Read (S)	S665
Second read & referred: Senate Veterans' Affairs & Health (S)	S744
Reported Do Pass (S)	S932
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S941
Reported Do Pass (S)	S1491
Placed on Informal Calendar	S1643

HB 169 (Diehl) Relating to the Missouri prosecuting attorneys & circuit attorneys' retirement system fund

Introduced & Read First Time (H)	H119
Read Second Time (H)	H124
Referred: Retirement (H)	H143
HCS Reported Do Pass (H)	H243
Referred: Rules (H)	H243
Rules - Reported Do Pass (H)	H297
Taken Up for Perfection (H)	H921
HCS Adopted (H)	H922
Perfected with Amendments (H)	H922
Taken Up for Third Reading (H)	H949
Third Read & Passed (H)	H949 - 950
Reported to the Senate & First Read (S)	S650
Second read & referred: Senate Seniors, Families, & Pensions (S)	S744

HB 170 (Guernsey) Relating to firearms

Introduced & Read First Time (H)	H119
Read Second Time (H)	H124
Referred: General Laws (H)	H143
HCS Reported Do Pass (H)	H525
Referred: Rules (H)	H525
Rules - Reported Do Pass (H)	H766
Taken Up for Perfection (H)	H1281
HCS Adopted (H)	H1292
Perfected with Amendments (H)	H1292 - 1293
Taken Up for Third Reading (H)	H1494
Third Read & Passed (H)	H1494
Emergency Clause Adopted (H)	H1495
Reported to the Senate & First Read (S)	S885
Second read & referred: Senate General Laws (S)	S916

HB 171 (Hodges) Relating to the designation of ROHHAD awareness day

Introduced & Read First Time (H)	H119
Read Second Time (H)	H124
Referred: Health Care Policy (H)	H3321

HB 172 (Hodges) Relating to insurance coverage for treatment of infertility

Introduced & Read First Time (H)	H119
Read Second Time (H)	H124
Referred: Health Insurance (H)	H3321

HB 173 (Hodges) Relating to residential use of oxygen tanks & apparatuses

Introduced & Read First Time (H)	H120
Read Second Time (H)	H124
Referred: Health Care Policy (H)	H3321

HB 174 (Hodges) Relating to crimes against police animals

Introduced & Read First Time (H)	H120
Read Second Time (H)	H124
Referred: Crime Prevention & Public Safety (H)	H3321

HB 175 (Crawford) Relating to delinquent property taxes

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Local Government (H)	H192
HCS Reported Do Pass (H)	H508
Referred: Rules (H)	H508
Rules - Reported Do Pass (H)	H968
Taken Up for Perfection (H)	H1189
HCS Adopted (H)	H1189
Perfected with Amendments (H)	H1189
Taken Up for Third Reading (H)	H1353
Third Read & Passed (H)	H1353 - 1354
Reported to the Senate & First Read (S)	S826
Second read & referred: Senate Ways & Means (S)	S851
SCS Reported Do Pass (S)	S1515
Placed on Informal Calendar	S1645
Taken Up for Third Reading (S)	S1997
Senate Substitute Offered (S)	S1997 - 1998
SS Adopted (S)	S1998
Third Read & Passed (S)	S1998
Reported to the House (H)	H2888
House Concurs (H)	H3252
Truly Agreed To & Finally Passed	H3253 S2430
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 176 (Crawford) Relating to open-end credit fees & to depository institution open-end credit advance fees applicable to transaction account cash advances

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Financial Institutions (H)	H241
HCS Reported Do Pass by Consent (H)	H342
Referred: Rules (H)	H342
Rules - Reported Do Pass - Consent (H)	H423

HB 177 (Koenig) Relating to the abortion-inducing drugs safety act

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Health Care Policy (H)	H241

HB 178 (Koenig) Relating to local ballot proposals

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Ways & Means (H)	H241
HCS Reported Do Pass (H)	H387
Referred: Rules (H)	H387
Rules - Returned to the Committee of Origin (H)	H545
HCS #2 Reported Do Pass (H)	H632
Referred: Rules (H)	H632
Rules - Reported Do Pass (H)	H653
Taken Up for Perfection (H)	H1032
HCS Defeated (H)	H1035 - 1036
Laid Over (H)	H1036
Taken Up for Perfection (H)	H1037
Motion to Reconsider Adopted (H)	H1037 - 1038
HCS Adopted (H)	H1038 - 1039
Perfected with Amendments (H)	H1039 - 1040

HB 179 (Koenig) Relating to teacher academic freedom to teach scientific evidence regarding evolution

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Elementary & Secondary Education (H)	H241
HCS Reported Do Pass (H)	H525
Referred: Rules (H)	H525

HB 180 (Roorda) Relating to changes to the sunshine law

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: General Laws (H)	H464

HB 181 (Sommer) Relating to states rights to limit the commerce clause from controlling goods produced or manufactured in Missouri

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: International Trade (H)	H241

HB 182 (Hoskins) Relating to the Missouri angel investment incentive act

Introduced & Read First Time (H)	H133
Read Second Time (H)	H142
Referred: Economic Development (H)	H241
HCS Reported Do Pass (H)	H466

HB 183 (Hoskins) Relating to tax credit reporting

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Budget (H)	H464

HB 184 (Cox) Relating to the Pettis county transient guest tax

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Local Government (H)	H241
Reported Do Pass by Consent (H)	H422
Referred: Rules (H)	H422
Rules - Reported Do Pass - Consent (H)	H488
Perfecting by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H714
Third Read & Passed (H)	H714
Reported to the Senate & First Read (S)	S581
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668
Reported Do Pass (S)	S914
Placed on Informal Calendar	S934
Taken Up for Third Reading (S)	S1906
Senate Substitute Offered (S)	S1906
SS Adopted (S)	S1906
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1906
Reported Do Pass (S)	S1995
Taken Up for Third Reading (S)	S1996
Third Read & Passed (S)	S1996 - 1997
Emergency Clause Adopted (S)	S1997
Reported to the House (H)	H2889
House Concurs (H)	H3285
Truly Agreed To & Finally Passed	H3286 S2431
Emergency Clause Defeated on Truly Agreed to Bill	H3287
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 185 (Kirkton) Relating to the designation of PKS day

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Health Care Policy (H)	H357
Reported Do Pass (H)	H967
Referred: Rules (H)	H967
Rules - Reported Do Pass (H)	H1364

HB 186 (Curtman) Relating to parental liability for damages by a minor

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Judiciary (H)	H241

HB 187 (Newman) Relating to the sale & transfer of firearms

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: General Laws (H)	H386

HB 188 (Conway 10) Relating to absentee voting

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Elections (H)	H357

HB 189 (Muntzel) Relating to primary election results

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Elections (H)	H241

HB 190 (Burlison) Relating to the volunteer health services act

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Health Care Policy (H)	H3321

HB 191 (Torpey) Relating to the Missouri Angel Investment Incentive Act

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Economic Development (H)	H241
HCS Reported Do Pass (H)	H466
Referred: Rules (H)	H466
Rules - Reported Do Pass (H)	H497
Taken Up for Perfection (H)	H517
HCS Adopted (H)	H519
Perfecting with Amendments (H)	H519
Referred: Fiscal Review (H)	H524
Reported Do Pass (H)	H534
Taken Up for Third Reading (H)	H696
Third Read & Passed (H)	H696 - 697
Reported to the Senate & First Read (S)	S577
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S667

HB 192 (McNeil) Relating to senior citizens property tax relief

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Ways & Means (H)	H3321

HB 193 (Diehl) Relating to boards of election commissioners

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Elections (H)	H3321

HB 194 (Diehl) Relating to a tax deduction for creation for job new home purchasers

Introduced & Read First Time (H)	H134
Read Second Time (H)	H142
Referred: Ways & Means (H)	H192
HCS Reported Do Pass (H)	H568
Referred: Rules (H)	H568
Rules - Reported Do Pass (H)	H766
Taken Up for Perfection (H)	H1086
HCS Adopted (H)	H1088
Perfecting with Amendments (H)	H1088
Referred: Fiscal Review (H)	H1089
Reported Do Pass (H)	H1096
Taken Up for Third Reading (H)	H1171
Third Read & Passed (H)	H1172
Reported to the Senate & First Read (S)	S772
Second read & referred: Senate Progress & Development (S)	S814
Reported Do Pass (S)	S931
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S941
Reported Do Pass (S)	S1298 - 1299
Taken Up for Third Reading (S)	S1305
Placed on Informal Calendar	S1305

HB 195 (Jones 50) Relating to midwifery

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Withdrawn (H)	H217

HB 196 (Lauer) Relating to job training programs

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Economic Development (H)	H192
Reported Do Pass by Consent (H)	H410
Referred: Rules (H)	H410
Rules - Reported Do Pass - Consent (H)	H497
Perfecting by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H715
Third Read & Passed (H)	H715
Reported to the Senate & First Read (S)	S581
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668
SCS Reported Do Pass (S)	S1290
Taken Up for Third Reading (S)	S1408 - 1409
Placed on Informal Calendar	S1411
Taken Up for Third Reading (S)	S1917
SCS Adopted (S)	S1917
Third Read & Passed (S)	S1917 - 1918
Emergency Clause Adopted (S)	S1918
Reported to the House (H)	H2795
House Concurs (H)	H3245
Truly Agreed To & Finally Passed	H3246 S2429
Emergency Clause Adopted on Truly Agreed to Bill	H3247
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 197 (Lauer) Relating to sales tax & revenue bonds

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Economic Development (H)	H192
HCS Reported Do Pass (H)	H544
Referred: Rules (H)	H544
Rules - Reported Do Pass (H)	H653
Taken Up for Perfection (H)	H1040
HCS Adopted (H)	H1040
Perfecting with Amendments (H)	H1040
Taken Up for Third Reading (H)	H1166
Third Read & Passed (H)	H1166
Reported to the Senate & First Read (S)	S772
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S814

HB 198 (Flanigan) Relating to infrastructure replacement surcharges

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Utilities (H)	H254
HCS Reported Do Pass (H)	H358
Referred: Rules (H)	H358
Rules - Reported Do Pass (H)	H387

HB 199 (Dugger) Relating to elections

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Elections (H)	H285
HCS Reported Do Pass by Consent (H)	H524
Referred: Rules (H)	H524
Rules - Reported Do Pass - Consent (H)	H634
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H789
Third Read & Passed (H)	H789 - 790
Reported to the Senate & First Read (S)	S625
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S668
Reported Do Pass (S)	S812
Taken Up for Third Reading (S)	S865
Placed on Informal Calendar	S865
Taken Up for Third Reading (S)	S1486
Senate Substitute Offered (S)	S1486
SS Adopted (S)	S1490
Third Read & Passed with Amendments (S)	S1490 - 1491
Emergency Clause Adopted (S)	S1491
Reported to the House (H)	H2227 - 2229

House Refuses to Concur, Requests Senate to Recede or Grant Conference	H2415 S1709
Senate Refuses to Recede, Grants Conference (S) ..	S1713 H2446
Senate Conference Committee Appointed (S)	S1715 H2446
House Conference Committee Appointed (H)	H2447 S1731
Conferees to Exceed Differences (H)	H2543 S1809 - 1810

HB 200 (Barnes) Relating to state employees

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Elections (H)	H285

HB 201 (Torpey) Relating to tax credits for freight line companies

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Economic Development (H)	H241
Reported Do Pass (H)	H467
Referred: Rules (H)	H467
Rules - Reported Do Pass (H)	H497
Taken Up for Perfection (H)	H519
Perfecting with Amendments (H)	H522
Referred: Fiscal Review (H)	H524
Reported Do Pass (H)	H534

HB 202 (Reiboldt) Relating to University of Missouri extension districts

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Agriculture Policy (H)	H241
HCS Reported Do Pass (H)	H275
Referred: Rules (H)	H275
Rules - Reported Do Pass (H)	H297
Taken Up for Perfection (H)	H406
HCS Adopted (H)	H406
Perfecting (H)	H406
Taken Up for Third Reading (H)	H431
Third Read & Passed (H)	H431 - 432
Reported to the Senate & First Read (S)	S356 - 357
Second read & referred: Senate Education (S)	S488

HB 203 (Reiboldt) Relating to certain disclosures on credit card processing service contracts

Introduced & Read First Time (H)	H144
Read Second Time (H)	H154
Referred: Financial Institutions (H)	H241
HCS Reported Do Pass (H)	H507
Referred: Rules (H)	H507
Rules - Returned to the Committee of Origin (H)	H545

HB 204 (Reiboldt) Relating to fees for garnishments

Introduced & Read First Time (H)	H145
Read Second Time (H)	H154
Referred: Judiciary (H)	H296

HB 205 (Reiboldt) Relating to the right to raise domesticated animals

Introduced & Read First Time (H)	H145
Read Second Time (H)	H154
Referred: Agriculture Policy (H)	H241

HB 206 (Reiboldt) Relating to the designation of Missouri pet breeders appreciation month

Introduced & Read First Time (H)	H145
Read Second Time (H)	H154
Referred: Agriculture Policy (H)	H464

HB 207 (Kirkton) Relating to the taxation of property

Introduced & Read First Time (H)	H145
Read Second Time (H)	H154
Referred: Financial Institutions (H)	H3321

HB 208 (Kirkton) Relating to a sales tax holiday for school supplies

Introduced & Read First Time (H)	H145
Read Second Time (H)	H154

Referred: Ways & Means (H)	H357	Reported Do Pass (H)	H1130
HB 209 (Richardson) Relating to firearms		Taken Up for Third Reading (H)	H1130
Introduced & Read First Time (H)	H145	Third Read & Passed (H)	H1131 - 1132
Read Second Time (H)	H154	Emergency Clause Defeated (H)	H1132 - 1133
Referred: General Laws (H)	H386	Reported to the Senate & First Read (S)	S756
HB 210 (Cox) Related to the restructuring of the Missouri criminal code		Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S814
Introduced & Read First Time (H)	H145	SCS Reported Do Pass (S)	S932
Read Second Time (H)	H154	Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S941
Referred: Judiciary (H)	H241	Reported Do Pass (S)	S1897 - 1898
HCS Reported Do Pass (H)	H1157	Placed on Informal Calendar	S1925
Referred: Rules (H)	H1157	Taken Up for Third Reading (S)	S2310 - 2311
Rules - Reported Do Pass (H)	H1469	Senate Substitute Offered (S)	S2311
Taken Up for Perfection (H)	H1607	Placed on Informal Calendar	S2325
HCS Adopted (H)	H1607	Taken Up for Third Reading (S)	S2391
Perfecting with Amendments (H)	H1607	SS Adopted (S)	S2391
Referred: Fiscal Review (H)	H1650	Third Read & Passed with Amendments (S)	S2391 - 2392
Reported Do Pass (H)	H1893	Emergency Clause Adopted (S)	S2392
Taken Up for Third Reading (H)	H1894	Reported to the House (H)	H3230 - 3238
Third Read & Passed (H)	H1894 - 1895	House Concurs (H)	H3282
Reported to the Senate & First Read (S)	S1278 - 1280	Truly Agreed To & Finally Passed	H3283 S2431
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S1295	Emergency Clause Adopted on Truly Agreed to Bill	H3284
HB 211 (Cox) Relating to real estate loans		Signed by House Speaker (H)	H3332
Introduced & Read First Time (H)	H145	Signed by President Pro Tem (S)	S2440 - 2441
Read Second Time (H)	H154	Delivered to Governor	H3332
Referred: Financial Institutions (H)	H241	HB 216 (Cox) Relating to voter photo identification	
HCS Reported Do Pass (H)	H422	Introduced & Read First Time (H)	H145
HB 212 (Cox) Relating to secured transactions		Read Second Time (H)	H154
Introduced & Read First Time (H)	H145	Referred: Elections (H)	H242
Read Second Time (H)	H154	HCS Reported Do Pass (H)	H286
Referred: Financial Institutions (H)	H242	HB 217 (Cox) Relating to the transparency & accountability of public funds	
Reported Do Pass by Consent (H)	H342	Introduced & Read First Time (H)	H145
Referred: Rules (H)	H342	Read Second Time (H)	H154
Rules - Reported Do Pass - Consent (H)	H423	Referred: Downsizing State Government (H)	H242
Perfecting by Consent - Pursuant to House Rules (H)	H526	Reported Do Pass (H)	H524
Taken Up for Third Reading (H)	H709	Referred: Rules (H)	H524
Third Read & Passed (H)	H709	Rules - Reported Do Pass (H)	H634
Reported to the Senate & First Read (S)	S580	Taken Up for Perfection (H)	H996
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S668	Perfecting with Amendments (H)	H998
Reported Do Pass-Placed on Third Read Consent Calendar (S)	S753	Taken Up for Third Reading (H)	H1111
Taken Up for Third Reading (S)	H941	Third Read & Passed (H)	H1112
Truly Agreed To & Finally Passed	S941 H1653	Emergency Clause Defeated (H)	H1114
Signed by House Speaker (H)	H3330	Reported to the Senate & First Read (S)	S755
Signed by President Pro Tem (S)	S2435	Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S814
Delivered to Governor	H3330	Reported Do Pass (S)	S1996
HB 213 (Cox) Relating to depositions in criminal cases		HB 218 (Cox) Relating to controlled substances	
Introduced & Read First Time (H)	H145	Introduced & Read First Time (H)	H145
Read Second Time (H)	H154	Read Second Time (H)	H154
Referred: Judiciary (H)	H242	Referred: Judiciary (H)	H242
HB 214 (Cox) Relating to restitution		Reported Do Pass (H)	H620
Introduced & Read First Time (H)	H145	Referred: Rules (H)	H620
Read Second Time (H)	H154	Rules - Reported Do Pass (H)	H766
Referred: Judiciary (H)	H242	Taken Up for Perfection (H)	H1005
HB 215 (Cox) Relating to the defense of indigent defendants & restitution of crime victims		Perfecting (H)	H1005
Introduced & Read First Time (H)	H145	Referred: Fiscal Review (H)	H1011
Read Second Time (H)	H154	Reported Do Pass (H)	H1018
Referred: Judiciary (H)	H242	Taken Up for Third Reading (H)	H1156
HCS Reported Do Pass (H)	H487	Third Read & Passed (H)	H1156
Referred: Rules (H)	H487	Reported to the Senate & First Read (S)	S771
Rules - Reported Do Pass (H)	H545	Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S814
Taken Up for Perfection (H)	H999	HB 219 (Stream) Relating to state aid for transportation of pupils	
HCS Adopted (H)	H1004	Introduced & Read First Time (H)	H145
Perfecting with Amendments (H)	H1004	Read Second Time (H)	H154
Referred: Fiscal Review (H)	H1089	Referred: Elementary & Secondary Education (H)	H357
		HB 220 (May) Relating to criminal nonsupport	
		Introduced & Read First Time (H)	H145

Read Second Time (H)	H154	HB 230 (Sommer) Relating to dangerous vehicular flight	Introduced & Read First Time (H)	H160
Referred: Judiciary (H)	H541		Read Second Time (H)	H167
HB 221 (Zerr) Relating to freight forwarding			Referred: Crime Prevention & Public Safety (H)	H357
Introduced & Read First Time (H)	H146	HB 231 (Sommer) Relating to temporary instruction permits	Introduced & Read First Time (H)	H160
Read Second Time (H)	H154		Read Second Time (H)	H167
Referred: Economic Development (H)	H192		Referred: Transportation (H)	H357
HCS Reported Do Pass (H)	H467	HB 232 (Barnes) Relating to electronic precinct registers	Introduced & Read First Time (H)	H160
Referred: Rules (H)	H467		Read Second Time (H)	H167
Rules - Reported Do Pass (H)	H634		Referred: Elections (H)	H3321
HB 222 (Zerr) Relating to tax incentives for technology business facilities & data storage centers		HB 233 (Leara) Relating to the administration of state employee benefits	Introduced & Read First Time (H)	H160
Introduced & Read First Time (H)	H146		Read Second Time (H)	H167
Read Second Time (H)	H154		Referred: Retirement (H)	H192
Referred: Economic Development (H)	H192		HCS Reported Do Pass by Consent (H)	H232
HCS Reported Do Pass (H)	H467		Referred: Rules (H)	H232
Referred: Rules (H)	H467		Rules - Reported Do Pass (H)	H297
Rules - Reported Do Pass (H)	H497		Perfect by Consent - Pursuant to House Rules (H)	H526
Taken Up for Perfection (H)	H522		Taken Up for Third Reading (H)	H629
HCS Adopted (H)	H523		Third Read & Passed (H)	H630
Perfect (H)	H523		Reported to the Senate & First Read (S)	S549
Referred: Fiscal Review (H)	H524		Second read & referred: Senate Seniors, Families, & Pensions (S)	S610
Reported Do Pass (H)	H534		Taken Up for Third Reading (S)	S944
Taken Up for Third Reading (H)	H697		SCS Adopted (S)	S944
Third Read & Passed (H)	H697 - 698		Third Read & Passed (S)	S944
Reported to the Senate & First Read (S)	S577		Reported to the House with... (H)	H1653
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S667		House Concurs (H)	H1941
SCS Reported Do Pass (S)	S1896		Truly Agreed To & Finally Passed	H1942 S1306
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1906		Signed by House Speaker (H)	H3330
HB 223 (Zerr) Relating to incentives to attract amateur sporting events to Missouri			Signed by President Pro Tem (S)	S2435
Introduced & Read First Time (H)	H146		Delivered to Governor	H3330
Read Second Time (H)	H154	HB 234 (Gatschenberger) Relating to debt setoffs for unpaid healthcare expenses	Introduced & Read First Time (H)	H161
Referred: Economic Development (H)	H192		Read Second Time (H)	H167
HB 224 (Berry) Relating to school bus advertisements			Referred: Local Government (H)	H242
Introduced & Read First Time (H)	H146		HCS Reported Do Pass (H)	H508
Read Second Time (H)	H154		Referred: Rules (H)	H508
Referred: Special Standing Committee on Urban Issues (H)	H242		Rules - Reported Do Pass (H)	H952
HB 225 (Berry) Relating to personal flotation devices		HB 235 (Crawford) Relating to county treasurer candidate qualifications	Introduced & Read First Time (H)	H161
Introduced & Read First Time (H)	H146		Read Second Time (H)	H167
Read Second Time (H)	H154		Referred: Elections (H)	H242
Referred: Crime Prevention & Public Safety (H)	H3321		HCS Reported Do Pass by Consent (H)	H524
HB 226 (Berry) Relating to motor fuel tax exemptions			Referred: Rules (H)	H524
Introduced & Read First Time (H)	H146		Rules - Reported Do Pass - Consent (H)	H634
Read Second Time (H)	H154		Perfect by Consent - Pursuant to House Rules (H)	H768
Referred: Ways & Means (H)	H242		Taken Up for Third Reading (H)	H790
HB 227 (Zerr) Relating to qualified equity investment tax credits			Third Read & Passed (H)	H791
Introduced & Read First Time (H)	H160		Reported to the Senate & First Read (S)	S625
Read Second Time (H)	H167		Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S669
Referred: Economic Development (H)	H192		Reported Do Pass-Placed on Third Read Consent Calendar (S)	S753
Reported Do Pass (H)	H411		Taken Up for Third Reading (S)	S942
Referred: Rules (H)	H411		Truly Agreed To & Finally Passed	S942
Rules - Reported Do Pass (H)	H488		Signed by House Speaker (H)	H3330
HB 228 (Sommer) Relating to automated school bus safety cameras			Signed by President Pro Tem (S)	S2435
Introduced & Read First Time (H)	H160		Delivered to Governor	H3330
Read Second Time (H)	H167	HB 236 (Ellington) Relating to state contracts	Introduced & Read First Time (H)	H161
Referred: Elementary & Secondary Education (H)	H285		Read Second Time (H)	H167
HB 229 (Sommer) Relating to physical education curriculum in public schools			Referred: Special Standing Committee on Urban Issues (H)	H409
Introduced & Read First Time (H)	H160			
Read Second Time (H)	H167			
Referred: Elementary & Secondary Education (H)	H242			

HB 237 (Ellington) Relating to title loans

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Financial Institutions (H) H3321

HB 238 (Ellington) Relating to expungement of certain criminal records

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Judiciary (H) H541

HB 239 (Ellington) Relating to applications for state employment & public assistance

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Crime Prevention & Public Safety (H) H3321

HB 240 (Ellington) Relating to the Malcolm X observance day commission

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Special Standing Committee on Small Business (H) H3321

HB 241 (Ellington) Relating to repealing intervention fees for parolees

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Special Standing Committee on Corrections (H) .. H541

HB 242 (Ellington) Relating to an economic development grant program

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: International Trade (H) H296
 Reported Do Pass by Consent (H) H631
 Referred: Rules (H) H631
 Rules - Reported Do Pass - not Consent (H) H766

HB 243 (Ellington) Relating to small businesses

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Special Standing Committee on Small Business (H) H465

HB 244 (Ellington) Relating to the labeling of food

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Agri-Business (H) H3322

HB 245 (Ellington) Relating to labeling of genetically modified food & food products

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Withdrawn (H) H369

HB 246 (Ellington) Relating to the Missouri supporting families income tax holiday act

Introduced & Read First Time (H) H161
 Read Second Time (H) H167
 Referred: Ways & Means (H) H3322

HB 247 (Ellington) Relating to statute of limitations for certain offenses against a child

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: Crime Prevention & Public Safety (H) H296

HB 248 (Ellington) Relating to adoption

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: Children, Families, & Persons with Disabilities (H) H541

HB 249 (Ellington) Relating to title loans

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: Financial Institutions (H) H3322

HB 250 (Jones 50) Relating to Missouri ethics commission operations & procedures

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: General Laws (H) H3322

HB 251 (Lauer) Relating to court costs

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: Children, Families, & Persons with Disabilities (H) H465

HB 252 (Lauer) Relating to adoption

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: Children, Families, & Persons with Disabilities (H) H285
 HCS Reported Do Pass (H) H524
 Referred: Rules (H) H524
 Rules - Reported Do Pass (H) H1119
 Taken Up for Perfection (H) H1272
 HCS Adopted (H) H1274
 Perfected with Amendments (H) H1274
 Taken Up for Third Reading (H) H1359
 Third Read & Passed (H) H1360
 Reported to the Senate & First Read (S) S827
 Second read & referred: Senate Seniors, Families, & Pensions (S) S851
 SCS Reported Do Pass (S) S1898

HB 253 (Berry) Relating to the taxation of business income

Introduced & Read First Time (H) H162
 Read Second Time (H) H167
 Referred: International Trade (H) H357
 Reported Do Pass (H) H544
 Referred: Rules (H) H544
 Rules - Reported Do Pass (H) H634
 Taken Up for Perfection (H) H1051
 Perfected with Amendments (H) H1058
 Referred: Fiscal Review (H) H1089
 Reported Do Pass (H) H1345
 Taken Up for Third Reading (H) H1349
 Third Read & Passed (H) H1351
 Reported to the Senate & First Read (S) S826
 Second read & referred: Senate Ways & Means (S) S851
 Reported Do Pass (S) S1290
 Referred: Senate Governmental Accountability & Fiscal Oversight (S) S1290
 Reported Do Pass (S) S1338
 Taken Up for Third Reading (S) S1411 - 1412
 Senate Substitute Offered (S) S1412
 Placed on Informal Calendar S1417
 Taken Up for Third Reading (S) S1421
 SS Adopted (S) S1424
 Referred: Senate Governmental Accountability & Fiscal Oversight (S) S1424
 Reported Do Pass (S) S1491
 Taken Up for Third Reading (S) S1512
 Third Read & Passed with Amendments (S) S1512 - 1513
 Emergency Clause Adopted (S) S1513
 Reported to the House (H) H2283 - 2288
 House Concurs (H) H2338
 Truly Agreed To & Finally Passed H2339 S1630
 Emergency Clause Adopted on Truly Agreed to Bill H2340
 Signed by House Speaker (H) H3332
 Signed by President Pro Tem (S) S2440 - 2441
 Delivered to Governor H3332

HB 254 (Swearingen) Relating to sales taxes for public safety

Introduced & Read First Time (H) H162

Read Second Time (H)	H167	HB 258 (Conway 10) Relating to the designation of the official state exercise	
Referred: Local Government (H)	H296	Introduced & Read First Time (H)	H180
HB 255 (Torpey) Relating to animal shelter fees		Read Second Time (H)	H192
Introduced & Read First Time (H)	H162	Referred: Tourism & Natural Resources (H)	H465
Read Second Time (H)	H167	HB 259 (Walton Gray) Relating to vacation leave for state employees	
Referred: Ways & Means (H)	H215	Introduced & Read First Time (H)	H180
Reported Do Pass (H)	H632	Read Second Time (H)	H192
Referred: Rules (H)	H632	Referred: Workforce Development & Workplace Safety (H)	H465
Rules - Reported Do Pass (H)	H766	HB 260 (Walton Gray) Relating to the use of credit scores by insurance companies	
HB 256 (Jones 50) Relating to sunset dates for exceptions to the public records law		Introduced & Read First Time (H)	H180
Introduced & Read First Time (H)	H162	Read Second Time (H)	H192
Read Second Time (H)	H167	Referred: Insurance Policy (H)	H3322
Referred: General Laws (H)	H215	HB 261 (Walton Gray) Relating to dating violence education in secondary schools	
HCS Reported Do Pass (H)	H275	Introduced & Read First Time (H)	H180
Referred: Rules (H)	H275	Read Second Time (H)	H192
Rules - Reported Do Pass (H)	H297	Referred: Elementary & Secondary Education (H)	H357
Taken Up for Perfection (H)	H318	HB 262 (Walton Gray) Relating to a sickle cell standing committee	
HCS Adopted (H)	H323	Introduced & Read First Time (H)	H180
Perfecting with Amendments (H)	H323	Read Second Time (H)	H192
Taken Up for Third Reading (H)	H352	Referred: Health Care Policy (H)	H357
Third Read & Passed (H)	H352 - 353	HB 263 (Walton Gray) Relating to the designation of organ donor recognition day	
Emergency Clause Adopted (H)	H353 - 354	Introduced & Read First Time (H)	H180
Reported to the Senate & First Read (S)	S294	Read Second Time (H)	H192
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S333	Referred: Health Care Policy (H)	H357
Reported Do Pass (S)	S915	HB 264 (Walton Gray) Relating to the establishment of a community schools program	
Placed on Informal Calendar	S974	Introduced & Read First Time (H)	H180
Taken Up for Third Reading (S)	S982	Read Second Time (H)	H192
Placed on Informal Calendar	S983	Referred: Special Standing Committee on Urban Issues (H)	H541
Taken Up for Third Reading (S)	S1258	HB 265 (Walton Gray) Relating to liquor control	
Third Read & Passed with Amendments (S)	S1259	Introduced & Read First Time (H)	H180
Emergency Clause Adopted (S)	S1259	Read Second Time (H)	H192
Reported to the House (H)	H1920	Withdrawn (H)	H499
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H2413 S1708	HB 266 (Walton Gray) Relating to a task force on alternative confinement for victims of human sex trafficking	
Senate Refuses to Recede, Grants Conference (S) ..	S1713 H2446	Introduced & Read First Time (H)	H180
Senate Conference Committee Appointed (S)	S1715 H2446	Read Second Time (H)	H192
House Conference Committee Appointed (H)	H2447 S1730	Referred: Crime Prevention & Public Safety (H)	H3322
Conferees to Exceed Differences (H)	H2532 S1810	HB 267 (Walton Gray) Relating to delinquent real estate payments	
Conferees to Exceed Differences (S)	S1891 H2573	Introduced & Read First Time (H)	H180
House Submits Conference Committee Report (H)	H2843	Read Second Time (H)	H192
House Adopts Conference Committee Report (H)	H3144	Referred: Financial Institutions (H)	H3322
Third Read & Passed (H)	H3145	HB 268 (Walton Gray) Relating to exemption of property in bankruptcy	
Emergency Clause Adopted (H)	H3146	Introduced & Read First Time (H)	H181
Senate Submits Conference Committee Report (S) ..	S2403 - 2404	Read Second Time (H)	H192
Senate Adopts Conference Committee Report (S)	S2404	Referred: Judiciary (H)	H3322
Truly Agreed To & Finally Passed	S2404 - 2405 H3275	HB 269 (Walton Gray) Relating to abandoned property	
Emergency Clause Adopted on Truly Agreed to Bill	S2405	Introduced & Read First Time (H)	H181
Signed by House Speaker (H)	H3332	Read Second Time (H)	H192
Signed by President Pro Tem (S)	S2440 - 2441	Referred: General Laws (H)	H3322
Delivered to Governor	H3332	HB 270 (Walton Gray) Relating to the duties of the board of probation & parole	
HB 257 (Frederick) Relating to tuberculosis testing		Introduced & Read First Time (H)	H181
Introduced & Read First Time (H)	H180		
Read Second Time (H)	H192		
Referred: Health Care Policy (H)	H242		
HCS Reported Do Pass (H)	H526		
Referred: Rules (H)	H526		
Rules - Reported Do Pass (H)	H766		
Taken Up for Perfection (H)	H1008		
HCS Adopted (H)	H1008		
Perfecting (H)	H1008		
Taken Up for Third Reading (H)	H1142		
Third Read & Passed (H)	H1143		
Reported to the Senate & First Read (S)	S757		
Second read & referred: Senate Veterans' Affairs & Health (S)	S814		
Reported Do Pass (S)	S1898		
Placed on Informal Calendar	S2423		

Read Second Time (H)	H192	Reported Do Pass by Consent (H)	H619
Referred: Special Standing Committee on Corrections (H)	H3322	Referred: Rules (H)	H619
HB 271 (Walton Gray) Relating to mortgages		Rules - Reported Do Pass - Consent (H)	H634
Introduced & Read First Time (H)	H181	Perfecting by Consent - Pursuant to House Rules (H)	H768
Read Second Time (H)	H192	Taken Up for Third Reading (H)	H791
Referred: Financial Institutions (H)	H3322	Third Read & Passed (H)	H792 - 793
HB 272 (Walton Gray) Relating to transportation of certain fugitives		Reported to the Senate & First Read (S)	S625
Introduced & Read First Time (H)	H181	Second read & referred: Senate General Laws (S)	S669
Read Second Time (H)	H192	Reported Do Pass (S)	S1514
Referred: Crime Prevention & Public Safety (H)	H3322	Placed on Informal Calendar	S1645
HB 273 (Walton Gray) Relating to forcible entry & unlawful detainer		Taken Up for Third Reading (S)	S2412
Introduced & Read First Time (H)	H181	Truly Agreed To & Finally Passed	S2412 - 2413 H3300
Read Second Time (H)	H192	Signed by House Speaker (H)	H3330
Referred: Judiciary (H)	H3322	Signed by President Pro Tem (S)	S2435
HB 274 (Brattin) Relating to newborn screenings		Delivered to Governor	H3330
Introduced & Read First Time (H)	H181	HB 279 (Hinson) Relating to a prohibition on use of public assistance benefits	
Read Second Time (H)	H192	Introduced & Read First Time (H)	H181
Referred: Health Care Policy (H)	H285	Read Second Time (H)	H192
Reported Do Pass by Consent (H)	H620	Referred: Children, Families, & Persons with Disabilities (H)	H541
Referred: Rules (H)	H620	HB 280 (Barnes) Relating to crime	
Rules - Reported Do Pass - not Consent (H)	H766	Introduced & Read First Time (H)	H181
Taken Up for Perfection (H)	H1178	Read Second Time (H)	H192
Laid Over (H)	H1179	Referred: Judiciary (H)	H296
Taken Up for Perfection (H)	H1199	HB 281 (Barnes) Relating to domestic violence	
Perfecting with Amendments (H)	H1202	Introduced & Read First Time (H)	H181
Referred: Fiscal Review (H)	H1333	Read Second Time (H)	H192
Reported Do Pass (H)	H1375	Referred: Judiciary (H)	H296
Taken Up for Third Reading (H)	H1376	HB 282 (Shumake) Relating to the use of religious books in public schools	
Third Read & Passed (H)	H1376 - 1377	Introduced & Read First Time (H)	H181
Reported to the Senate & First Read (S)	S846	Read Second Time (H)	H192
Second read & referred: Senate Veterans' Affairs & Health (S)	S851	Referred: Elementary & Secondary Education (H)	H242
SCS Reported Do Pass (S)	S933	HB 283 (Thomson) Relating to state funding for elementary & secondary education	
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S941	Introduced & Read First Time (H)	H182
Reported Do Pass (S)	S1338	Read Second Time (H)	H192
Placed on Informal Calendar	S1385	Referred: Elementary & Secondary Education (H)	H541
HB 275 (Brattin) Relating to illegal immigration		HB 284 (Hummel) Relating to possession of exotic animals	
Introduced & Read First Time (H)	H181	Introduced & Read First Time (H)	H182
Read Second Time (H)	H192	Read Second Time (H)	H192
Referred: International Trade (H)	H242	Referred: Local Government (H)	H409
HCS Reported Do Pass (H)	H923	HCS Reported Do Pass (H)	H1879
Referred: Rules (H)	H923	Referred: Rules (H)	H1879
Rules - Reported Do Pass (H)	H1119	HB 285 (Pace) Relating to distribution of a controlled substance near child care facilities	
Taken Up for Perfection (H)	H1429	Introduced & Read First Time (H)	H182
HCS Adopted (H)	H1429	Read Second Time (H)	H192
Perfecting (H)	H1429	Referred: Special Standing Committee on Urban Issues (H)	H296
Taken Up for Third Reading (H)	H1545	HCS Reported Do Pass (H)	H967
Third Read & Passed (H)	H1545	Referred: Rules (H)	H967
Reported to the Senate & First Read (S)	S916	Rules - Reported Do Pass (H)	H1119
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S959	Taken Up for Perfection (H)	H1533
HB 276 (Brattin) Relating to school protection officers		HCS Adopted (H)	H1533
Introduced & Read First Time (H)	H181	Perfecting (H)	H1533
Read Second Time (H)	H192	Taken Up for Third Reading (H)	H1604
Referred: General Laws (H)	H386	Third Read & Passed (H)	H1604 - 1605
HB 277 (Brattin) Relating to motor fuel tax exemptions		Reported to the Senate & First Read (S)	S948
Introduced & Read First Time (H)	H181	Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S1290
Read Second Time (H)	H192	HB 286 (Funderburk) Relating to an employer's request for account information from a social networking website	
Referred: Ways & Means (H)	H285	Introduced & Read First Time (H)	H182
HB 278 (Brattin) Relating to federal holidays		Read Second Time (H)	H192
Introduced & Read First Time (H)	H181		
Read Second Time (H)	H192		
Referred: Downsizing State Government (H)	H242		

Referred: Workforce Development & Workplace Safety (H)	H3322	HCS Reported Do Pass (H)	H765
HB 287 (McCaherty) Relating to statute of limitations for liability of licensed professional counselors		HB 298 (English) Relating to informed consent for abortions	
Introduced & Read First Time (H)	H182	Introduced & Read First Time (H)	H183
Read Second Time (H)	H192	Read Second Time (H)	H192
Referred: Judiciary (H)	H242	Referred: Health Care Policy (H)	H242
HB 288 (McCaherty) Relating to tax credits for donated food & pregnancy care center contributions		HB 299 (Schieber) Relating to cyber crime investigation	
Introduced & Read First Time (H)	H182	Introduced & Read First Time (H)	H183
Read Second Time (H)	H192	Read Second Time (H)	H192
Referred: Children, Families, & Persons with Disabilities (H)	H242	Referred: Crime Prevention & Public Safety (H)	H242
HB 289 (Montecillo) Relating to election judges		HB 300 (Hubbard) Relating to domestic violence	
Introduced & Read First Time (H)	H182	Introduced & Read First Time (H)	H183
Read Second Time (H)	H192	Read Second Time (H)	H192
Referred: Elections (H)	H3322	Referred: Special Standing Committee on Urban Issues (H)	H242
HB 290 (Lichtenegger) Relating to adoption investigations		HB 301 (Engler) Relating to civil commitment of sexually violent predators	
Introduced & Read First Time (H)	H182	Introduced & Read First Time (H)	H183
Read Second Time (H)	H192	Read Second Time (H)	H192
Referred: Professional Registration & Licensing (H)	H357	Referred: Special Standing Committee on Corrections (H) ..	H242
HCS Reported Do Pass by Consent (H)	H526	Reported Do Pass by Consent (H)	H487
Referred: Rules (H)	H526	Referred: Rules (H)	H487
Rules - Reported Do Pass - not Consent (H)	H767	Rules - Reported Do Pass - Consent (H)	H497
Taken Up for Perfection (H)	H1189	Perfect by Consent - Pursuant to House Rules (H)	H599
HCS Adopted (H)	H1192	Taken Up for Third Reading (H)	H716
Perfect with Amendments (H)	H1192	Third Read & Passed (H)	H716
Taken Up for Third Reading (H)	H1354	Reported to the Senate & First Read (S)	S581 - 582
Third Read & Passed (H)	H1355 - 1356	Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S668
Reported to the Senate & First Read (S)	S827	SCS Reported Do Pass (S)	S1897
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S851	Taken Up for Third Reading (S)	S2342
HB 291 (Brattin) Relating to standard science instruction		SCS Adopted (S)	S2384
Introduced & Read First Time (H)	H182	Third Read & Passed with Amendments (S)	S2384 - 2385
Read Second Time (H)	H192	Emergency Clause Adopted (S)	S2385
Referred: Elementary & Secondary Education (H)	H242	Reported to the House (H)	H3155 - 3183
HB 292 (Spencer) Relating to requirements for high school graduation		House Concurs (H)	H3288 - 3289
Introduced & Read First Time (H)	H182	Truly Agreed To & Finally Passed	H3290 S2431
Read Second Time (H)	H192	Emergency Clause Adopted on Truly Agreed to Bill	H3291
Referred: Elementary & Secondary Education (H)	H357	Signed by House Speaker (H)	H3330
HB 293 (Spencer) Relating to fines assessed by state agencies		Signed by President Pro Tem (S)	S2435
Introduced & Read First Time (H)	H182	Delivered to Governor	H3330
Read Second Time (H)	H192	HB 302 (Engler) Relating to the failure to vacate leased premises in a rent & possession case	
Referred: Tourism & Natural Resources (H)	H242	Introduced & Read First Time (H)	H183
Re-referred to Committee: Special Standing Committee on Corrections (H)	H297	Read Second Time (H)	H192
HB 294 (Spencer) Relating to requirements for a high school academic diploma		Referred: Judiciary (H)	H242
Introduced & Read First Time (H)	H182	HB 303 (Scharnhorst) Relating to the designation of the new Mississippi River bridge	
Read Second Time (H)	H192	Introduced & Read First Time (H)	H183
Referred: Elementary & Secondary Education (H)	H285	Read Second Time (H)	H192
HB 295 (Spencer) Relating to school funding		Referred: Transportation (H)	H242
Introduced & Read First Time (H)	H182	HCS Reported Do Pass by Consent (H)	H508
Read Second Time (H)	H192	Referred: Rules (H)	H508
Referred: Elementary & Secondary Education (H)	H357	Rules - Reported Do Pass - Consent (H)	H634
HB 296 (Spencer) Relating to the Missouri Good Samaritan Law		Perfect by Consent - Pursuant to House Rules (H)	H768
Introduced & Read First Time (H)	H182	Taken Up for Third Reading (H)	H793
Read Second Time (H)	H192	Third Read & Passed (H)	H793 - 794
Referred: Crime Prevention & Public Safety (H)	H465	Reported to the Senate & First Read (S)	S639
HB 297 (English) Relating to food stamps		Second read & referred: Senate Transportation & Infrastructure (S)	S669
Introduced & Read First Time (H)	H183	SCS Reported Do Pass (S)	S812
Read Second Time (H)	H192	Taken Up for Third Reading (S)	S865
Referred: Downsizing State Government (H)	H242	SCS Adopted (S)	S876
		Third Read & Passed with Amendments (S)	S876 - 877
		Reported to the House (H)	H1480
		House Concurs (H)	H1934
		Truly Agreed To & Finally Passed	H1935 S1305
		Signed by House Speaker (H)	H3330
		Signed by President Pro Tem (S)	S2435
		Delivered to Governor	H3330

HB 304 (Stream) Relating to the designation of the new Mississippi River bridge

Introduced & Read First Time (H)	H183
Read Second Time (H)	H192
Referred: Transportation (H)	H242

HB 305 (Walker) Relating to changes to the sunshine law

Introduced & Read First Time (H)	H192
Read Second Time (H)	H204
Referred: General Laws (H)	H215
HCS Reported Do Pass (H)	H275

HB 306 (Hoskins) Relating to the designation of the state historical dog

Introduced & Read First Time (H)	H192
Read Second Time (H)	H204
Referred: Tourism & Natural Resources (H)	H465
HCS Reported Do Pass by Consent (H)	H598
Referred: Rules (H)	H598
Rules - Reported Do Pass - Consent (H)	H634
Perfect by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H794
Third Read & Passed (H)	H794 - 795
Reported to the Senate & First Read (S)	S639
Second read & referred: Senate General Laws (S)	S669
Reported Do Pass with Amendments (S)	S1726
Placed on Informal Calendar	S1925

HB 307 (Riddle) Relating to fire protection districts

Introduced & Read First Time (H)	H192
Read Second Time (H)	H204
Referred: Crime Prevention & Public Safety (H)	H285
Reported Do Pass by Consent (H)	H410
Referred: Rules (H)	H410
Rules - Reported Do Pass - Consent (H)	H488
Perfect by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H717
Third Read & Passed (H)	H717
Reported to the Senate & First Read (S)	S582
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S668
SCS Reported Do Pass (S)	S932
Taken Up for Third Reading (S)	S1261
Senate Substitute Offered (S)	S1261
SS Adopted (S)	S1274
Third Read & Passed with Amendments (S)	S1275
Reported to the House (H)	H1921 - 1923
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H1962 S1322
Senate Refuses to Recede, Grants Conference (S) ..	S1333 H1975
Senate Conference Committee Appointed (S)	S1333 H1975
House Conference Committee Appointed (H)	H1979 S1347
House Submits Conference Committee Report (H)	H2844
House Adopts Conference Committee Report (H) ..	H3096 - 3097
Third Read & Passed (H)	H3097 - 3098 S2325 - 2326
Senate Submits Conference Committee Report (S)	S2326
Senate Adopts Conference Committee Report (S)	S2327
Truly Agreed To & Finally Passed	S2327 - 2328 H3112
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 308 (Jones 50) Relating to midwifery

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Health Insurance (H)	H541

HB 309 (Solon) Relating to the veterans treatment intervention act

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Veterans (H)	H242
HCS Reported Do Pass (H)	H968
Referred: Rules (H)	H968
Rules - Reported Do Pass (H)	H1119

HB 310 (Solon) Relating to the senior's retirement protection act

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Retirement (H)	H3322

HB 311 (Thomson) Relating to special road districts

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Local Government (H)	H242

HB 312 (Thomson) Relating to college or university police officers

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Higher Education (H)	H242
HCS Reported Do Pass by Consent (H)	H397
Referred: Rules (H)	H397
Rules - Reported Do Pass - Consent (H)	H497
Perfect by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H718
Third Read & Passed (H)	H718
Reported to the Senate & First Read (S)	S582
Second read & referred: Senate Transportation & Infrastructure (S)	S668
Reported Do Pass (S)	S1898

HB 313 (Thomson) Relating to public school & education employees' retirement system

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Retirement (H)	H242

HB 314 (Rowland) Relating to nursing scope of practice

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Professional Registration & Licensing (H)	H242
HCS Reported Do Pass (H)	H984
Referred: Rules (H)	H984

HB 315 (Rowland) Relating to prescription eye drop refills

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Health Insurance (H)	H285
HCS Reported Do Pass (H)	H544
Referred: Rules (H)	H544
Rules - Reported Do Pass (H)	H635
Taken Up for Perfection (H)	H921
HCS Adopted (H)	H921
Perfect (H)	H921
Taken Up for Third Reading (H)	H961
Third Read & Passed (H)	H961 - 962
Reported to the Senate & First Read (S)	S670
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S744
Reported Do Pass (S)	S810 - 811
Taken Up for Third Reading (S)	S853
Senate Substitute Offered (S)	S853
SS Adopted (S)	S855
Third Read & Passed (S)	S855
Reported to the House (H)	H1480
House Concurs (H)	H1595 - 1596
Truly Agreed To & Finally Passed	H1596 - 1597 S947
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 316 (Phillips) Relating to the division of tourism supplemental revenue fund

Introduced & Read First Time (H)	H193
Read Second Time (H)	H204
Referred: Tourism & Natural Resources (H)	H285
Reported Do Pass (H)	H497
Referred: Rules (H)	H497
Rules - Reported Do Pass (H)	H545
Taken Up for Perfection (H)	H940
Perfect (H)	H940

Referred: Fiscal Review (H)	H950	HB 322 (Gosen) Relating to the modernization of certain information provided by insurance companies	
Reported Do Pass (H)	H957	Introduced & Read First Time (H)	H194
Taken Up for Third Reading (H)	H958	Read Second Time (H)	H204
Third Read & Passed (H)	H958 - 959	Referred: Insurance Policy (H)	H296
Reported to the Senate & First Read (S)	S665	Reported Do Pass (H)	H568
Second read & referred: Senate Appropriations (S)	S744	Referred: Rules (H)	H568
Reported Do Pass (S)	S932	Rules - Reported Do Pass (H)	H653
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S941	Taken Up for Perfection (H)	H1022
Reported Do Pass (S)	S1298 - 1299	Perfectured with Amendments (H)	H1023
Taken Up for Third Reading (S)	S1324	Taken Up for Third Reading (H)	H1152
Third Read & Passed with Amendments (S)	S1331	Third Read & Passed (H)	H1153
Reported to the House (H)	H1975 - 1978	Reported to the Senate & First Read (S)	S759
House Refuses to Concur (H)	H2306 S1600	Second read & referred: Senate Small Business, Insurance, & Industry (S)	S814
Senate Recedes from Position (S)	S1631	SCS Reported Do Pass (S)	S1513
Truly Agreed To & Finally Passed	S1631	Placed on Informal Calendar	S1643
Signed by House Speaker (H)	H3330	Taken Up for Third Reading (S)	S1657
Signed by President Pro Tem (S)	S2435	SCS Adopted (S)	S1657
Delivered to Governor	H3330	Third Read & Passed (S)	S1657 - 1658
		Reported to the House (H)	H2434
HB 317 (Phillips) Relating to Molly's law		House Concurs (H)	H3223
Introduced & Read First Time (H)	H193	Truly Agreed To & Finally Passed	H3224 S2429
Read Second Time (H)	H204	Signed by House Speaker (H)	H3332
Referred: Health Care Policy (H)	H3322	Signed by President Pro Tem (S)	S2440 - 2441
		Delivered to Governor	H3332
HB 318 (Crawford) Relating to jury costs		HB 323 (Elmer) Relating to a surcharge on civil court cases	
Introduced & Read First Time (H)	H193	Introduced & Read First Time (H)	H194
Read Second Time (H)	H204	Read Second Time (H)	H204
Referred: Judiciary (H)	H285	Referred: Judiciary (H)	H3322
HB 319 (Elmer) Relating to unlawful employment practices		HB 324 (Frederick) Relating to medical records	
Introduced & Read First Time (H)	H193	Introduced & Read First Time (H)	H194
Read Second Time (H)	H204	Read Second Time (H)	H204
Referred: Workforce Development & Workplace Safety (H)	H242	Referred: Judiciary (H)	H357
		Re-referred to Committee: Health Care Policy (H)	H386
HB 320 (Elmer) Relating to unlawful discriminatory practices		HB 325 (Elmer) Relating to judicial circuits	
Introduced & Read First Time (H)	H193	Introduced & Read First Time (H)	H194
Read Second Time (H)	H204	Read Second Time (H)	H204
Referred: Workforce Development & Workplace Safety (H)	H242	Referred: Judiciary (H)	H409
HCS Reported Do Pass (H)	H411	HB 326 (Fitzwater) Relating to the crime of sexual misconduct in the second degree	
Referred: Rules (H)	H411	Introduced & Read First Time (H)	H194
Rules - Reported Do Pass (H)	H423	Read Second Time (H)	H204
Taken Up for Perfection (H)	H459	Referred: Special Standing Committee on Corrections (H) ..	H296
HCS Adopted (H)	H460	Reported Do Pass (H)	H544
Perfectured with Amendments (H)	H460	Referred: Rules (H)	H544
Referred: Fiscal Review (H)	H464	Rules - Reported Do Pass (H)	H968
Reported Do Pass (H)	H475	Taken Up for Perfection (H)	H1008
Taken Up for Third Reading (H)	H480	Perfectured (H)	H1009
Third Read & Passed (H)	H481 - 482	Taken Up for Third Reading (H)	H1144
Reported to the Senate & First Read (S)	S403	Third Read & Passed (H)	H1144
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S488	Reported to the Senate & First Read (S)	S757 - 758
Reported Do Pass (S)	S1515	Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S814
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1631	HB 327 (Barnes) Relating to nonexchange financial guarantees	
Reported Do Pass (S)	S1897 - 1898	Introduced & Read First Time (H)	H215
Placed on Informal Calendar	S1925	Read Second Time (H)	H223
Taken Up for Third Reading (S)	S2410	Referred: Government Oversight & Accountability (H) ...	H3322
Senate Substitute Offered (S)	S2410	HB 328 (Nichols) Relating to the residential electronic products recycling & reuse act	
Placed on Informal Calendar	S2410	Introduced & Read First Time (H)	H215
Taken Up for Third Reading (S)	S2420	Read Second Time (H)	H223
SS Adopted (S)	S2420	Referred: Tourism & Natural Resources (H)	H541
Third Read & Passed (S)	S2420 - 2421	HB 329 (Dugger) Relating to residential real estate loan violations reporting	
Reported to the House (H)	H3312	Introduced & Read First Time (H)	H215
HB 321 (Haahr) Relating to the second injury fund		Read Second Time (H)	H223
Introduced & Read First Time (H)	H193	Referred: Financial Institutions (H)	H285
Read Second Time (H)	H204		
Referred: Workforce Development & Workplace Safety (H)	H242		

Reported Do Pass by Consent (H)	H342
Referred: Rules (H)	H342
Rules - Reported Do Pass - Consent (H)	H423
Perfect by Consent - Pursuant to House Rules (H)	H526
Taken Up for Third Reading (H)	H710
Third Read & Passed (H)	H710
Reported to the Senate & First Read (S)	S580 - 581
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S668
SCS Reported Do Pass (S)	S915
Placed on Informal Calendar	S974
Taken Up for Third Reading (S)	S975
SCS Adopted (S)	S981
Third Read & Passed with Amendments (S)	S981 - 982
Reported to the House (H)	H1881 - 1886
House Concurs (H)	H1943
Truly Agreed To & Finally Passed	H1944 S1306
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 330 (Guernsey) Relating to crime scene photographs & video recordings

Introduced & Read First Time (H)	H215
Read Second Time (H)	H223
Referred: General Laws (H)	H357

HB 331 (Miller) Relating to telecommunications

Introduced & Read First Time (H)	H215
Read Second Time (H)	H223
Referred: Utilities (H)	H465
Reported Do Pass by Consent (H)	H621
Referred: Rules (H)	H621
Rules - Reported Do Pass - Consent (H)	H635
Perfect by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H795
Third Read & Passed (H)	H795 - 796
Reported to the Senate & First Read (S)	S639
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S669
Reported Do Pass (S)	S932
Taken Up for Third Reading (S)	S974
Senate Substitute Offered (S)	S974
SS Adopted (S)	S974
Third Read & Passed (S)	S974 - 975
Reported to the House (H)	H1886
House Concurs (H)	H1899
Truly Agreed To & Finally Passed	H1900 S1295
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 332 (Sommer) Relating to government meetings & records

Introduced & Read First Time (H)	H215
Read Second Time (H)	H223
Referred: General Laws (H)	H285

HB 333 (Kelly 45) Relating to second injury fund deposits

Introduced & Read First Time (H)	H216
Read Second Time (H)	H223
Referred: Workforce Development & Workplace Safety (H)	H357

HB 334 (Dugger) Relating to children performing agricultural work

Introduced & Read First Time (H)	H216
Read Second Time (H)	H223
Referred: Agri-Business (H)	H242
Reported Do Pass by Consent (H)	H442
Referred: Rules (H)	H442
Rules - Reported Do Pass - Consent (H)	H635
Perfect by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H796
Third Read & Passed (H)	H797
Reported to the Senate & First Read (S)	S640

Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S669
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HB 335 (Hinson) Relating to public safety

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Crime Prevention & Public Safety (H)	H296
HCS Reported Do Pass (H)	H387
Referred: Rules (H)	H387
Rules - Reported Do Pass (H)	H686
Taken Up for Perfection (H)	H1202
HCS Adopted (H)	H1230
Perfect with Amendments (H)	H1230
Taken Up for Third Reading (H)	H1490
Third Read & Passed (H)	H1490
Emergency Clause Adopted (H)	H1491
Reported to the Senate & First Read (S)	S884
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S916

HB 336 (Hinson) Relating to first responder political activity

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Elections (H)	H357
Reported Do Pass (H)	H596
Referred: Rules (H)	H596
Rules - Reported Do Pass (H)	H653
Taken Up for Perfection (H)	H1650
Perfect (H)	H1650
Taken Up for Third Reading (H)	H1913
Third Read & Passed (H)	H1913
Reported to the Senate & First Read (S)	S1296 - 1297
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S1341
Reported Do Pass (S)	S1725
Placed on Informal Calendar	S1925
Taken Up for Third Reading (S)	S2250
Senate Substitute Offered (S)	S2250 - 2251
SS Adopted (S)	S2251
Third Read & Passed with Amendments (S)	S2251 - 2252
Emergency Clause Adopted (S)	S2252
Reported to the House (H)	H3090 - 3091
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H3095 S2297
Senate Refuses to Recede, Grants Conference (S) ..	S2298 H3104
Senate Conference Committee Appointed (S)	S2298 H3104
House Conference Committee Appointed (H)	H3104 S2326
House Submits Conference Committee Report (H)	H3114
House Adopts Conference Committee Report (H)	H3131
Third Read & Passed (H)	H3132 S2402
Senate Submits Conference Committee Report (S)	S2402
Senate Adopts Conference Committee Report (S) ...	S2402 - 2403
Truly Agreed To & Finally Passed	S2403 H3275
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 337 (Swearingen) Relating to licensed professional counselors

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Professional Registration & Licensing (H)	H465

HB 338 (Wieland) Relating to insurance payments for covered loss or damage

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Insurance Policy (H)	H357

HB 339 (Wieland) Relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Insurance Policy (H)	H296
Reported Do Pass (H)	H568

Referred: Rules (H)	H568
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1275
Perfected (H)	H1276
Taken Up for Third Reading (H)	H1375
Third Read & Passed (H)	H1375 - 1376
Reported to the Senate & First Read (S)	S846
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S851
Reported Do Pass (S)	S1338
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1646
Truly Agreed To & Finally Passed	S1646 H2434
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 340 (Johnson) Relating to daylight saving time elimination

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Emerging Issues in Agriculture (H)	H409
HCS Reported Do Pass (H)	H525
Referred: Rules (H)	H525
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1276
HCS Adopted (H)	H1278
Perfected (H)	H1278
Taken Up for Third Reading (H)	H1380
Third Read & Passed (H)	H1380 - 1381
Reported to the Senate & First Read (S)	S847
Second read & referred: Senate General Laws (S)	S852

HB 341 (Johnson) Relating to protective headgear for operation of motorcycles & motortricycles

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: General Laws (H)	H465

HB 342 (Johnson) Relating to a sales tax exemption for farm products sold at farmers' markets

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Emerging Issues in Agriculture (H)	H541

HB 343 (Guernsey) Relating to public assistance

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Children, Families, & Persons with Disabilities (H)	H357
HCS Reported Do Pass (H)	H596
Referred: Rules (H)	H596
Rules - Reported Do Pass (H)	H635
Taken Up for Perfection (H)	H1061
HCS Adopted (H)	H1074
Perfected with Amendments (H)	H1074 - 1075
Referred: Fiscal Review (H)	H1089
Reported Do Pass (H)	H1130
Taken Up for Third Reading (H)	H1169
Third Read & Passed (H)	H1170
Reported to the Senate & First Read (S)	S772
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S814
SCS Reported Do Pass (S)	S1727 - 1728
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1811
Reported Do Pass (S)	S1897 - 1898
Placed on Informal Calendar	S2341

HB 344 (Molendorp) Relating to MO HealthNet reimbursement for behavior assessment & intervention

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Health Insurance (H)	H357
HCS Reported Do Pass (H)	H544
Referred: Rules (H)	H544

Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1431
HCS Adopted (H)	H1431
Perfected (H)	H1431
Taken Up for Third Reading (H)	H1548
Third Read & Passed (H)	H1548
Emergency Clause Adopted (H)	H1549
Reported to the Senate & First Read (S)	S926 - 927
Second read & referred: Senate Veterans' Affairs & Health (S)	S959

HB 345 (Cierpiot) Relating to broadband & wireless deployment

Introduced & Read First Time (H)	H224
Read Second Time (H)	H231
Referred: Utilities (H)	H242
HCS Reported Do Pass (H)	H508
Referred: Rules (H)	H508
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1009
Laid Over (H)	H1009
Taken Up for Perfection (H)	H1023
HCS Adopted (H)	H1031
Perfected with Amendments (H)	H1031
Taken Up for Third Reading (H)	H1102
Third Read & Passed (H)	H1102 - 1103
Reported to the Senate & First Read (S)	S754
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S813
SCS Reported Do Pass (S)	S1514
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1916
Senate Substitute Offered (S)	S1916 - 1917
SS Adopted (S)	S1917
Third Read & Passed (S)	S1917
Reported to the House (H)	H2795
House Concurs (H)	H3242 - 3243
Truly Agreed To & Finally Passed	H3244 S2429
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 346 (Molendorp) Relating to insurance coverage for dental services

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Health Insurance (H)	H357
Reported Do Pass by Consent (H)	H443
Referred: Rules (H)	H443
Rules - Reported Do Pass - Consent (H)	H545
Perfected by Consent - Pursuant to House Rules (H)	H687
Taken Up for Third Reading (H)	H732
Third Read & Passed (H)	H732
Reported to the Senate & First Read (S)	S584
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S668
Reported Do Pass (S)	S931
Placed on Informal Calendar	S974
Taken Up for Third Reading (S)	S1232
Placed on Informal Calendar	S1233

HB 347 (Engler) Relating to a prescription drug monitoring program

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Professional Registration & Licensing (H)	H3322

HB 348 (Neth) Relating to elections of school directors

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Elections (H)	H296
HCS Reported Do Pass (H)	H765
Referred: Rules (H)	H765
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1408
HCS Adopted (H)	H1411

Perfected with Amendments (H)	H1411
Taken Up for Third Reading (H)	H1551
Third Read & Passed (H)	H1553
Reported to the Senate & First Read (S)	S928
Second read & referred: Senate Education (S)	S959

HB 349 (Brown) Relating to license plates for property-carrying commercial motor vehicles

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Transportation (H)	H242
HCS Reported Do Pass by Consent (H)	H397
Referred: Rules (H)	H397
Rules - Reported Do Pass - Consent (H)	H423
Perfected by Consent - Pursuant to House Rules (H)	H526
Taken Up for Third Reading (H)	H712
Third Read & Passed (H)	H713
Reported to the Senate & First Read (S)	S581
Second read & referred: Senate Transportation & Infrastructure (S)	S668
Reported Do Pass (S)	S1515
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1631
Reported Do Pass (S)	S1727
Placed on Informal Calendar	S1925
Taken Up for Third Reading (S)	S2394
Truly Agreed To & Finally Passed	S2394 - 2395 H3254
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 350 (Frederick) Relating to firearms owners

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: General Laws (H)	H386
HCS Reported Do Pass (H)	H1363
Referred: Rules (H)	H1363
Rules - Reported Do Pass (H)	H1535

HB 351 (Frederick) Relating to hospital licensure

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Professional Registration & Licensing (H)	H357
Re-referred to Committee: Health Care Policy (H)	H466
HCS Reported Do Pass by Consent (H)	H620
Referred: Rules (H)	H620
Rules - Reported Do Pass - not Consent (H)	H767
Taken Up for Perfection (H)	H1199
HCS Adopted (H)	H1199
Perfected with Amendments (H)	H1199
Taken Up for Third Reading (H)	H1360
Third Read & Passed (H)	H1360 - 1361
Reported to the Senate & First Read (S)	S827
Second read & referred: Senate Veterans' Affairs & Health (S)	S851
SCS Reported Do Pass (S)	S1290
Taken Up for Third Reading (S)	S1418
SCS Adopted (S)	S1420
Third Read & Passed with Amendments (S)	S1420
Emergency Clause Adopted (S)	S1420 - 1421
Reported to the House (H)	H2162 - 2163
House Concurs (H)	H3216 - 3217
Truly Agreed To & Finally Passed	H3218 S2429
Emergency Clause Adopted on Truly Agreed to Bill	H3219
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 352 (Hurst) Relating to the sale or provision of certain commodities to seven director school districts

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Elementary & Secondary Education (H)	H296

HB 353 (Leara) Relating to the academic pension act

Introduced & Read First Time (H)	H225
Read Second Time (H)	H231
Referred: Retirement (H)	H465

HB 354 (Cornejo) Relating to judicial supervision by probation & parole in DWI courts

Introduced & Read First Time (H)	H232
Read Second Time (H)	H239
Referred: Special Standing Committee on Corrections (H) ..	H285

HB 355 (Cornejo) Relating to hunter education & safety training exemption for military personnel

Introduced & Read First Time (H)	H232
Read Second Time (H)	H239
Referred: Tourism & Natural Resources (H)	H3322

HB 356 (Cornejo) Relating to the sale of draft beer

Introduced & Read First Time (H)	H232
Read Second Time (H)	H239
Referred: General Laws (H)	H357

HB 357 (Roorda) Relating to public employee labor organizations

Introduced & Read First Time (H)	H232
Read Second Time (H)	H239
Referred: Workforce Development & Workplace Safety (H)	H3322

HB 358 (Roorda) Relating to the creation of a death penalty commission & moratorium

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Withdrawn (H)	H327

HB 359 (Roorda) Relating to cord blood collection

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Health Care Policy (H)	H296

HB 360 (Roorda) Relating to child abuse & neglect

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Children, Families, & Persons with Disabilities (H)	H3322

HB 361 (Roorda) Relating to neutral site child custody exchange

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Judiciary (H)	H3322

HB 362 (Roorda) Relating to the Missouri sheriff methamphetamine relief task force (MoSMART)

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Crime Prevention & Public Safety (H)	H296
Reported Do Pass by Consent (H)	H410
Referred: Rules (H)	H410
Rules - Reported Do Pass - not Consent (H)	H635

HB 363 (Roorda) Relating to county court municipal judges

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Judiciary (H)	H296

HB 364 (Roorda) Relating to board members of fire protection & ambulance districts

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Local Government (H)	H296

HB 365 (Roorda) Relating to the regulation of methamphetamine precursor substances

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Crime Prevention & Public Safety (H)	H3322

HB 366 (Roorda) Relating to days off for school districts

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Elementary & Secondary Education (H)	H3322

HB 367 (Hough) Relating to state employee overtime

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Workforce Development & Workplace Safety (H)	H3322

HB 368 (Hough) Relating to certain benevolent tax credits

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Children, Families, & Persons with Disabilities (H)	H3322

HB 369 (Hough) Relating to incentives to attract amateur sporting events to Missouri

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Economic Development (H)	H3322

HB 370 (Cox) Relating to municipal traffic violations

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Judiciary (H)	H285

HB 371 (Cox) Relating to judicial procedure

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: Judiciary (H)	H285
HCS Reported Do Pass (H)	H1012
Referred: Rules (H)	H1012
Rules - Reported Do Pass (H)	H1535
Taken Up for Perfection (H)	H1640
HCS Adopted (H)	H1648
Perfecting with Amendments (H)	H1648
Taken Up for Third Reading (H)	H1895
Third Read & Passed (H)	H1895 - 1896
Reported to the Senate & First Read (S)	S1280
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S1341

HB 372 (Cox) Relating to business premises safety

Introduced & Read First Time (H)	H233
Read Second Time (H)	H239
Referred: General Laws (H)	H285
HCS Reported Do Pass (H)	H1011
Referred: Rules (H)	H1011
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1498
HCS Adopted (H)	H1498
Perfecting (H)	H1498
Taken Up for Third Reading (H)	H1557
Third Read & Passed (H)	H1558
Reported to the Senate & First Read (S)	S928 - 929
Second read & referred: Senate General Laws (S)	S959

HB 373 (Cox) Relating to the alteration of judicial boundaries by the supreme court

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Judiciary (H)	H285
HCS Reported Do Pass (H)	H526
Referred: Rules (H)	H526
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1022
HCS Adopted (H)	H1022
Perfecting (H)	H1022
Taken Up for Third Reading (H)	H1150
Third Read & Passed (H)	H1151
Reported to the Senate & First Read (S)	S758 - 759
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S814

Reported Do Pass (S)	S1897
Placed on Informal Calendar	S2423

HB 374 (Cox) Relating to the transfer of judicial positions by the supreme court

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Judiciary (H)	H285
HCS Reported Do Pass (H)	H526
Referred: Rules (H)	H526
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1022
HCS Adopted (H)	H1022
Perfecting (H)	H1022
Taken Up for Third Reading (H)	H1149
Third Read & Passed (H)	H1149
Reported to the Senate & First Read (S)	S758
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S814
SCS Reported Do Pass (S)	S932
Placed on Informal Calendar	S1340
Taken Up for Third Reading (S)	S1601
Senate Substitute Offered (S)	S1601
Placed on Informal Calendar	S1605
Taken Up for Third Reading (S)	S1627
Placed on Informal Calendar	S1627
Taken Up for Third Reading (S)	S1632
SS Adopted (S)	S1632
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1632
Reported Do Pass (S)	S1727
Taken Up for Third Reading (S)	S1728
Third Read & Passed with Amendments (S)	S1728
Reported to the House (H)	H2489 - 2490
House Refuses to Concur, Requests Senate to Recede or Grant Conference	H2533 S1810
Senate Refuses to Recede, Grants Conference (S) ..	S1888 H2573
Senate Conference Committee Appointed (S)	S1888 H2573
House Conference Committee Appointed (H)	H2574 S1898
House Submits Conference Committee Report (H)	H2844 - 2845
House Adopts Conference Committee Report (H) ..	H3141 - 3142
Third Read & Passed (H)	H3143 S2408
Senate Submits Conference Committee Report (S)	S2408
Senate Adopts Conference Committee Report (S) ..	S2408 - 2409
Truly Agreed To & Finally Passed	S2409 - 2410 H3275
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 375 (Cox) Relating to credit agreements

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Judiciary (H)	H285

HB 376 (Hough) Relating to family court commissioners

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Judiciary (H)	H409

HB 377 (Kelley 127) Relating to government meetings & records

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: General Laws (H)	H465

HB 378 (Kelley 127) Relating to pharmacy inventories

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Health Care Policy (H)	H465

HB 379 (Kelley 127) Relating to anonymous finger print background checks

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: General Laws (H)	H386

HB 380 (Bahr) Relating to income taxation

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Economic Development (H)	H357

HB 381 (Bahr) Relating to restrictive covenants

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: General Laws (H)	H285

HB 382 (Bahr) Relating to peace officers

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Crime Prevention & Public Safety (H)	H357

HB 383 (Bahr) Relating to motor vehicle mileage taxes

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Downsizing State Government (H)	H285

HB 384 (Lant) Relating to fire sprinkler contractors

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Professional Registration & Licensing (H)	H357

HB 385 (Burlison) Relating to incentives to attract amateur sporting events to Missouri

Introduced & Read First Time (H)	H234
Read Second Time (H)	H239
Referred: Economic Development (H)	H285
Reported Do Pass (H)	H544
Referred: Rules (H)	H544
Rules - Reported Do Pass (H)	H653

HB 386 (McCaherty) Relating to a ban on abortions for sex selection & genetic abnormalities

Introduced & Read First Time (H)	H235
Read Second Time (H)	H239
Referred: Health Care Policy (H)	H286

HB 387 (Frederick) Relating to physician assistants

Introduced & Read First Time (H)	H235
Read Second Time (H)	H239
Referred: Professional Registration & Licensing (H)	H357
HCS Reported Do Pass (H)	H597
Referred: Rules (H)	H597
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1431
HCS Adopted (H)	H1437
Perfected with Amendments (H)	H1437
Taken Up for Third Reading (H)	H1550
Third Read & Passed (H)	H1550
Reported to the Senate & First Read (S)	S927
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S959

HB 388 (Swan) Relating to school building report cards

Introduced & Read First Time (H)	H235
Read Second Time (H)	H239
Referred: Elementary & Secondary Education (H)	H242
HCS Reported Do Pass (H)	H342
Referred: Rules (H)	H342
Rules - Reported Do Pass (H)	H359
Taken Up for Perfection (H)	H432
Laid Over (H)	H432
Taken Up for Perfection (H)	H432
HCS Adopted (H)	H438
Perfected with Amendments (H)	H438 - 439
Taken Up for Third Reading (H)	H475
Third Read & Passed (H)	H475 - 476
Reported to the Senate & First Read (S)	S402
Second read & referred: Senate Education (S)	S488
SCS Reported Do Pass (S)	S1725
Placed on Informal Calendar	S1925

HB 389 (Zerr) Relating to tax credits for qualified research expenses

Introduced & Read First Time (H)	H235
Read Second Time (H)	H239
Referred: Economic Development (H)	H286
HCS Reported Do Pass (H)	H544
Referred: Rules (H)	H544
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1048
Laid Over (H)	H1049
Taken Up for Perfection (H)	H1173
HCS Adopted (H)	H1173
Perfected (H)	H1173
Referred: Fiscal Review (H)	H1179
Reported Do Pass (H)	H1345
Taken Up for Third Reading (H)	H1351
Third Read & Passed (H)	H1352 - 1353
Reported to the Senate & First Read (S)	S826
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S851

HB 390 (Kratky) Relating to unlawful use of a weapon

Introduced & Read First Time (H)	H243
Read Second Time (H)	H254
Referred: General Laws (H)	H386

HB 391 (Kratky) Relating to a tax credit for certain small businesses

Introduced & Read First Time (H)	H243
Read Second Time (H)	H254
Referred: Special Standing Committee on Small Business (H)	H296
HCS Reported Do Pass (H)	H597
Referred: Rules (H)	H597

HB 392 (Kratky) Relating to unlawful use of a weapon

Introduced & Read First Time (H)	H243
Read Second Time (H)	H254
Referred: General Laws (H)	H386

HB 393 (Kratky) Relating to a tax credit for renovation of rental property

Introduced & Read First Time (H)	H243
Read Second Time (H)	H254
Referred: Special Standing Committee on Small Business (H)	H541

HB 394 (Kratky) Relating to text messaging while operating motor vehicles

Introduced & Read First Time (H)	H243
Read Second Time (H)	H254
Referred: General Laws (H)	H541

HB 395 (Kratky) Relating to the resale of scrap metals

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: General Laws (H)	H3322

HB 396 (Kratky) Relating to the transitional school district

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Elementary & Secondary Education (H)	H465

HB 397 (Riddle) Relating to local sales tax exemptions

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Ways & Means (H)	H286

HB 398 (Riddle) Relating to ratemaking for public utilities

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Utilities (H)	H286
HCS Reported Do Pass (H)	H765
Referred: Rules (H)	H765
Rules - Reported Do Pass (H)	H968

HB 399 (Riddle) Relating to the removal of non-elected chief law enforcement officers

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Crime Prevention & Public Safety (H)	H286

HB 400 (Riddle) Relating to administration of abortion-inducing drugs

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Health Care Policy (H)	H286
Reported Do Pass (H)	H620
Referred: Rules (H)	H620
Rules - Reported Do Pass (H)	H635
Taken Up for Perfection (H)	H1196
Perfecting (H)	H1198 - 1199
Taken Up for Third Reading (H)	H1357
Third Read & Passed (H)	H1357 - 1358
Reported to the Senate & First Read (S)	S826
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S851
Reported Do Pass (S)	S933
Taken Up for Third Reading (S)	S1340
Placed on Informal Calendar	S1341
Taken Up for Third Reading (S)	S1385
Third Read & Passed with Amendments (S)	S1385
Reported to the House (H)	H2079
House Concurs (H)	H2413 - 2414
Truly Agreed To & Finally Passed	H2414 - 2415 S1709
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 401 (Shumake) Relating to the Missouri Advisory Boards & Commissions Association

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Special Standing Committee on Corrections (H) ..	H286
HCS Reported Do Pass by Consent (H)	H487
Referred: Rules (H)	H487
Rules - Reported Do Pass - Consent (H)	H498
Perfecting by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H719
Third Read & Passed (H)	H720
Reported to the Senate & First Read (S)	S582
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S668

HB 402 (Shumake) Relating to family intervention orders

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Children, Families, & Persons with Disabilities (H) ..	H357
HCS Reported Do Pass (H)	H1383
Referred: Rules (H)	H1383
Rules - Reported Do Pass (H)	H1586

HB 403 (Gosen) Relating to unsecured loans of seven hundred fifty dollars or less

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Financial Institutions (H)	H541

HB 404 (Conway 104) Relating to workers' compensation

Introduced & Read First Time (H)	H244
Read Second Time (H)	H254
Referred: Workforce Development & Workplace Safety (H) ..	H357
HCS Reported Do Pass (H)	H766
Referred: Rules (H)	H766
Rules - Reported Do Pass (H)	H968
Taken Up for Perfection (H)	H1058
HCS Adopted (H)	H1061
Perfecting with Amendments (H)	H1061
Referred: Fiscal Review (H)	H1089

Reported Do Pass (H)	H1130
Taken Up for Third Reading (H)	H1168
Third Read & Passed (H)	H1168
Reported to the Senate & First Read (S)	S772
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S814
SCS Reported Do Pass (S)	S1289
Placed on Informal Calendar	S1385
Taken Up for Third Reading (S)	S1627
Senate Substitute Offered (S)	S1627 - 1628
Placed on Informal Calendar	S1629
Taken Up for Third Reading (S)	S2393
SCS Defeated (S)	S2393
Third Read & Passed with Amendments (S)	S2394
Reported to the House (H)	H3239
House Concurs (H)	H3294
Truly Agreed To & Finally Passed	H3295 S2432
Signed by House Speaker (H)	H3332
Signed by President Pro Tem (S)	S2440 - 2441
Delivered to Governor	H3332

HB 405 (Harris) Relating to museums

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Downsizing State Government (H)	H3322

HB 406 (Wieland) Relating to the family support payment center

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Downsizing State Government (H)	H357
Reported Do Pass by Consent (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass - Consent (H)	H635
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H798
Third Read & Passed (H)	H798
Reported to the Senate & First Read (S)	S640
Second read & referred: Senate Seniors, Families, & Pensions (S) ..	S669

HB 407 (Wieland) Relating to petitions for incorporation

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Local Government (H)	H357

HB 408 (McNeil) Relating to racial & gender equity in the membership of boards, commissions, committees, & councils

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Professional Registration & Licensing (H)	H3322

HB 409 (Love) Relating to prevailing wage determinations for third class counties

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Workforce Development & Workplace Safety (H) ..	H286
Reported Do Pass (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass (H)	H498
Taken Up for Perfection (H)	H588
Perfecting with Amendments (H)	H595
Taken Up for Third Reading (H)	H609
Third Read & Passed (H)	H610 - 611
Reported to the Senate & First Read (S)	S519
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S610
Reported Do Pass (S)	S1338
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1424
Reported Do Pass (S)	S1639
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1714 - 1715
Senate Substitute Offered (S)	S1715
Placed on Informal Calendar	S1715

HB 410 (Love) Relating to sales & use taxes

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Ways & Means (H)	H286

HB 411 (Muntzel) Relating to compensatory leave for nonexempt state employees

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: General Laws (H)	H763
Reported Do Pass (H)	H1364
Referred: Rules (H)	H1364
Rules - Reported Do Pass (H)	H1918

HB 412 (Reiboldt) Relating to agricultural loan guarantees

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Agriculture Policy (H)	H286
Reported Do Pass by Consent (H)	H466
Referred: Rules (H)	H466
Rules - Reported Do Pass - Consent (H)	H488
Perfecting by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H721
Third Read & Passed (H)	H721
Reported to the Senate & First Read (S)	S582
Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S668

HB 413 (Fitzwater) Relating to the tax credit for wood energy procedures

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Agri-Business (H)	H296

HB 414 (Kelly 45) Relating to revenue bonds for public projects

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Budget (H)	H465

HB 415 (Phillips) Relating to special license plates

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Transportation (H)	H286
HCS Reported Do Pass (H)	H923
Referred: Rules (H)	H923
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1438
HCS Adopted (H)	H1449
Perfecting with Amendments (H)	H1449
Taken Up for Third Reading (H)	H1551
Third Read & Passed (H)	H1551
Reported to the Senate & First Read (S)	S927 - 928
Second read & referred: Senate Transportation & Infrastructure (S)	S959

HB 416 (Korman) Relating to transient guest taxes

Introduced & Read First Time (H)	H245
Read Second Time (H)	H254
Referred: Local Government (H)	H409

HB 417 (Stream) Relating to political subdivision contracts for water storage tanks

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Local Government (H)	H3322

HB 418 (Neth) Relating to Kansas City police retirement systems

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Retirement (H)	H296
HCS Reported Do Pass (H)	H653
Referred: Rules (H)	H653
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1009
HCS Adopted (H)	H1009

Perfecting (H)	H1009
Taken Up for Third Reading (H)	H1145
Third Read & Passed (H)	H1146
Reported to the Senate & First Read (S)	S758
Second read & referred: Senate Seniors, Families, & Pensions (S)	S814
Reported Do Pass (S)	S1516
Placed on Informal Calendar	S1645
Taken Up for Third Reading (S)	S1723
Truly Agreed To & Finally Passed	S1723 H2490
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 419 (Hubbard) Relating to the duties of the board of probation & parole

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Special Standing Committee on Urban Issues (H)	H357

HB 420 (Curtman) Relating to legislative preemption of firearm regulation by political subdivisions

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: General Laws (H)	H386

HB 421 (Curtman) Relating to legal tender

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Ways & Means (H)	H541
Reported Do Pass (H)	H1091
Referred: Rules (H)	H1091
Rules - Reported Do Pass (H)	H1157
Taken Up for Perfection (H)	H1498
Perfecting (H)	H1501
Referred: Fiscal Review (H)	H1533
Reported Do Pass (H)	H1576
Taken Up for Third Reading (H)	H1598
Third Read & Passed (H)	H1598 - 1599
Reported to the Senate & First Read (S)	S948
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S1290

HB 422 (Brattin) Relating to the implementation of the streamlined sales & use tax agreement

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Ways & Means (H)	H357

HB 423 (Zerr) Relating to the distressed areas land assemblage tax credit act

Introduced & Read First Time (H)	H254
Read Second Time (H)	H268
Referred: Economic Development (H)	H296
Reported Do Pass (H)	H467
Referred: Rules (H)	H467
Rules - Reported Do Pass (H)	H498
Taken Up for Perfection (H)	H523
Laid Over (H)	H523

HB 424 (Jones 50) Relating to the sheriffs' retirement fund

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: General Laws (H)	H542
HCS Reported Do Pass (H)	H1917
Referred: Rules (H)	H1917

HB 425 (Wilson) Relating to immunity from civil liability for law enforcement officers

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Crime Prevention & Public Safety (H)	H357

HB 426 (Berry) Relating to state legal expense fund

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Financial Institutions (H)	H3322

HB 427 (Schatz) Relating to rental of machinery & equipment

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: General Laws (H)	H487
Reported Do Pass (H)	H1117
Referred: Rules (H)	H1117
Rules - Reported Do Pass (H)	H1566
Taken Up for Perfection (H)	H1648
Perfecting with Amendments (H)	H1648
Taken Up for Third Reading (H)	H1909
Third Read & Passed (H)	H1909 - 1910
Reported to the Senate & First Read (S)	S1296
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S1341

HB 428 (Schatz) Relating to the issuance of salvage motor vehicle titles

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Transportation (H)	H296
Reported Do Pass by Consent (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass - Consent (H)	H635
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H799
Third Read & Passed (H)	H799
Reported to the Senate & First Read (S)	S640
Second read & referred: Senate Transportation & Infrastructure (S)	S669
SCS Reported Do Pass (S)	S1339
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1959
Senate Substitute Offered (S)	S1959 - 1960
SS Adopted (S)	S1960
Third Read & Passed (S)	S1960
Reported to the House (H)	H2822
House Concurs (H)	H3248
Truly Agreed To & Finally Passed	H3249 S2429
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 429 (Schatz) Relating to the issuance of salvage motor vehicle titles

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Transportation (H)	H296
Reported Do Pass by Consent (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass - Consent (H)	H635
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H800
Third Read & Passed (H)	H800
Reported to the Senate & First Read (S)	S640
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S669
Reported Do Pass (S)	S1895
Placed on Informal Calendar	S2341

HB 430 (Schatz) Relating to employer paid medical costs in the experience rating plan of workers' compensation insurance

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Workforce Development & Workplace Safety (H)	H542
HCS Reported Do Pass (H)	H1336
Referred: Rules (H)	H1336
Rules - Reported Do Pass (H)	H1566
Taken Up for Perfection (H)	H1649
HCS Adopted (H)	H1649

Perfecting (H)	H1649
Taken Up for Third Reading (H)	H1910
Third Read & Passed (H)	H1910 - 1911
Reported to the Senate & First Read (S)	S1296
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S1341

HB 431 (Jones 50) Relating to law enforcement officers on school premises

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: General Laws (H)	H386

HB 432 (Funderburk) Relating to the public service commission

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Utilities (H)	H308
Reported Do Pass by Consent (H)	H468
Referred: Rules (H)	H468
Rules - Reported Do Pass - Consent (H)	H498
Perfecting by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H722
Third Read & Passed (H)	H722
Reported to the Senate & First Read (S)	S582 - 583
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S668
SCS Reported Do Pass (S)	S914
Placed on Informal Calendar	S934
Taken Up for Third Reading (S)	S1235 - 1236
Senate Substitute Offered (S)	S1236
Placed on Informal Calendar	S1249
Taken Up for Third Reading (S)	S2419
SCS Defeated (S)	S2419
Truly Agreed To & Finally Passed	S2420 H3327
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 433 (Korman) Relating to inspection of meat processors

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Agri-Business (H)	H357
Reported Do Pass by Consent (H)	H596
Referred: Rules (H)	H596
Rules - Reported Do Pass - Consent (H)	H635
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H801
Third Read & Passed (H)	H801
Reported to the Senate & First Read (S)	S640
Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S669

HB 434 (Elmer) Relating to transfer of judicial positions by the supreme court

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Judiciary (H)	H297
HCS Reported Do Pass (H)	H526

HB 435 (Elmer) Relating to the alteration of judicial boundaries by the supreme court

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: Judiciary (H)	H297
HCS Reported Do Pass (H)	H526

HB 436 (Funderburk) Relating to the Second Amendment preservation act

Introduced & Read First Time (H)	H276
Read Second Time (H)	H284
Referred: General Laws (H)	H386
HCS Reported Do Pass (H)	H1011
Referred: Rules (H)	H1011
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1293

HCS Adopted (H)	H1309	Perfectured by Consent - Pursuant to House Rules (H)	H768
Perfectured with Amendments (H)	H1309 - 1310	Taken Up for Third Reading (H)	H804
Taken Up for Third Reading (H)	H1361	Third Read & Passed (H)	H804
Third Read & Passed (H)	H1362 - 1363	Reported to the Senate & First Read (S)	S641
Reported to the Senate & First Read (S)	S827	Second read & referred: Senate Seniors, Families, & Pensions (S)	S669
Second read & referred: Senate General Laws (S)	S851	SCS Reported Do Pass (S)	S1898
SCS Reported Do Pass (S)	S914 - 915		
Taken Up for Third Reading (S)	S934		
Placed on Informal Calendar	S934		
Taken Up for Third Reading (S)	S1260		
SCS Adopted (S)	S1261		
Third Read & Passed with Amendments (S)	S1261		
Reported to the House (H)	H1923		
House Concurs (H)	H2271 - 2272		
Truly Agreed To & Finally Passed	H2273 S1522		
Signed by House Speaker (H)	H3330		
Signed by President Pro Tem (S)	S2435		
Delivered to Governor	H3330		
HB 437 (Funderburk) Relating to underground facility safety			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Utilities (H)	H465		
HB 438 (Rowland) Relating to license plates			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Transportation (H)	H297		
HCS Reported Do Pass by Consent (H)	H508		
Referred: Rules (H)	H508		
Rules - Reported Do Pass - Consent (H)	H635		
Perfectured by Consent - Pursuant to House Rules (H)	H768		
Taken Up for Third Reading (H)	H802		
Third Read & Passed (H)	H802		
Emergency Clause Adopted (H)	H803		
Reported to the Senate & First Read (S)	S641		
Second read & referred: Senate Transportation & Infrastructure (S)	S669		
HB 439 (Webb) Relating to student participation in extracurricular activities			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Special Standing Committee on Urban Issues (H)	H409		
HB 440 (Webb) Relating to the sale of cottage foods			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Professional Registration & Licensing (H)	H465		
HCS Reported Do Pass by Consent (H)	H597		
Referred: Rules (H)	H597		
Rules - Reported Do Pass - Consent (H)	H635		
Perfectured by Consent - Pursuant to House Rules (H)	H768		
Taken Up for Third Reading (H)	H818		
Third Read & Passed (H)	H818		
Reported to the Senate & First Read (S)	S644		
Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S669		
SCS Reported Do Pass (S)	S1514		
Placed on Informal Calendar	S1645		
HB 441 (Webb) Relating to the designation of a highway			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Special Standing Committee on Urban Issues (H)	H465		
HB 442 (Hoskins) Relating to professional therapy dogs			
Introduced & Read First Time (H)	H277		
Read Second Time (H)	H284		
Referred: Crime Prevention & Public Safety (H)	H465		
Reported Do Pass by Consent (H)	H630		
Referred: Rules (H)	H630		
Rules - Reported Do Pass - Consent (H)	H635		
		HB 443 (Hubbard) Relating to a pilot project for increasing children's access to incarcerated parents	
		Introduced & Read First Time (H)	H277
		Read Second Time (H)	H284
		Referred: Special Standing Committee on Urban Issues (H)	H357
		Reported Do Pass (H)	H467
		Referred: Rules (H)	H467
		Rules - Reported Do Pass (H)	H488
		Taken Up for Perfection (H)	H981
		Perfectured (H)	H981
		Referred: Fiscal Review (H)	H984
		Reported Do Pass (H)	H1018
		Taken Up for Third Reading (H)	H1345
		Third Read & Passed (H)	H1345 - 1346
		Reported to the Senate & First Read (S)	S813
		Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S851
		HB 444 (Hubbard) Relating to the parent time for Missouri program	
		Introduced & Read First Time (H)	H277
		Read Second Time (H)	H284
		Referred: Special Standing Committee on Urban Issues (H)	H297
		HB 445 (Engler) Relating to the designation of memorial highways	
		Introduced & Read First Time (H)	H277
		Read Second Time (H)	H284
		Referred: Transportation (H)	H357
		Reported Do Pass by Consent (H)	H508
		Referred: Rules (H)	H508
		Rules - Reported Do Pass - Consent (H)	H635
		Perfectured by Consent - Pursuant to House Rules (H)	H768
		Taken Up for Third Reading (H)	H805
		Third Read & Passed (H)	H805
		Reported to the Senate & First Read (S)	S641
		Second read & referred: Senate Transportation & Infrastructure (S)	S669
		HB 446 (Diehl) Relating to real estate loans	
		Introduced & Read First Time (H)	H277
		Read Second Time (H)	H284
		Referred: Financial Institutions (H)	H357
		HCS Reported Do Pass (H)	H422
		Referred: Rules (H)	H422
		Rules - Reported Do Pass (H)	H635
		Taken Up for Perfection (H)	H944
		HCS Adopted (H)	H944
		Perfectured (H)	H944
		Taken Up for Third Reading (H)	H960
		Third Read & Passed (H)	H960 - 961
		Reported to the Senate & First Read (S)	S670
		Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S744
		Reported Do Pass (S)	S932
		Taken Up for Third Reading (S)	S1331
		Truly Agreed To & Finally Passed	S1332 H1978
		Signed by House Speaker (H)	H3330
		Signed by President Pro Tem (S)	S2435
		Delivered to Governor	H3330
		HB 447 (Diehl) Relating to the exemption from attachment & execution of a person's interest in inherited retirement accounts & health savings plans	
		Introduced & Read First Time (H)	H277

Read Second Time (H)	H284
Referred: Judiciary (H)	H357
Reported Do Pass (H)	H1118
Referred: Rules (H)	H1118
Rules - Reported Do Pass (H)	H2077

HB 448 (Webb) Relating to licensure of hearing instrument specialists

Introduced & Read First Time (H)	H277
Read Second Time (H)	H284
Referred: Professional Registration & Licensing (H)	H465
Reported Do Pass (H)	H597
Referred: Rules (H)	H597
Rules - Reported Do Pass (H)	H687

HB 449 (English) Relating to limited driving privileges for child support arrearage license suspensions

Introduced & Read First Time (H)	H277
Read Second Time (H)	H284
Referred: Judiciary (H)	H542

HB 450 (Carpenter) Relating to military medallions, medals, & certificates

Introduced & Read First Time (H)	H277
Read Second Time (H)	H284
Referred: Veterans (H)	H357
Reported Do Pass by Consent (H)	H509
Referred: Rules (H)	H509
Rules - Reported Do Pass - Consent (H)	H636
Perfect by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H823
Third Read & Passed (H)	H823
Reported to the Senate & First Read (S)	S645
Second read & referred: Senate Veterans' Affairs & Health (S)	S670
SCS Reported Do Pass (S)	S1515
Placed on Informal Calendar	S1645

HB 451 (Fraker) Relating to procedures for counties to decrease their budgets

Introduced & Read First Time (H)	H277
Read Second Time (H)	H284
Referred: Downsizing State Government (H)	H297
Reported Do Pass by Consent (H)	H619
Referred: Rules (H)	H619
Rules - Reported Do Pass - Consent (H)	H636
Perfect by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H806
Third Read & Passed (H)	H806
Reported to the Senate & First Read (S)	S641
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S669
Reported Do Pass (S)	S1514
Placed on Informal Calendar	S1643
Taken Up for Third Reading (S)	S1655
Truly Agreed To & Finally Passed	S1656 - 1657 H2434
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330

HB 452 (Fraker) Relating to prevailing wages on public work projects

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Workforce Development & Workplace Safety (H)	H297

HB 453 (Fraker) Relating to prevailing wages on public works projects

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Workforce Development & Workplace Safety (H)	H297

HB 454 (Koenig) Relating to the administration of vaccinations by pharmacists

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Health Care Policy (H)	H3322

HB 455 (Koenig) Relating to food stamps

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Downsizing State Government (H)	H358
HCS Reported Do Pass (H)	H765
Referred: Rules (H)	H765
Rules - Reported Do Pass (H)	H968
Taken Up for Perfection (H)	H1173
HCS Adopted (H)	H1177
Perfect with Amendments (H)	H1177 - 1178
Referred: Fiscal Review (H)	H1333
Reported Do Pass (H)	H1375
Taken Up for Third Reading (H)	H1489
Third Read & Passed (H)	H1489
Reported to the Senate & First Read (S)	S884
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S915
Reported Do Pass (S)	S1996
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S2015

HB 456 (Webber) Relating to military leave for public employees

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Veterans (H)	H3322

HB 457 (Jones 110) Relating to the conscience rights of all individuals who provide medical services

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Health Care Policy (H)	H358
HCS Reported Do Pass (H)	H526
Referred: Rules (H)	H526
Rules - Reported Do Pass (H)	H545
Taken Up for Perfection (H)	H565
HCS Adopted (H)	H566 - 567
Perfect (H)	H567 - 568
Taken Up for Third Reading (H)	H579
Third Read & Passed (H)	H580 - 581
Reported to the Senate & First Read (S)	S508
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S610
SCS Reported Do Pass (S)	S812
Placed on Informal Calendar	S865

HB 458 (Scharnhorst) Relating to the Missouri special needs scholarship tax credit program known as Bryce's Law

Introduced & Read First Time (H)	H278
Read Second Time (H)	H284
Referred: Elementary & Secondary Education (H)	H297
HCS Reported Do Pass (H)	H620
Referred: Rules (H)	H620
Rules - Reported Do Pass (H)	H968
Taken Up for Perfection (H)	H1987
HCS Adopted (H)	H1991
Perfect with Amendments (H)	H1991 - 1992

HB 459 (Bahr) Relating to adoption of ordinances for redevelopment

Introduced & Read First Time (H)	H287
Read Second Time (H)	H293
Referred: Economic Development (H)	H3322

HB 460 (Engler) Relating to authorizing the conveyance of certain state properties

Introduced & Read First Time (H)	H287
Read Second Time (H)	H293
Referred: Special Standing Committee on Corrections (H) ..	H358
Reported Do Pass by Consent (H)	H545

Referred: Rules (H)	H545	HB 469 (Higdon) Relating to automated traffic enforcement systems	
Rules - Reported Do Pass - Consent (H)	H636	Introduced & Read First Time (H)	H287
Perfect by Consent - Pursuant to House Rules (H)	H768	Read Second Time (H)	H293
Taken Up for Third Reading (H)	H808	Referred: Judiciary (H)	H542
Third Read & Passed (H)	H808		
Reported to the Senate & First Read (S)	S642	HB 470 (Barnes) Relating to virtual schools	
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S669	Introduced & Read First Time (H)	H287
SCS Reported Do Pass (S)	S1996	Read Second Time (H)	H293
		Referred: Elementary & Secondary Education (H)	H358
HB 461 (Phillips) Relating to the crime of tampering with physical evidence		HCS Reported Do Pass (H)	H620
Introduced & Read First Time (H)	H287	Referred: Rules (H)	H620
Read Second Time (H)	H293	Rules - Reported Do Pass (H)	H654
Referred: Crime Prevention & Public Safety (H)	H965	Taken Up for Perfection (H)	H998
		HCS Adopted (H)	H999
HB 462 (Phillips) Relating to the state sex offender registry		Perfect with Amendments (H)	H999
Introduced & Read First Time (H)	H287	Referred: Fiscal Review (H)	H1089
Read Second Time (H)	H293	Reported Do Pass (H)	H1130
Referred: Crime Prevention & Public Safety (H)	H358		
HCS Reported Do Pass (H)	H686	HB 471 (Spencer) Relating to the designation of engineer awareness week in Missouri	
Referred: Rules (H)	H686	Introduced & Read First Time (H)	H287
Rules - Reported Do Pass (H)	H1652	Read Second Time (H)	H293
		Referred: Tourism & Natural Resources (H)	H465
HB 463 (Black) Relating to sexually violent predators		Reported Do Pass by Consent (H)	H598
Introduced & Read First Time (H)	H287	Referred: Rules (H)	H598
Read Second Time (H)	H293	Rules - Reported Do Pass - Consent (H)	H636
Referred: Special Standing Committee on Corrections (H)	H409	Perfect by Consent - Pursuant to House Rules (H)	H768
		Taken Up for Third Reading (H)	H809
HB 464 (Higdon) Relating to sheriffs		Third Read & Passed (H)	H809
Introduced & Read First Time (H)	H287	Reported to the Senate & First Read (S)	S642
Read Second Time (H)	H293	Second read & referred: Senate Transportation & Infrastructure (S)	S669
Referred: General Laws (H)	H358		
HCS Reported Do Pass (H)	H1364		
Referred: Rules (H)	H1364		
Rules - Reported Do Pass (H)	H1535		
		HB 472 (Rhoads) Relating to the highways & transportation commission	
HB 465 (Curtman) Relating to motor vehicle sales by dealers		Introduced & Read First Time (H)	H288
Introduced & Read First Time (H)	H287	Read Second Time (H)	H293
Read Second Time (H)	H293	Referred: Transportation (H)	H358
Referred: General Laws (H)	H409		
		HB 473 (Funderburk) Relating to gas corporations	
HB 466 (Curtman) Relating to workers' compensation insurance		Introduced & Read First Time (H)	H288
Introduced & Read First Time (H)	H287	Read Second Time (H)	H293
Read Second Time (H)	H293	Referred: Utilities (H)	H308
Referred: Workforce Development & Workplace Safety (H)	H3322	HCS Reported Do Pass (H)	H468
		Referred: Rules (H)	H468
		Rules - Reported Do Pass (H)	H498
HB 467 (Lichtenegger) Relating to public water systems		Taken Up for Perfection (H)	H523
Introduced & Read First Time (H)	H287	HCS Adopted (H)	H523
Read Second Time (H)	H293	Perfect with Amendments (H)	H523
Referred: Tourism & Natural Resources (H)	H542	Referred: Fiscal Review (H)	H524
Reported Do Pass (H)	H1918	Reported Do Pass (H)	H534
Referred: Rules (H)	H1918	Taken Up for Third Reading (H)	H536
Rules - Reported Do Pass (H)	H2077	Third Read & Passed (H)	H537 - 538
		Emergency Clause Adopted (H)	H538 - 539
HB 468 (Higdon) Relating to immunity for law enforcement officers conducting court directed service of process		Reported to the Senate & First Read (S)	S489
Introduced & Read First Time (H)	H287	Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S610
Read Second Time (H)	H293	Reported Do Pass (S)	S811
Referred: Crime Prevention & Public Safety (H)	H409	Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S847 - 848
HCS Reported Do Pass (H)	H630		
Referred: Rules (H)	H630	HB 474 (Brattin) Relating to members of the general assembly	
Rules - Reported Do Pass (H)	H654	Introduced & Read First Time (H)	H288
Taken Up for Perfection (H)	H1018	Read Second Time (H)	H293
HCS Adopted (H)	H1021	Referred: General Laws (H)	H3322
Perfect with Amendments (H)	H1021		
Referred: Fiscal Review (H)	H1089	HB 475 (Brattin) Relating to retirement benefits for members of the general assembly	
Reported Do Pass (H)	H1345	Introduced & Read First Time (H)	H288
Taken Up for Third Reading (H)	H1347	Read Second Time (H)	H293
Third Read & Passed (H)	H1347 - 1348	Referred: Retirement (H)	H3322
Emergency Clause Adopted (H)	H1348 - 1349		
Reported to the Senate & First Read (S)	S813	HB 476 (Brattin) Relating to nondriver's licenses	
Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S851	Introduced & Read First Time (H)	H288

Read Second Time (H)	H293	Read Second Time (H)	H308
Referred: Transportation (H)	H3322	Referred: Local Government (H)	H542
HB 477 (Morgan) Relating to school safety		HB 487 (Dugger) Relating to overweight vehicles hauling recyclable waste	
Introduced & Read First Time (H)	H288	Introduced & Read First Time (H)	H298
Read Second Time (H)	H293	Read Second Time (H)	H308
Referred: Elementary & Secondary Education (H)	H3322	Referred: Emerging Issues in Agriculture (H)	H358
HB 478 (Wieland) Relating to credit unions		HB 488 (Elmer) Relating to the state board of chiropractic examiners	
Introduced & Read First Time (H)	H288	Introduced & Read First Time (H)	H298
Read Second Time (H)	H293	Read Second Time (H)	H308
Referred: Financial Institutions (H)	H358	Referred: Professional Registration & Licensing (H)	H465
Reported Do Pass by Consent (H)	H620		
Referred: Rules (H)	H620	HB 489 (Roorda) Relating to associate circuit judges	
Rules - Reported Do Pass - Consent (H)	H636	Introduced & Read First Time (H)	H298
Perfect by Consent - Pursuant to House Rules (H)	H768	Read Second Time (H)	H308
Taken Up for Third Reading (H)	H810	Withdrawn (H)	H310
Third Read & Passed (H)	H810		
Reported to the Senate & First Read (S)	S642	HB 490 (Roorda) Relating to testing of certain defendants for sexually transmitted diseases	
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S669	Introduced & Read First Time (H)	H298
Reported Do Pass (S)	S932	Read Second Time (H)	H308
Taken Up for Third Reading (S)	S1339 - 1340	Referred: Judiciary (H)	H3322
Truly Agreed To & Finally Passed	S1340 H2079		
Signed by House Speaker (H)	H3330	HB 491 (Roorda) Relating to the regulation & licensing of fire equipment distributors	
Signed by President Pro Tem (S)	S2435	Introduced & Read First Time (H)	H298
Delivered to Governor	H3330	Read Second Time (H)	H308
		Referred: Crime Prevention & Public Safety (H)	H3322
HB 479 (Dugger) Relating to residential mortgage loan brokers		HB 492 (Roorda) Relating to closed records	
Introduced & Read First Time (H)	H298	Introduced & Read First Time (H)	H298
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Financial Institutions (H)	H358	Referred: General Laws (H)	H3322
HCS Reported Do Pass (H)	H620		
Referred: Rules (H)	H620	HB 493 (LaFaver) Relating to child-care facilities	
HB 480 (Gosen) Relating to sexual crimes against a resident of a skilled nursing facility		Introduced & Read First Time (H)	H298
Introduced & Read First Time (H)	H298	Read Second Time (H)	H308
Read Second Time (H)	H308	Referred: Children, Families, & Persons with Disabilities (H)	H465
Referred: Judiciary (H)	H358		
HB 481 (Gosen) Relating to construction contracts		HB 494 (LaFaver) Relating to the illegal possession of a firearm magazine	
Introduced & Read First Time (H)	H298	Introduced & Read First Time (H)	H299
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Insurance Policy (H)	H409	Referred: General Laws (H)	H386
HB 482 (Davis) Relating to the disposal of unclaimed veterans' remains		HB 495 (Dunn) Relating to credit card transactions	
Introduced & Read First Time (H)	H298	Introduced & Read First Time (H)	H299
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Veterans (H)	H3322	Referred: Special Standing Committee on Small Business (H)	H358
HB 483 (Neth) Relating to mixed martial arts			
Introduced & Read First Time (H)	H298	HB 496 (Pfautsch) Relating to the imposition of surcharges on credit card transactions	
Read Second Time (H)	H308	Introduced & Read First Time (H)	H299
Referred: Professional Registration & Licensing (H)	H3322	Read Second Time (H)	H308
HB 484 (Lauer) Relating to the Missourians with Disabilities Jobs Act of 2013		Referred: Special Standing Committee on Small Business (H)	H358
Introduced & Read First Time (H)	H298		
Read Second Time (H)	H308	HB 497 (Kirkton) Relating to foster care subsidies	
Referred: Economic Development (H)	H465	Introduced & Read First Time (H)	H299
HCS Reported Do Pass (H)	H1090	Read Second Time (H)	H308
Referred: Rules (H)	H1090	Referred: Judiciary (H)	H3323
Rules - Reported Do Pass (H)	H1567		
HB 485 (Hinson) Relating to the offense of unlawful possession or use of a firearm during the commission of a felony		HB 498 (Jones 50) Relating to the distribution of paid-in surplus	
Introduced & Read First Time (H)	H298	Introduced & Read First Time (H)	H299
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: General Laws (H)	H386	Referred: Financial Institutions (H)	H542
HB 486 (Korman) Relating to transportation & economic development planning activities funds		Reported Do Pass by Consent (H)	H620
Introduced & Read First Time (H)	H298	Referred: Rules (H)	H620
		Rules - Reported Do Pass - Consent (H)	H636
		Perfect by Consent - Pursuant to House Rules (H)	H768

Taken Up for Third Reading (H)	H807	House Concurs (H)	H3297
Third Read & Passed (H)	H807	Truly Agreed To & Finally Passed	H3298 S2431
Reported to the Senate & First Read (S)	S641	Emergency Clause Adopted on Truly Agreed to Bill	H3299
Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S669	Signed by House Speaker (H)	H3332
Taken Up for Third Reading (S)	S942	Signed by President Pro Tem (S)	S2440 - 2441
SCS Adopted (S)	S942	Delivered to Governor	H3332
Third Read & Passed (S)	S942 - 943		
Reported to the House (H)	H1653		
House Concurs (H)	H1939		
Truly Agreed To & Finally Passed	H1940 S1305		
Signed by House Speaker (H)	H3330		
Signed by President Pro Tem (S)	S2435		
Delivered to Governor	H3330		
HB 499 (Jones 50) Relating to health insurance benefit determinations for serious & urgent conditions		HB 506 (Redmon) Relating to nursing home districts	
Introduced & Read First Time (H)	H299	Introduced & Read First Time (H)	H299
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Health Insurance (H)	H465	Referred: Health Care Policy (H)	H3323
HB 500 (McNeil) Relating to taxation		HB 507 (Redmon) Relating to the codifying of previous executive branch reorganizations	
Introduced & Read First Time (H)	H299	Introduced & Read First Time (H)	H299
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Ways & Means (H)	H542	Referred: Downsizing State Government (H)	H542
HB 501 (McNeil) Relating to high performance energy efficient schools		HB 508 (Redmon) Relating to the restructuring of statutes based on executive branch reorganizations	
Introduced & Read First Time (H)	H299	Introduced & Read First Time (H)	H300
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Utilities (H)	H542	Referred: Downsizing State Government (H)	H542
HB 502 (McNeil) Relating to environmentally sustainable construction for state-funded buildings		HB 509 (Otto) Relating to excursion gambling boats	
Introduced & Read First Time (H)	H299	Introduced & Read First Time (H)	H300
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Utilities (H)	H542	Referred: General Laws (H)	H1365
HB 503 (McCaherty) Relating to paperless communications		HB 510 (Torpey) Relating to series limited liability companies	
Introduced & Read First Time (H)	H299	Introduced & Read First Time (H)	H300
Read Second Time (H)	H308	Read Second Time (H)	H308
Referred: Downsizing State Government (H)	H358	Referred: Special Standing Committee on Small Business (H)	H409
Reported Do Pass by Consent (H)	H619	Reported Do Pass (H)	H597
Referred: Rules (H)	H619	Referred: Rules (H)	H597
Rules - Reported Do Pass - not Consent (H)	H767	Rules - Reported Do Pass (H)	H636
Taken Up for Perfection (H)	H1193	Taken Up for Perfection (H)	H1192
Laid Over (H)	H1196	Perfectured with Amendments (H)	H1193
HB 504 (McCaherty) Relating to professional licenses		Taken Up for Third Reading (H)	H1356
Introduced & Read First Time (H)	H299	Third Read & Passed (H)	H1356 - 1357
Read Second Time (H)	H308	Reported to the Senate & First Read (S)	S826
Referred: Professional Registration & Licensing (H)	H763	Second read & referred: Senate Small Business, Insurance, & Industry (S)	S851
HB 505 (Haefner) Relating to child abuse & neglect		Reported Do Pass (S)	S1518
Introduced & Read First Time (H)	H299	Placed on Informal Calendar	S1643
Read Second Time (H)	H308	Taken Up for Third Reading (S)	S1723
Referred: Judiciary (H)	H358	Truly Agreed To & Finally Passed	S1723 - 1724 H2490
HCS Reported Do Pass (H)	H631	Signed by House Speaker (H)	H3330
Referred: Rules (H)	H631	Signed by President Pro Tem (S)	S2435
Rules - Reported Do Pass (H)	H654	Delivered to Governor	H3330
Taken Up for Perfection (H)	H1004		
HCS Adopted (H)	H1005		
Perfectured (H)	H1005		
Taken Up for Third Reading (H)	H1137		
Third Read & Passed (H)	H1138 - 1139		
Emergency Clause Adopted (H)	H1139 - 1140		
Reported to the Senate & First Read (S)	S757		
Second read & referred: Senate Education (S)	S814		
SCS Reported Do Pass (S)	S1725		
Placed on Informal Calendar	S1925		
Taken Up for Third Reading (S)	S2410		
SCS Adopted (S)	S2410		
Third Read & Passed (S)	S2411		
Emergency Clause Adopted (S)	S2411		
Reported to the House (H)	H3275		
		HB 511 (Ellinger) Relating to petitions to expunge certain criminal records	
		Introduced & Read First Time (H)	H300
		Read Second Time (H)	H308
		Referred: Judiciary (H)	H542
		HB 512 (Ellinger) Relating to controlled substances	
		Introduced & Read First Time (H)	H300
		Read Second Time (H)	H308
		Referred: Downsizing State Government (H)	H2545
		HB 513 (Bahr) Relating to the protection of parental rights	
		Introduced & Read First Time (H)	H300
		Read Second Time (H)	H308
		Referred: Children, Families, & Persons with Disabilities (H)	H358
		HCS Reported Do Pass (H)	H764
		Referred: Rules (H)	H764
		Rules - Reported Do Pass (H)	H1567
		Taken Up for Perfection (H)	H1649
		HCS Adopted (H)	H1650
		Perfectured (H)	H1650
		Taken Up for Third Reading (H)	H1911
		Third Read & Passed (H)	H1912

Reported to the Senate & First Read (S)	S1296	HB 525 (Franklin) Relating to reverse auctions	Introduced & Read First Time (H)	H301
Second read & referred: Senate General Laws (S)	S1341		Read Second Time (H)	H308
Reported Do Pass (S)	S1897		Referred: Special Standing Committee on Corrections (H) ..	H409
Placed on Informal Calendar	S2342		Reported Do Pass by Consent (H)	H621
HB 514 (Bahr) Relating to midwifery			Referred: Rules (H)	H621
Introduced & Read First Time (H)	H300		Rules - Reported Do Pass - Consent (H)	H636
Read Second Time (H)	H308		Perfect by Consent - Pursuant to House Rules (H)	H768
Referred: Professional Registration & Licensing (H)	H3323		Taken Up for Third Reading (H)	H811
			Third Read & Passed (H)	H811
HB 515 (Burlison) Relating to foster children			Reported to the Senate & First Read (S)	S642
Introduced & Read First Time (H)	H300		Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S669
Read Second Time (H)	H308			
Referred: Children, Families, & Persons with Disabilities (H)	H358	HB 526 (Franklin) Relating to rural regional development grants	Introduced & Read First Time (H)	H301
HB 516 (Burlison) Relating to marital & family therapists			Read Second Time (H)	H308
Introduced & Read First Time (H)	H300		Referred: Emerging Issues in Agriculture (H)	H358
Read Second Time (H)	H308		Reported Do Pass (H)	H653
Referred: Children, Families, & Persons with Disabilities (H)	H3323		Referred: Rules (H)	H653
HB 517 (Newman) Relating to Sean's Law			Rules - Reported Do Pass (H)	H767
Introduced & Read First Time (H)	H300		Taken Up for Perfection (H)	H1049
Read Second Time (H)	H308		Perfect with Amendments (H)	H1050
Referred: Children, Families, & Persons with Disabilities (H)	H3323		Referred: Fiscal Review (H)	H1089
HB 518 (Newman) Relating to the duty of a pharmacy to fill prescriptions			Reported Do Pass (H)	H1130
Introduced & Read First Time (H)	H300		Taken Up for Third Reading (H)	H1167
Read Second Time (H)	H308		Third Read & Passed (H)	H1167
Referred: Health Care Policy (H)	H3323		Reported to the Senate & First Read (S)	S772
HB 519 (Newman) Relating to domestic violence			Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S814
Introduced & Read First Time (H)	H300	HB 527 (Sommer) Relating to the joint committee on the tenth amendment	Introduced & Read First Time (H)	H309
Read Second Time (H)	H308		Read Second Time (H)	H318
Referred: Crime Prevention & Public Safety (H)	H3323		Referred: Downsizing State Government (H)	H542
HB 520 (Newman) Relating to pay equity		HB 528 (Sommer) Relating to the education of gifted & talented children	Introduced & Read First Time (H)	H309
Introduced & Read First Time (H)	H300		Read Second Time (H)	H318
Read Second Time (H)	H308		Referred: Elementary & Secondary Education (H)	H1365
Referred: Workforce Development & Workplace Safety (H)	H3323	HB 529 (Mims) Relating to eligibility for food stamps	Introduced & Read First Time (H)	H309
HB 521 (Koenig) Relating to taxation			Read Second Time (H)	H318
Introduced & Read First Time (H)	H300		Referred: Children, Families, & Persons with Disabilities (H)	H3323
Read Second Time (H)	H308	HB 530 (Butler) Relating to neighborhood safety	Introduced & Read First Time (H)	H309
Referred: Ways & Means (H)	H358		Read Second Time (H)	H318
HCS Reported Do Pass (H)	H488		Referred: Local Government (H)	H3323
Referred: Rules (H)	H488	HB 531 (Bahr) Relating to independent contractors	Introduced & Read First Time (H)	H309
Rules - Reported Do Pass (H)	H546		Read Second Time (H)	H318
Taken Up for Perfection (H)	H685		Referred: General Laws (H)	H324
Laid Over (H)	H685	HB 532 (Bahr) Relating to fees & expenses to be paid by the department of labor & industrial relations in certain instances	Introduced & Read First Time (H)	H309
Taken Up for Perfection (H)	H698		Read Second Time (H)	H318
HCS Adopted (H)	H706		Referred: General Laws (H)	H324
Perfect with Amendments (H)	H706	HB 533 (Riddle) Relating to a state employee keeping a firearm in his or her vehicle	Introduced & Read First Time (H)	H309
Referred: Fiscal Review (H)	H735		Read Second Time (H)	H318
HB 522 (Engler) Relating to proof of motor vehicle financial responsibility			Referred: General Laws (H)	H386
Introduced & Read First Time (H)	H300		Reported Do Pass (H)	H686
Read Second Time (H)	H308		Referred: Rules (H)	H686
Referred: Insurance Policy (H)	H409		Rules - Reported Do Pass (H)	H767
HB 523 (Schupp) Relating to the Missouri indoor clean air act			Taken Up for Perfection (H)	H1005
Introduced & Read First Time (H)	H301		Perfect with Amendments (H)	H1006
Read Second Time (H)	H308			
Referred: Local Government (H)	H3323			
HB 524 (Schupp) Relating to text messaging while operating motor vehicles				
Introduced & Read First Time (H)	H301			
Read Second Time (H)	H308			
Referred: General Laws (H)	H542			

Taken Up for Third Reading (H)	H1103	Read Second Time (H)	H333
Third Read & Passed (H)	H1104 - 1105	Referred: Agriculture Policy (H)	H409
Reported to the Senate & First Read (S)	S754	Reported Do Pass by Consent (H)	H466
Second read & referred: Senate General Laws (S)	S813	Referred: Rules (H)	H466
SCS Reported Do Pass (S)	S1514	Rules - Reported Do Pass - Consent (H)	H489
Placed on Informal Calendar	S1645	Perfected by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (S)	S1728	Taken Up for Third Reading (H)	H723
SCS Adopted (S)	S1730	Third Read & Passed (H)	H724
Third Read & Passed with Amendments (S)	S1730	Reported to the Senate & First Read (S)	S583
Reported to the House (H)	H2491 - 2492	Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S668
House Concurs (H)	H3225 - 3226	SCS Reported Do Pass (S)	S915
Truly Agreed To & Finally Passed	H3227 S2429	Taken Up for Third Reading (S)	S966
Signed by House Speaker (H)	H3332	Senate Substitute Offered (S)	S966
Signed by President Pro Tem (S)	S2440 - 2441	SS Adopted (S)	S974
Delivered to Governor	H3332	Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S974
HB 534 (Schupp) Relating to public records		Reported Do Pass (S)	S1431
Introduced & Read First Time (H)	H309	Third Read & Passed with Amendments (S)	S1481 - 1482
Read Second Time (H)	H318	Reported to the House (H)	H2230 - 2235
Referred: General Laws (H)	H3323	House Concurs (H)	H2815 - 2817
HB 535 (Barnes) Relating to sexual offenses against a child		Truly Agreed To & Finally Passed	H2817 - 2818 S1968
Introduced & Read First Time (H)	H309	Signed by House Speaker (H)	H3330
Read Second Time (H)	H318	Signed by President Pro Tem (S)	S2435
Referred: Children, Families, & Persons with Disabilities (H)	H465	Delivered to Governor	H3330
HB 536 (Burlison) Relating to the taxation of business income		HB 543 (Hoskins) Relating to the state auditor's office responsibilities, duties, & enforcement	
Introduced & Read First Time (H)	H309	Introduced & Read First Time (H)	H324
Read Second Time (H)	H318	Read Second Time (H)	H333
Referred: Ways & Means (H)	H409	Referred: General Laws (H)	H465
HCS Reported Do Pass (H)	H1880	HCS Reported Do Pass (H)	H967
HB 537 (Zerr) Relating to hunting accidents		Referred: Rules (H)	H967
Introduced & Read First Time (H)	H309	Rules - Reported Do Pass (H)	H1157
Read Second Time (H)	H318	Taken Up for Perfection (H)	H1496
Referred: Tourism & Natural Resources (H)	H3323	HCS Adopted (H)	H1497
HB 538 (Walton Gray) Relating to direct appeals in certain civil cases		Perfected with Amendments (H)	H1497
Introduced & Read First Time (H)	H309	Taken Up for Third Reading (H)	H1554
Read Second Time (H)	H318	Third Read & Passed (H)	H1555
Referred: Judiciary (H)	H3323	Emergency Clause Defeated (H)	H1556
HB 539 (Walton Gray) Relating to traffic offenses		Reported to the Senate & First Read (S)	S928
Introduced & Read First Time (H)	H310	Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S959
Read Second Time (H)	H318	Reported Do Pass (S)	S1996
Referred: Judiciary (H)	H763	HB 544 (Bahr) Relating to peace officers	
HB 540 (Walton Gray) Relating to the establishment of a council for community education		Introduced & Read First Time (H)	H324
Introduced & Read First Time (H)	H310	Read Second Time (H)	H333
Read Second Time (H)	H318	Referred: Downsizing State Government (H)	H409
Referred: Special Standing Committee on Urban Issues (H)	H763	HB 545 (Ellinger) Relating to the manufacture, import, possession, purchase, sale, or transfer of any assault weapon or large capacity magazine	
HB 541 (Hicks) Relating to Jonathan's Law		Introduced & Read First Time (H)	H324
Introduced & Read First Time (H)	H310	Read Second Time (H)	H333
Read Second Time (H)	H318	Referred: General Laws (H)	H386
Referred: Judiciary (H)	H409	HB 546 (Ellinger) Relating to cigarette taxes	
HCS Reported Do Pass (H)	H1118	Introduced & Read First Time (H)	H324
Referred: Rules (H)	H1118	Read Second Time (H)	H333
Rules - Reported Do Pass (H)	H1157	Referred: Ways & Means (H)	H3323
Taken Up for Perfection (H)	H1501	HB 547 (Mitten) Relating to termination of parental rights	
HCS Adopted (H)	H1501	Introduced & Read First Time (H)	H325
Perfected (H)	H1501	Read Second Time (H)	H333
Taken Up for Third Reading (H)	H1560	Referred: Judiciary (H)	H3323
Third Read & Passed (H)	H1560	HB 548 (Englund) Relating to the informed growth act	
Emergency Clause Adopted (H)	H1561	Introduced & Read First Time (H)	H325
Reported to the Senate & First Read (S)	S929	Read Second Time (H)	H333
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S959	Referred: Economic Development (H)	H3323
HB 542 (Love) Relating to eggs		HB 549 (Englund) Relating to the labeling of personal care items sold in Missouri	
Introduced & Read First Time (H)	H324	Introduced & Read First Time (H)	H325

Read Second Time (H)	H333
Referred: Health Care Policy (H)	H465
HB 550 (England) Relating to the sale of toxic flame-retardant products	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Crime Prevention & Public Safety (H)	H3323
HB 551 (England) Relating to statements of no taxes due	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Ways & Means (H)	H542
HB 552 (Conway 104) Relating to the distribution of revenues collected from traffic violations	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Judiciary (H)	H542
HB 553 (England) Relating to federal vendor offset agreements	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Budget (H)	H3323
HB 554 (England) Relating to administrative garnishment & lien simplification	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Judiciary (H)	H3323
HB 555 (Burlison) Relating to protective headgear for operation of motorcycles or motortricycles	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: General Laws (H)	H409
Reported Do Pass (H)	H1117
Referred: Rules (H)	H1117
Rules - Reported Do Pass (H)	H1567
Taken Up for Perfection (H)	H1629
Perfecting with Amendments (H)	H1635 - 1636
Taken Up for Third Reading (H)	H1898
Laid Over (H)	H1898
Taken Up for Third Reading (H)	H1901
Third Read & Passed (H)	H1902
Reported to the Senate & First Read (S)	S1295
Second read & referred: Senate Transportation & Infrastructure (S)	S1341
HB 556 (Ellinger) Relating to establishment of paternity	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Judiciary (H)	H542
HB 557 (Ellinger) Relating to the child abuse & neglect registry	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Children, Families, & Persons with Disabilities (H)	H542
HB 558 (Roorda) Relating to associate circuit judges	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Judiciary (H)	H3323
HB 559 (Scharnhorst) Relating to insurance coverage for physical therapy services	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: General Laws (H)	H3323
HB 560 (Molendorp) Relating to use of tobacco products in state correctional facilities	
Introduced & Read First Time (H)	H325
Read Second Time (H)	H333
Referred: Special Standing Committee on Corrections (H)	H3323
HB 561 (Molendorp) Relating to anatomical gifts	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Health Insurance (H)	H617
HB 562 (Morgan) Relating to school class size	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Elementary & Secondary Education (H)	H3323
HB 563 (Morgan) Relating to school attendance	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Elementary & Secondary Education (H)	H3323
HB 564 (McGaugh) Relating to crimes against animals	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Agri-Business (H)	H465
HCS Reported Do Pass (H)	H1363
Referred: Rules (H)	H1363
Rules - Reported Do Pass (H)	H1567
HB 565 (Cornejo) Relating to licensed professional counselors	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Professional Registration & Licensing (H)	H376
HB 566 (Austin) Relating to visitation rights	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Judiciary (H)	H409
HB 567 (Austin) Relating to civil immunity for supervision of community service work	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Judiciary (H)	H409
HB 568 (Lauer) Relating to neighborhood improvement district special assessments	
Introduced & Read First Time (H)	H326
Read Second Time (H)	H333
Referred: Local Government (H)	H465
Reported Do Pass by Consent (H)	H544
Referred: Rules (H)	H544
Rules - Reported Do Pass - Consent (H)	H636
Perfecting by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H812
Third Read & Passed (H)	H812
Reported to the Senate & First Read (S)	S642
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S669
SCS Reported Do Pass (S)	S1896
Placed on Informal Calendar	S2342
HB 569 (Smith 85) Relating to unfair employment advertisements	
Introduced & Read First Time (H)	H343
Read Second Time (H)	H349
Referred: Workforce Development & Workplace Safety (H)	H3323
HB 570 (Smith 85) Relating to Rosa Parks observance day commission	
Introduced & Read First Time (H)	H343
Read Second Time (H)	H349
Referred: Tourism & Natural Resources (H)	H465
HB 571 (Schupp) Relating to child-care facilities	
Introduced & Read First Time (H)	H343
Read Second Time (H)	H349

Referred: Children, Families, & Persons with Disabilities (H)	H617	HB 582 (Roorda) Relating to the resale of scrap metals	
		Introduced & Read First Time (H)	H344
		Read Second Time (H)	H349
		Referred: General Laws (H)	H3323
HB 572 (Schupp) Relating to child-care workers		HB 583 (Roorda) Relating to the school safety trust fund act	
Introduced & Read First Time (H)	H343	Introduced & Read First Time (H)	H344
Read Second Time (H)	H349	Read Second Time (H)	H349
Referred: Children, Families, & Persons with Disabilities (H)	H3323	Withdrawn (H)	H510
HB 573 (Schupp) Relating to the University of Missouri board of curators		HB 584 (Roorda) Relating to the creation of a death penalty commission & moratorium	
Introduced & Read First Time (H)	H343	Introduced & Read First Time (H)	H344
Read Second Time (H)	H349	Read Second Time (H)	H349
Referred: Higher Education (H)	H3323	Referred: Judiciary (H)	H3323
HB 574 (Schupp) Relating to the sale of kosher food		HB 585 (Schieffer) Relating to the designation of Stan Musial day in Missouri	
Introduced & Read First Time (H)	H344	Introduced & Read First Time (H)	H344
Read Second Time (H)	H349	Read Second Time (H)	H349
Referred: General Laws (H)	H409	Referred: Tourism & Natural Resources (H)	H465
HB 575 (Higdon) Relating to criminal procedure		Reported Do Pass by Consent (H)	H598
Introduced & Read First Time (H)	H344	Referred: Rules (H)	H598
Read Second Time (H)	H349	Rules - Reported Do Pass - Consent (H)	H636
Referred: Crime Prevention & Public Safety (H)	H409	Perfect by Consent - Pursuant to House Rules (H)	H768
HB 576 (Walker) Relating to automatic stays of court proceedings for members of the general assembly		Taken Up for Third Reading (H)	H822
Introduced & Read First Time (H)	H344	Third Read & Passed (H)	H822
Read Second Time (H)	H349	Reported to the Senate & First Read (S)	S644
Referred: Judiciary (H)	H3323	Second read & referred: Senate General Laws (S)	S669
HB 577 (Engler) Relating to access to certain electronic monitoring information by local law enforcement agencies		HB 586 (Schieffer) Relating to rodeos	
Introduced & Read First Time (H)	H344	Introduced & Read First Time (H)	H344
Read Second Time (H)	H349	Read Second Time (H)	H349
Referred: Crime Prevention & Public Safety (H)	H409	Referred: Agriculture Policy (H)	H410
HB 578 (Funderburk) Relating to the determination of what are business activities within this state		HCS Reported Do Pass by Consent (H)	H466
Introduced & Read First Time (H)	H344	Referred: Rules (H)	H466
Read Second Time (H)	H349	Rules - Reported Do Pass - Consent (H)	H498
Referred: Ways & Means (H)	H409	Perfect by Consent - Pursuant to House Rules (H)	H599
Reported Do Pass (H)	H488	Taken Up for Third Reading (H)	H725
Referred: Rules (H)	H488	Third Read & Passed (H)	H726
Rules - Reported Do Pass (H)	H546	Reported to the Senate & First Read (S)	S583
Taken Up for Perfection (H)	H831	Second read & referred: Senate Agriculture, Food Production, & Outdoor Resources (S)	S668
Laid Over (H)	H921	HB 587 (Remole) Relating to polling places for registered sex offenders	
HB 579 (Funderburk) Relating to taxation		Introduced & Read First Time (H)	H344
Introduced & Read First Time (H)	H344	Read Second Time (H)	H349
Read Second Time (H)	H349	Referred: Elections (H)	H410
Referred: General Laws (H)	H386	HB 588 (Diehl) Relating to primary elections	
Re-referred to Committee: Ways & Means (H)	H410	Introduced & Read First Time (H)	H344
HCS Reported Do Pass (H)	H488	Read Second Time (H)	H349
HB 580 (May) Relating to use of zip codes for underwriting by insurance companies		Referred: Elections (H)	H465
Introduced & Read First Time (H)	H344	HB 589 (Hinson) Relating to sex offender registration & classification	
Read Second Time (H)	H349	Introduced & Read First Time (H)	H345
Referred: Insurance Policy (H)	H763	Read Second Time (H)	H349
HB 581 (Roorda) Relating to the designation of memorial highways		Referred: Crime Prevention & Public Safety (H)	H487
Introduced & Read First Time (H)	H344	HCS Reported Do Pass (H)	H686
Read Second Time (H)	H349	Referred: Rules (H)	H686
Referred: Transportation (H)	H465	Rules - Reported Do Pass (H)	H984
Reported Do Pass by Consent (H)	H599	Taken Up for Perfection (H)	H1230
Referred: Rules (H)	H599	HCS Adopted (H)	H1272
Rules - Reported Do Pass - Consent (H)	H636	Perfect with Amendments (H)	H1272
Perfect by Consent - Pursuant to House Rules (H)	H768	Referred: Fiscal Review (H)	H1383
Taken Up for Third Reading (H)	H948	Reported Do Pass (H)	H1576
Third Read & Passed (H)	H948 - 949	Taken Up for Third Reading (H)	H1581
Reported to the Senate & First Read (S)	S649 - 650	Third Read & Passed (H)	H1581
Second read & referred: Senate Transportation & Infrastructure (S)	S744	Emergency Clause Adopted (H)	H1582
		Reported to the Senate & First Read (S)	S931
		Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S959

HB 590 (Koenig) Relating to licensure requirements for certain professions

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Referred: Downsizing State Government (H)	H410

HB 591 (Hubbard) Relating to the designation of a memorial bridge

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Referred: Special Standing Committee on Urban Issues (H)	H386
Reported Do Pass by Consent (H)	H467
Referred: Rules (H)	H467
Rules - Reported Do Pass - Consent (H)	H489
Perfectured by Consent - Pursuant to House Rules (H)	H599
Taken Up for Third Reading (H)	H727
Third Read & Passed (H)	H728
Reported to the Senate & First Read (S)	S583
Second read & referred: Senate Transportation & Infrastructure (S)	S668

HB 592 (Roorda) Relating to failure to report illegal conduct regarding prescription medications

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Referred: Crime Prevention & Public Safety (H)	H3323

HB 593 (Solon) Relating to emerging issues in cancer medications

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H617
HCS Reported Do Pass (H)	H967
Referred: Rules (H)	H967
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1320
HCS Adopted (H)	H1320
Perfectured (H)	H1320
Taken Up for Third Reading (H)	H1379
Third Read & Passed (H)	H1379 - 1380
Reported to the Senate & First Read (S)	S847
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S852
Reported Do Pass (S)	S1338
Placed on Informal Calendar	S1643

HB 594 (Cornejo) Relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Referred: Judiciary (H)	H465

HB 595 (Kirkton) Relating to insurance coverage for hearing screenings & hearing aid devices

Introduced & Read First Time (H)	H345
Read Second Time (H)	H349
Withdrawn (H)	H639

HB 596 (Wright) Relating to prekindergarten programs

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Elementary & Secondary Education (H)	H542

HB 597 (Spencer) Relating to protective headgear for operation of motorcycles & motortricycles

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: General Laws (H)	H465

HB 598 (Guernsey) Relating to chiropractic services

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Health Insurance (H)	H542

HB 599 (Berry) Relating to donations by motor vehicle registration applicants

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: Veterans (H)	H465

HB 600 (Kelly 45) Relating to public records & meetings

Introduced & Read First Time (H)	H361
Read Second Time (H)	H375
Referred: General Laws (H)	H410

HB 601 (Richardson) Relating to broadband & communications deployment

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Utilities (H)	H410
HCS Reported Do Pass (H)	H645
Referred: Rules (H)	H1119
Rules - Reported Do Pass (H)	H1119
Taken Up for Perfection (H)	H1449
HCS Adopted (H)	H1450
Perfectured with Amendments (H)	H1450
Taken Up for Third Reading (H)	H1542
Third Read & Passed (H)	H1542
Reported to the Senate & First Read (S)	S916
Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S959

HB 602 (Dohrman) Relating to property tax collections

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Local Government (H)	H542

HB 603 (Jones 110) Relating to intervention options for struggling schools

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Elementary & Secondary Education (H)	H386

HB 604 (Phillips) Relating to natural resources

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Tourism & Natural Resources (H)	H410
HCS Reported Do Pass (H)	H923
Referred: Rules (H)	H923
Rules - Reported Do Pass (H)	H1652

HB 605 (McGaugh) Relating to voter registration

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Elections (H)	H3323

HB 606 (Rowden) Relating to low-profit limited liability companies

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Judiciary (H)	H965

HB 607 (Curtman) Relating to income tax

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Ways & Means (H)	H465

HB 608 (Frederick) Relating to a MO HealthNet benefits pilot project

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375
Referred: Health Care Policy (H)	H542
HCS Reported Do Pass (H)	H1565
Referred: Rules (H)	H1565
Rules - Reported Do Pass (H)	H1918

HB 609 (Miller) Relating to driver's license qualifications

Introduced & Read First Time (H)	H362
Read Second Time (H)	H375

Referred: General Laws (H)	H465	HB 618 (Fraker) Relating to the state parks	
HB 610 (Gosen) Relating to captive insurance companies		Introduced & Read First Time (H)	H363
Introduced & Read First Time (H)	H362	Read Second Time (H)	H375
Read Second Time (H)	H375	Referred: Tourism & Natural Resources (H)	H3323
Referred: Insurance Policy (H)	H542	HB 619 (Ellinger) Relating to first degree murder	
HB 611 (Lant) Relating to unemployment compensation		Introduced & Read First Time (H)	H376
Introduced & Read First Time (H)	H362	Read Second Time (H)	H385
Read Second Time (H)	H375	Referred: Judiciary (H)	H3323
Referred: Workforce Development & Workplace Safety (H)	H376	HB 620 (Barnes) Relating to tax credits	
HCS Reported Do Pass - Federal Mandate (H)	H1092	Introduced & Read First Time (H)	H376
Referred: Rules (H)	H1092	Read Second Time (H)	H385
Rules - Reported Do Pass - Federal Mandate (H)	H1157	Referred: Government Oversight & Accountability (H)	H763
Taken Up for Perfection (H)	H1576	HB 621 (McCaherty) Relating to port facilities	
HCS Adopted (H)	H1576	Introduced & Read First Time (H)	H377
Perfected (H)	H1576	Read Second Time (H)	H385
Taken Up for Third Reading (H)	H1965	Referred: International Trade (H)	H465
Third Read & Passed (H)	H1965	HCS Reported Do Pass (H)	H631
Reported to the Senate & First Read (S)	S1322	Referred: Rules (H)	H631
Second read & referred: Senate Small Business, Insurance, & Industry (S)	S1341	Rules - Reported Do Pass (H)	H968
SCS Reported Do Pass (S)	S1516	Taken Up for Perfection (H)	H1075
Placed on Informal Calendar	S1645	HCS Adopted (H)	H1076
Taken Up for Third Reading (S)	S1906	Perfected with Amendments (H)	H1076
SCS Adopted (S)	S1911	Referred: Fiscal Review (H)	H1089
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1911	Reported Do Pass (H)	H1130
Reported Do Pass (S)	S1995 - 1996	Taken Up for Third Reading (H)	H1136
Taken Up for Third Reading (S)	S2015	Third Read & Passed (H)	H1136 - 1137
Third Read & Passed with Amendments (S)	S2015 - 2016	Reported to the Senate & First Read (S)	S757
Reported to the House with... (H)	H3091 - 3094	Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S814
House Concurs (H)	H3255	HB 622 (McCaherty) Relating to the manufacturing jobs act	
Truly Agreed To & Finally Passed	S2430 H3256	Introduced & Read First Time (H)	H377
Signed by House Speaker (H)	H3332	Read Second Time (H)	H385
Signed by President Pro Tem (S)	S2440 - 2441	Withdrawn (H)	H389
Delivered to Governor	H3332	HB 623 (Sommer) Relating to the brain injury fund	
HB 612 (Lichtenegger) Relating to natural disaster ordinances		Introduced & Read First Time (H)	H387
Introduced & Read First Time (H)	H362	Read Second Time (H)	H396
Read Second Time (H)	H375	Referred: Judiciary (H)	H542
Referred: Local Government (H)	H965	HB 624 (Ellinger) Relating to sexual offender registration	
HB 613 (Lichtenegger) Relating to the Missouri oral health program		Introduced & Read First Time (H)	H387
Introduced & Read First Time (H)	H362	Read Second Time (H)	H396
Read Second Time (H)	H375	Referred: Crime Prevention & Public Safety (H)	H3323
Referred: Health Care Policy (H)	H965	HB 625 (Burlison) Relating to collaborative practice arrangements	
HB 614 (Webber) Relating to workers' compensation		Introduced & Read First Time (H)	H387
Introduced & Read First Time (H)	H362	Read Second Time (H)	H396
Read Second Time (H)	H375	Referred: Professional Registration & Licensing (H)	H465
Referred: Workforce Development & Workplace Safety (H)	H652	Reported Do Pass by Consent (H)	H597
HCS Reported Do Pass (H)	H766	Referred: Rules (H)	H597
HB 615 (Webber) Relating to discrimination based on sexual orientation or gender identity		Rules - Reported Do Pass - Consent (H)	H636
Introduced & Read First Time (H)	H363	Perfected by Consent - Pursuant to House Rules (H)	H768
Read Second Time (H)	H375	Taken Up for Third Reading (H)	H813
Referred: Judiciary (H)	H3323	Third Read & Passed (H)	H813
HB 616 (Bahr) Relating to the Common Core Standards Initiative		Reported to the Senate & First Read (S)	S643
Introduced & Read First Time (H)	H363	Second read & referred: Senate Financial & Governmental Organizations & Elections (S)	S669
Read Second Time (H)	H375	SCS Reported Do Pass (S)	S1515
Referred: Downsizing State Government (H)	H410	Placed on Informal Calendar	S1645
Reported Do Pass (H)	H952	HB 626 (McNeil) Relating to school district accreditation	
Referred: Rules (H)	H952	Introduced & Read First Time (H)	H388
Rules - Reported Do Pass (H)	H1364	Read Second Time (H)	H396
HB 617 (Parkinson) Relating to the sale of cottage foods		Referred: Elementary & Secondary Education (H)	H542
Introduced & Read First Time (H)	H363	HB 627 (Hummel) Relating to the MO HealthNet program	
Read Second Time (H)	H375	Introduced & Read First Time (H)	H388
Referred: Downsizing State Government (H)	H542	Read Second Time (H)	H396
		Referred: Government Oversight & Accountability (H)	H410

HB 628 (McNeil) Relating to an income tax deduction for certain tuition costs

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: Ways & Means (H)	H542

HB 629 (Kelly 45) Relating to the University of Missouri board of curators

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: Higher Education (H)	H3323

HB 630 (McCaherty) Relating to the manufacturing jobs act

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: International Trade (H)	H410
HCS Reported Do Pass (H)	H765
Referred: Rules (H)	H765
Rules - Reported Do Pass (H)	H1469
Taken Up for Perfection (H)	H1608
HCS Adopted (H)	H1613
Perfected with Amendments (H)	H1613
Referred: Fiscal Review (H)	H1878
Reported Do Pass (H)	H1893
Taken Up for Third Reading (H)	H1893
Third Read & Passed (H)	H1893 - 1894
Reported to the Senate & First Read (S)	S1280
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S1341

HB 631 (Elmer) Relating to educator quality

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: Elementary & Secondary Education (H)	H410
HCS Reported Do Pass (H)	H736
Referred: Rules (H)	H736
Rules - Returned to the Committee of Origin (H)	H767
HCS #2 Reported Do Pass (H)	H923
Referred: Rules (H)	H923
Rules - Reported Do Pass (H)	H968
Taken Up for Perfection (H)	H1076
HCS Adopted (H)	H1085
Perfection Defeated (H)	H1085 - 1086

HB 632 (Dunn) Relating to the designation of Alpha Phi Alpha day

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: Special Standing Committee on Urban Issues (H)	H465
Reported Do Pass by Consent (H)	H621
Referred: Rules (H)	H621
Rules - Reported Do Pass - Consent (H)	H636
Perfected by Consent - Pursuant to House Rules (H)	H768
Taken Up for Third Reading (H)	H821
Third Read & Passed (H)	H821
Reported to the Senate & First Read (S)	S644
Second read & referred: Senate General Laws (S)	S669
Reported Do Pass (S)	S1896
Placed on Informal Calendar	S2342

HB 633 (Leara) Relating to restrictive legislation

Introduced & Read First Time (H)	H388
Read Second Time (H)	H396
Referred: General Laws (H)	H3323

HB 634 (Elmer) Relating to the designation of Turner Syndrome awareness month

Introduced & Read First Time (H)	H397
Read Second Time (H)	H406
Referred: Tourism & Natural Resources (H)	H465
Reported Do Pass by Consent (H)	H598
Referred: Rules (H)	H598
Rules - Reported Do Pass - Consent (H)	H636
Perfected by Consent - Pursuant to House Rules (H)	H768

Taken Up for Third Reading (H)	H814
Third Read & Passed (H)	H814
Reported to the Senate & First Read (S)	S643
Second read & referred: Senate General Laws (S)	S669
Reported Do Pass with Amendments (S)	S1896
Placed on Informal Calendar	S2342

HB 635 (Fitzwater) Relating to correctional treatment programs for first offenders

Introduced & Read First Time (H)	H397
Read Second Time (H)	H406
Referred: Special Standing Committee on Corrections (H) ..	H542
Reported Do Pass - Federal Mandate (H)	H736
Referred: Rules (H)	H736
Rules - Reported Do Pass - Federal Mandate (H)	H1119
Taken Up for Perfection (H)	H1576
Perfected (H)	H1576
Taken Up for Third Reading (H)	H1963
Third Read & Passed (H)	H1964
Reported to the Senate & First Read (S)	S1322
Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S1341

HB 636 (Fitzwater) Relating to state employee salary increases

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: Workforce Development & Workplace Safety (H)	H3323

HB 637 (Fitzwater) Relating to minimum pay for certain corrections employees

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: Special Standing Committee on Corrections (H) ..	H763

HB 638 (Rhoads) Relating to the endangerment of emergency workers

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: Crime Prevention & Public Safety (H)	H465

HB 639 (Brown) Relating to privacy concerning firearms

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: General Laws (H)	H465

HB 640 (Parkinson) Relating to the purchase of firearms

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: General Laws (H)	H465

HB 641 (Korman) Relating to retainage requirements on construction of public works projects

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: General Laws (H)	H410
HCS Reported Do Pass (H)	H1117
Referred: Rules (H)	H1117
Rules - Reported Do Pass (H)	H1469

HB 642 (Elmer) Relating to construction management services for the state & political subdivisions

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: Special Standing Committee on Small Business (H)	H542

HB 643 (Muntzel) Relating to a county hospital sales tax

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406
Referred: Local Government (H)	H465

HB 644 (Wieland) Relating to repealing the death penalty

Introduced & Read First Time (H)	H398
Read Second Time (H)	H406

Referred: Judiciary (H)	H3323	Rules - Reported Do Pass (H)	H1157
HB 645 (Schieffer) Relating to preferences to military veterans for state employment		Taken Up for Perfection (H)	H1450
Introduced & Read First Time (H)	H398	HCS Adopted (H)	H1457
Read Second Time (H)	H406	Perfected with Amendments (H)	H1457
Referred: Veterans (H)	H3323	Referred: Fiscal Review (H)	H1533
HB 646 (Schieffer) Relating to telephone calls		Reported Do Pass (H)	H1576
Introduced & Read First Time (H)	H398	Taken Up for Third Reading (H)	H1597
Read Second Time (H)	H406	Third Read & Passed (H)	H1597 - 1598
Referred: Elections (H)	H3323	Reported to the Senate & First Read (S)	S947 - 948
HB 647 (Schieffer) Relating to the reporting of missing & dead children		Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S1290
Introduced & Read First Time (H)	H398	SCS Reported Do Pass (S)	S1725
Read Second Time (H)	H406	Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1811
Referred: Crime Prevention & Public Safety (H)	H3323	Reported Do Pass (S)	S2250
HB 648 (Schieffer) Relating to the sale of energy drinks to minors		Placed on Informal Calendar	S2341
Introduced & Read First Time (H)	H398	HB 654 (Hansen) Relating to limited lines travel insurance producer licensing	
Read Second Time (H)	H406	Introduced & Read First Time (H)	H411
Referred: Health Care Policy (H)	H3323	Read Second Time (H)	H421
HB 649 (Wieland) Relating to automobile insurance for volunteer drivers		Referred: Insurance Policy (H)	H542
Introduced & Read First Time (H)	H398	HB 655 (Hurst) Relating to temporary motorcycle instruction permits	
Read Second Time (H)	H406	Introduced & Read First Time (H)	H412
Referred: Insurance Policy (H)	H1365	Read Second Time (H)	H421
HB 650 (Ross) Relating to land survey program headquarters		Referred: Transportation (H)	H542
Introduced & Read First Time (H)	H411	HB 656 (May) Relating to powers of the supervisor of parking meters in certain cities	
Read Second Time (H)	H421	Introduced & Read First Time (H)	H412
Referred: Tourism & Natural Resources (H)	H465	Read Second Time (H)	H421
Reported Do Pass by Consent (H)	H598	Referred: Special Standing Committee on Urban Issues (H)	H466
Referred: Rules (H)	H598	HCS Reported Do Pass by Consent (H)	H621
Rules - Reported Do Pass - Consent (H)	H636	Referred: Rules (H)	H621
Perfected by Consent - Pursuant to House Rules (H)	H768	Rules - Reported Do Pass - Consent (H)	H637
Taken Up for Third Reading (H)	H815	Perfected by Consent - Pursuant to House Rules (H)	H768
Third Read & Passed (H)	H815	Taken Up for Third Reading (H)	H820
Reported to the Senate & First Read (S)	S643	Third Read & Passed (H)	H820
Second read & referred: Senate General Laws (S)	S669	Reported to the Senate & First Read (S)	S644
SCS Reported Do Pass (S)	S1514	Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S669
Placed on Informal Calendar	S1645	Reported Do Pass (S)	S932
Taken Up for Third Reading (S)	S1920	Taken Up for Third Reading (S)	S1323
Senate Substitute Offered (S)	S1920	Truly Agreed To & Finally Passed	H1978 S1323 - 1324
SS Adopted (S)	S1924	Signed by House Speaker (H)	H3330
Third Read & Passed with Amendments (S)	S1924	Signed by President Pro Tem (S)	S2435
Emergency Clause Adopted (S)	S1924 - 1925	Delivered to Governor	H3330
Reported to the House (H)	H2823 - 2827	HB 657 (English) Relating to unique driver identification numbers	
House Concurs (H)	H2828 - 2829	Introduced & Read First Time (H)	H412
Truly Agreed To & Finally Passed	H2830 S1953	Read Second Time (H)	H421
Emergency Clause Adopted on Truly Agreed to Bill	H2831	Referred: Ways & Means (H)	H3323
Signed by House Speaker (H)	H3332	HB 658 (English) Relating to right-of-way & easement maintenance fees	
Signed by President Pro Tem (S)	S2440 - 2441	Introduced & Read First Time (H)	H412
Delivered to Governor	H3332	Read Second Time (H)	H421
HB 651 (Ross) Relating to the department of natural resources		Referred: Local Government (H)	H466
Introduced & Read First Time (H)	H411	HB 659 (Marshall) Relating to licensure requirements for certain professions	
Read Second Time (H)	H421	Introduced & Read First Time (H)	H412
Referred: Tourism & Natural Resources (H)	H542	Read Second Time (H)	H421
Re-referred to Committee: Downsizing State Government (H)	H596	Referred: Professional Registration & Licensing (H)	H3323
HB 652 (Korman) Relating to land surveyors		HB 660 (Marshall) Relating to secure & fair election	
Introduced & Read First Time (H)	H411	Introduced & Read First Time (H)	H412
Read Second Time (H)	H421	Read Second Time (H)	H421
Referred: Professional Registration & Licensing (H)	H542	Referred: Elections (H)	H3324
HB 653 (Lauer) Relating to emergency communications service			
Introduced & Read First Time (H)	H411		
Read Second Time (H)	H421		
Referred: Crime Prevention & Public Safety (H)	H466		
HCS Reported Do Pass (H)	H1011		
Referred: Rules (H)	H1011		

HB 661 (Marshall) Relating to public elections

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Elections (H) H3324

HB 662 (Marshall) Relating to entrances to certain state offices

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Special Standing Committee on Corrections (H)
 H3324

HB 663 (Marshall) Relating to liability for driving while intoxicated

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Insurance Policy (H) H3324

HB 664 (Marshall) Relating to blighted areas

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Judiciary (H) H3324

HB 665 (Marshall) Relating to motor vehicle valuation

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Local Government (H) H3324

HB 666 (Marshall) Relating to nonprofit corporations

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Judiciary (H) H3324

HB 667 (Houghton) Relating to the office of agriculture

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Agriculture Policy (H) H466

HB 668 (Torpey) Relating to the safe place for newborns act

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Children, Families, & Persons with Disabilities (H)
 H466

HB 669 (Parkinson) Relating to teacher contracts

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: General Laws (H) H466

HB 670 (Parkinson) Relating to the crime of armed criminal action

Introduced & Read First Time (H) H412
 Read Second Time (H) H421
 Referred: Judiciary (H) H1365

HB 671 (Parkinson) Relating to taxation

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Economic Development (H) H542

HB 672 (Korman) Relating to bicycle operation on state roadways

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Transportation (H) H3324

HB 673 (Schatz) Relating to the renaming of Linn State Technical College

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Higher Education (H) H466
 Reported Do Pass by Consent (H) H597
 Referred: Rules (H) H597
 Rules - Reported Do Pass - Consent (H) H637
 Perfected by Consent - Pursuant to House Rules (H) H768
 Taken Up for Third Reading (H) H816
 Third Read & Passed (H) H816

Reported to the Senate & First Read (S) S643
 Second read & referred: Senate Education (S) S669
 Reported Do Pass-Placed on Third Read Consent Calendar (S)
 S753
 Taken Up for Third Reading (S) S911
 Truly Agreed To & Finally Passed S911 - 912 H1568
 Signed by House Speaker (H) H3330
 Signed by President Pro Tem (S) S2435
 Delivered to Governor H3330

HB 674 (Hicks) Relating to fines for failing to yield the right-of-way

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: General Laws (H) H542

HB 675 (Grisamore) Relating to the management of diabetes in elementary & secondary schools

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Elementary & Secondary Education (H) H617
 HCS Reported Do Pass (H) H1090
 Referred: Rules (H) H1090
 Rules - Reported Do Pass (H) H1364
 Taken Up for Perfection (H) H1532
 HCS Adopted (H) H1532
 Perfected with Amendments (H) H1532
 Taken Up for Third Reading (H) H1602
 Third Read & Passed (H) H1603 - 1604
 Reported to the Senate & First Read (S) S948
 Second read & referred: Senate Education (S) S1290
 Reported Do Pass (S) S1895 - 1896
 Placed on Informal Calendar S2341
 Taken Up for Third Reading (S) S2411
 Truly Agreed To & Finally Passed S2412 H3300
 Signed by House Speaker (H) H3330
 Signed by President Pro Tem (S) S2435
 Delivered to Governor H3330

HB 676 (Nichols) Relating to jewelry

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Professional Registration & Licensing (H) H3324

HB 677 (Roorda) Relating to an individual's right to bargain collectively

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Workforce Development & Workplace Safety (H)
 H3324

HB 678 (Fraker) Relating to fee office collections

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Special Standing Committee on Corrections (H)
 H3324

HB 679 (Torpey) Relating to school statewide assessment scores

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Elementary & Secondary Education (H) H542

HB 680 (Torpey) Relating to conflicts of interest for legislators

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: General Laws (H) H3324

HB 681 (Torpey) Relating to compulsory school attendance

Introduced & Read First Time (H) H413
 Read Second Time (H) H421
 Referred: Elementary & Secondary Education (H) H542

HB 682 (Newman) Relating to elections

Introduced & Read First Time (H) H413
 Read Second Time (H) H421

- Referred: Elections (H) H3324
- HB 683 (Berry) Relating to senior citizen homestead deferral of taxes**
- Introduced & Read First Time (H) H413
- Read Second Time (H) H421
- Referred: Ways & Means (H) H3324
- HB 684 (Schieffer) Relating to temporary motorcycle permits**
- Introduced & Read First Time (H) H413
- Read Second Time (H) H421
- Referred: Transportation (H) H3324
- HB 685 (Burlison) Relating to emergency prescription refills**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Professional Registration & Licensing (H) H542
- HCS Reported Do Pass (H) H1335
- Referred: Rules (H) H1335
- Rules - Reported Do Pass (H) H1918
- HB 686 (Colona) Relating to election procedures**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Elections (H) H3324
- HB 687 (Colona) Relating to workers' compensation**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Insurance Policy (H) H3324
- HB 688 (Colona) Relating to the use for marijuana for medicinal purposes**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Crime Prevention & Public Safety (H) H3324
- HB 689 (Bernskoetter) Relating to special license plates for veterans**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Transportation (H) H542
- HB 690 (Korman) Relating to alternative fuel decal fees**
- Introduced & Read First Time (H) H423
- Read Second Time (H) H430
- Referred: Ways & Means (H) H542
- HB 691 (Korman) Relating to public water supply districts**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Elections (H) H542
- HB 692 (Fitzpatrick) Relating to prevailing wages**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Workforce Development & Workplace Safety (H) H542
- HB 693 (Hough) Relating to emergency vehicles**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Transportation (H) H965
- HB 694 (Kratky) Relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Crime Prevention & Public Safety (H) H3324
- HB 695 (Scharnhorst) Relating to emerging issues in cancer medications**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Special Standing Committee on Emerging Issues in Health Care (H) H487
- HCS Reported Do Pass (H) H967
- HB 696 (Cornejo) Relating to the offense of impersonation of an actual person by electronic means**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Judiciary (H) H763
- HB 697 (Cornejo) Relating to public & business records**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Judiciary (H) H542
- HB 698 (Zerr) Relating to tax incentives**
- Introduced & Read First Time (H) H424
- Read Second Time (H) H430
- Referred: Economic Development (H) H442
- HCS Reported Do Pass (H) H952
- Referred: Rules (H) H952
- Rules - Returned to the Committee of Origin (H) H968
- HCS #2 Reported Do Pass (H) H1090
- Referred: Rules (H) H1090
- Rules - Reported Do Pass (H) H1120
- Taken Up for Perfection (H) H1320
- HCS Adopted (H) H1332
- Perfected with Amendments (H) H1332 - 1333
- Referred: Fiscal Review (H) H1333
- Reported Do Pass (H) H1375
- Taken Up for Third Reading (H) H1381
- Third Read & Passed (H) H1382 - 1383
- Reported to the Senate & First Read (S) S847
- Second read & referred: Senate Jobs, Economic Development, & Local Government (S) S852
- SCS Reported Do Pass (S) S914
- Referred: Senate Governmental Accountability & Fiscal Oversight (S) S934
- Reported Do Pass (S) S941
- Taken Up for Third Reading (S) S945
- SCS Adopted (S) S946
- Third Read & Passed with Amendments (S) S946
- Emergency Clause Adopted (S) S946
- Reported to the House with... (H) H1654
- House Refuses to Concur, Requests Senate to Recede or Grant Conference H1931 S1305
- Senate Refuses to Recede, Grants Conference (S) .. S1305 H1962
- Senate Conference Committee Appointed (S) S1306 H1962
- House Conference Committee Appointed (H) H1979 S1341
- House Submits Conference Committee Report (H) H3115
- House Adopts Conference Committee Report (H) .. H3133 - 3134
- Third Read & Passed (H) H3135 S2340
- Emergency Clause Defeated (H) H3137
- Senate Submits Conference Committee Report (S) .. S2340 - 2341
- HB 699 (Grisamore) Relating to youth with disabilities**
- Introduced & Read First Time (H) H443
- Read Second Time (H) H451
- Referred: Children, Families, & Persons with Disabilities (H) H542
- HB 700 (Barnes) Relating to the Show-Me transformation act**
- Introduced & Read First Time (H) H443
- Read Second Time (H) H451
- Referred: Government Oversight & Accountability (H) H617
- HCS Reported Do Pass (H) H967
- Referred: Rules (H) H967
- HB 701 (Molendorp) Relating to the health insurance marketplace innovation act**
- Introduced & Read First Time (H) H443
- Read Second Time (H) H451
- Referred: Health Insurance (H) H542
- HCS Reported Do Pass (H) H631
- Referred: Rules (H) H631

Rules - Reported Do Pass (H)	H654	Read Second Time (H)	H451
HB 702 (England) Relating to the sale of unclaimed military medals		Referred: Children, Families, & Persons with Disabilities (H)	H543
Introduced & Read First Time (H)	H443	HB 712 (Grisamore) Relating to MO HealthNet benefits	
Read Second Time (H)	H451	Introduced & Read First Time (H)	H444
Referred: Veterans (H)	H542	Read Second Time (H)	H451
Reported Do Pass by Consent (H)	H621	Referred: Children, Families, & Persons with Disabilities (H)	H543
Referred: Rules (H)	H621	HB 713 (Grisamore) Relating to MO HealthNet benefits	
Rules - Reported Do Pass - Consent (H)	H638	Introduced & Read First Time (H)	H444
Perfect by Consent - Pursuant to House Rules (H)	H768	Read Second Time (H)	H451
Taken Up for Third Reading (H)	H819	Referred: Children, Families, & Persons with Disabilities (H)	H543
Third Read & Passed (H)	H819	HB 714 (Grisamore) Relating to the definition of employment pursuant to employment security law	
Reported to the Senate & First Read (S)	S644	Introduced & Read First Time (H)	H444
Second read & referred: Senate Veterans' Affairs & Health (S)	S669	Read Second Time (H)	H451
Reported Do Pass (S)	S1898	Referred: Children, Families, & Persons with Disabilities (H)	H543
Taken Up for Third Reading (S)	S2423 - 2424	HB 715 (McCaherty) Relating to motorcycle brake lights	
Truly Agreed To & Finally Passed	S2424 H3327	Introduced & Read First Time (H)	H444
Signed by House Speaker (H)	H3330	Read Second Time (H)	H451
Signed by President Pro Tem (S)	S2435	Referred: Transportation (H)	H543
Delivered to Governor	H3330	Reported Do Pass by Consent (H)	H599
HB 703 (Conway 104) Relating to the highway patrol's motor vehicle, aircraft, & watercraft revolving fund		Referred: Rules (H)	H599
Introduced & Read First Time (H)	H443	Rules - Reported Do Pass - Consent (H)	H637
Read Second Time (H)	H451	Perfect by Consent - Pursuant to House Rules (H)	H768
Referred: Crime Prevention & Public Safety (H)	H543	Taken Up for Third Reading (H)	H817
HB 704 (McKenna) Relating to the display of the Honor & Remember flag at state buildings & state parks		Third Read & Passed (H)	H817
Introduced & Read First Time (H)	H443	Reported to the Senate & First Read (S)	S643
Read Second Time (H)	H451	Second read & referred: Senate Transportation & Infrastructure (S)	S669
Referred: Tourism & Natural Resources (H)	H3324	Reported Do Pass (S)	S1898
HB 705 (Kelly 45) Relating to the meningococcal conjugate vaccine		Taken Up for Third Reading (S)	S2424
Introduced & Read First Time (H)	H443	Truly Agreed To & Finally Passed	S2424 - 2425 H3327
Read Second Time (H)	H451	Signed by House Speaker (H)	H3330
Referred: Health Care Policy (H)	H3324	Signed by President Pro Tem (S)	S2435
HB 706 (Funderburk) Relating to employee password protection		Delivered to Governor	H3330
Introduced & Read First Time (H)	H443	HB 716 (Grisamore) Relating to the show-me healthy babies program	
Read Second Time (H)	H451	Introduced & Read First Time (H)	H444
Referred: Workforce Development & Workplace Safety (H)	H3324	Read Second Time (H)	H451
HB 707 (Grisamore) Relating to the crime of causing injury to or the death of a service dog		Referred: Children, Families, & Persons with Disabilities (H)	H543
Introduced & Read First Time (H)	H443	HB 717 (Grisamore) Relating to re-entry into the custody of the children's division	
Read Second Time (H)	H451	Introduced & Read First Time (H)	H444
Referred: Children, Families, & Persons with Disabilities (H)	H543	Read Second Time (H)	H451
HB 708 (Grisamore) Relating to the mental health employee disqualification list		Referred: Children, Families, & Persons with Disabilities (H)	H543
Introduced & Read First Time (H)	H444	HCS Reported Do Pass (H)	H1333
Read Second Time (H)	H451	Referred: Rules (H)	H1333
Referred: Children, Families, & Persons with Disabilities (H)	H543	Rules - Reported Do Pass (H)	H1567
HB 709 (Grisamore) Relating to state procurement		Taken Up for Perfection (H)	H2420
Introduced & Read First Time (H)	H444	HCS Adopted (H)	H2431
Read Second Time (H)	H451	Perfect with Amendments (H)	H2431
Referred: Children, Families, & Persons with Disabilities (H)	H543	Referred: Fiscal Review (H)	H2433
HB 710 (Grisamore) Relating to voter accessibility		Reported Do Pass (H)	H2443
Introduced & Read First Time (H)	H444	Taken Up for Third Reading (H)	H2447
Read Second Time (H)	H451	Third Read & Passed (H)	H2448 - 2449
Referred: Children, Families, & Persons with Disabilities (H)	H543	Reported to the Senate & First Read (S)	S1731
HB 711 (Grisamore) Relating to lift accessible parking		Second read & referred: Senate Seniors, Families, & Pensions (S)	S1888
Introduced & Read First Time (H)	H444	SCS Reported Do Pass (S)	S2326
HB 712 (Grisamore) Relating to extension of foster care		Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S2326
Introduced & Read First Time (H)	H444		

Read Second Time (H)	H451
Referred: Children, Families, & Persons with Disabilities (H)	H543
HB 719 (Grisamore) Relating to relocation of a child	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Children, Families, & Persons with Disabilities (H)	H543
HB 720 (Grisamore) Relating to Missouri dependency exemptions	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Children, Families, & Persons with Disabilities (H)	H543
HB 721 (Grisamore) Relating to foster children	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Children, Families, & Persons with Disabilities (H)	H543
HB 722 (Leara) Relating to police retirement	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Retirement (H)	H543
HCS Reported Do Pass (H)	H653
Referred: Rules (H)	H653
Rules - Reported Do Pass (H)	H767
Taken Up for Perfection (H)	H1009
HCS Adopted (H)	H1009
Perfected (H)	H1009
Taken Up for Third Reading (H)	H1154
Third Read & Passed (H)	H1154
Reported to the Senate & First Read (S)	S759
Second read & referred: Senate Seniors, Families, & Pensions (S)	S814
SCS Reported Do Pass (S)	S1516
Placed on Informal Calendar	S1646
Taken Up for Third Reading (S)	S2325
SCS Adopted (S)	S2325
Third Read & Passed (S)	S2325
Reported to the House (H)	H3112
House Concurs (H)	H3265
Truly Agreed To & Finally Passed	H3266 S2430
Signed by House Speaker (H)	H3330
Signed by President Pro Tem (S)	S2435
Delivered to Governor	H3330
HB 723 (Grisamore) Relating to the brain injury fund	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Children, Families, & Persons with Disabilities (H)	H543
HB 724 (Kirkton) Relating to mental health facility safety provisions	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Health Care Policy (H)	H617
HB 725 (Phillips) Relating to train conductors	
Introduced & Read First Time (H)	H444
Read Second Time (H)	H451
Referred: Transportation (H)	H763
HB 726 (Pierson) Relating to the Missouri juneteenth heritage & jazz festival & memorial	
Introduced & Read First Time (H)	H468
Read Second Time (H)	H474
Referred: Special Standing Committee on Urban Issues (H)	H617
HB 727 (Grisamore) Relating to services provided to individuals with disabilities	
Introduced & Read First Time (H)	H468
Read Second Time (H)	H474
Referred: Children, Families, & Persons with Disabilities (H)	H543
HCS Reported Do Pass (H)	H1333
Referred: Rules (H)	H1333
Rules - Reported Do Pass (H)	H1567
Taken Up for Perfection (H)	H2431
HCS Adopted (H)	H2432
Perfected with Amendments (H)	H2432
Referred: Fiscal Review (H)	H2433
Reported Do Pass (H)	H2443
Taken Up for Third Reading (H)	H2449
Third Read & Passed (H)	H2450
Emergency Clause Adopted (H)	H2451
Reported to the Senate & First Read (S)	S1731
Second read & referred: Senate Seniors, Families, & Pensions (S)	S1888
SCS Reported Do Pass (S)	S2326
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S2326
HB 728 (Rizzo) Relating to impoundment of a motor vehicle used to patronize prostitution	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: Crime Prevention & Public Safety (H)	H3324
HB 729 (Rizzo) Relating to scrap metal	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: General Laws (H)	H763
HB 730 (Rowden) Relating to notice requirements for lost or unclaimed property	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: General Laws (H)	H763
HB 731 (Grisamore) Relating to MO HealthNet benefit eligibility	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: Health Care Policy (H)	H3324
HB 732 (Hicks) Relating to firearms ownership & medical records	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: General Laws (H)	H617
HB 733 (Berry) Relating to port improvement districts.	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: International Trade (H)	H543
Reported Do Pass by Consent (H)	H631
Referred: Rules (H)	H631
Rules - Reported Do Pass - not Consent (H)	H767
Taken Up for Perfection (H)	H1202
Perfected (H)	H1202
Taken Up for Third Reading (H)	H1358
Third Read & Passed (H)	H1358 - 1359
Reported to the Senate & First Read (S)	S827
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S851
Reported Do Pass (S)	S1896
Placed on Informal Calendar	S2342
HB 734 (Torpey) Relating to the assignment of property tax liens	
Introduced & Read First Time (H)	H469
Read Second Time (H)	H474
Referred: Financial Institutions (H)	H543
HB 735 (Gosen) Relating to the regulation of insurance business	
Introduced & Read First Time (H)	H469

Read Second Time (H)	H474	Perfected (H)	H1279
Referred: Insurance Policy (H)	H617	Taken Up for Third Reading (H)	H1378
HB 736 (Scharnhorst) Relating to an income tax deduction for educational expenses		Third Read & Passed (H)	H1378 - 1379
Introduced & Read First Time (H)	H469	Reported to the Senate & First Read (S)	S847
Read Second Time (H)	H474	Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S)	S851
Referred: Ways & Means (H)	H617		
HB 737 (Leara) Relating to the public school retirement system of the city of St. Louis		HB 748 (Crawford) Relating to open-end credit fees & to depository institution open-end credit advance fees applicable to transaction account cash advances	
Introduced & Read First Time (H)	H469	Introduced & Read First Time (H)	H470
Read Second Time (H)	H474	Read Second Time (H)	H474
Referred: Retirement (H)	H543	Referred: Financial Institutions (H)	H487
HB 738 (Lauer) Relating to school safety		Reported Do Pass (H)	H525
Introduced & Read First Time (H)	H469	Referred: Rules (H)	H525
Read Second Time (H)	H474		
Referred: Elementary & Secondary Education (H)	H617	HB 749 (Cross) Relating to landlord-tenant actions	
HB 739 (Korman) Relating to clean water fees		Introduced & Read First Time (H)	H470
Introduced & Read First Time (H)	H469	Read Second Time (H)	H474
Read Second Time (H)	H474	Referred: Judiciary (H)	H543
Referred: Tourism & Natural Resources (H)	H543	Re-referred to Committee: General Laws (H)	H618
HB 740 (Korman) Relating to hazardous waste fees		HCS Reported Do Pass (H)	H1968
Introduced & Read First Time (H)	H469	Referred: Rules (H)	H1968
Read Second Time (H)	H474	Rules - Reported Do Pass (H)	H2433
Referred: Tourism & Natural Resources (H)	H543		
HB 741 (Korman) Relating to surface mining fees		HB 750 (Molendorp) Relating to insurance coverage for optometric services	
Introduced & Read First Time (H)	H469	Introduced & Read First Time (H)	H470
Read Second Time (H)	H474	Read Second Time (H)	H474
Referred: Tourism & Natural Resources (H)	H543	Referred: Health Insurance (H)	H965
HB 742 (Ellington) Relating to improving the ability of inmates to obtain employment upon release from incarceration		HB 751 (Molendorp) Relating to tobacco-derived products	
Introduced & Read First Time (H)	H469	Introduced & Read First Time (H)	H470
Read Second Time (H)	H474	Read Second Time (H)	H474
Referred: Special Standing Committee on Corrections (H)	H763	Referred: Insurance Policy (H)	H543
HB 743 (Ellington) Relating to the A+ schools program		HB 752 (Ellinger) Relating to minimum sentencing for certain felony offenders	
Introduced & Read First Time (H)	H469	Introduced & Read First Time (H)	H489
Read Second Time (H)	H474	Read Second Time (H)	H496
Referred: Elementary & Secondary Education (H)	H763	Referred: Judiciary (H)	H3324
HB 744 (Ellington) Relating to eyewitness identification procedures		HB 753 (Ellinger) Relating to minimum sentencing for certain felony offenders	
Introduced & Read First Time (H)	H470	Introduced & Read First Time (H)	H489
Read Second Time (H)	H474	Read Second Time (H)	H496
Referred: Crime Prevention & Public Safety (H)	H763	Referred: Judiciary (H)	H3324
HB 745 (Thomson) Relating to higher education scholarship programs		HB 754 (Sommer) Relating to the carrying of concealed firearms	
Introduced & Read First Time (H)	H470	Introduced & Read First Time (H)	H489
Read Second Time (H)	H474	Read Second Time (H)	H496
Referred: Higher Education (H)	H568	Referred: General Laws (H)	H543
Reported Do Pass (H)	H1012	HB 755 (Lynch) Relating to licensing of home inspectors	
Referred: Rules (H)	H1012	Introduced & Read First Time (H)	H489
Rules - Reported Do Pass (H)	H1918	Read Second Time (H)	H496
HB 746 (Cross) Relating to the innovation education campus fund		Referred: Professional Registration & Licensing (H)	H617
Introduced & Read First Time (H)	H470	HB 756 (Hubbard) Relating to prisoner re-entry services	
Read Second Time (H)	H474	Introduced & Read First Time (H)	H489
Referred: Higher Education (H)	H617	Read Second Time (H)	H496
HB 747 (Scharnhorst) Relating to financial transactions of gaming establishments		Referred: Special Standing Committee on Urban Issues (H)	H543
Introduced & Read First Time (H)	H470	Reported Do Pass (H)	H598
Read Second Time (H)	H474	Referred: Rules (H)	H598
Referred: General Laws (H)	H543	Rules - Reported Do Pass (H)	H968
Reported Do Pass (H)	H686	Taken Up for Perfection (H)	H1192
Referred: Rules (H)	H686	Perfected (H)	H1192
Rules - Reported Do Pass (H)	H1120	Referred: Fiscal Review (H)	H1333
Taken Up for Perfection (H)	H1279	Reported Do Pass (H)	H1375
		Taken Up for Third Reading (H)	H1492
		Third Read & Passed (H)	H1492
		Reported to the Senate & First Read (S)	S885
		Second read & referred: Senate Governmental Accountability & Fiscal Oversight (S)	S916

Reported Do Pass (S)	S1996	HB 770 (Higdon) Relating to the registration of radiology technicians	
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S2015	Introduced & Read First Time (H)	H499
		Read Second Time (H)	H505
		Referred: Professional Registration & Licensing (H)	H543
HB 757 (Bahr) Relating to the laws of other countries		HB 771 (Schatz) Relating to commercial drivers' licenses	
Introduced & Read First Time (H)	H489	Introduced & Read First Time (H)	H499
Read Second Time (H)	H496	Read Second Time (H)	H505
Referred: Judiciary (H)	H617	Referred: Transportation (H)	H543
		HCS Reported Do Pass - Federal Mandate (H)	H686
HB 758 (Schieber) Relating to domestic animals in state parks		Referred: Rules (H)	H686
Introduced & Read First Time (H)	H489	Rules - Reported Do Pass - Federal Mandate (H)	H1120
Read Second Time (H)	H496	Taken Up for Perfection (H)	H1584
Referred: Tourism & Natural Resources (H)	H617	HCS Adopted (H)	H1584
		Perfectured with Amendments (H)	H1584
HB 759 (Jones 50) Relating to alcohol franchise		Referred: Fiscal Review (H)	H1650
Introduced & Read First Time (H)	H489	Reported Do Pass (H)	H1878
Read Second Time (H)	H496	Taken Up for Third Reading (H)	H1966
Referred: General Laws (H)	H543	Third Read & Passed (H)	H1967
		Reported to the Senate & First Read (S)	S1323
HB 760 (Walton Gray) Relating to prohibiting publishing of the name of lottery winners		Second read & referred: Senate Transportation & Infrastructure (S)	S1341
Introduced & Read First Time (H)	H489		
Read Second Time (H)	H496	HB 772 (Haahr) Relating to retirement benefits	
Referred: Local Government (H)	H543	Introduced & Read First Time (H)	H509
		Read Second Time (H)	H516
HB 761 (Walton Gray) Relating to false alarm fees in certain cities		Referred: Retirement (H)	H3324
Introduced & Read First Time (H)	H489	HB 773 (Entlicher) Relating to elections	
Read Second Time (H)	H496	Introduced & Read First Time (H)	H509
Referred: Local Government (H)	H3324	Read Second Time (H)	H516
		Referred: Elections (H)	H617
HB 762 (Gatschenberger) Relating to the powers & duties of the Missouri electrical industry licensing board		HB 774 (Redmon) For the sole purpose of repealing expired, ineffective, & obsolete statutory provisions	
Introduced & Read First Time (H)	H490	Introduced & Read First Time (H)	H509
Read Second Time (H)	H496	Read Second Time (H)	H516
Referred: Professional Registration & Licensing (H)	H965	Referred: Downsizing State Government (H)	H543
HB 763 (McGaugh) Relating to the political accountability in campaigning act		HB 775 (Hampton) For the sole purpose of repealing multiple versions of statutes	
Introduced & Read First Time (H)	H490	Introduced & Read First Time (H)	H509
Read Second Time (H)	H496	Read Second Time (H)	H516
Referred: General Laws (H)	H3324	Referred: Downsizing State Government (H)	H543
HB 764 (Mims) Relating to court costs for certain municipal ordinance violations		HB 776 (Pace) Relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties, with penalty provisions	
Introduced & Read First Time (H)	H498	Introduced & Read First Time (H)	H509
Read Second Time (H)	H505	Read Second Time (H)	H516
Referred: Local Government (H)	H965	Referred: Crime Prevention & Public Safety (H)	H543
HB 765 (Brown) Relating to public assistance for illegal aliens		HB 777 (Swearingen) Relating to an election for a charter hospital to be governed by Missouri's nonprofit corporation law	
Introduced & Read First Time (H)	H498	Introduced & Read First Time (H)	H509
Read Second Time (H)	H505	Read Second Time (H)	H516
Referred: Downsizing State Government (H)	H763	Referred: Health Care Policy (H)	H3324
HB 766 (Schupp) Relating to medical malpractice insurance		HB 778 (Kelley 127) Relating to advertising on state internet web pages	
Introduced & Read First Time (H)	H498	Introduced & Read First Time (H)	H509
Read Second Time (H)	H505	Read Second Time (H)	H516
Referred: Health Insurance (H)	H3324	Referred: Special Standing Committee on Corrections (H)	H3324
HB 767 (Jones 50) Relating to the Manufacturing & Utility Infrastructure Jobs Act		HB 779 (McNeil) Relating to the Missouri energy efficiency performance standard	
Introduced & Read First Time (H)	H498	Introduced & Read First Time (H)	H509
Read Second Time (H)	H505	Read Second Time (H)	H516
Referred: Economic Development (H)	H3324	Referred: Utilities (H)	H3324
HB 768 (English) Relating to visually impaired voters		HB 780 (Schieffer) Relating to interest rates on student loans	
Introduced & Read First Time (H)	H498	Introduced & Read First Time (H)	H509
Read Second Time (H)	H505	Read Second Time (H)	H516
Referred: Elections (H)	H3324		
HB 769 (Englund) Relating to the sale of unclaimed property			
Introduced & Read First Time (H)	H498		
Read Second Time (H)	H505		
Referred: Elections (H)	H3324		

Referred: Financial Institutions (H)	H3324	HB 788 (Funderburk) Relating to approval by the public service commission for the sale or transfer of a water or sewer utility	Introduced & Read First Time (H)	H527
HB 781 (Hough) Relating to MO HealthNet funded home & community based care			Read Second Time (H)	H533
Introduced & Read First Time (H)	H509		Referred: Utilities (H)	H618
Read Second Time (H)	H516	HB 789 (Funderburk) Relating to the public service commission assessment of water & sewer corporations	Introduced & Read First Time (H)	H527
Referred: Government Oversight & Accountability (H)	H763		Read Second Time (H)	H533
HCS Reported Do Pass (H)	H1011		Referred: Utilities (H)	H618
Referred: Rules (H)	H1011	HB 790 (Spencer) Relating to school annexation	Introduced & Read First Time (H)	H527
Rules - Reported Do Pass (H)	H1469		Read Second Time (H)	H533
Taken Up for Perfection (H)	H1636		Referred: Elementary & Secondary Education (H)	H3324
HCS Adopted (H)	H1636	HB 791 (LaFaver) Relating to per-pupil costs for educational services for certain school children	Introduced & Read First Time (H)	H527
Perfected with Amendments (H)	H1636		Read Second Time (H)	H533
Referred: Fiscal Review (H)	H1878		Referred: Elementary & Secondary Education (H)	H3324
Reported Do Pass (H)	H1893	HB 792 (Schupp) Relating to mandatory influenza vaccinations, with penalty provisions	Introduced & Read First Time (H)	H527
Taken Up for Third Reading (H)	H1905		Read Second Time (H)	H533
Third Read & Passed (H)	H1906		Referred: Health Care Policy (H)	H3324
Reported to the Senate & First Read (S)	S1295 - 1296	HB 793 (Rizzo) Relating to political subdivisions	Introduced & Read First Time (H)	H527
Second read & referred: Senate Veterans' Affairs & Health (S)	S1341		Read Second Time (H)	H533
			Referred: Economic Development (H)	H3324
HB 782 (Spencer) Relating to education system employees		HB 794 (Kolkmeier) Relating to the Amber alert & Silver alert system, with an existing penalty provision	Introduced & Read First Time (H)	H527
Introduced & Read First Time (H)	H509		Read Second Time (H)	H533
Read Second Time (H)	H516		Referred: Crime Prevention & Public Safety (H)	H630
Referred: Retirement (H)	H543	HB 795 (Kolkmeier) Relating to alternative fuel	Introduced & Read First Time (H)	H527
HB 783 (Diehl) Relating to school facilities & equipment			Read Second Time (H)	H533
Introduced & Read First Time (H)	H509		Referred: General Laws (H)	H630
Read Second Time (H)	H516		HCS Reported Do Pass (H)	H967
Referred: General Laws (H)	H617		Referred: Rules (H)	H967
HCS Reported Do Pass (H)	H1364	HB 796 (McCann Beatty) Relating to real estate appraisers	Introduced & Read First Time (H)	H527
Referred: Rules (H)	H1364		Read Second Time (H)	H533
Rules - Reported Do Pass (H)	H1918		Referred: Professional Registration & Licensing (H)	H763
HB 784 (Diehl) Relating to the Missouri Senior Services Protection Fund		HB 797 (Curtis) Relating to community children's services funds	Introduced & Read First Time (H)	H527
Introduced & Read First Time (H)	H510		Read Second Time (H)	H533
Read Second Time (H)	H516		Referred: Children, Families, & Persons with Disabilities (H)	H763
Referred: Ways & Means (H)	H630	HB 798 (Walton Gray) Relating to liquor control	Introduced & Read First Time (H)	H546
HB 785 (Anderson) Relating to confiscated animals, with penalty provisions			Read Second Time (H)	H558
Introduced & Read First Time (H)	H510		Referred: Local Government (H)	H3324
Read Second Time (H)	H516	HB 799 (Conway 104) Relating to sexual exploitation by a clergyman	Introduced & Read First Time (H)	H546
Referred: Agriculture Policy (H)	H617		Read Second Time (H)	H558
HB 786 (McDonald) Relating to penalties for violations of city ordinances			Referred: Crime Prevention & Public Safety (H)	H1365
Introduced & Read First Time (H)	H510	HB 800 (Pace) Relating to real estate foreclosure	Introduced & Read First Time (H)	H546
Read Second Time (H)	H516		Read Second Time (H)	H558
Referred: Local Government (H)	H3324		Referred: Judiciary (H)	H763
HB 787 (Richardson) Relating to the copying & retention of source documents used to obtain driver's licenses & nondriver's licenses				
Introduced & Read First Time (H)	H527			
Read Second Time (H)	H533			
Referred: Government Oversight & Accountability (H)	H543			
HCS Reported Do Pass (H)	H765			
Referred: Rules (H)	H765			
Rules - Reported Do Pass (H)	H968			
Taken Up for Perfection (H)	H1042			
HCS Adopted (H)	H1048			
Perfected with Amendments (H)	H1048			
Referred: Fiscal Review (H)	H1089			
Reported Do Pass (H)	H1097			
Taken Up for Third Reading (H)	H1097			
Third Read & Passed with Amendments (H)	H1099			
Emergency Clause Adopted (H)	H1100			
Reported to the Senate & First Read (S)	S754			
Second read & referred: Senate Transportation & Infrastructure (S)	S813			

HB 801 (Barnes) Relating to MO HealthNet benefit requirements

Introduced & Read First Time (H) H546
 Read Second Time (H) H558
 Referred: Government Oversight & Accountability (H) H763

HB 802 (Jones 50) Relating to county law enforcement funds

Introduced & Read First Time (H) H546
 Read Second Time (H) H558
 Referred: General Laws (H) H763

HB 803 (Brown) Relating to notification of fines imposed on state departments by the federal government

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Government Oversight & Accountability (H) H763

HB 804 (Redmon) Relating to the highways & transportation commission

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Government Oversight & Accountability (H) H618

HB 805 (Walton Gray) Relating to prohibiting publishing of the name of lottery winners

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Local Government (H) H618

HB 806 (Bahr) Relating to the use of radio frequency identification technology in schools

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Downsizing State Government (H) H618

HB 807 (Lair) Relating to early parole of geriatric inmates

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Special Standing Committee on Corrections (H) H3324

HB 808 (Funderburk) Relating to teaching certificates

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Elementary & Secondary Education (H) H618
 Reported Do Pass (H) H952
 Referred: Rules (H) H952
 Rules - Reported Do Pass (H) H1120
 Taken Up for Perfection (H) H1310
 Perfected with Amendments (H) H1319
 Taken Up for Third Reading (H) H1493
 Third Read & Passed (H) H1493
 Reported to the Senate & First Read (S) S885
 Second read & referred: Senate Financial & Governmental Organizations & Elections (S) S916
 Reported Do Pass (S) S1897
 Placed on Informal Calendar S2342

HB 809 (Rowden) Relating to tax information

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Government Oversight & Accountability (H) H618

HB 810 (Butler) Relating to the economic-education partnership program

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Economic Development (H) H763

HB 811 (Cross) Relating to service-disabled veteran business contracts

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Special Standing Committee on Small Business (H) H965

HB 812 (Rhoads) Relating to synthetic cannabinoids

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Crime Prevention & Public Safety (H) H764

HB 813 (Torpey) Relating to early stage business development corporations

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Special Standing Committee on Small Business (H) H568
 HCS Reported Do Pass (H) H765
 Referred: Rules (H) H765
 Rules - Reported Do Pass (H) H969
 Taken Up for Perfection (H) H1007
 HCS Adopted (H) H1007
 Perfected (H) H1007
 Referred: Fiscal Review (H) H1089
 Reported Do Pass (H) H1345
 Taken Up for Third Reading (H) H1346
 Third Read & Passed (H) H1347
 Reported to the Senate & First Read (S) S813
 Second read & referred: Senate Jobs, Economic Development, & Local Government (S) S851
 Reported Do Pass (S) S1896
 Referred: Senate Governmental Accountability & Fiscal Oversight (S) S1906

HB 814 (Fraker) Relating to publication of the state manual

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Special Standing Committee on Corrections (H) .. H764
 HCS Reported Do Pass (H) H1469
 Referred: Rules (H) H1469
 Rules - Reported Do Pass (H) H1918

HB 815 (Smith 85) Relating to automated speed enforcement systems

Introduced & Read First Time (H) H547
 Read Second Time (H) H558
 Referred: Crime Prevention & Public Safety (H) H3324

HB 816 (Smith 85) Relating to members of the Missouri house of representatives

Introduced & Read First Time (H) H548
 Read Second Time (H) H558
 Referred: General Laws (H) H3324

HB 817 (Ross) Relating to information technology services

Introduced & Read First Time (H) H548
 Read Second Time (H) H558
 Referred: Downsizing State Government (H) H764

HB 818 (Ross) Relating to a database of firearms & ammunition

Introduced & Read First Time (H) H548
 Read Second Time (H) H558
 Referred: Downsizing State Government (H) H618

HB 819 (Ross) Relating to natural resources

Introduced & Read First Time (H) H548
 Read Second Time (H) H558
 Referred: Agri-Business (H) H764

HB 820 (Koenig) Relating to a defined contribution plan for elected officials

Introduced & Read First Time (H) H548
 Read Second Time (H) H558
 Referred: Retirement (H) H1365

HB 821 (Montecillo) Relating to elementary & secondary education

Introduced & Read First Time (H) H558
 Read Second Time (H) H565
 Referred: Elementary & Secondary Education (H) H965

HB 822 (Kirkton) Relating to the Missouri universal health assurance program

Introduced & Read First Time (H) H558
 Read Second Time (H) H565
 Referred: Health Care Policy (H) H3324

HB 823 (Kirkton) Relating to deductions for federal income tax liability

Introduced & Read First Time (H) H558
 Read Second Time (H) H565
 Referred: Ways & Means (H) H3325

HB 824 (Guernsey) Relating to local hospitals

Introduced & Read First Time (H) H568
 Read Second Time (H) H577
 Referred: Ways & Means (H) H764

HB 825 (Morgan) Relating to motor vehicle driver responsibility

Introduced & Read First Time (H) H568
 Read Second Time (H) H577
 Referred: Crime Prevention & Public Safety (H) H3325

HB 826 (Wood) Relating to the sale of drug substitutes

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Health Care Policy (H) H3325

HB 827 (Redmon) Relating to tax exemptions

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Economic Development (H) H764
 Reported Do Pass (H) H1878
 Referred: Rules (H) H1878
 Rules - Reported Do Pass (H) H2078

HB 828 (Korman) Relating to modular unit installers

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Utilities (H) H618

HB 829 (Smith 85) Relating to the institutional title of institutions of higher education

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Higher Education (H) H764

HB 830 (Jones 50) Relating to criminal offenders participating in certain programs provided by the department of corrections

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Special Standing Committee on Corrections (H) .. H764
 HCS Reported Do Pass (H) H1091
 Referred: Rules (H) H1091
 Rules - Reported Do Pass (H) H1918

HB 831 (Jones 50) Relating to abuse of a child

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Judiciary (H) H618

HB 832 (Korman) Relating to a sales tax holiday

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Ways & Means (H) H764

HB 833 (Rowden) Relating to the MissouriLink Network Coalition

Introduced & Read First Time (H) H569
 Read Second Time (H) H577
 Referred: Economic Development (H) H618

HB 834 (Sommer) Relating to service dogs

Introduced & Read First Time (H) H599
 Read Second Time (H) H608

Referred: Children, Families, & Persons with Disabilities (H) H965

HB 835 (Sommer) Relating to the designation of animal rescue & adoption week

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Tourism & Natural Resources (H) H965

HB 836 (Guernsey) Relating to produce grown at a correctional facility

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Agriculture Policy (H) H630

HB 837 (Fraker) Relating to food prepared for fundraising events

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Health Care Policy (H) H764

HB 838 (Wieland) Relating to eligibility for supplemental nutrition assistance program benefits

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Children, Families, & Persons with Disabilities (H) H1365

HB 839 (McManus) Relating to the Missouri false claims & fraud prevention act

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Government Oversight & Accountability (H) ... H3325

HB 840 (Brown) Relating to local department of revenue fee offices

Introduced & Read First Time (H) H599
 Read Second Time (H) H608
 Referred: Government Oversight & Accountability (H) H764

HB 841 (Ross) Relating to tax credits for milk producers

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Agriculture Policy (H) H764

HB 842 (Kelley 127) Relating to providing cystic fibrosis information to marriage license applicants

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Children, Families, & Persons with Disabilities (H) H764

HB 843 (Kirkton) Relating to individual income tax

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Ways & Means (H) H3325

HB 844 (McNeil) Relating to combined heat & power systems

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Utilities (H) H965

HB 845 (Cornejo) Relating to property exempt from attachment

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Judiciary (H) H3325

HB 846 (Pfautsch) Relating to political subdivisions

Introduced & Read First Time (H) H600
 Read Second Time (H) H608
 Referred: Local Government (H) H764

HB 847 (Gardner) Relating to civil contempt for failure to appear for debt collection

Introduced & Read First Time (H) H600
 Read Second Time (H) H608

Referred: Judiciary (H)	H764	HB 859 (Brattin) Relating to concealed carry permits	
HB 848 (Neth) Relating to elections		Introduced & Read First Time (H)	H622
Introduced & Read First Time (H)	H600	Read Second Time (H)	H626
Read Second Time (H)	H608	Referred: Downsizing State Government (H)	H685
Referred: Elections (H)	H764	HCS Reported Do Pass (H)	H966
HB 849 (Lant) Relating to model jury instructions		Referred: Rules (H)	H966
Introduced & Read First Time (H)	H600	Rules - Reported Do Pass (H)	H1120
Read Second Time (H)	H608	Taken Up for Perfection (H)	H1411
Referred: Judiciary (H)	H764	Laid Over (H)	H1417
HB 850 (McCaherty) Relating to the bring jobs home act		Taken Up for Perfection (H)	H1418
Introduced & Read First Time (H)	H600	HCS Adopted (H)	H1428
Read Second Time (H)	H608	Perfect with Amendments (H)	H1428
Referred: International Trade (H)	H618	Referred: Fiscal Review (H)	H1533
HCS Reported Do Pass (H)	H765	Reported Do Pass (H)	H1576
Referred: Rules (H)	H765	Third Read & Passed (H)	H1606
Rules - Reported Do Pass (H)	H969	Reported to the Senate & First Read (S)	S948 - 949
Taken Up for Perfection (H)	H1006	Second read & referred: Senate General Laws (S)	S1290
HCS Adopted (H)	H1007	HB 860 (Wood) Relating to the sale or provision of certain commodities to seven director school districts	
Perfect with Amendments (H)	H1007	Introduced & Read First Time (H)	H622
Referred: Fiscal Review (H)	H1089	Read Second Time (H)	H626
Reported Do Pass (H)	H1130	Referred: Elementary & Secondary Education (H)	H764
Taken Up for Third Reading (H)	H1147	HB 861 (Neth) Relating to the public school retirement system of Kansas City	
Third Read & Passed (H)	H1148	Introduced & Read First Time (H)	H622
Reported to the Senate & First Read (S)	S758	Read Second Time (H)	H626
Second read & referred: Senate Jobs, Economic Development, & Local Government (S)	S814	Referred: Retirement (H)	H764
HB 851 (Parkinson) Relating to contingency fee limits for contracts between the state & private attorneys		Reported Do Pass (H)	H1118
Introduced & Read First Time (H)	H621	Referred: Rules (H)	H1118
Read Second Time (H)	H626	HB 862 (Hubbard) Relating to the removal of civil court records from automated case management systems	
Referred: Judiciary (H)	H1365	Introduced & Read First Time (H)	H622
HB 852 (Hinson) Relating to ignition interlock device requirements		Read Second Time (H)	H626
Introduced & Read First Time (H)	H621	Referred: Judiciary (H)	H764
Read Second Time (H)	H626	HB 863 (Allen) Relating to a one-time audit & analysis of fiscal practices & cost savings in state agencies	
Referred: Crime Prevention & Public Safety (H)	H764	Introduced & Read First Time (H)	H622
HB 853 (Cox) Relating to consumer litigation loan transactions		Read Second Time (H)	H626
Introduced & Read First Time (H)	H621	Referred: Downsizing State Government (H)	H965
Read Second Time (H)	H626	Reported Do Pass (H)	H1565
Referred: Financial Institutions (H)	H764	Referred: Rules (H)	H1565
HB 854 (Burlison) Relating to dental assistants		Rules - Reported Do Pass (H)	H1919
Introduced & Read First Time (H)	H621	HB 864 (Carpenter) Relating to taxation	
Read Second Time (H)	H626	Introduced & Read First Time (H)	H622
Referred: Professional Registration & Licensing (H)	H764	Read Second Time (H)	H626
HB 855 (Gatschenberger) Relating to licensing of individuals		Referred: Ways & Means (H)	H3325
Introduced & Read First Time (H)	H621	HB 865 (Neely) Relating to removal of deceased voters from voter registration records	
Read Second Time (H)	H626	Introduced & Read First Time (H)	H622
Referred: General Laws (H)	H1365	Read Second Time (H)	H626
HB 856 (Morgan) Relating to a patient protection & hospital worker injury prevention plan		Referred: Elections (H)	H764
Introduced & Read First Time (H)	H621	HB 866 (Hinson) Relating to legal processes	
Read Second Time (H)	H626	Introduced & Read First Time (H)	H622
Referred: Health Care Policy (H)	H965	Read Second Time (H)	H626
HB 857 (Davis) Relating to the Show Me Heroes Education Fund		Referred: Crime Prevention & Public Safety (H)	H1366
Introduced & Read First Time (H)	H622	HB 867 (Jones 50) Relating to prior authorization for providers of medical assistance benefits	
Read Second Time (H)	H626	Introduced & Read First Time (H)	H622
Referred: Veterans (H)	H630	Read Second Time (H)	H626
HB 858 (English) Relating to the observance of a moment of silence in schools		Referred: Health Care Policy (H)	H3325
Introduced & Read First Time (H)	H622	HB 868 (Pfautsch) Relating to a plan of maintenance of a private road	
Read Second Time (H)	H626	Introduced & Read First Time (H)	H622
Referred: Elementary & Secondary Education (H)	H3325	Read Second Time (H)	H626
		Referred: Financial Institutions (H)	H3325

HB 869 (Crawford) Relating to the designation of a memorial bridge

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Transportation (H) H764

HB 870 (Cornejo) Relating to the motorcycle safety trust fund

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Transportation (H) H3325

HB 871 (Rehder) Relating to the official state anthem

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Tourism & Natural Resources (H) H1089

HB 872 (Schatz) Relating to removal of the renewal requirement for concealed carry endorsements

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: General Laws (H) H965

HB 873 (Dunn) Relating to higher education tuition policy

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Higher Education (H) H3325

HB 874 (Richardson) Relating to the Olympic Dream Tax Freedom Act

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Ways & Means (H) H1366

HB 875 (Wieland) Relating to county public health center sales taxes

Introduced & Read First Time (H) H637
 Read Second Time (H) H644
 Referred: Local Government (H) H764

HB 876 (Wieland) Relating to first aid training in schools

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Elementary & Secondary Education (H) H764

HB 877 (Marshall) Relating to veterinary medicine

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Emerging Issues in Agriculture (H) H3325

HB 878 (Koenig) Relating to state employee retirement systems

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Retirement (H) H1366

HB 879 (Smith 85) Relating to the transfer of college credits

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Higher Education (H) H764

HB 880 (Guernsey) Relating to the department of natural resources

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Agri-Business (H) H764
 HCS Reported Do Pass (H) H1565
 Referred: Rules (H) H1565

HB 881 (Guernsey) Relating to the department of natural resources

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Agri-Business (H) H764
 HCS Reported Do Pass (H) H966
 Referred: Rules (H) H966
 Rules - Reported Do Pass (H) H1120
 Taken Up for Perfection (H) H1457

HCS Adopted (H) H1468
 Perfected with Amendments (H) H1468
 Taken Up for Third Reading (H) H1543
 Third Read & Passed (H) H1543
 Emergency Clause Defeated (H) H1544
 Reported to the Senate & First Read (S) S916
 Second read & referred: Senate Commerce, Consumer Protection, Energy, & the Environment (S) S959

HB 882 (McCann Beatty) Relating to foreclosure notice to tenants

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Judiciary (H) H3325

HB 883 (McCann Beatty) Relating to nonjudicial foreclosure proceedings

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Financial Institutions (H) H3325

HB 884 (McCann Beatty) Relating to security deposits

Introduced & Read First Time (H) H638
 Read Second Time (H) H644
 Referred: Judiciary (H) H3325

HB 885 (Franklin) Relating to driveaway license plates for salvage dealers

Introduced & Read First Time (H) H644
 Read Second Time (H) H651
 Referred: Transportation (H) H764

HB 886 (Bahr) Relating to removal of department directors

Introduced & Read First Time (H) H654
 Read Second Time (H) H663
 Referred: Government Oversight & Accountability (H) ... H1089

HB 887 (Kelly 45) Relating to the sale or disclosure of driver record information

Introduced & Read First Time (H) H654
 Read Second Time (H) H663
 Referred: Downsizing State Government (H) H764

HB 888 (Rowland) Relating to the designation of a memorial bridge

Introduced & Read First Time (H) H654
 Read Second Time (H) H663
 Referred: Transportation (H) H764

HB 889 (Newman) Relating to increasing preventative health services in the state through the prevention first act

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Elementary & Secondary Education (H) H3325

HB 890 (Sommer) Relating to animal abuse

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Emerging Issues in Agriculture (H) H1366

HB 891 (Redmon) Relating to liquefied petroleum gas

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Agriculture Policy (H) H950

HB 892 (Hicks) Relating to sale of land by land reutilization authorities

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Judiciary (H) H3325

HB 893 (Franklin) Relating to violent video games

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 894 (LaFaver) Relating to senior citizens property tax relief

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 895 (LaFaver) Relating solely to the creation of an earned income tax credit

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 896 (LaFaver) Relating to MO HealthNet services

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Government Oversight & Accountability (H) ... H3325

HB 897 (Leara) Relating to police retirement

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Retirement (H) H965

HB 898 (Berry) Relating to an income tax deduction for energy efficiency projects

Introduced & Read First Time (H) H687
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 899 (Kirkton) Relating to malpractice insurance

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Health Insurance (H) H3325

HB 900 (Meredith) Relating to the MO HealthNet program

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Government Oversight & Accountability (H) ... H3325

HB 901 (Funderburk) Relating to utilities

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Utilities (H) H3325

HB 902 (Dunn) Relating to urban agricultural zones

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Agriculture Policy (H) H3325

HB 903 (Mayfield) Relating to marriage licenses

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Children, Families, & Persons with Disabilities (H) H3325

HB 904 (Butler) Relating to the Missouri parent/teacher involvement act

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Elementary & Secondary Education (H) H3325

HB 905 (Butler) Relating to the youth sports program fund

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 906 (Butler) Relating to the MO HealthNet program

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Government Oversight & Accountability (H) ... H3325

HB 907 (Butler) Relating to tax credits for contributions to public school foundations

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Ways & Means (H) H3325

HB 908 (Pace) Relating to the MO HealthNet program

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Government Oversight & Accountability (H) ... H3325

HB 909 (Pfautsch) Relating to transportation development districts

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Local Government (H) H764

HB 910 (Butler) Relating to the sale of intoxicating liquor

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: General Laws (H) H3325

HB 911 (Brown) Relating to food stamps assistance

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Children, Families, & Persons with Disabilities (H) H965

HB 912 (Brown) Relating to weapons

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: General Laws (H) H965

HB 913 (Brown) Relating to child day care services

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Children, Families, & Persons with Disabilities (H) H965

HB 914 (Bahr) Relating to the real property tax increment allocation redevelopment act

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: Economic Development (H) H764

HB 915 (Bahr) Relating to the employee reclassification act

Introduced & Read First Time (H) H688
 Read Second Time (H) H696
 Referred: General Laws (H) H965
 Reported Do Pass (H) H1917
 Referred: Rules (H) H1917
 Rules - Reported Do Pass (H) H2078

HB 916 (Schupp) Relating to business fees

Introduced & Read First Time (H) H736
 Read Second Time (H) H744
 Referred: Special Standing Committee on Small Business (H) H3325

HB 917 (Burlison) Relating to Missouri adjusted gross income

Introduced & Read First Time (H) H736
 Read Second Time (H) H744
 Referred: Ways & Means (H) H965

HB 918 (Roorda) Relating to business fees

Introduced & Read First Time (H) H737
 Read Second Time (H) H744
 Referred: Veterans (H) H3325

HB 919 (Mayfield) Relating to government meetings & records

Introduced & Read First Time (H) H737
 Read Second Time (H) H744
 Referred: Judiciary (H) H3325

HB 920 (Dunn) Relating to early childhood education

Introduced & Read First Time (H) H737
 Read Second Time (H) H744
 Referred: Elementary & Secondary Education (H) H3325

HB 921 (Berry) Relating to the Missouri Quality Jobs Act

Introduced & Read First Time (H) H737

Read Second Time (H)	H744	HB 933 (Jones 50) Relating to travel hardships of public school pupils	Introduced & Read First Time (H)	H737
Referred: Economic Development (H)	H965		Read Second Time (H)	H744
HB 922 (Nichols) Relating to the licensing of clinical laboratory science personnel			Referred: Elementary & Secondary Education (H)	H3325
Introduced & Read First Time (H)	H737	HB 934 (Curtis) Relating to the Missouri science, technology, engineering & mathematics initiative	Introduced & Read First Time (H)	H769
Read Second Time (H)	H744		Read Second Time (H)	H782
Referred: Professional Registration & Licensing (H)	H3325		Referred: Economic Development (H)	H3325
HB 923 (Richardson) Relating to contracts for public works		HB 935 (Mayfield) Relating to consumer credit interest rates	Introduced & Read First Time (H)	H769
Introduced & Read First Time (H)	H737		Read Second Time (H)	H782
Read Second Time (H)	H744		Referred: Financial Institutions (H)	H3325
Referred: General Laws (H)	H965	HB 936 (Swan) Relating to a pilot project for the utilization of telehealth by nurses	Introduced & Read First Time (H)	H769
HB 924 (Johnson) Relating to the Missouri Business Recruiters Act			Read Second Time (H)	H782
Introduced & Read First Time (H)	H737		Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H966
Read Second Time (H)	H744		HCS Reported Do Pass (H)	H1364
Referred: International Trade (H)	H1470		Referred: Rules (H)	H1364
HB 925 (Allen) Relating to medical assistance			Rules - Reported Do Pass (H)	H1469
Introduced & Read First Time (H)	H737		Taken Up for Perfection (H)	H1636
Read Second Time (H)	H744		HCS Adopted (H)	H1637
Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H965		Perfectured with Amendments (H)	H1637
HCS Reported Do Pass (H)	H1880		Taken Up for Third Reading (H)	H1906
Referred: Rules (H)	H1880		Third Read & Passed (H)	H1908
HB 926 (Allen) Relating to medical assistance			Reported to the Senate & First Read (S)	S1296
Introduced & Read First Time (H)	H737		Second read & referred: Senate Judiciary & Civil & Criminal Jurisprudence (S)	S1341
Read Second Time (H)	H744	HB 937 (Hummel) Relating to the MO HealthNet program	Introduced & Read First Time (H)	H769
Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H965		Read Second Time (H)	H782
HB 927 (Reiboldt) Relating to agriculture			Referred: Government Oversight & Accountability (H) ..	H3325
Introduced & Read First Time (H)	H737	HB 938 (Schupp) Relating to technical codes	Introduced & Read First Time (H)	H769
Read Second Time (H)	H744		Read Second Time (H)	H782
Referred: Agriculture Policy (H)	H764		Referred: Local Government (H)	H3325
HCS Reported Do Pass (H)	H1117	HB 939 (Fitzpatrick) Relating to public assistance	Introduced & Read First Time (H)	H769
Referred: Rules (H)	H1117		Read Second Time (H)	H782
Rules - Returned to the Committee of Origin (H)	H1364		Referred: Children, Families, & Persons with Disabilities (H)	H3325
HCS Reported Do Pass (H)	H1468	HB 940 (Fitzpatrick) Relating to county planning & zoning commissions	Introduced & Read First Time (H)	H769
Referred: Rules (H)	H1468		Read Second Time (H)	H782
Rules - Reported Do Pass (H)	H1880		Referred: Local Government (H)	H3325
HB 928 (Burlison) Relating to the education compact		HB 941 (Walton Gray) Relating to delegation of child visitation for incarcerated persons	Introduced & Read First Time (H)	H769
Introduced & Read First Time (H)	H737		Read Second Time (H)	H782
Read Second Time (H)	H744		Referred: Retirement (H)	H3325
Referred: Elementary & Secondary Education (H)	H966	HB 942 (Swan) Relating to virtual education	Introduced & Read First Time (H)	H769
HB 929 (Cornejo) Relating to mental health services			Read Second Time (H)	H782
Introduced & Read First Time (H)	H737		Referred: Elementary & Secondary Education (H)	H966
Read Second Time (H)	H744	HB 943 (Austin) Relating to the liability of amusement ride owners or operators	Introduced & Read First Time (H)	H769
Referred: Health Care Policy (H)	H966		Read Second Time (H)	H782
Reported Do Pass (H)	H1566		Referred: Judiciary (H)	H3326
Referred: Rules (H)	H1566	HB 930 (Flanigan) Relating to rebuilding damaged infrastructure	Introduced & Read First Time (H)	H737
Rules - Reported Do Pass (H)	H1880		Read Second Time (H)	H744
HB 931 (Jones 50) Relating to alcohol-related traffic offenses			Referred: Budget (H)	H966
Introduced & Read First Time (H)	H737		HCS Reported Do Pass (H)	H1565
Read Second Time (H)	H744		Referred: Rules (H)	H1565
Referred: General Laws (H)	H966		Rules - Reported Do Pass (H)	H1880
HB 932 (Funderburk) Relating to local health departments			HB 942 (Swan) Relating to virtual education	
Introduced & Read First Time (H)	H737		Introduced & Read First Time (H)	H769
Read Second Time (H)	H744		Read Second Time (H)	H782
Referred: Local Government (H)	H966		Referred: Elementary & Secondary Education (H)	H966

HB 944 (Schatz) Relating to clean water permits

Introduced & Read First Time (H) H769
 Read Second Time (H) H782
 Referred: Tourism & Natural Resources (H) H966

HB 945 (Rowland) Relating to compensation for damages arising from service of process

Introduced & Read First Time (H) H769
 Read Second Time (H) H782
 Referred: Judiciary (H) H3326

HB 946 (Schupp) Relating to domestic violence

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Special Standing Committee on Corrections (H) H3326

HB 947 (Dunn) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 948 (Burns) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 949 (Curtis) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 950 (McNeil) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 951 (Colona) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 952 (Mayfield) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 953 (Ellinger) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 954 (Schieffer) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 955 (Nichols) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 956 (Otto) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 957 (Schupp) Relating to the MO HealthNet program

Introduced & Read First Time (H) H770
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 958 (Mims) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782

Referred: Government Oversight & Accountability (H) ... H1366

HB 959 (Morgan) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 960 (England) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 961 (Walton Gray) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 962 (Richardson) Relating to the definition of livestock

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Emerging Issues in Agriculture (H) H966

HB 963 (Houghton) Relating to crimes committed on agricultural property

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Agri-Business (H) H966

HB 964 (Houghton) Relating to animal slaughter & processing facilities

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Agriculture Policy (H) H966

HB 965 (Houghton) Relating to youth hunting

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Tourism & Natural Resources (H) H3326

HB 966 (Gardner) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 967 (LaFaver) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 968 (Grisamore) Relating to guardianship subsidies

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Children, Families, & Persons with Disabilities (H) H966

HB 969 (May) Relating to the MO HealthNet program

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H1366

HB 970 (Wieland) Relating to motor vehicle insurance

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Insurance Policy (H) H1366

HB 971 (Fitzwater) Relating to local log trucks

Introduced & Read First Time (H) H771
 Read Second Time (H) H782
 Referred: Agriculture Policy (H) H3326

HB 972 (Morgan) Relating to higher education tuition policy

Introduced & Read First Time (H) H772
 Read Second Time (H) H782
 Referred: Higher Education (H) H3326

HB 973 (Stream) Relating to grandparent visitation

Introduced & Read First Time (H) H772
 Read Second Time (H) H782
 Referred: Children, Families, & Persons with Disabilities (H) H3326

HB 974 (Kirkton) Relating to the MO HealthNet program

Introduced & Read First Time (H) H772
 Read Second Time (H) H782
 Referred: Government Oversight & Accountability (H) ... H3326

HB 975 (Richardson) Relating to damages for certain civil actions

Introduced & Read First Time (H) H772
 Read Second Time (H) H782
 Referred: General Laws (H) H966
 HCS Reported Do Pass (H) H1565
 Referred: Rules (H) H1565
 Rules - Reported Do Pass (H) H2078

HB 976 (Schupp) Relating to safety belts

Introduced & Read First Time (H) H772
 Read Second Time (H) H782
 Referred: Crime Prevention & Public Safety (H) H3326

HB 977 (Mitten) Relating to the MO HealthNet program

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) ... H3326

HB 978 (Kelly 45) Relating to the tobacco master settlement agreement

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Ways & Means (H) H3326

HB 979 (Hough) Relating to motor vehicle, trailer, & boat dealers

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Transportation (H) H1366

HB 980 (Fraker) Relating to notice of neighborhood improvement districts

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Local Government (H) H3326

HB 981 (Franklin) Relating to the use of fireworks

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H3326

HB 982 (Curtis) Relating to the designation of youth mentoring day

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Tourism & Natural Resources (H) H3326

HB 983 (McNeil) Relating to health insurance premium rate reviews

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Health Insurance (H) H3326

HB 984 (McNeil) Relating to the homeowners' solar rights act

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Utilities (H) H3326

HB 985 (Barnes) Relating to the ticket to work health assurance program

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) H966

HB 986 (Barnes) Relating to the MO HealthNet transformation task force

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) H966
 HCS Reported Do Pass (H) H1012
 Referred: Rules (H) H1012
 Rules - Reported Do Pass (H) H1157
 Taken Up for Perfection (H) H1502
 HCS Adopted (H) H1518
 Perfected with Amendments (H) H1518
 Referred: Fiscal Review (H) H1533
 Reported Do Pass (H) H1576
 Taken Up for Third Reading (H) H1599
 Third Read & Passed (H) H1600 - 1601
 Emergency Clause Adopted (H) H1601 - 1602
 Reported to the Senate & First Read (S) S948
 Second read & referred: Senate Veterans' Affairs & Health (S) S1290
 SCS Reported Do Pass (S) S1726
 Referred: Senate Governmental Accountability & Fiscal Oversight (S) S1811
 Reported Do Pass (S) S1897 - 1898
 Placed on Informal Calendar S1926
 Taken Up for Third Reading (S) S1955
 SCS Adopted (S) S1958
 Third Read & Passed with Amendments (S) S1958 - 1959
 Emergency Clause Adopted (S) S1959
 Reported to the House (H) H2825 - 2827
 House Concurs (H) H3276
 Truly Agreed To & Finally Passed H3277 S2430 - 2431
 Emergency Clause Adopted on Truly Agreed to Bill H3278
 Signed by House Speaker (H) H3332
 Signed by President Pro Tem (S) S2440 - 2441
 Delivered to Governor H3332

HB 987 (Barnes) Relating to income eligibility for MO HealthNet benefits

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) H966

HB 988 (Barnes) Relating to medical assistance benefits for foster children

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) H966

HB 989 (Torpey) Relating to property assessments

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Local Government (H) H3326

HB 990 (Torpey) Relating to alcohol-related traffic offenses

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: General Laws (H) H1366

HB 991 (Schatz) Relating to the meth lab elimination act

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H966

HB 992 (Schatz) Relating to controlled substances

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H966

HB 993 (Hurst) Relating to the garnishment of wages

Introduced & Read First Time (H) H924
 Read Second Time (H) H935
 Referred: Judiciary (H) H3326

HB 994 (Butler) Relating to notary public fees

Introduced & Read First Time (H) H924

- Read Second Time (H) H935
 Referred: Judiciary (H) H3326
- HB 995 (Frederick) Relating to the federal health care reform law**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Health Care Policy (H) H3326
- HB 996 (Cross) Relating to license plates & windshield placards for permanently disabled persons**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Children, Families, & Persons with Disabilities (H) H3326
- HB 997 (Colona) Relating to courthouse security**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H3326
- HB 998 (Frame) Relating to the manufacturing incubators act**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Economic Development (H) H3326
- HB 999 (Frame) Relating to property taxation**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Ways & Means (H) H3326
- HB 1000 (Frame) Relating to a sales tax holiday**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: General Laws (H) H1366
- HB 1001 (Frame) Relating to eminent domain**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: General Laws (H) H1366
- HB 1002 (Frame) Relating to proof of motor vehicle financial responsibility**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Insurance Policy (H) H3326
- HB 1003 (Frame) Relating to the crime of drug-induced murder**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H3326
- HB 1004 (Frame) Relating to the sale of cellular phones by secondhand dealers**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Professional Registration & Licensing (H) H3326
- HB 1005 (Curtman) Relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H3326
- HB 1006 (Jones 50) Relating to electric cooperatives**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Utilities (H) H1366
- HB 1007 (Hurst) Relating to weight limitations for vehicles hauling livestock & agricultural products**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Agriculture Policy (H) H3326
- HB 1008 (Smith 85) Relating to instruction in human sexuality & sexually transmitted diseases**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Elementary & Secondary Education (H) H3326
- HB 1009 (Schupp) Relating to qualified voters of community improvement districts**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Local Government (H) H3326
- HB 1010 (Morgan) Relating to professional development for teachers**
 Introduced & Read First Time (H) H925
 Read Second Time (H) H935
 Referred: Elementary & Secondary Education (H) H3326
- HB 1011 (Scharnhorst) Relating to school physical fitness challenges**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Elementary & Secondary Education (H) H1366
- HB 1012 (Ellington) Relating to the MO HealthNet program**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) ... H3326
- HB 1013 (Korman) Relating to taxes imposed on fuel**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Ways & Means (H) H3326
- HB 1014 (Korman) Relating to license plate & driver's license fees**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Transportation (H) H1366
- HB 1015 (Cookson) Relating to favoritism in higher education**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Higher Education (H) H1366
- HB 1016 (Cookson) Relating to the school calendar**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Elementary & Secondary Education (H) H1366
- HB 1017 (Love) Relating to the designation of a highway**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Transportation (H) H966
- HB 1018 (Curtman) Relating to vehicle safety inspections**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Transportation (H) H3326
- HB 1019 (McCann Beatty) Relating to public mass transportation sales taxes**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Special Standing Committee on Urban Issues (H) H3326
- HB 1020 (McCann Beatty) Relating to employer's request for account information from a social networking website**
 Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Workforce Development & Workplace Safety (H) H3326

HB 1021 (Conway 104) Relating to the use of tobacco in a private business

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Local Government (H) H1179

HB 1022 (Jones 50) Relating to liability for prohibiting concealed firearms on business premises

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: General Laws (H) H1366

HB 1023 (Jones 50) Relating to possession of child pornography

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Crime Prevention & Public Safety (H) H1366

HB 1024 (Korman) Relating to the Missouri Workforce Investment Board

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Workforce Development & Workplace Safety (H) H1366

HB 1025 (Korman) Relating to pole attachments

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Withdrawn (H) H3320

HB 1026 (Jones 50) Relating to the disposition of seized property

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: General Laws (H) H1366

HB 1027 (Roorda) Relating to investigation of third-party involvement in certain juvenile offenses

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Special Standing Committee on Corrections (H) H3326

HB 1028 (Webber) Relating to property valuations for wind energy devices

Introduced & Read First Time (H) H926
 Read Second Time (H) H935
 Referred: Ways & Means (H) H1366

HB 1029 (Burlison) Relating to division of interstate income for corporate income taxation

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Ways & Means (H) H1366

HB 1030 (Burlison) Relating to the Compassionate Care Act

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Special Standing Committee on Emerging Issues in Health Care (H) H1366

HB 1031 (Parkinson) Relating to corporate income tax

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Ways & Means (H) H1366

HB 1032 (Jones 50) Relating to state employees

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Elections (H) H1366

HB 1033 (Shull) Relating to tax credits for guaranty fees

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Special Standing Committee on Small Business (H) H1011

HB 1034 (Jones 50) Relating to definitions for insurance

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Insurance Policy (H) H1366

HB 1035 (Kelley 127) Relating to amended property tax rate filings with the office of the state auditor

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Ways & Means (H) H950
 HCS Reported Do Pass (H) H1092
 Referred: Rules (H) H1092
 Rules - Reported Do Pass (H) H1120
 Taken Up for Perfection (H) H1280
 HCS Adopted (H) H1281
 Perfected with Amendments (H) H1281
 Taken Up for Third Reading (H) H1377
 Third Read & Passed (H) H1377 - 1378
 Reported to the Senate & First Read (S) S846 - 847
 Second read & referred: Senate Jobs, Economic Development, & Local Government (S) S851
 Reported Do Pass (S) S1289 - 1290
 Taken Up for Third Reading (S) S1385 - 1386
 SCS Adopted (S) S1408
 Third Read & Passed with Amendments (S) S1408
 Emergency Clause Adopted (S) S1408
 Reported to the House (H) H2079 - 2095
 House Refuses to Adopt (C) H2306
 House Requests Senate Recede or Grant Conference (H) H2306 S1600
 Senate Refuses to Recede, Grants Conference (S) .. S1631 H2359
 Senate Conference Committee Appointed (S) S1631 - 1632
 H2360
 House Conference Committee Appointed (H) H2367 S1646
 House Submits Conference Committee Report (H) H2545 - 2546
 House Submits Conference Committee Report (H) H2845
 House Adopts Conference Committee Report (H) .. H3127 - 3128
 Third Read & Passed (H) H3129
 Emergency Clause Adopted (H) H3130
 Senate Submits Conference Committee Report (S) .. S2389 - 2390
 Senate Adopts Conference Committee Report (S) S2390
 Truly Agreed To & Finally Passed S2390 - 2391 H3239
 Emergency Clause Adopted on Truly Agreed to Bill S2391
 Signed by House Speaker (H) H3332
 Signed by President Pro Tem (S) S2440 - 2441
 Delivered to Governor H3332

HB 1036 (Schatz) Relating to pure premium rates

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Workforce Development & Workplace Safety (H) H1366

HB 1037 (Englund) Relating to security deposits

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Judiciary (H) H3326

HB 1038 (Burlison) Relating to the energy compact

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Utilities (H) H1366

HB 1039 (Franklin) Relating to the Show-Me transformation act

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Government Oversight & Accountability (H) ... H3326

HB 1040 (Cookson) Relating to school age children of welfare recipients

Introduced & Read First Time (H) H927
 Read Second Time (H) H935
 Referred: Elementary & Secondary Education (H) H3326

HB 1041 (Swan) Relating to prevailing wages

Introduced & Read First Time (H)	H927
Read Second Time (H)	H935
Referred: Workforce Development & Workplace Safety (H)	H1011
HCS Reported Do Pass (H)	H1535
Referred: Rules (H)	H1535

Rules - Reported Do Pass (H)	H1652
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HB 1042 (Koenig) Relating to the determination of what are business activities within this state

Introduced & Read First Time (H)	H927
Read Second Time (H)	H935
Referred: Ways & Means (H)	H1366

INTRODUCED HOUSE CONCURRENT RESOLUTIONS**HCR 1 (Diehl) Relating to a Joint Session for the State of the State Address**

Offered (H)	H21
Adopted (H)	H21
Taken Up	S86
Adopted (S)	S86 H120
Escort Committee	S86 H120
Escort Committee	H166 S120

HCR 2 (Diehl) Relating to Joint Session for the State of the Judiciary Address

Offered (H)	H21
Adopted (H)	H21
Taken Up	S86
Adopted (S)	S86 H120
Escort Committee	S86 H120
Escort Committee	H154 S115

HCR 3 (Sommer) Relating to a federal balanced budget amendment

Offered (H)	H21
Referred: Budget (H)	H240

HCR 4 (Scharnhorst) Relating to a federal balanced budget Amendment to the United States Constitution

Introduced & Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Budget (H)	H240

HCR 5 (Phillips) Relating to a Purple Heart medal

Offered (H)	H61
Referred: Veterans (H)	H284
Reported Do Pass (H)	H443
Referred: Rules (H)	H443
Rules - Reported Do Pass (H)	H488
Taken Up	H540
Adopted (H)	H540 - 541 S489
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S496
Reported Do Pass (S)	S783
Taken Up	S789
Adopted (S)	S789 H1336

HCR 6 (Sommer) Relating to the tenth amendment to the constitution of the United States

Offered (H)	H61
Referred: Government Oversight & Accountability (H) ...	H3320

HCR 7 (Pfautsch) Relating to a celebration of the bicentennial of the State of Missouri

Offered (H)	H85
Referred: Tourism & Natural Resources (H)	H240
Reported Do Pass (H)	H467
Referred: Rules (H)	H467
Rules - Reported Do Pass (H)	H497
Taken Up	H579
Adopted (H)	H579 S505
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S1418
Reported Do Pass (S)	
Taken Up	S1639

Adopted (S)	S1639 H2434
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HCR 8 (Parkinson) Relating to the Obama Administration's proposal that the Senate of the United States consider adoption of a United Nations Arms Trade Treaty

Introduced & Read First Time (H)	H89
Read Second Time (H)	H94
Referred: General Laws (H)	H965

HCR 9 (Curtman) Relating to the federal reserve transparency act

Offered (H)	H124
Referred: Government Oversight & Accountability (H) ...	H240
Reported Do Pass (H)	H442
Referred: Rules (H)	H442
Rules - Reported Do Pass (H)	H488
Taken Up	H578
Adopted (H)	H578 - 579

HCR 10 (Walton Gray) Designates April 2013 as "Donate Life Month"

Offered (H)	H167
Referred: Tourism & Natural Resources (H)	H464
Reported Do Pass (H)	H598
Referred: Rules (H)	H598
Rules - Reported Do Pass (H)	H766
Taken Up	H984
Adopted (H)	H984
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S726

HCR 11 (Walton Gray) Designates March 24-30, 2013 as "Colon Cancer Awareness Week"

Offered (H)	H167
Referred: Tourism & Natural Resources (H)	H464
Reported Do Pass (H)	H598
Referred: Rules (H)	H598
Rules - Reported Do Pass (H)	H653

HCR 12 (Walton Gray) Relating to the National Foundation for Women Legislators

Offered (H)	H167
Referred: Tourism & Natural Resources (H)	H464
Reported Do Pass (H)	H598
Referred: Rules (H)	H598

HCR 13 (Walton Gray) Designates May 12-18, 2013 as "Sickle Cell Awareness Week"

Offered (H)	H167
Referred: Health Care Policy (H)	H356

HCR 14 (Walton Gray) Designates August 1, 2013 as "Minority Organ Donor Awareness Day"

Offered (H)	H167
Referred: Health Care Policy (H)	H356

HCR 15 (Walton Gray) Designates December 15, 2013, as "American Red Cross Minority Blood Drive Day"

Offered (H)	H167
Referred: Health Care Policy (H)	H356
Reported Do Pass (H)	H967

Referred: Rules (H)	H967		
HCR 16 (Walton Gray) Relating to the Missouri Veterans Commission		HCR 24 (Hoskins) Relating to Taiwan's participation in the International Civil Aviation Organization	
Offered (H)	H167	Offered (H)	H406
Referred: Veterans (H)	H356	Referred: International Trade (H)	H3320
Reported Do Pass (H)	H508		
Referred: Rules (H)	H508	HCR 25 (Allen) Relating to the establishment of the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance & Taxation	
Rules - Reported Do Pass (H)	H545	Offered (H)	H406
Taken Up	H627	Referred: General Laws (H)	H464
Adopted (H)	H627 S547	Reported Do Pass (H)	H686
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S561	Referred: Rules (H)	H686
Reported Do Pass (S)	S1418	Rules - Reported Do Pass (H)	H766
Taken Up	S1721	Taken Up	H983
Adopted (S)	S1721 H2489	Adopted (H)	H983 - 984 S709
		Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S726
		Reported Do Pass (S)	S1418
		Taken Up	S2338
		Senate Substitute Offered (S)	S2338
		SS Adopted (S)	S2338 - 2339 H3155
		Taken Up	H3296
		House Adopts (H)	H3296 S2431
HCR 17 (Frederick) Relating to Medicaid DSH payments			
Offered (H)	H191	HCR 26 (Kirkton) Relating to the regulation of coal combustion waste	
Referred: Health Care Policy (H)	H240	Offered (H)	H430
HCS Reported Do Pass (H)	H1117	Referred: Tourism & Natural Resources (H)	H3320
Referred: Rules (H)	H1117		
Rules - Reported Do Pass (H)	H1157	HCR 27 (Schupp) Relating to the Violence Against Women Act	
Taken Up	H1981	Offered (H)	H451
Adopted (H)	H1981 - 1982	Referred: Crime Prevention & Public Safety (H)	H3320
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S1482		
		HCR 28 (Lynch) Encourages the Dept. of Defense to reconsider the reduction & realignment of Army forces at Fort Leonard Wood, MO	
HCR 18 (English) Relating to West Lake Landfill radioactive waste		Offered (H)	H533
Offered (H)	H268	Referred: Veterans (H)	H596
Referred: General Laws (H)	H763	Reported Do Pass (H)	H632
		Referred: Rules (H)	H632
HCR 19 (Rowden) Urges the United States Secretary of State to approve the newly routed pipeline application from TransCanada		Rules - Reported Do Pass (H)	H653
Offered (H)	H318	Taken Up	H982
Referred: General Laws (H)	H356	Adopted (H)	H982 - 983
Reported Do Pass (H)	H525	Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S726
Referred: Rules (H)	H525	Reported Do Pass (S)	S1418
Rules - Reported Do Pass (H)	H545	Adopted (S)	S1640 H2434
Taken Up	H627		
Adopted (H)	H627 - 628 S548	HCR 29 (Gannon) Designates March as "Missouri Whole Child Month"	
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S561	Offered (H)	H565
Reported Do Pass (S)	S783	Referred: Tourism & Natural Resources (H)	H617
Taken Up	S788		
Adopted (S)	S788 H1336	HCR 30 (Dunn) Recognizes April 15, 2013 as "Jackie Robinson Day" in Missouri	
		Offered (H)	H577
HCR 20 (Black) Supports lawful legislative action which protects the rights of gun owners		Referred: Tourism & Natural Resources (H)	H617
Offered (H)	H332	Reported Do Pass (H)	H1157
Referred: General Laws (H)	H386	Referred: Rules (H)	H1157
HCR 21 (Black) Urges the United States Congress to pass a comprehensive, five year farm bill		HCR 31 (Ellinger) Relating to the Improved & Expanded Medicare for All Act	
Offered (H)	H332	Offered (H)	H695
Referred: Emerging Issues in Agriculture (H)	H409	Referred: Health Insurance (H)	H3320
Reported Do Pass (H)	H568		
Referred: Rules (H)	H568	HCR 32 (Schatz) Relating to rare earth element refining & storage	
Rules - Reported Do Pass (H)	H1118	Offered (H)	H695
		Referred: Utilities (H)	H965
HCR 22 (Roorda) Urges Congress to establish a national database on police shootings		Reported Do Pass (H)	H1880
Offered (H)	H332	Referred: Rules (H)	H1880
Referred: Crime Prevention & Public Safety (H)	H3320	Rules - Reported Do Pass (H)	H1968
HCR 23 (Fitzpatrick) Proposes a constitutional convention for the sole purpose of adopting an amendment requiring a balanced federal budget			
Offered (H)	H349		
Referred: Downsizing State Government (H)	H409		

HCR 33 (Swan) Relating to music therapy

Offered (H)	H744
Referred: General Laws (H)	H965

HCR 34 (Houghton) Urges Congress to reevaluate the Healthy, Hunger-Free Kids Act

Offered (H)	H744
Referred: Emerging Issues in Agriculture (H)	H965
Reported Do Pass (H)	H1363
Referred: Rules (H)	H1363
Rules - Reported Do Pass (H)	H1469
Taken Up	H1980
Adopted (H)	H1980 - 1981
Referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S1482

HCR 35 (Jones 110) Relating to the Religious Freedom**Restoration Act**

Offered (H)	H744
Referred: Rules (H)	H965
Reported Do Pass (H)	H1012

HCR 36 (Morgan) Relating to ratification of the Equal Rights Amendment to the United States Constitution

Introduced & Read First Time (H)	H768
Read Second Time (H)	H781
Referred: General Laws (H)	H3320

HCR 37 (McCann Beatty) Relating to recognition of "Lucille Bluford Day"

Offered (H)	H738
Referred: General Laws (H)	H3320

INTRODUCED HOUSE JOINT RESOLUTIONS**HJR 1 (Dugger) Relating to elections**

Withdrawn (H)	H31
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HJR 2 (Black) Relating to the general assembly

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Elections (H)	H409

HJR 3 (Elmer) Relating to property taxation

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Ways & Means (H)	H356

HJR 4 (Neth) Relating to the term limit reform act

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Elections (H)	H143
Reported Do Pass (H)	H342
Referred: Rules (H)	H342
Rules - Reported Do Pass (H)	H422
Taken Up for Perfection (H)	H464
Laid Over (H)	H464
Taken Up for Perfection (H)	H507
Perfecting with Amendments (H)	H507
Referred: Fiscal Review (H)	H507
Reported Do Pass (H)	H525
Taken Up for Third Reading (H)	H535
Third Read & Passed (H)	H536
Reported to the Senate & First Read (S)	S489
Second read & referred: Senate Rules, Joint Rules, Resolutions, & Ethics (S)	S610

HJR 5 (Dugger) Relating to elections

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Elections (H)	H143
HCS Reported Do Pass (H)	H286
Referred: Rules (H)	H286
Rules - Reported Do Pass (H)	H297
Taken Up for Perfection (H)	H324
Laid Over (H)	H324
Taken Up for Perfection (H)	H337
Laid Over (H)	H337
Taken Up for Perfection (H)	H338
HCS Adopted (H)	H339
Perfecting (H)	H339
Referred: Fiscal Review (H)	H342
Reported Do Pass (H)	H350
Taken Up for Third Reading (H)	H350
Third Read & Passed (H)	H351
Reported to the Senate & First Read (S)	S294
Second read & referred: Senate Financial & Governmental	

Organizations & Elections (S)	S333
SCS Reported Do Pass (S)	S1417
Referred: Senate Governmental Accountability & Fiscal Oversight (S)	S1640

HJR 6 (White) Relating to limitation of liability for noneconomic damages

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Special Standing Committee on Emerging Issues in Health Care (H)	H356

HJR 7 (Smith 120) Relating to the right to hunt, fish, & farm

Read First Time (H)	H22
Read Second Time (H)	H61
Referred: Agriculture Policy (H)	H143
HCS Reported Do Pass (H)	H324

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(Bills are classified by the last version acted on)

No.	Author	Subject
ABORTION		
SB 50	Wallingford	Provides protections for Alternatives to Abortion Agencies to freely engage in religious practices
SB 84	Rupp	Provides for the conscience rights of individuals who provide medical services
SB 111	Emery	Prohibits any requirement that pharmacies carry a specific drug or device
SB 175	Wallingford	Requires the physical presence of the physician who prescribed or dispensed any abortion-inducing drugs while such drug is administered
SB 318	Rupp	Modifies provisions relating to abortion reporting and recordkeeping
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 393	Libla	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
SB 450	Justus	Modifies provisions relating to sexual education
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 31	Gatschenberger	Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 298	English	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
HB 378	Kelley 127	Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
ADMINISTRATION, OFFICE OF		
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
HCS SB 67		Modifies provisions relating to higher education
SB 180	Kraus	Changes the goal of 3% of government contracts awarded to service-disabled veteran businesses to 4%, and appropriates \$100,000 to veteran organizations
SB 291	Rupp	Requires the Office of Administration to set a goal of awarding at least 3% of contracts to businesses with disabled employees
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization

No.	Author	Subject
SS#2 SCS HB 116		Changes the laws regarding audits
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 358	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons
HB 502	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 525	Franklin	Permits the commissioner of administration to hold reverse auctions for the purchase of certain commodities
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 642	Elmer	Allows a construction manager and any construction firm that he or she controls to bid and perform any of the actual construction on a public works project
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 778	Kelley 127	Requires the Office of Administration to sell advertising space on all websites operated by its Information Technology Services Division
HB 811	Cross	Changes the goal that 3% of government contracts be awarded to service-disabled veteran businesses to 4% and appropriates \$100,000 to veteran organizations
HB 817	Ross	Specifies that beginning in fiscal year 2015, moneys to be deposited into the Missouri Revolving Information Technology Trust Fund must be collected by the Office of Administration for actual costs incurred
HB 863	Allen	Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 924	Johnson	Establishes the Missouri Business Recruiters Act to create employment positions for business recruiters to attract out-of-state business owners and companies to Missouri

No.	Author	Subject
HCS#2 HJR 14		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, construction, landscaping, land or building purchases, and transportation infrastructure
ADMINISTRATIVE LAW		
SCS SB 69		Modifies provisions relating to administrative child support orders
SS SB 267		Specifies how courts may rule in contractual disputes involving the law of other countries
SB 304	Wasson	Allows the Board of Healing Arts to indefinitely restrict an athletic trainer's license or revoke a license
SB 321	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
SB 370	Wasson	Adds additional causes for which the Board of Nursing may file a complaint, and allows the Board to request an emergency suspension of a license
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 121	Barnes	Allows the court discretion in the appointment of a guardian ad litem in specified cases regarding child abuse or neglect and ex parte orders of protection
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 279	Hinson	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 293	Spencer	Requires any state agency that assesses or imposes an administrative penalty to implement procedures that provide information regarding the administrative appeal process
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SS HCS HB 315		Changes the laws regarding health care services
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 557	Ellinger	Requires all substantiated cases of child abuse and neglect in the central registry to be classified based on risk of future harm to the child
HB 576	Walker	Specifies that dissolution of marriage proceedings are exempt from the automatic stay provisions for members of the General Assembly
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 757	Bahr	Establishes the Civil Liberties Defense Act and specifies how a court may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
ADMINISTRATIVE RULES		
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes
HCS SCS SB 88		Modifies provisions relating to the furnishing of medical records and hospital licensure

No.	Author	Subject
SCS SB 109		Amends various provisions regarding the licensure and inspection of hospitals
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
HB 293	Spencer	Requires any state agency that assesses or imposes an administrative penalty to implement procedures that provide information regarding the administrative appeal process
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 991	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from schedule IV and V controlled substances to schedule III requiring a prescription
HB 1014	Korman	Authorizes the Department of Transportation to set fees for drivers' licenses and license plates
AGRICULTURE AND ANIMALS		
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture
HCS SB 12		Modifies various laws relating to judicial procedures
SB 16	Munzlinger	Exempts farm work performed by children under 16 from certain child labor requirements
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SB 56	Munzlinger	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria they have already been inspected for by the state or federal Department of Agriculture
SB 98	Schaefer	Modifies provisions relating to animal shelters
SB 149	Keaveny	Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 228	Holsman	Authorizes the establishment of urban agricultural zones
SB 329	Brown	Modifies the definition of eggs
CCS HCS SB 342		Modifies provisions relating to agriculture
SCS SB 371		Modifies provisions relating to agriculture
SS SCS SB 373		Modifies fees relating to agricultural weights and measures
SB 438	Munzlinger	Allows certain agricultural fees to be used for research outside of the Missouri Agricultural Experiment Station so long as the research relates to the value and proper use of fertilizer
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
SJR 22	Parson	Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources

No.	Author	Subject
HB 45	Hinson	Authorizes the county commission in any county to adopt specified building codes and establish a building commission and exempts a structure used solely for specified agricultural purposes from building code regulations
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HCS HB 81		Establishes the Missouri International Agricultural Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 153	Solon	Expands the crime of assault of a law enforcement officer in the first, second, and third degrees to include the assault of an animal control officer
HB 174	Hodges	Revises the definition of "police animal" as it relates to crimes committed against these animals to include a dog, horse, or other animal used by public or private search and rescue units or agencies
HB 205	Reiboldt	Affirms the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on livestock owners
HB 206	Reiboldt	Designates the month of December as "Pet Breeders Appreciation Month"
HB 244	Ellington	Requires all food or food products sold in Missouri that are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 255	Torpey	Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HCS HB 306		Designates "Old Drum" as the official state historical dog
HB 334	Dugger	Exempts farm work performed by children under 16 years of age from certain child labor requirements
HB 342	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at farmers' markets
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 412	Reiboldt	Increases the maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority may issue on a loan for livestock feed and crop input
HB 433	Korman	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria already under inspection by the Department of Agriculture or under federal inspection
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 517	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
SS SCS HB 542		Changes the laws regarding agriculture
HCS HB 564		Changes the laws regarding the crimes of animal neglect and animal abuse and creates the crime of animal trespass
HCS HB 586		Guarantees the right to conduct and participate in rodeos in this state and prohibits a restriction on the conducting of or participation in rodeos
HCS HB 604		Changes the laws regarding the Department of Natural Resources
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources

No.	Author	Subject
HB 707	Grisamore	Changes the laws regarding the crime of causing injury to or the death of a service dog
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HCS HB 749		Changes the laws regarding landlord-tenant actions
HB 758	Schieber	Allows the Department of Natural Resources to designate certain areas within state parks as off-leash areas or dog parks
HB 785	Anderson	Changes the laws regarding the confiscation of animals
HB 834	Sommer	Revises the definition of "service dog" to include animals that provide support or therapeutic functions for individuals with psychiatric or mental disabilities
HB 835	Sommer	Designates the first week of August each year as "Animal Rescue and Adoption Week" in Missouri
HB 836	Guernsey	Requires a Department of Corrections' facility to maintain a garden and use the produce from the garden to supplement the facility's food supply
HB 841	Ross	Authorizes a tax credit for qualifying milk producers in Missouri
HB 877	Marshall	Exempts certain animal husbandry practices from the definition of "veterinary medicine"
HB 890	Sommer	Changes the laws regarding animal abuse
HB 902	Dunn	Authorizes the establishment of urban agricultural zones
HCS#2 HB 927		Changes the laws regarding agriculture
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 962	Richardson	Revises the definition of "livestock" to include elk and other cervids obtained from a legal source and raised in confinement
HB 963	Houghton	Changes the laws regarding certain crimes committed on agricultural property
HB 964	Houghton	Prohibits any court from issuing an injunction to stop or delay the construction of any licensed animal slaughter or processing facility based on a challenge or appeal of a permit, license, or certificate under environmental laws or the inspection provisions for meat processing plants
HB 965	Houghton	Requires a hunter at least six years of age but less than 15 years of age to hunt in the immediate presence of an adult hunter with a valid hunter education certificate card
HB 971	Fitzwater	Revises the definition of "local log truck" and "local log tractor"
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HCR 21	Black	Urges the U.S. Congress to pass a comprehensive Farm Bill
HJR 10	Reiboldt	Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initiative petition related to crop production, livestock, or agriculture in order for it to take effect
CCS#2 SS HCS HJR 11 & 7		Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices
HJR 27	Hicks	Proposes a constitutional amendment protecting a citizen's right to hunt, fish, and harvest wildlife and the use of traditional devices and methods to exercise the right
HJR 29	Houghton	Proposes a constitutional amendment establishing the elected office of the Secretary of Agriculture and eliminates the Department of Agriculture as an executive department
AGRICULTURE DEPT.		
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture

No.	Author	Subject
SB 56	Munzlinger	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria they have already been inspected for by the state or federal Department of Agriculture
SB 98	Schaefer	Modifies provisions relating to animal shelters
SB 149	Keaveny	Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 155	Nasheed	Requires all genetically modified meat and fish raised and sold in Missouri to be labeled as genetically modified
SB 329	Brown	Modifies the definition of eggs
CCS HCS SB 342		Modifies provisions relating to agriculture
SCS SB 371		Modifies provisions relating to agriculture
SS SCS SB 373		Modifies fees relating to agricultural weights and measures
SB 438	Munzlinger	Allows certain agricultural fees to be used for research outside of the Missouri Agricultural Experiment Station so long as the research relates to the value and proper use of fertilizer
HCS HB 81		Establishes the Missouri International Agricultural Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 205	Reiboldt	Affirms the right of persons to raise livestock in a humane manner without the state imposing an undue economic burden on livestock owners
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HB 412	Reiboldt	Increases the maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority may issue on a loan for livestock feed and crop input
HB 433	Korman	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria already under inspection by the Department of Agriculture or under federal inspection
SS SCS HB 542		Changes the laws regarding agriculture
HB 651	Ross	Changes the laws regarding the Land Survey Program and transfers all powers, duties, and functions of the program from the Department of Natural Resources to the Department of Agriculture
HB 667	Houghton	Changes the Department of Agriculture to the Office of Agriculture with all of the same powers, functions, and duties as the current department contingent upon passage of a constitutional amendment
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HB 841	Ross	Authorizes a tax credit for qualifying milk producers in Missouri
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HB 891	Redmon	Changes the laws regarding liquefied petroleum gas
HCS#2 HB 927		Changes the laws regarding agriculture
HCR 34	Houghton	Urges Congress and the U.S. Department of Agriculture to reevaluate the Healthy, Hunger-Free Kids Act of 2010
HJR 29	Houghton	Proposes a constitutional amendment establishing the elected office of the Secretary of Agriculture and eliminates the Department of Agriculture as an executive department
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism

No.	Author	Subject
AIRCRAFT AND AIRPORTS		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
CCS HCS SB 43		Modifies various provisions relating to transportation
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
SB 236	Parson	Provides that a Highway Patrol fund include money for the maintenance of Highway Patrol vehicles, watercraft, and aircraft and be used for the maintenance of such items
SCR 9	Justus	Endorses Taiwan's participation in the International Civil Aviation Organization
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 703	Conway 104	Specifies that the Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund include money for the maintenance of State Highway Patrol vehicles, watercraft, and aircraft and be used to pay for the maintenance and fuel costs of the items
HCR 24	Hoskins	Endorses Taiwan's participation in the International Civil Aviation Organization
ALCOHOL		
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
SS SCS SB 114		Modifies provisions relating to intoxicating liquor
SS SCS SB 121		Modifies provisions relating to liquor control laws
SB 185	Sater	Criminalizes prenatal drug or alcohol use
SB 365	Parson	Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 412	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other
HB 35	Higdon	Creates the Alcohol and Tobacco Control Trust Fund consisting of specified fees collected by the Director of Revenue to be used for the administration and regulation of the liquor control and tobacco laws
HB 38	Roorda	Creates the crime of altering or falsifying drug or alcohol test results or selling or transporting a biological sample or adulterant to falsify test results
HB 40	Roorda	Imposes an excise tax on controlled substances and illicit alcoholic beverages
HB 109	Berry	Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state

No.	Author	Subject
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 165	Gosen	Allows brewers of beer for personal or family use to use the beer off the premises where brewed and prohibits the sale of liquor that is manufactured for personal or family use
HB 231	Sommer	Changes the laws regarding the issuance of temporary instruction driving permits
HB 265	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.
HB 354	Cornejo	Allows DWI courts to use private probation and parole services for judicial supervision when the Department of Probation and Parole is unable to provide the services
HB 356	Cornejo	Allows certain licensed beer merchants to sell 32 ounces or more of draft beer to customers in containers filled on the premises for consumption off the premises
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 461	Phillips	Specifies that any person who refuses to submit to a law enforcement officer's request for a chemical test for alcohol content commits the crime of tampering with physical evidence
HB 663	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving- while-intoxicated offense
HB 759	Jones 050	Changes what is considered to be a franchise between alcohol wholesalers and suppliers
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses
HB 910	Butler	Establishes the Business Freedom Act which specifies that no state or local government can regulate the hours in which intoxicating liquor is sold
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 990	Torpey	Specifies that any social host that furnishes a minor with alcohol resulting in permanent personal injuries or death will be guilty of a class D felony
AMBULANCES AND AMBULANCE DISTRICTS		
SB 231	Munzlinger	Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received

No.	Author	Subject
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HCS HB 335		Changes the laws regarding public safety
HB 364	Roorda	Allows an employee of a fire protection or ambulance district to serve as a board member of a fire protection or ambulance district if the district is not in the same county where he or she is employed
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SCS HCS HB 653		Changes the laws regarding emergency communications services
ANNEXATION		
SCS HCS HB 161		Changes the laws regarding political subdivisions
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HB 790	Spencer	Changes the laws regarding a school district annexation petition
HB 846	Pfautsch	Repeals the requirement that reimbursement paid to a fire protection district by the City of Harrisonville for annexed property be governed by the boundary commission laws
APPROPRIATIONS		
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SB 156	Sater	Prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal health care act unless authorized by law
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
SB 467	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 11	Curls	Increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the Governor's reduction of the state's expenditures
SCS HCS HB 1		Appropriates money to the Board of Fund Commissioners
CCS SCS HCS HB 2		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education

No.	Author	Subject
CCS SCS HCS HB 3		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SCS HCS HB 4		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SCS HCS HB 5		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SCS HCS HB 6		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SCS HCS HB 7		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial R
CCS SCS HCS HB 8		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
CCS SCS HCS HB 9		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SCS HCS HB 10		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
CCS SCS HCS HB 11		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SCS HCS HB 12		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
SCS HCS HB 13		Appropriates money for real property leases and related services
SCS HCS HB 14		Appropriates money for supplemental purposes
SCS HCS HB 17		Appropriates money for capital improvement and other purposes as provided in Article IV, Section 28
SCS HB 18		Appropriates money for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities
SS SCS HCS HB 19		Appropriates money for capital improvement projects
HB 124	Gatschenberger	Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HB 138	Dugger	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 219	Stream	Specifies that school districts operating magnet schools as part of a desegregation settlement agreement will not be penalized for inefficient bus routes in calculating aid for the transportation of pupils
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 376	Hough	Allows the Thirty-first Judicial Circuit in Greene County to appoint a family court commissioner whose compensation must be payable by the state without the necessity of reimbursement
HB 497	Kirkton	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HB 636	Fitzwater	Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year

No.	Author	Subject
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 968	Grisamore	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HJR 17	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
ARCHITECTS		
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
ARTS AND HUMANITIES		
SB 166	Schaaf	Extends allocation of tax revenues from the nonresident entertainer and athlete tax until December 31, 2019
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HCR 33	Swan	Recognizes music therapy as a valid health care service
ATTORNEY GENERAL, STATE		
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
SB 122	Schaefer	Modifies provisions regarding the Sunshine Law
SB 139	Kehoe	Modifies provisions regarding the Sunshine Law
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 227	LeVota	Charges the Attorney General with administering and enforcing ethics laws and imposes campaign contribution limits
SB 365	Parson	Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 367	Walsh	Creates a right to unpaid leave for employees that are affected by domestic violence
SB 443	Silvey	Allows certain local city hospitals to become nonprofit corporations upon a vote of the people or the adoption of a resolution by the hospital's board of trustees
SB 473	Lamping	Modifies Missouri Health Care Freedom Act by prohibiting the state from implementing a health insurance exchange, prohibiting insurers from accepting remuneration that may result in penalties, and prescribing duties of the Attorney General for enforcement of the act
SS SCR 15		Establishes the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SS#2 SCS HB 116		Changes the laws regarding audits

No.	Author	Subject
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 646	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 759	Jones 050	Changes what is considered to be a franchise between alcohol wholesalers and suppliers
HB 763	McGaugh	Establishes the Political Accountability in Campaigning Act
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HB 796	McCann Beatty	Allows the Missouri Real Estate Appraiser's Commission to impose monetary penalties in disciplinary actions against real estate appraisers
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HB 839	McManus	Establishes the Missouri False Claims and Fraud Prevention Act
HB 851	Parkinson	Establishes limits on the contingency fees a private attorney may receive when entering into a contingency fee contract with the state
HB 946	Schupp	Creates a right to unpaid leave for employees who are affected by domestic violence.
HB 1037	Englund	Requires a tenant to initiate a dispute in the Office of the Attorney General by filing a consumer complaint form if a landlord wrongfully withholds his or her security deposit and the Attorney General to mediate all disputes
HCR 35	Jones 110	Requests the Attorney General to argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act as well as the First Amendment of the Constitution
ATTORNEYS		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
HCS SB 75		Modifies provisions relating to public safety
SB 81	Schaefer	Gives the courts discretion to award attorney's fees to prevailing parties in civil actions where civil rights have been violated
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
SB 479	Dixon	Repeals a section of law relating to prepaid legal service plans
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HCS HB 210		Changes the laws regarding the Missouri Criminal Code

No.	Author	Subject
HB 213	Cox	Specifies that any party who takes a deposition in a criminal case will be responsible for the costs of providing one copy of the transcript of the deposition to the opposing party
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 358	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HB 532	Bahr	Allows an employer to receive fees and expenses from the Department of Labor and Industrial Relations if an employer prevails in a suit or appeal based on an audit reclassifying a person or entity from an independent contractor to an employee
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 764	Mims	Allows Kansas City to impose an additional court cost of up to a \$7 per case for each municipal ordinance violation case
HB 851	Parkinson	Establishes limits on the contingency fees a private attorney may receive when entering into a contingency fee contract with the state
HB 853	Cox	Establishes the Missouri Consumer Litigation Loan Act which restricts consumer litigation loans
HB 915	Bahr	Establishes the Employee Reclassification Act, which requires the Department of Labor and Industrial Relations to concisely define independent contractor and the procedures for changing an individual's classification to an employee
HB 997	Colona	Requires the St. Louis County Bar Association to conduct research to establish a more safe and efficient method for attorneys to enter county courthouses
AUDITOR, STATE		
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
HCS SS#2 SCS SBs 26, 11 & 31		Modifies provisions of law relating to taxation
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SCS SB 65		Modifies the duties and authority of the State Auditor
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 66	Burlison	Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years
SS#2 SCS HB 116		Changes the laws regarding audits

No.	Author	Subject
SCS HCS HB 161		Changes the laws regarding political subdivisions
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HCS HB 543		Changes the duties and authority of the State Auditor
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HB 863	Allen	Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 909	Pfautsch	Specifies that transportation development district audits may be conducted once every three years with a cost of no more than 3% of gross revenues paid by the district
HB 999	Frame	Exempts residential property owned by an individual 62 years of age or older from certain increases in assessed valuation
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
BANKS AND FINANCIAL INSTITUTIONS		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 55	Lamping	Amends laws relating to unsecured loans of \$500 or less
SB 196	Keaveny	Allows private trust companies to be examined every thirty-six months and makes alternative dispute provisions in trusts enforceable
SB 235	Cunningham	Modifies the law relating to residential real estate loan reporting
SCS SB 254		Raises the fees a lender can charge for certain loans
SB 336	Walsh	Allows debtors facing nonjudicial foreclosure to choose mediation or judicial foreclosure as alternatives
CCS HCS SB 342		Modifies provisions relating to agriculture
SB 343	Parson	Establishes that real estate loans shall be governed only by state and federal law
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees
SB 384	Rupp	Modifies the law relating to personal guarantee loans
SB 425	Nasheed	Allows debtors facing nonjudicial foreclosure to choose mediation or judicial foreclosure as alternatives
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
HB 144	Austin	Allows private trust companies to be examined every 36 months and makes alternative dispute provisions in trusts enforceable.
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS HB 176		Increases the amount of specified fees that a vendor of a small loan can charge
HCS HB 203		Requires specified disclosures on new credit card processing service contracts

No.	Author	Subject
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 212	Cox	Changes the law regarding secured transactions under the Uniform Commercial Code
HB 271	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
SCS HB 329		Changes the laws regarding financial institutions
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 412	Reiboldt	Increases the maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority may issue on a loan for livestock feed and crop input
HCS HB 479		Changes the laws regarding residential mortgage loan brokers
HB 747	Scharnhorst	Specifies that a gaming licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at an excursion gambling boat
HB 748	Crawford	Increases the amount of specified fees that a creditor can charge on small loans that are open-end credit contracts tied to a transaction account in a depository institution
HB 780	Schieffer	Prohibits private lenders from charging certain interest rates on student loans
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 883	McCann Beatty	Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2013
HCS#2 HB 927		Changes the laws regarding agriculture
HB 935	Mayfield	Changes the laws regarding consumer credit interest rates
HCR 9	Curtman	Strongly urges the U.S. Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve Bank
BINGO		
HB 151	Brown	Exempts veteran's organizations from paying taxes on bingo and pull tab card sales
HJR 24	Riddle	Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
BOARDS, COMMISSIONS, COMMITTEES, COUNCILS		
SCS SB 7		Modifies provisions relating to school accreditation for failing school districts
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 17		Modifies provisions relating to education
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 66	Dixon	Repeals a number of expired or obsolete committees

No.	Author	Subject
HCS SB 67		Modifies provisions relating to higher education
HCS SB 75		Modifies provisions relating to public safety
SB 80	Romine	Requires the Missouri Board of Nursing Home Administrators to notify, instead of mail, an applicant when it is time for license renewal
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
SB 95	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 119	Emery	Creates the State Sovereignty Commission
SS SCS SB 125		Modifies duties of boards of education
SB 132	Keaveny	Allows school districts to receive state aid for children ages three to five participating in a district-operated pre-kindergarten program
SCS SB 133		Allows school districts and charter schools to receive state aid for children ages three to five who are eligible for free and reduced lunch and are participating in a district-operated pre-kindergarten program
SB 135	Sater	Requires a newly formed Fair Ballot Commission to approve fair ballot language and ballot summary statements
SB 173	Nasheed	Transfers governance of the St. Louis School District from the special administrative board to the elected school board when certain conditions are satisfied
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 193	Schaefer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
SB 195	Keaveny	Allows school boards to establish and adopt a unique professional development program for teachers in lieu of following statutory mandates
HCS SS SCS SB 210		Requires the Department of Elementary and Secondary Education to hold public meetings in each congressional district on the Common Core State Standards
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 212	Cunningham	Repeals the gross negligence exception to civil liability for members of the Missouri State Board of Chiropractic Examiners
SB 219	Sater	Modifies provisions relating to the scope of practice for physician assistants
SB 221	Lamping	Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 223	Curls	Modifies provisions of the Public School Retirement System of Kansas City
SB 227	LeVota	Charges the Attorney General with administering and enforcing ethics laws and imposes campaign contribution limits
SB 237	Emery	Exempts certain telecommunications companies from Public Service Commission price caps

No.	Author	Subject
SCS SB 239		Prohibits school districts from requiring a student to use certain radio frequency identification devices and extends authorization for teacher certification based on American Board for Certification of Teacher Excellence certification
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SB 255	Schmitt	Removes the Director of the Division of Workers' Compensation as a member of the Administrative Law Judge Review Committee
SCS SB 258		Reduces the membership of the Kansas City School District board of education and changes the election date for board members
HCS SB 275		Requires a water supply district located in St. Charles County to be regulated by the Public Service Commission and modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low income customers
SB 277	Holsman	Establishes the Missouri Energy Efficiency Performance Standard
SB 284	Sifton	Changes the requirements for school anti-bullying policies
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
HCS SB 294		Modifies provisions relating to utilities
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
SCS SB 297		Modifies provisions related to water utilities
SB 304	Wasson	Allows the Board of Healing Arts to indefinitely restrict an athletic trainer's license or revoke a license
SCS SB 305		Specifies examination requirements for physicians who graduated before or after January 1, 1994
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 311	Nasheed	Creates the Parental Involvement Act to allow parents to petition to convert a public school using a school turnaround model or into a charter school
SB 320	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 321	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 332	Libla	Modifies provisions relating to the employment and evaluation of teachers
SB 334	Sifton	Requires that any person, corporation, or utility who wishes to acquire fifty percent or more of the total stock issued by the water or sewer corporation to get permission from the Public Service Commission
SB 351	Lager	Mandates that judges must disqualify themselves from hearing a proceeding in certain situations
SB 359	LeVota	Allows local school boards to adopt a year-round educational program
SB 362	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 363	Chappelle-Nadal	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SB 370	Wasson	Adds additional causes for which the Board of Nursing may file a complaint, and allows the Board to request an emergency suspension of a license
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
SB 390	Chappelle-Nadal	Requires any school board that sponsors a charter school to use an estimate of the district's current year weighted average daily attendance

No.	Author	Subject
SB 392	Dixon	Allows certain exempt higher education institutions to receive state recognition from the Coordinating Board for Higher Education
SB 408	Emery	Modifies provisions relating to elementary and secondary education
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources
SB 431	Cunningham	Allows members of electric cooperatives to participate in certain meetings by mail or electronic means
SS SCS SB 437		Creates a model for funding the state's public institutions of higher education
SB 443	Silvey	Allows certain local city hospitals to become nonprofit corporations upon a vote of the people or the adoption of a resolution by the hospital's board of trustees
SB 459	Kehoe	Requires that the Public Service Commission use the revenue allocation method in rate cases involving electric corporations
SB 474	Lamping	Modifies provisions relating to school facilities and equipment
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 476	Lamping	Requires the board of trustees of the Public School Retirement System of Missouri to establish a defined contribution plan for members hired on or after July 1, 2014
SB 477	Lamping	Requires the boards of the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System to create a defined contribution retirement plan for new employees
SB 483	Nasheed	Establishes alternative procedures for public schools, modifies the School Flex Program, and creates the Missouri Credit Flex Program
SJR 12	Sater	Modifies the terms and composition of the Conservation Commission
HB 36	Higdon	Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HB 50	Lair	Changes the laws regarding the classification of a school district as unaccredited and the lapse of the district's corporate organization
HB 56	Thomson	Establishes the Career and Technical Education Student Protection Act and the Career and Technical Education Board to oversee and coordinate career and technical education and student organizations' activities
HB 59	Engler	Removes the requirement that the Missouri Board of Nursing Home Administrators mail licensure renewal applications to every person whose license must be renewed during the year and specifies that the board must notify these persons
SCS HCS HB 76		Changes the laws regarding the penalty for a school district that fails to meet Missouri School Improvement Program standards in a fiscal year in which the school is specifically underfunded
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
HB 111	Solon	Establishes the Education Protection Act regarding enrollment of students from unaccredited school districts
CCS SS SCS HCS HB 117		Changes the laws regarding initiative and referendum petitions
SCS HCS HB 134		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance

No.	Author	Subject
HB 143	McCaherty	Authorizes the City of Arnold to create a utility board or utility corporation to review and establish rates and fees for utility services
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
HCS HB 179		Specifies that the State Board of Education and other public school entities must encourage students to explore scientific questions and assist teaching strengths and weaknesses of scientific theories of biological or chemical evolution
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 240	Ellington	Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
HB 261	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through 12
HB 262	Walton Gray	Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities
HB 264	Walton Gray	Establishes a community schools grant program in St. Louis
HB 266	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HCS HB 312		Allows the governing board of any state college or university to enforce traffic regulations and general motor vehicle laws on college or university property through campus police officers

No.	Author	Subject
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SS HCS HB 315		Changes the laws regarding health care services
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 352	Hurst	Changes the laws regarding the sale or provision of certain commodities by specified school district board members, officers, or employees
HB 358	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 362	Roorda	Adds one active member of the Missouri Deputy Sheriff's Association to the Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART)
HB 364	Roorda	Allows an employee of a fire protection or ambulance district to serve as a board member of a fire protection or ambulance district if the district is not in the same county where he or she is employed
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HCS HB 401		Establishes the Missouri Advisory Boards and Commissions Association
HB 408	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 414	Kelly 045	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office building projects, except for refunding of existing debt
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 439	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities during the school day and week
HB 448	Webb	Changes the laws regarding the licensure of hearing instrument specialists
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HCS HB 470		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 472	Rhoads	Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts
HB 477	Morgan	Changes the laws regarding bullying in schools
HB 482	Davis	Changes the laws regarding the unclaimed cremated remains of veterans collected by veterans' service organizations
HB 488	Elmer	Removes the exception for gross negligence from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization

No.	Author	Subject
HB 514	Bahr	Changes the laws regarding midwifery
HB 516	Burlison	Requires an applicant for a marital and family therapist license to show a master's or doctoral degree from a Commission on Accreditation for Marriage and Family Therapy accredited program
HB 520	Newman	Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HB 526	Franklin	Establishes a rural regional development grants program
HB 527	Sommer	Creates the Joint Committee on the Tenth Amendment
HB 528	Sommer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HB 537	Zerr	Allows hunting privileges to be denied for up to 10 years for any person who kills another person while hunting
HB 540	Walton Gray	Establishes a Council for Community Education within the Department of Elementary and Secondary Education
SS SCS HB 542		Changes the laws regarding agriculture
HB 565	Cornejo	Revises the definition of "professional counseling" for the purposes of licensure of professional counselors
HB 570	Smith 085	Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 573	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HCS HBs 593 & 695		Prohibits a health benefit plan from requiring a higher out-of-pocket cost for an oral anti-cancer medication than for an intravenously-administered cancer medication
HB 596	Wright	Allows a school district to receive state aid for children ages three to five participating in a district-operated full-day pre-kindergarten program
HB 615	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights regarding discrimination based upon a person's sexual orientation or gender identity
HB 616	Bahr	Prohibits the State Board of Education from adopting and implementing the standards for public schools developed by the Common Core Standards Initiative
HB 629	Kelly 045	Requires that one voting member of the University of Missouri Board of Curators be a student
HCS#2 HB 631		Changes the laws regarding the employment and evaluation of teachers.
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 691	Korman	Requires all members of a public water supply district board of directors to be voters who have resided in the district for one year prior to election
HB 697	Cornejo	Defines terms relating to electronic public and business records
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HB 714	Grisamore	This proposal modifies the definition of employment as it relates to employment security law

No.	Author	Subject
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
HB 753	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and who is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 762	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HB 779	McNeil	Establishes the Missouri Energy Efficiency Performance Standard, which requires certain utilities to achieve specified saving requirements established by the Missouri Public Service Commission
HCS HB 783		Changes the laws regarding the leasing of school buildings
HB 794	Kolkmeier	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being an endangered person, and changes its name to the Amber Alert and Silver Alert System
HB 796	McCann Beatty	Allows the Missouri Real Estate Appraiser's Commission to impose monetary penalties in disciplinary actions against real estate appraisers
HB 804	Redmon	Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts
HB 805	Walton Gray	Prohibits the state lottery from publishing the names of lottery winners without consent
HB 807	Lair	Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing after serving 15 years of his or her sentence
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 833	Rowden	Establishes the MissouriLink Network
HB 860	Wood	Changes the laws regarding the sale of certain commodities by certain school officials of seven-member school board districts that are located in a first classification county
HB 861	Neth	Changes the laws regarding the Public School Retirement System of Kansas City
HB 875	Wieland	Authorizes Jefferson County to impose, upon voter approval, a sales tax to fund the county public health center in lieu of a property tax
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HB 897	Leara	Changes the laws regarding the alternative police retirement systems in the City of St. Louis

No.	Author	Subject
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HB 933	Jones 050	Changes the laws regarding travel hardships of public school students
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 940	Fitzpatrick	Specifies that all members on county planning, county zoning, and county planning and zoning boards and commissions will be elected
HB 944	Schatz	Prohibits the Department of Natural Resources from requiring existing permittees to meet more stringent standards of new water classifications unless there are federal or state funds available to cover the costs of any upgrades
SCS HCS HB 986		Changes the laws regarding health care services
HB 1006	Jones 050	Allows a member of an electric cooperative to participate in certain meetings by mail or electronic means
HB 1009	Schupp	Revises the definition of "qualified voters" with regard to community improvement districts
HB 1024	Korman	Allows a member of the Missouri Workforce Investment Board to vote on a matter regarding the provision of services by an entity that the member represents if the member is required by law to represent the entity
HB 1038	Burlison	Establishes the Energy Compact to return authority for energy regulation to the states
SS HCR 25		Establishes the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation
HJR 9	Fitzwater	Proposes a constitutional amendment changing the composition of the State Board of Education
HCS#2 HJR 14		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, construction, landscaping, land or building purchases, and transportation infrastructure
HJR 32	Neth	Proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years
BOATS AND WATERCRAFT		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SB 253	Justus	Modifies provisions relating to criminal law
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 277	Brattin	Authorizes an exemption from the motor fuel tax for motor fuel used in watercraft in this state
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HB 657	English	Allows the Director of the Department of Revenue to require certain applications to include the applicant's unique identification number

No.	Author	Subject
HB 703	Conway 104	Specifies that the Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund include money for the maintenance of State Highway Patrol vehicles, watercraft, and aircraft and be used to pay for the maintenance and fuel costs of the items
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 979	Hough	Changes the laws regarding motor vehicle, trailer, and boat dealers
BONDS - BAIL		
HB 847	Gardner	Changes the laws regarding civil contempt for failure to appear for debt collection
BONDS - GENERAL OBLIGATION AND REVENUE		
SB 169	Chappelle-Nadal	Requires certain financial information to be included in a school district's bond filing and included on the ballot when voters authorize a school district bond issuance
SB 464	Schaefer	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office buildings
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue
SS SCS HB 142		Changes the laws regarding utilities
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 414	Kelly 045	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office building projects, except for refunding of existing debt
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HCS#2 HJR 14		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, construction, landscaping, land or building purchases, and transportation infrastructure
HJR 22	Neth	Proposes a constitutional amendment authorizing an increase in the level of school district bonded indebtedness
BONDS - SURETY		
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HCS HB 235		Changes the laws regarding the qualifications for a candidate for county collector, county treasurer, or county collector-treasurer
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
SS HB 331		Changes the laws regarding utilities
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HB 692	Fitzpatrick	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions

No.	Author	Subject
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
HB 742	Ellington	Requires the Department of Corrections to perform specified actions to improve the ability of inmates to obtain employment upon release from incarceration
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works
HB 964	Houghton	Prohibits any court from issuing an injunction to stop or delay the construction of any licensed animal slaughter or processing facility based on a challenge or appeal of a permit, license, or certificate under environmental laws or the inspection provisions for meat processing plants
BUSES		
HB 219	Stream	Specifies that school districts operating magnet schools as part of a desegregation settlement agreement will not be penalized for inefficient bus routes in calculating aid for the transportation of pupils
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 226	Berry	Exempts fuel used in school buses from the motor fuel tax when the bus is driven to transport students to or from school or to or from any place for educational purposes
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
BUSINESS AND COMMERCE		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
HCS SS#2 SCS SBs 26, 11 & 31		Modifies provisions of law relating to taxation
SB 46	Parson	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 55	Lamping	Amends laws relating to unsecured loans of \$500 or less
SB 93	Justus	Repeals provisions making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SCS SB 101		Prohibits florists from including a geographic reference in their name or advertising if they are not physically located at that place
SB 142	Sifton	Repeals a provision requiring corporate paid-in surplus distributions to be identified as liquidating dividends
SB 155	Nasheed	Requires all genetically modified meat and fish raised and sold in Missouri to be labeled as genetically modified
CCS HCS SCS SB 157 & SB 102		Modifies provisions relating to the disposition of personal property
SB 180	Kraus	Changes the goal of 3% of government contracts awarded to service-disabled veteran businesses to 4%, and appropriates \$100,000 to veteran organizations
SB 228	Holsman	Authorizes the establishment of urban agricultural zones
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county

No.	Author	Subject
SCS SB 287		Modifies Missouri's captive insurance law to allow for the formation of sponsored captive insurance companies and other ancillary matters
SB 291	Rupp	Requires the Office of Administration to set a goal of awarding at least 3% of contracts to businesses with disabled employees
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees
SB 363	Chappelle-Nadal	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SB 365	Parson	Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 382	Kraus	Changes the rates of tax on personal and corporate income
SB 384	Rupp	Modifies the law relating to personal guarantee loans
SB 394	Silvey	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 436	McKenna	Modifies provisions relating to small business incubators
SB 439	Munzlinger	Requires that diesel fuel pumps at retail and wholesale establishments have pump handles that are primary green in color
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
SB 449	Romine	Creates a phased in personal income deduction for business income
SB 466	Schaefer	Requires that all donation receptacles have the name and contact information of the receptacle owner and that the owner has permission from the property owner where the receptacle is located
SCR 7	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
HB 37	Roorda	Establishes the Thanksgiving Family Protection Act that requires retailers, with specified exceptions, to be closed during the hours of 12:00 a.m. to 11:59 p.m. on Thanksgiving Day
HB 47	Cross	Requires, prior to any person younger than 17 years of age using a tanning device in a tanning facility, the parent or guardian of the person to appear in person giving written consent to the minor's use of a device
SS HCS HB 58		Changes the laws regarding portable electronics insurance coverage
HB 72	Barnes	Prohibits any person younger than six years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HCS HB 78		Establishes the Missouri Jobs for Education Program to provide a tuition credit for certain business owners or companies who create new full-time jobs
HCS HB 79		Creates the Missouri International Business Advertising Fund to be used to attract international businesses to Missouri
HCS HB 81		Establishes the Missouri International Agricultural Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HCS HB 87		Changes the laws regarding certain benevolent tax credits
HB 109	Berry	Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state

No.	Author	Subject
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 181	Sommer	Establishes the Intrastate Commerce Act which specifies that all goods produced or manufactured in Missouri and remain in Missouri are not subject to federal law or regulation
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 242	Ellington	Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 243	Ellington	Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HB 244	Ellington	Requires all food or food products sold in Missouri that are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 245	Ellington	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 277	Brattin	Authorizes an exemption from the motor fuel tax for motor fuel used in watercraft in this state
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 333	Kelly 045	Changes the laws regarding the collection of sales and use taxes and funding the Second Injury Fund
HB 342	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at farmers' markets
HB 352	Hurst	Changes the laws regarding the sale or provision of certain commodities by specified school district board members, officers, or employees
HB 356	Cornejo	Allows certain licensed beer merchants to sell 32 ounces or more of draft beer to customers in containers filled on the premises for consumption off the premises
HCS HB 372		Establishes the Business Premises Safety Act
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 397	Riddle	Authorizes a state and local sales and use tax exemption for specified titled manufacturing and mining equipment

No.	Author	Subject
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 410	Love	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 412	Reiboldt	Increases the maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority may issue on a loan for livestock feed and crop input
HB 421	Curtman	Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
SCS HCS HB 440		Allows certain cottage food production operations to sell baked goods from their home without being subject to state health and food laws and regulations
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 466	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HCS HB 473		Changes the laws regarding a request for a rate increase by a gas corporation to the Missouri Public Service Commission
HB 495	Dunn	Prohibits a seller or lessor in a sales or lease transaction or any credit card issuer from imposing a surcharge on a consumer using a credit card for the transaction
HB 496	Pfautsch	Prohibits a merchant or lessor from imposing a surcharge on a holder who elects to use a credit or charge card for any sales or lease transaction, with exceptions
SCS HB 498		Repeals the requirement that paid-in surplus distributions must be identified as liquidating dividends and the amount per share must be disclosed to shareholders when it is paid
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 510	Torpey	Allows a limited liability company to establish a designated series of members, managers, and company interests having separate rights and duties regarding specified property
HB 526	Franklin	Establishes a rural regional development grants program
HB 549	Englund	Requires personal care items sold in this state to include on its label whether the items contain gluten
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 574	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 578	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 606	Rowden	Allows for the creation of a low-profit limited liability company in Missouri
HB 620	Barnes	Establishes the Buck Stops Here Economic Development Tax Credit Reform Program that provides tax incentives through retained withholding taxes and refundable income and financial institution tax credits for qualified companies
HCS HB 621		Authorizes three new tax credits for port facilities
HB 640	Parkinson	Establishes the forms of identification that may be accepted by a federally licensed firearms dealer for the purchase of a firearm
HB 648	Schieffer	Prohibits the sale or giving away of energy drinks to a person less than 18 years of age
HB 676	Nichols	Specifies that any refiner purchasing jewelry must keep and retain photographic copies and records of the jewelry and must wait a period of 30 days before refining or selling the jewelry
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus

No.	Author	Subject
HB 751	Molendorp	Requires tobacco-derived products and vapor products to be subject to the same provisions as tobacco products
HB 759	Jones 050	Changes what is considered to be a franchise between alcohol wholesalers and suppliers
HB 778	Kelley 127	Requires the Office of Administration to sell advertising space on all websites operated by its Information Technology Services Division
HB 811	Cross	Changes the goal that 3% of government contracts be awarded to service-disabled veteran businesses to 4% and appropriates \$100,000 to veteran organizations
HCS HB 813		Requires the Department of Economic Development to distribute money to early stage business development corporations for grants to newly formed businesses that have the potential for national or international sales or the development of new technology
HB 827	Redmon	Authorizes a tax exemption for certain materials used or consumed in certain business processes
HB 833	Rowden	Establishes the MissouriLink Network
HCS HB 850		Establishes the Bring Jobs Home Act which authorizes a tax deduction for out-of-state businesses that relocate to Missouri
HB 860	Wood	Changes the laws regarding the sale of certain commodities by certain school officials of seven-member school board districts that are located in a first classification county
HB 910	Butler	Establishes the Business Freedom Act which specifies that no state or local government can regulate the hours in which intoxicating liquor is sold
HB 916	Schupp	Specifies that certain business fees can only be changed every four years
HB 918	Roorda	Waives business fees for a person who is a member of the Missouri National Guard or any other military branch, resides in Missouri, and shows proof to the Secretary of State of service
HB 924	Johnson	Establishes the Missouri Business Recruiters Act to create employment positions for business recruiters to attract out-of-state business owners and companies to Missouri
HB 935	Mayfield	Changes the laws regarding consumer credit interest rates
HB 978	Kelly 045	Changes the formula for determining how much money certain tobacco product manufacturers who are not participating in the Tobacco Master Settlement Agreement receive back from escrow funds
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision
HB 1022	Jones 050	Specifies that private businesses that post signage prohibiting weapons on the premises is liable for injury or damage to public invitees, business visitors, and employees as a result of the prohibition
HB 1031	Parkinson	Eliminates the corporate income tax imposed on Missouri businesses beginning in 2014
HB 1031	Parkinson	Eliminates the corporate income tax imposed on Missouri businesses beginning in 2014
HB 1033	Shull	Reauthorizes tax credits for guaranty fees paid by small businesses
HB 1042	Koenig	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HCR 19	Rowden	Strongly urges the continued and increase development and delivery of North American oil to United States refineries, and the approval of the Keystone XL Pipeline project
CAMPAIGN FINANCE		
SB 70	Munzlinger	Modifies the operations and procedures of the Missouri Ethics Commission
SB 71	Parson	Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
SB 92	Justus	Imposes campaign contribution limits
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 290	Walsh	Modifies numerous provisions relating to campaign finance

No.	Author	Subject
SB 298	Holsman	Creates a method for publicly financing election campaigns for legislative and statewide candidates and caps contributions to political party committees
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
SB 385	Rupp	Modifies the law relating to campaign finance
SB 433	Lamping	Bars state contract recipients from making certain campaign contributions during the duration of the contract and for two years after completion of such contract
SB 434	Lamping	Bars tax credit recipients from making certain campaign contributions for two years
SB 461	Wallingford	Provides an alternative method for calculating Missouri taxable income for corporations
SB 470	Rupp	Modifies the law relating to campaign finance
HB 64	Burlison	Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 200	Barnes	Repeals provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
CAPITAL IMPROVEMENTS		
SB 299	Holsman	Establishes the Capital Green Program to provide funding for energy efficiency improvements to certain state buildings
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HJR 8	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket with proceeds to go to the Veterans Commission Capital Improvement Trust Fund
HCS#2 HJR 14		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, construction, landscaping, land or building purchases, and transportation infrastructure
CEMETERIES		
HCS HB 306		Designates "Old Drum" as the official state historical dog
SCS HB 329		Changes the laws regarding financial institutions
HB 482	Davis	Changes the laws regarding the unclaimed cremated remains of veterans collected by veterans' service organizations
CERTIFICATE OF NEED		
SB 194	Schaaf	Limits the certificate of need program to only long-term care facilities
CHARITIES		
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
SB 35	Wallingford	Creates an income tax return check-off program to provide funds for CureSearch for Children's Cancer
SB 328	Brown	Authorizes charities to utilize sweepstakes terminal devices on their premises
SB 441	Dempsey	Creates a transient guest tax exemption for entities providing disaster relief services

No.	Author	Subject
SB 466	Schaefer	Requires that all donation receptacles have the name and contact information of the receptacle owner and that the owner has permission from the property owner where the receptacle is located
HCS HB 87		Changes the laws regarding certain benevolent tax credits
HB 288	McCaherty	Repeals the provision allowing an individual to assign, transfer, sell or otherwise convey the pregnancy resource center tax credit and removes the sunset for the pregnancy resource center and food pantry tax credits
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HB 482	Davis	Changes the laws regarding the unclaimed cremated remains of veterans collected by veterans' service organizations
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons
HB 606	Rowden	Allows for the creation of a low-profit limited liability company in Missouri
HB 649	Wieland	Prohibits an automobile insurer from canceling, refusing to issue or renew a policy, or imposing a surcharge solely because the insured is a volunteer driver
HB 666	Marshall	Requires a nonprofit corporation that solicits contributions or gifts from the public to provide, upon request, the name and any compensation paid by the corporation to any board member or officer
HCS HB 814		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 837	Fraker	Requires a nonprofit organization to notify the local public health authority 14 days prior to a fundraising event that is open to the public where potentially hazardous food will be consumed
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
CHILDREN AND MINORS		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 16	Munzlinger	Exempts farm work performed by children under 16 from certain child labor requirements
CCS SCS SB 36		Modifies provisions related to juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
SCS SB 47		Adds to the list of legal guardians of a child who may receive subsidies
SB 48	Lamping	Modifies provisions relating to the prohibition of racial considerations in adoption proceedings
SB 49	Lamping	Modifies the criteria for determining whether a child is a special needs child for the purposes of the special needs adoption tax credit
SCS SB 69		Modifies provisions relating to administrative child support orders
SB 77	Lamping	Allows for certain neighborhood youth development programs to be exempt from child care licensing requirements
SCS SB 87		Modifies provisions relating to breast-feeding
SB 95	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
HCS SB 110		Establishes procedures to follow in child custody and visitation cases for military personnel
SB 113	Schmitt	Modifies provisions of mandatory reporting of child sexual abuse

No.	Author	Subject
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 124	Chappelle-Nadal	Creates the crimes of failing to stop illegal firearm possession, negligent storage of a firearm, and failure to notify a school of firearm ownership
SB 132	Keaveny	Allows school districts to receive state aid for children ages three to five participating in a district-operated pre-kindergarten program
SCS SB 133		Allows school districts and charter schools to receive state aid for children ages three to five who are eligible for free and reduced lunch and are participating in a district-operated pre-kindergarten program
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders
SB 153	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 185	Sater	Criminalizes prenatal drug or alcohol use
SB 198	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
HCS SB 205		Allows for higher education or armed services visits for children in foster care or in the Division of Youth Services and raises the age limit for foster care reentry
SB 208	Justus	Raises the age limit for when a youth may reenter into foster care
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 214	Silvey	Modifies provisions relating to crime
SB 225	Curls	Modifies laws regarding educational parental support for higher education
SB 230	Brown	Establishes Chloe's Law which requires newborn screenings for critical congenital heart disease
SB 249	Nasheed	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
SCS SB 250		Modifies provisions relating to the crime of possession of child pornography
SB 253	Justus	Modifies provisions relating to criminal law
CCS HCS SCS SB 256		Modifies provisions relating to child abuse and neglect including the Safe Place for Newborns Act
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SB 300	Holsman	Adds home nursing visits for at-risk newborns as a covered MO HealthNet service
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors
SB 338	Romine	Modifies provisions relating to correctional treatment programs for offenders who are under the age of 18
SB 347	Nasheed	Makes the offense of nonsupport an infraction rather than a class A misdemeanor or class D felony
SB 377	Dixon	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense
SB 427	Sifton	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
SB 450	Justus	Modifies provisions relating to sexual education
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases

No.	Author	Subject
SB 469	Chappelle-Nadal	Creates the crimes of failing to stop illegal weapon possession, negligent storage of a weapon, and failure to notify a school of weapon ownership
SJR 15	Schaaf	Modifies the Constitution to allow for propensity evidence in prosecutions for crimes of a sexual nature involving a victim under the age of eighteen
HB 47	Cross	Requires, prior to any person younger than 17 years of age using a tanning device in a tanning facility, the parent or guardian of the person to appear in person giving written consent to the minor's use of a device
HB 72	Barnes	Prohibits any person younger than six years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HCS HB 87		Changes the laws regarding certain benevolent tax credits
HB 101	White	Changes the laws regarding child abuse investigations.
HB 102	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 107	Berry	Changes the laws regarding adoption by reducing the required time period before a person can voluntarily relinquish a child and the required time period of a child's placement before his or her adoption can be finalized
HB 111	Solon	Establishes the Education Protection Act regarding enrollment of students from unaccredited school districts
HB 121	Barnes	Allows the court discretion in the appointment of a guardian ad litem in specified cases regarding child abuse or neglect and ex parte orders of protection
HB 125	Sommer	Allows 17-year-olds to vote in presidential primaries if they will be 18 on the day of the general election
SCS HCS HB 134		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
SCS HB 148		Establishes the custody and visitation rights of a deploying military parent
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 171	Hodges	Designates May 7 as "ROHHAD Awareness Day" in Missouri
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 219	Stream	Specifies that school districts operating magnet schools as part of a desegregation settlement agreement will not be penalized for inefficient bus routes in calculating aid for the transportation of pupils
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time

No.	Author	Subject
HB 248	Ellington	Increases, from no later than 15 days to no later than 60 days, the time after a child's birth that the father has to file an action to establish paternity prior to an adoption or to file a notice with the Putative Father Registry
SCS HCS HB 252		Changes the laws regarding adoptions
HB 261	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through 12
HB 266	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
SCS HB 274		Establishes Chloe's Law that requires the newborn screening requirements to include a critical congenital heart disease screening
HB 280	Barnes	Changes the laws regarding certain sexual offenses
HB 281	Barnes	Changes the laws regarding domestic violence
HCS HB 285		Creates the crime of distribution of a controlled substance near a child care facility
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HCS HB 290		Adds licensed professional counselors and psychologists to the list of people authorized to conduct an investigation into whether an individual is suitable as an adoptive parent
HB 294	Spencer	Establishes the Student Accountability Act that requires a student score proficient or higher on a state assessment in order to receive a high school academic diploma
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HB 334	Dugger	Exempts farm work performed by children under 16 years of age from certain child labor requirements
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HB 360	Roorda	Prohibits the denial of mental health care and treatment for children who are alleged victims of abuse and neglect and requires guardians ad litem to have training in child abuse and neglect or in mental health
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HCS HB 371		Changes the laws regarding judicial procedures
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents

No.	Author	Subject
HB 444	Hubbard	Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents and legal guardians paid leave from work to help their children in their school
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 470		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 477	Morgan	Changes the laws regarding bullying in schools
HB 478	Wieland	Changes the laws regarding shares in credit unions
HB 483	Neth	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests
HB 493	LaFaver	Changes the laws regarding the licensure of certain child-care facilities
HB 497	Kirkton	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HCS HB 513		Specifies that parental liberty regarding the upbringing, education, and care of his or her children is a fundamental right which cannot be infringed on without demonstrating a governmental interest of the highest order
HB 515	Burlison	Requires all children over 15 years of age in foster care or in the Division of Youth Services to receive a visit to a state university or community or technical college in the child's area
HB 528	Sommer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HCS HB 541		Changes the requirements for cases involving juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 555	Burlison	Exempts motorcyclists 21 years of age and older from wearing a helmet when operating a motorcycle or motortricycle and allows a temporary motorcycle instruction permit holder to renew the permit two additional times
HB 556	Ellinger	Changes the time for a man to file an action to establish paternity or file with the putative father registry from 15 days to 60 days after the birth of the child
HB 557	Ellinger	Requires all substantiated cases of child abuse and neglect in the central registry to be classified based on risk of future harm to the child
HB 566	Austin	Allows the father of a child whose paternity has been determined and whose visitation rights have been violated to have access to an expedited hearing
HB 571	Schupp	Establishes Nathan's Law that changes the laws regarding licensing requirements for child-care facilities
HB 572	Schupp	Revises the definition of "child-care worker" as it relates to the Family Care Safety Act and requires child-care workers to submit to fingerprinting for comparison by the Federal Bureau of Investigation
HB 587	Remole	Requires registered sexual offenders to vote at the office of the county clerk in their county or by absentee ballot
HB 624	Ellinger	Changes the laws regarding sexual offender registration

No.	Author	Subject
HB 635	Fitzwater	Changes the age requirement for first time offenders to enter correctional treatment programs and repeals provisions regarding records and reports concerning offenders under 17 years of age
HB 647	Schieffer	Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HB 648	Schieffer	Prohibits the sale or giving away of energy drinks to a person less than 18 years of age
HB 668	Torpey	Changes the laws regarding the Safe Place for Newborns Act of 2002
HB 681	Torpey	Changes the laws regarding the compulsory school attendance of certain students
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 699	Grisamore	Requires the Department of Elementary and Secondary Education to establish a work group to access available resources needed for effective work experiences for youth with disabilities
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 705	Kelly 045	Requires every child 11 year of age to receive one dose of meningococcal conjugate vaccine and one booster dose after the child reaches 16 years of age
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 716	Grisamore	Establishes the Show-Me Healthy Babies Program as a separate children's health insurance program for low-income unborn children
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 718	Grisamore	Extends foster care to the age of 21 for certain children
HB 719	Grisamore	Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 720	Grisamore	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born
HB 721	Grisamore	Requires all children older than 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 731	Grisamore	Extends MO HealthNet eligibility to a person less than 26 years of age if the person was in foster care at the age of 18
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 797	Curtis	Authorizes a community children's services fund to expend funds to provide preventative services for children
HB 831	Jones 050	Specifies that a person is guilty of a class A felony if a child dies as a result of injuries sustained from the abuse of a child
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 890	Sommer	Changes the laws regarding animal abuse
HB 913	Brown	Requires the Children's Division within the Department of Social Services to verify on a monthly basis the employment status of any person eligible to receive transitional child day care services based on employment
HB 920	Dunn	Establishes the Missouri Early Childhood Education Act which allows children four and five years of age to attend early childhood programs under certain circumstances

No.	Author	Subject
HB 941	Walton Gray	Allows certain incarcerated parents to petition the court to delegate visitation time and access to a family member or other person with a close and substantial relationship to the parent's minor child
HB 968	Grisamore	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HB 973	Stream	Changes the laws regarding the granting of grandparent visitation
HB 988	Barnes	Changes the laws regarding MO HealthNet benefits for foster children
HB 990	Torpey	Specifies that any social host that furnishes a minor with alcohol resulting in permanent personal injuries or death will be guilty of a class D felony
HB 1004	Frame	Creates the requirements for the sale of cellular phones or other electronic communication devices by secondhand dealers
HB 1011	Scharnhorst	Requires the Department of Elementary and Secondary Education to develop a physical fitness challenge for elementary, middle, and high school level students
HB 1023	Jones 050	Changes the laws regarding the crime of possession of child pornography
HB 1027	Roorda	Requires the juvenile officer in specified cases to make an evaluation within 48 hours of detention of the juvenile as to whether the offense was the result of third-party enticement, exploitation, or coercion
HB 1040	Cookson	Specifies that school age children of welfare recipients must attend public school at least 90% of the time in order to receive benefits
HCR 29	Gannon	Designates March as "Missouri Whole Child Month"
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
CHIROPRACTORS		
SB 212	Cunningham	Repeals the gross negligence exception to civil liability for members of the Missouri State Board of Chiropractic Examiners
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HB 488	Elmer	Removes the exception for gross negligence from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
HB 598	Guernsey	Requires the MO HealthNet Division to reimburse licensed chiropractors for specific services
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
CIRCUIT CLERK		
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 462	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
HB 204	Reiboldt	Allows the clerk of the circuit court to charge and collect a surcharge of up to \$10 in cases where a garnishment is granted
CITIES, TOWNS AND VILLAGES		
HCS SB 57		Modifies provisions relating to public works contracts, city ordinances, and hospital district taxes, and limits damages in civil actions against mining companies
SB 58	Romine	Modifies annexation procedures, allows certain cities to adopt nuisance abatement ordinances, and modifies ordinance adoption procedures in certain cities

No.	Author	Subject
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
HCS SB 90		Modifies provisions relating to elections and allows council members in third class cities to serve four-year terms upon passage of ballot proposal
HCS SCS SB 182		Eliminates state and local use taxes on motor vehicle sales and modifies state and local sales taxes on such purchases
SB 213	Kraus	Modifies provisions of law relating to tax increment financing
SB 216	Silvey	Prohibits political activity restrictions on first responders and modifies current political activity restrictions on the Kansas City Police Department
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 228	Holsman	Authorizes the establishment of urban agricultural zones
SS SCS SB 241		Creates the Uniform Wireless Communications Infrastructure Deployment Act and modifies provisions relating to utility right-of-way
SB 265	Nieves	Prohibits the state and political subdivisions from implementing policies affecting property rights and from entering into certain relationships with organizations
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 313	LeVota	Increases the \$2 surcharge for criminal cases in cities or counties with domestic violence shelters to \$4
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
SB 415	Dixon	Allows Greene County or any city within the county to impose a sales tax, upon voter approval, to fund early childhood education education
SB 423	Nasheed	Requires the Supervisor of Parking Meters in the city of St. Louis to supervise a parking division rather than a parking enforcement division and a parking meter division
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SB 443	Silvey	Allows certain local city hospitals to become nonprofit corporations upon a vote of the people or the adoption of a resolution by the hospital's board of trustees
SCR 13	Brown	Urges the U.S. Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
SJR 13	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SCS HB 42		Prohibits the state and all political subdivisions from adopting or implementing United Nations or international environmental and developmental policies that infringe or restrict private property rights without due process
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
SCS HB 60		Allows the marshal of the City of Farmington to order the abate of weeds or trash without notification and bill the owner if there has been a previous violation on the same property in a specified time period
HB 61	Engler	Authorizes the city council of the City of Farmington to also adopt or repeal any ordinance by submitting the proposed ordinance to the registered voters of the city

No.	Author	Subject
HB 65	Lant	Lowers, from 21 year of age to 18 years of age, the minimum age requirement for a person to serve as an alderman in a fourth class city
HCS HB 75		Prohibits specified increases in premiums or fees charged for sewer or wastewater treatment in St. Charles County without a vote of the people
HB 84	Berry	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 96	White	Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HB 118	Shull	Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
SS SCS HB 142		Changes the laws regarding utilities
HB 143	McCaherty	Authorizes the City of Arnold to create a utility board or utility corporation to review and establish rates and fees for utility services
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
SCS HCS HB 161		Changes the laws regarding political subdivisions
HB 163	Fitzpatrick	Changes the laws regarding elections
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 363	Roorda	Allows for the appointment of an acting county municipal court judge on a temporary basis if any judge of a county municipal court becomes ill or is otherwise unavailable
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 370	Cox	Allows municipalities to assess an additional surcharge of up to \$7 per municipal traffic violation case unless the case has been dismissed by the court or the court finds the defendant unable to pay the cost
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal

No.	Author	Subject
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HB 407	Wieland	Specifies that, if a petition to incorporate a proposed area in Jefferson County fails to be adopted, it cannot be resubmitted for three years
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
SCS HB 533		Changes the laws regarding firearms
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document
SS SCS HB 542		Changes the laws regarding agriculture
HCS HB 543		Changes the duties and authority of the State Auditor
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals
HB 658	English	Authorizes the City of Florissant to charge a reasonable fee to pay for costs associated with the maintenance of right-of-ways and easements
HB 761	Walton Gray	Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a 12-month period
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HB 786	McDonald	Allows third and fourth class cities in counties of the first classification to impose a fine of up to \$1,000 for violations of city ordinances

No.	Author	Subject
HB 797	Curtis	Authorizes a community children's services fund to expend funds to provide preventative services for children
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 815	Smith 085	Establishes registration and reporting requirements for a jurisdiction utilizing automated speed enforcement systems on roadways within the state highway system
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 839	McManus	Establishes the Missouri False Claims and Fraud Prevention Act
HB 846	Pfautsch	Repeals the requirement that reimbursement paid to a fire protection district by the City of Harrisonville for annexed property be governed by the boundary commission laws
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HB 902	Dunn	Authorizes the establishment of urban agricultural zones
HB 910	Butler	Establishes the Business Freedom Act which specifies that no state or local government can regulate the hours in which intoxicating liquor is sold
HB 932	Funderburk	Allows the City of St. Charles to establish and maintain a local health department
HB 1019	McCann Beatty	Repeals the expiration date of a portion of the public mass transportation sales tax in Kansas City and repeals the requirement that the system be in compliance with the Americans with Disabilities Act on that date
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
CIVIL PROCEDURE		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 41		Modifies the laws regarding certain private nuisance actions
SB 44	Dixon	Allows circuit courts that reimburse the state for the salaries of family court commissioners to charge up to a twenty dollar surcharge for cases
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SB 64	Dixon	Changes the evidentiary standard in medical malpractice cases to clear and convincing for noneconomic damages
SB 81	Schaefer	Gives the courts discretion to award attorney's fees to prevailing parties in civil actions where civil rights have been violated
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SB 105	Brown	Creates a statutory cause of action for damages against health care providers
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 212	Cunningham	Repeals the gross negligence exception to civil liability for members of the Missouri State Board of Chiropractic Examiners
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
SB 322	Dixon	Provides immunity for law enforcement officers from personal civil liability
SB 351	Lager	Mandates that judges must disqualify themselves from hearing a proceeding in certain situations
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars

No.	Author	Subject
SB 356	Kehoe	Terminates a manufacturer's liability when a product is materially altered by a person not in the business of selling the product
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums
SB 391	Dixon	Codifies the common law remedy of civil contempt for failure to comply with child support orders
SB 428	Sifton	Creates a Homeless Bill of Rights and prohibits discrimination based on housing status
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
SB 451	Justus	Allows a party to petition the court to have civil court records removed from an automated case management system
SJR 1	Lager	Grants the General Assembly the power to limit by statute jury awards of noneconomic damages
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 90	Gosen	Specifies that an insurer has the right to intervene in a civil action in which it may be contractually obligated to pay the cost of defending a civil lawsuit or a portion of any judgment that may be rendered in the lawsuit
HB 102	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time
HB 248	Ellington	Increases, from no later than 15 days to no later than 60 days, the time after a child's birth that the father has to file an action to establish paternity prior to an adoption or to file a notice with the Putative Father Registry
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
HB 268	Walton Gray	Exempts property in bankruptcy which is exempt from attachment or execution under common and statutory law of Missouri or under federal law
HB 273	Walton Gray	Requires the consolidation of specified civil court actions filed pertaining to the title of property in forcible entry and unlawful detainer cases
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HB 339	Wieland	Requires an uninsured motorist to forfeit recovery of noneconomic loss under specified circumstances
HCS HB 371		Changes the laws regarding judicial procedures
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures

No.	Author	Subject
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 447	Diehl	Adds interest in health savings plans and inherited accounts to the list of exemptions in bankruptcy proceedings
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 504	McCaherty	Establishes a three-year statute of limitations for disciplinary proceedings to be initiated against any licensed psychologist, professional counselor or social worker
HB 538	Walton Gray	Allows a person to appeal certain civil cases tried before an associate circuit judge or a municipal court judge and specifies that certain appellate cases can not be dismissed for lack of jurisdiction
HB 556	Ellinger	Changes the time for a man to file an action to establish paternity or file with the putative father registry from 15 days to 60 days after the birth of the child
HCS HB 749		Changes the laws regarding landlord-tenant actions
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 845	Cornejo	Exempts rental security deposits from attachment and execution in a bankruptcy proceeding
HB 847	Gardner	Changes the laws regarding civil contempt for failure to appear for debt collection
HB 853	Cox	Establishes the Missouri Consumer Litigation Loan Act which restricts consumer litigation loans
HB 862	Hubbard	Establishes a procedure for the removal of civil judgment court records from a publically accessible automated case management system
HB 943	Austin	Prohibits an action against an amusement park owner or operator for damages or injuries sustained due to a defect or unsafe condition unless notification is given within certain time frames
HCS HB 975		Exempts certain civil actions from damages arising out of underground hard rock mining or hard rock milling unless the injury subject to the action is attended by fraud, malice, or willful and wanton conduct
HB 993	Hurst	Changes the percentage of wages that may be garnished from an employee who is the head of household and a resident of this state from 10% to 20%
HB 1026	Jones 050	Specifies that the proceeds from the sale of any seized property must be divided among local schools, the seizing law enforcement agency, and the county general revenue fund
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law
CIVIL RIGHTS		
SB 81	Schaefer	Gives the courts discretion to award attorney's fees to prevailing parties in civil actions where civil rights have been violated
SB 96	Justus	Prohibits discrimination based upon a person's sexual orientation or gender identity
SB 322	Dixon	Provides immunity for law enforcement officers from personal civil liability
SCR 6	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 240	Ellington	Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader

No.	Author	Subject
SS HCS HB 320		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 408	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HCS HB 513		Specifies that parental liberty regarding the upbringing, education, and care of his or her children is a fundamental right which cannot be infringed on without demonstrating a governmental interest of the highest order
HB 527	Sommer	Creates the Joint Committee on the Tenth Amendment
HB 570	Smith 085	Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 615	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights regarding discrimination based upon a person's sexual orientation or gender identity
HB 757	Bahr	Establishes the Civil Liberties Defense Act and specifies how a court may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
HCR 36	Morgan	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
HCR 37	McCann Beatty	Recognizes July 1, 2013, as "Lucille Bluford Day" in Missouri in honor of a brave and persistent civil rights activist
COMMERCIAL CODE		
HB 212	Cox	Changes the law regarding secured transactions under the Uniform Commercial Code
COMPACTS		
HB 39	Roorda	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 928	Burlison	Enacts the Education Compact to return authority to regulate education to the states
HB 1038	Burlison	Establishes the Energy Compact to return authority for energy regulation to the states
CONSERVATION DEPT.		
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SJR 12	Sater	Modifies the terms and composition of the Conservation Commission
HB 94	Miller	Requires a full-time nonresident student in a college, university, or technical school to pay the same hunting, trapping, and fishing license or permit fee as a resident applicant
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HB 355	Cornejo	Exempts active duty military personnel from the hunter education and safety training and course requirements for issuance of a hunting permit by the Department of Conservation
HB 537	Zerr	Allows hunting privileges to be denied for up to 10 years for any person who kills another person while hunting
HB 965	Houghton	Requires a hunter at least six years of age but less than 15 years of age to hunt in the immediate presence of an adult hunter with a valid hunter education certificate card
HJR 27	Hicks	Proposes a constitutional amendment protecting a citizen's right to hunt, fish, and harvest wildlife and the use of traditional devices and methods to exercise the right

No.	Author	Subject
HJR 36	Jones 050	Proposes a constitutional amendment requiring all rules and regulations of the Missouri Conservation Commission to comply with statutory rulemaking requirements except for rules regarding hunting and fishing seasons
CONSTITUTIONAL AMENDMENTS		
SB 54	Lamping	Requires the joint election of the Governor and Lieutenant Governor
SCR 6	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution
SJR 1	Lager	Grants the General Assembly the power to limit by statute jury awards of noneconomic damages
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue
SJR 4	Lamping	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 5	Lamping	Requires the legislative session to end in late March rather than mid-May, beginning with the 99th General Assembly in 2017
SJR 6	Kraus	Allows for photographic identification for voting
SJR 7	Dixon	Modifies provisions regarding members and meetings of Missouri Senate and House of Representatives apportionment commissions
SJR 8	Dixon	Removes obsolete language and adds that judges from the Court of Appeals shall serve as a reapportionment commission
SJR 10	Nasheed	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 11	Curls	Increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the Governor's reduction of the state's expenditures
SJR 12	Sater	Modifies the terms and composition of the Conservation Commission
SCS SJR 14		Modifies constitutional provisions regarding the right to keep and bear arms
SJR 15	Schaaf	Modifies the Constitution to allow for propensity evidence in prosecutions for crimes of a sexual nature involving a victim under the age of eighteen
HCS SS#2 SCS SJR 16		Imposes a temporary one cent sales and use tax for transportation purposes
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SJR 18	Schmitt	Modifies provisions relating to meetings of apportionment commissions and prohibits commission members from serving in General Assembly for six years after service on commission
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 20	Curls	Authorizes the creation of Show-me Small Business Districts
SJR 21	LeVota	Proposes a constitutional amendment to replace the Highways and Transportation Commission with a Director of Transportation
SJR 22	Parson	Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices
SJR 23	Cunningham	Removes duties of the Lieutenant Governor regarding the Missouri Senate
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HCR 3	Sommer	Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 4	Scharnhorst	Submits to Congress a proposed federal balanced budget amendment to the United States Constitution

No.	Author	Subject
HCR 23	Fitzpatrick	Proposes to rescind Missouri's call for a constitutional convention for the purposes of adopting a balanced budget amendment
HCR 36	Morgan	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
HJR 2	Black	Proposes a constitutional amendment reducing the number of members of the Missouri House of Representatives from 163 to 120 and increasing the number of members of the Missouri Senate from 34 to 40 beginning in 2023
HJR 3	Elmer	Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
HJR 4	Neth	Proposes a constitutional amendment allowing a member of the General Assembly to serve the 16-year maximum in any proportion in either chamber as long as he or she serves no more than 16 years total
SCS HCS HJRs 5 & 12		Proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in an election
HJR 8	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket with proceeds to go to the Veterans Commission Capital Improvement Trust Fund
HJR 9	Fitzwater	Proposes a constitutional amendment changing the composition of the State Board of Education
HJR 10	Reiboldt	Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initiative petition related to crop production, livestock, or agriculture in order for it to take effect
CCS#2 SS HCS HJRs 11 & 7		Proposes a constitutional amendment affirming the right of farmers and ranchers to engage in modern farming and ranching practices
HJR 13	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion between the House of Representatives and the Senate
HCS#2 HJR 14		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, construction, landscaping, land or building purchases, and transportation infrastructure
HCS HJR 15		Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition for the proper functioning of arms must not be infringed or limited
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
HJR 17	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 18	Schupp	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 19	Bahr	Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care related services or products
HJR 20	Hampton	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 120 and increasing the number of members of the Senate from 34 to 40 beginning in 2023
HJR 21	Scharnhorst	Proposes a constitutional amendment limiting the total service in the General Assembly to 16 years in any proportion between the House of Representatives and the Senate
HJR 22	Neth	Proposes a constitutional amendment authorizing an increase in the level of school district bonded indebtedness
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects

No.	Author	Subject
HJR 24	Riddle	Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
HJR 27	Hicks	Proposes a constitutional amendment protecting a citizen's right to hunt, fish, and harvest wildlife and the use of traditional devices and methods to exercise the right
HJR 28	Marshall	Proposes a constitutional amendment specifying that the right of an individual to work cannot be denied or abridged on account of his or her membership or lack thereof in any labor organization or labor union
HJR 29	Houghton	Proposes a constitutional amendment establishing the elected office of the Secretary of Agriculture and eliminates the Department of Agriculture as an executive department
HJR 30	Solon	Proposes a constitutional amendment requiring any law creating a new tax credit or extending an existing tax credit to reduce the allowable amount of other tax credits
HJR 31	Marshall	Proposes a constitutional amendment changing the laws regarding sessions of the General Assembly
HJR 32	Neth	Proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
HJR 34	Butler	Proposes a constitutional amendment allowing anyone elected to the General Assembly after November 1, 2014, to serve up to 12 years in any one house and up to 24 years total in both houses
HCS HJR 35		Modifies constitutional provisions regarding the right to keep and bear arms
HJR 36	Jones 050	Proposes a constitutional amendment requiring all rules and regulations of the Missouri Conservation Commission to comply with statutory rulemaking requirements except for rules regarding hunting and fishing seasons
HJR 37	Cookson	Proposes a constitutional amendment exempting disabled military veterans from the payment of property taxes
HJR 39	Gatschenberger	Proposes a constitutional amendment that consolidates the City of St. Louis and St. Louis County into a single governing entity
HJR 40	Gatschenberger	Proposes a constitutional amendment to make the City of St. Louis part of St. Louis county
CONSTRUCTION AND BUILDING CODES		
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
SB 299	Holsman	Establishes the Capital Green Program to provide funding for energy efficiency improvements to certain state buildings
SB 321	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
HB 45	Hinson	Authorizes the county commission in any county to adopt specified building codes and establish a building commission and exempts a structure used solely for specified agricultural purposes from building code regulations
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
SCS HCS HB 161		Changes the laws regarding political subdivisions
SS HB 331		Changes the laws regarding utilities

No.	Author	Subject
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 481	Gosen	Changes the laws regarding liability insurance in construction contracts
HB 502	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
SS SCS HB 542		Changes the laws regarding agriculture
HB 642	Elmer	Allows a construction manager and any construction firm that he or she controls to bid and perform any of the actual construction on a public works project
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 828	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 891	Redmon	Changes the laws regarding liquefied petroleum gas
HB 901	Funderburk	Establishes procedures for certain utilities to construct facilities over, under, or across a railroad right-of-way
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 984	McNeil	Establishes the Homeowners' Solar Rights Act which prohibits entities from restricting the installation of solar energy systems
CONSUMER PROTECTION		
SB 55	Lamping	Amends laws relating to unsecured loans of \$500 or less
SCS SB 101		Prohibits florists from including a geographic reference in their name or advertising if they are not physically located at that place
SB 155	Nasheed	Requires all genetically modified meat and fish raised and sold in Missouri to be labeled as genetically modified
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees
SB 439	Munzlinger	Requires that diesel fuel pumps at retail and wholesale establishments have pump handles that are primary green in color
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
SB 466	Schaefer	Requires that all donation receptacles have the name and contact information of the receptacle owner and that the owner has permission from the property owner where the receptacle is located
HB 47	Cross	Requires, prior to any person younger than 17 years of age using a tanning device in a tanning facility, the parent or guardian of the person to appear in person giving written consent to the minor's use of a device
SS HCS HB 58		Changes the laws regarding portable electronics insurance coverage
HCS HB 176		Increases the amount of specified fees that a vendor of a small loan can charge
HB 245	Ellington	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 249	Ellington	Limits the amount of interest a title lender can charge on a title loan and requires the average interest rate being charged by credit unions to be made available to the public and updated at least quarterly

No.	Author	Subject
HCS HB 372		Establishes the Business Premises Safety Act
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 495	Dunn	Prohibits a seller or lessor in a sales or lease transaction or any credit card issuer from imposing a surcharge on a consumer using a credit card for the transaction
HB 549	Englund	Requires personal care items sold in this state to include on its label whether the items contain gluten
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 580	May	Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 617	Parkinson	Allows a cottage food production operation to sell baked goods out of an individual's home without being subject to the state health and food laws and regulations
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 805	Walton Gray	Prohibits the state lottery from publishing the names of lottery winners without consent
HB 829	Smith 085	Imposes restrictions on the institutional names of institutions of higher education
HB 853	Cox	Establishes the Missouri Consumer Litigation Loan Act which restricts consumer litigation loans
HB 879	Smith 085	Establishes the College Credit Disclosure Act which requires a higher education institution to disclose its unaccredited status to students before enrollment
HB 935	Mayfield	Changes the laws regarding consumer credit interest rates
HB 1004	Frame	Creates the requirements for the sale of cellular phones or other electronic communication devices by secondhand dealers
HB 1037	Englund	Requires a tenant to initiate a dispute in the Office of the Attorney General by filing a consumer complaint form if a landlord wrongfully withholds his or her security deposit and the Attorney General to mediate all disputes
CONTRACTS AND CONTRACTORS		
SB 53	Lamping	Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
SB 68	Parson	Modifies prevailing wage determinations for third class counties
SB 172	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SB 190	Walsh	WITHDRAWN
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SS SB 267		Specifies how courts may rule in contractual disputes involving the law of other countries
SB 272	Nieves	Allows contractors who install fire sprinkler systems to apply for a certificate of registration
SB 274	Walsh	Establishes mandatory wage reporting for the purposes of determining the prevailing wage
SB 291	Rupp	Requires the Office of Administration to set a goal of awarding at least 3% of contracts to businesses with disabled employees
SB 301	McKenna	Modifies the law relating to the prevailing wage
SS SB 357		Modifies the law relating to mechanics' liens for rental machinery and equipment

No.	Author	Subject
SB 383	Wallingford	Modifies the Missouri Public Prompt Payment Act and the law relating to public works projects
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
HB 120	Rowland	Changes the laws regarding the deadlines for the notification concerning a teacher's reemployment and the offering of a contract
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
SCS HB 329		Changes the laws regarding financial institutions
HB 333	Kelly 045	Changes the laws regarding the collection of sales and use taxes and funding the Second Injury Fund
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HB 346	Molendorp	Prohibits any contract between a health carrier or health benefit plan and a dentist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HCS HB 430		Changes the laws regarding the uniform experience rating plan of workers' compensation insurance
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 453	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 481	Gosen	Changes the laws regarding liability insurance in construction contracts
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee

No.	Author	Subject
HB 532	Bahr	Allows an employer to receive fees and expenses from the Department of Labor and Industrial Relations if an employer prevails in a suit or appeal based on an audit reclassifying a person or entity from an independent contractor to an employee
HCS HB 543		Changes the duties and authority of the State Auditor
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 578	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HB 642	Elmer	Allows a construction manager and any construction firm that he or she controls to bid and perform any of the actual construction on a public works project
HB 669	Parkinson	Prohibits a school district from entering into a contract with any teacher for unpaid leave that results in the teacher receiving funds from the district when another organization is reimbursing the district for the services of the teacher
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 691	Korman	Requires all members of a public water supply district board of directors to be voters who have resided in the district for one year prior to election
HB 692	Fitzpatrick	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HB 748	Crawford	Increases the amount of specified fees that a creditor can charge on small loans that are open-end credit contracts tied to a transaction account in a depository institution
HB 750	Molendorp	Prohibits any contract between a health carrier or health benefit plan and an optometrist from requiring a fee schedule established by the insurer if the services are not covered under the vision plan
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 757	Bahr	Establishes the Civil Liberties Defense Act and specifies how a court may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
HB 762	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 782	Spencer	Changes the laws regarding membership and contributions to public school retirement systems in Missouri
HB 811	Cross	Changes the goal that 3% of government contracts be awarded to service-disabled veteran businesses to 4% and appropriates \$100,000 to veteran organizations
HB 818	Ross	Prohibits a state agency or department from constructing, enabling, maintaining, participating in, or developing a database of the number or type of firearms, ammunition, or accessories that an individual possesses
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects

No.	Author	Subject
COOPERATIVES		
SB 53	Lamping	Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
SCS SB 396		Creates the Electrical Corporation Net Metering and Easy Connection Act and modifies the renewable energy standard
HB 119	Berry	Modifies provisions relating to the Net Metering and Easy Connection Act
CORPORATIONS		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
SB 53	Lamping	Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
SB 142	Sifton	Repeals a provision requiring corporate paid-in surplus distributions to be identified as liquidating dividends
SB 143	Walsh	Allows religious and charitable organizations to file with the Secretary of State instead of the circuit court in order to amend charters and convert to a nonprofit corporation
SCS SB 207		Allows electric corporations to recover costs for infrastructure replacement projects
SCS SB 240		Modifies provisions relating to ratemaking for gas corporations
SB 309	Schaaf	Prohibits certain types of public benefit corporations from entering into agreements to operate health insurance exchanges
SB 334	Sifton	Requires that any person, corporation, or utility who wishes to acquire fifty percent or more of the total stock issued by the water or sewer corporation to get permission from the Public Service Commission
SB 335	Sifton	Merges water and sewer corporations into one group of public utilities for assessment purposes
SB 400	Holsman	Modifies provisions relating to the renewable energy standard
SB 443	Silvey	Allows certain local city hospitals to become nonprofit corporations upon a vote of the people or the adoption of a resolution by the hospital's board of trustees
SB 459	Kehoe	Requires that the Public Service Commission use the revenue allocation method in rate cases involving electric corporations
SB 461	Wallingford	Provides an alternative method for calculating Missouri taxable income for corporations
SB 474	Lamping	Modifies provisions relating to school facilities and equipment
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HB 82	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of new jobs
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
SS SCS HB 142		Changes the laws regarding utilities
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 243	Ellington	Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim

No.	Author	Subject
HB 421	Curtman	Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
SCS HB 498		Repeals the requirement that paid-in surplus distributions must be identified as liquidating dividends and the amount per share must be disclosed to shareholders when it is paid
HB 510	Torpey	Allows a limited liability company to establish a designated series of members, managers, and company interests having separate rights and duties regarding specified property
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 606	Rowden	Allows for the creation of a low-profit limited liability company in Missouri
HB 666	Marshall	Requires a nonprofit corporation that solicits contributions or gifts from the public to provide, upon request, the name and any compensation paid by the corporation to any board member or officer
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HCS HB 783		Changes the laws regarding the leasing of school buildings
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
HB 789	Funderburk	Merges water and sewer corporations into one group of public utilities for assessment purposes
HCS HB 813		Requires the Department of Economic Development to distribute money to early stage business development corporations for grants to newly formed businesses that have the potential for national or international sales or the development of new technology
HB 901	Funderburk	Establishes procedures for certain utilities to construct facilities over, under, or across a railroad right-of-way
HB 916	Schupp	Specifies that certain business fees can only be changed every four years
HB 1029	Burlison	Authorizes an alternative method for calculating the Missouri taxable income of the interstate income of a corporation
CORRECTIONS DEPT.		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 243	Brown	Makes second degree sexual misconduct a class D felony if the offender was incarcerated in a Department of Corrections facility at the time of the crime
SB 253	Justus	Modifies provisions relating to criminal law
SB 285	Romine	Allows certain law enforcement agencies access to electronic monitoring information regarding sexually violent predators
SB 338	Romine	Modifies provisions relating to correctional treatment programs for offenders who are under the age of 18
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs

No.	Author	Subject
SB 389	Curls	Provides a process for the Parole Board to review the case histories of offenders serving more than 15 years in prison and recommend clemency or allow release on parole
SB 453	Cunningham	Requires state and contracted correctional health care systems to implement certain billing technologies and services
SCR 14	Keaveny	Directs the Oversight Division of the Committee on Legislative Research to conduct a comprehensive study of the costs of the death penalty
HB 69	Kelley 127	Specifies that gross negligence will be the standard of proof in a court action brought against a public or private jail or a correctional or detention facility as a result of a death by suicide of any inmate
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HCS HB 464		Changes the laws regarding sheriffs
HB 560	Molendorp	Prohibits smoking or using tobacco products in any area or on the grounds of a state correctional facility
HB 577	Engler	Allows certain law enforcement agencies to access electronic monitoring information regarding sexually violent predators
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 635	Fitzwater	Changes the age requirement for first time offenders to enter correctional treatment programs and repeals provisions regarding records and reports concerning offenders under 17 years of age
HB 637	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors
HB 742	Ellington	Requires the Department of Corrections to perform specified actions to improve the ability of inmates to obtain employment upon release from incarceration
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 807	Lair	Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing after serving 15 years of his or her sentence
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 836	Guernsey	Requires a Department of Corrections' facility to maintain a garden and use the produce from the garden to supplement the facility's food supply
HB 849	Lant	Requires the Missouri Supreme Court to develop a model jury instruction to be given to juries, including information on the sentence a defendant will receive and probable time served if found guilty

No.	Author	Subject
COSMETOLOGY		
HB 590	Koenig	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
COUNTIES		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
SCS SB 87		Modifies provisions relating to breast-feeding
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
HCS SB 90		Modifies provisions relating to elections and allows council members in third class cities to serve four-year terms upon passage of ballot proposal
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SB 137	Sater	Allows and establishes procedures for counties to decrease their annual budgets when faced with an unanticipated decline in funds
SB 216	Silvey	Prohibits political activity restrictions on first responders and modifies current political activity restrictions on the Kansas City Police Department
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SB 265	Nieves	Prohibits the state and political subdivisions from implementing policies affecting property rights and from entering into certain relationships with organizations
SB 283	Parson	Requires county treasurer and collector candidates to provide the election authority with a signed affidavit indicating they can meet bond requirements for the office
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 315	Pearce	Eliminates the expiration of a requirement for counties to deposit certain amounts into the assessment fund
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
SB 415	Dixon	Allows Greene County or any city within the county to impose a sales tax, upon voter approval, to fund early childhood education education
SB 447	Brown	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SB 448	Schmitt	Allows the circuit court of the city of St. Louis to create of a special armed offender docket
SB 451	Justus	Allows a party to petition the court to have civil court records removed from an automated case management system
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases

No.	Author	Subject
SB 468	Schaefer	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SB 480	Richard	Modifies provisions relating to local health departments
SCR 13	Brown	Urges the U.S. Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
SJR 13	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
SCS HB 42		Prohibits the state and all political subdivisions from adopting or implementing United Nations or international environmental and developmental policies that infringe or restrict private property rights without due process
HB 49	Dugger	Authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
HB 66	Burlison	Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HB 140	Thomson	Authorizes Mound City to impose, upon voter approval, a transient guest tax for tourism purposes
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
SCS HCS HB 161		Changes the laws regarding political subdivisions
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 208	Kirkton	Adds certain graphing calculators to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made

No.	Author	Subject
HB 325	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HB 407	Wieland	Specifies that, if a petition to incorporate a proposed area in Jefferson County fails to be adopted, it cannot be resubmitted for three years
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
HCS HB 424		Changes the laws regarding sheriffs
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HCS HB 464		Changes the laws regarding sheriffs
HB 486	Korman	Authorizes an additional \$4 fee to be charged by county recorders in second and third classification counties to be used for county and regional economic development planning
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 506	Redmon	Allows nursing home districts to establish and maintain senior housing in any third or fourth classification county
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
SCS HB 533		Changes the laws regarding firearms
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document
SS SCS HB 542		Changes the laws regarding agriculture
HCS HB 543		Changes the duties and authority of the State Auditor
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system

No.	Author	Subject
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals
HB 643	Muntzel	Authorizes the governing body of Cooper County to impose, upon voter approval, a sales tax of up to 2% in lieu of a property tax to fund the county hospital
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 734	Torpey	Changes the laws regarding the assignment of property tax liens
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 797	Curtis	Authorizes a community children's services fund to expend funds to provide preventative services for children
HB 802	Jones 050	Requires moneys in a County Law Enforcement Restitution Fund to be used for specified purposes for sheriffs and prosecuting attorneys
HB 815	Smith 085	Establishes registration and reporting requirements for a jurisdiction utilizing automated speed enforcement systems on roadways within the state highway system
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 839	McManus	Establishes the Missouri False Claims and Fraud Prevention Act
HB 875	Wieland	Authorizes Jefferson County to impose, upon voter approval, a sales tax to fund the county public health center in lieu of a property tax
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HB 891	Redmon	Changes the laws regarding liquefied petroleum gas
HB 894	LaFaver	Increases the maximum amount of the property tax credit, commonly known as the circuit breaker, by 25% for both homeowners and renters
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
HB 914	Bahr	Modifies the real property tax increment allocation redevelopment act
HB 921	Berry	Authorizes the Department of Economic Development to exercise discretion in approving or rejecting a notice of intent under the Quality Jobs Act at its discretion in certain counties
HB 929	Cornejo	Changes the standards for determining when a person is in need of mental health detention and evaluation
HB 940	Fitzpatrick	Specifies that all members on county planning, county zoning, and county planning and zoning boards and commissions will be elected
HB 1026	Jones 050	Specifies that the proceeds from the sale of any seized property must be divided among local schools, the seizing law enforcement agency, and the county general revenue fund
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
COUNTY GOVERNMENT		
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications

No.	Author	Subject
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 313	LeVota	Increases the \$2 surcharge for criminal cases in cities or counties with domestic violence shelters to \$4
SB 395	Kraus	Modifies the membership of the county political party committees in Jackson County
SB 463	Schaefer	Allows Boone County to adopt regulations to control the minimum standards for occupancy for residential units and to develop a program for licensing and inspecting the units
SJR 13	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
HB 45	Hinson	Authorizes the county commission in any county to adopt specified building codes and establish a building commission and exempts a structure used solely for specified agricultural purposes from building code regulations
HB 49	Dugger	Authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted
HCS HB 74		Changes the laws regarding political subdivisions
HB 86		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
SS#2 SCS HB 116		Changes the laws regarding audits
HB 118	Shull	Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed
HB 138	Dugger	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HB 147	Davis	Expands the procedural protections given to taxpayers in charter counties and the City of St. Louis regarding residential property tax assessments to taxpayers in any county
SCS HCS HB 161		Changes the laws regarding political subdivisions
HB 311	Thomson	Changes the laws regarding a petition for a tax levy for certain special road districts in Atchison County and the requirements to be elected or appointed as a commissioner of certain special road districts in the county
HB 407	Wieland	Specifies that, if a petition to incorporate a proposed area in Jefferson County fails to be adopted, it cannot be resubmitted for three years
HB 451	Fraker	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HB 486	Korman	Authorizes an additional \$4 fee to be charged by county recorders in second and third classification counties to be used for county and regional economic development planning
HB 940	Fitzpatrick	Specifies that all members on county planning, county zoning, and county planning and zoning boards and commissions will be elected
COUNTY OFFICIALS		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SCS SB 52		Allows law enforcement officers to charge for their services in cases disposed of by a violations bureau and creates the MODEX fund
HCS SB 75		Modifies provisions relating to public safety
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation

No.	Author	Subject
HCS SB 90		Modifies provisions relating to elections and allows council members in third class cities to serve four-year terms upon passage of ballot proposal
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SB 137	Sater	Allows and establishes procedures for counties to decrease their annual budgets when faced with an unanticipated decline in funds
SB 138	Kraus	Modifies provisions regarding the collection of neighborhood improvement district special assessments
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
CCS SCS SB 248		Modifies provisions relating to neighborhood improvement districts and delinquent property taxes
SB 283	Parson	Requires county treasurer and collector candidates to provide the election authority with a signed affidavit indicating they can meet bond requirements for the office
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars
SB 395	Kraus	Modifies the membership of the county political party committees in Jackson County
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SB 454	Nieves	Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes
HB 32	Guernsey	Requires the State Tax Commission to use the local assessor's property assessment method when the commission's assessment is in conflict with the local assessor's assessment
HB 49	Dugger	Authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HB 138	Dugger	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
SCS HCS HB 161		Changes the laws regarding political subdivisions
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
HB 188	Conway 010	Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason
HB 189	Muntzel	Establishes procedures for general elections following primary elections that have resulted in a tie vote between candidates for a county office.
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account

No.	Author	Subject
HB 232	Barnes	Requires election authorities to compile and use a voluntary interactive computerized voter registration list for voters who have no form of state-issued photographic identification
HCS HB 235		Changes the laws regarding the qualifications for a candidate for county collector, county treasurer, or county collector-treasurer
HB 269	Walton Gray	Changes the laws regarding abandoned property
HB 289	Montecillo	Requires an election authority to hire election judges based upon merit and without regard to political party affiliation instead of the current requirement that there be an equal number from each major political party
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 362	Roorda	Adds one active member of the Missouri Deputy Sheriff's Association to the Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART)
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HCS HB 424		Changes the laws regarding sheriffs
HB 425	Wilson	Specifies that all law enforcement officers are immune from personal civil liability for acts that are within the scope of their official duties, discretionary, and not performed in bad faith or with malice
HB 451	Fraker	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HCS HB 464		Changes the laws regarding sheriffs
HCS HB 468		Changes the laws regarding public safety
HB 486	Korman	Authorizes an additional \$4 fee to be charged by county recorders in second and third classification counties to be used for county and regional economic development planning
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 587	Remole	Requires registered sexual offenders to vote at the office of the county clerk in their county or by absentee ballot
HB 612	Lichtenegger	Authorizes any municipality or fire protection district to adopt orders or ordinances relating to a natural or man-made disaster if the safety and welfare of the residents are jeopardized
HB 665	Marshall	Allows county assessors to use the Kelly Blue Book or other credible resource when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 734	Torpey	Changes the laws regarding the assignment of property tax liens
HB 802	Jones 050	Requires moneys in a County Law Enforcement Restitution Fund to be used for specified purposes for sheriffs and prosecuting attorneys
HB 842	Kelley 127	Requires a county recorder of deeds to make informative literature regarding cystic fibrosis available to marriage license applicants if the literature has been supplied by the Cystic Fibrosis Foundation
HB 848	Neth	Establishes the requirements for early voting
HB 865	Neely	Requires the establishment of a death notification system for election authorities in order to remove deceased individuals from voter registration records

No.	Author	Subject
HB 980	Fraker	Requires the county or city clerk of the governing body creating a neighborhood improvement district to file a notice with the recorder of deeds
COURTS		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 21	Dixon	Provides the Supreme Court with the ability to transfer circuit and associate judge positions from one circuit to another
SB 22	Dixon	Grants the authority to redraw the circuit and appellate judicial districts to the Supreme Court
CCS SCS SB 36		Modifies provisions related to juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HCS SB 41		Modifies the laws regarding certain private nuisance actions
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 44	Dixon	Allows circuit courts that reimburse the state for the salaries of family court commissioners to charge up to a twenty dollar surcharge for cases
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SCS SB 52		Allows law enforcement officers to charge for their services in cases disposed of by a violations bureau and creates the MODEX fund
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SCS SB 69		Modifies provisions relating to administrative child support orders
SB 81	Schaefer	Gives the courts discretion to award attorney's fees to prevailing parties in civil actions where civil rights have been violated
SB 96	Justus	Prohibits discrimination based upon a person's sexual orientation or gender identity
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SB 105	Brown	Creates a statutory cause of action for damages against health care providers
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
HCS SCS SB 118		Authorizes the creation of veterans treatment courts
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 184	Sater	Modifies provisions regarding the termination of alimony and maintenance payments
HCS SB 188		Modifies provisions relating to civil commitment of sexually violent predators
HCS SB 222		Modifies provisions relating to domestic violence
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
SB 247	Walsh	Abolishes the death penalty and provides that any person sentenced to death before August 28, 2013 must be sentenced to life imprisonment without parole
SCS SB 250		Modifies provisions relating to the crime of possession of child pornography
SB 253	Justus	Modifies provisions relating to criminal law

No.	Author	Subject
SS SB 267		Specifies how courts may rule in contractual disputes involving the law of other countries
HCS SB 294		Modifies provisions relating to utilities
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 311	Nasheed	Creates the Parental Involvement Act to allow parents to petition to convert a public school using a school turnaround model or into a charter school
SB 313	LeVota	Increases the \$2 surcharge for criminal cases in cities or counties with domestic violence shelters to \$4
SB 316	Parson	Creates a court surcharge in municipal traffic violation cases
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
SB 336	Walsh	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 351	Lager	Mandates that judges must disqualify themselves from hearing a proceeding in certain situations
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars
SB 356	Kehoe	Terminates a manufacturer's liability when a product is materially altered by a person not in the business of selling the product
SB 358	Holsman	Exempts industrial hemp from the list of controlled substances and specifies that it is legal for anyone who has not been convicted of a drug-related crime to cultivate such hemp
SB 365	Parson	Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums
SB 377	Dixon	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs
SB 391	Dixon	Codifies the common law remedy of civil contempt for failure to comply with child support orders
SB 409	Keaveny	Modifies provisions relating to first degree murder
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SB 425	Nasheed	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 448	Schmitt	Allows the circuit court of the city of St. Louis to create of a special armed offender docket
SB 451	Justus	Allows a party to petition the court to have civil court records removed from an automated case management system
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases
SB 462	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
SB 478	Lamping	Provides that certain legal material published electronically must be authenticated and preserved
SB 482	Nasheed	Mandates that the city of St. Louis must create a special armed offender docket
SJR 9	Emery	Requires the Senate to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government

No.	Author	Subject
HB 52	Miller	Allows an insurance policyholder to petition the court for reimbursement of insurance costs as they occur during the pendency of a dissolution of marriage or legal separation
HB 84	Berry	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 88	Burlison	Changes who may be accepted by a drug court and allows a circuit court to establish a veterans treatment court to dispose of a case stemming from substance abuse or mental illness of a current military member or a veteran
HB 90	Gosen	Specifies that an insurer has the right to intervene in a civil action in which it may be contractually obligated to pay the cost of defending a civil lawsuit or a portion of any judgment that may rendered in the lawsuit
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HB 121	Barnes	Allows the court discretion in the appointment of a guardian ad litem in specified cases regarding child abuse or neglect and ex parte orders of protection
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HB 167	Hubbard	Repeals the provisions which allow the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 204	Reiboldt	Allows the clerk of the circuit court to charge and collect a surcharge of up to \$10 in cases where a garnishment is granted
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 213	Cox	Specifies that any party who takes a deposition in a criminal case will be responsible for the costs of providing one copy of the transcript of the deposition to the opposing party
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 230	Sommer	Creates the crime of dangerous vehicular flight, increases the penalty for resisting arrest by fleeing in a vehicle in a dangerous manner, and requires high speed pursuit training for all peace officers
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 248	Ellington	Increases, from no later than 15 days to no later than 60 days, the time after a child's birth that the father has to file an action to establish paternity prior to an adoption or to file a notice with the Putative Father Registry
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
HB 269	Walton Gray	Changes the laws regarding abandoned property
HB 273	Walton Gray	Requires the consolidation of specified civil court actions filed pertaining to the title of property in forcible entry and unlawful detainer cases
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 281	Barnes	Changes the laws regarding domestic violence

No.	Author	Subject
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HCS HB 290		Adds licensed professional counselors and psychologists to the list of people authorized to conduct an investigation into whether an individual is suitable as an adoptive parent
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HCS HB 306		Designates "Old Drum" as the official state historical dog
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HB 325	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 354	Cornejo	Allows DWI courts to use private probation and parole services for judicial supervision when the Department of Probation and Parole is unable to provide the services
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HB 370	Cox	Allows municipalities to assess an additional surcharge of up to \$7 per municipal traffic violation case unless the case has been dismissed by the court or the court finds the defendant unable to pay the cost
HCS HB 371		Changes the laws regarding judicial procedures
SCS HCS HBs 373 & 435		Grants the authority to redraw the circuit and appellate judicial districts every 10 years to the Supreme Court
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HB 376	Hough	Allows the Thirty-first Judicial Circuit in Greene County to appoint a family court commissioner whose compensation must be payable by the state without the necessity of reimbursement
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HCS HB 424		Changes the laws regarding sheriffs
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution

No.	Author	Subject
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 464		Changes the laws regarding sheriffs
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 512	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 532	Bahr	Allows an employer to receive fees and expenses from the Department of Labor and Industrial Relations if an employer prevails in a suit or appeal based on an audit reclassifying a person or entity from an independent contractor to an employee
HB 538	Walton Gray	Allows a person to appeal certain civil cases tried before an associate circuit judge or a municipal court judge and specifies that certain appellate cases can not be dismissed for lack of jurisdiction
HB 539	Walton Gray	Allows community service in lieu of a fine for certain traffic offenses
HCS HB 541		Changes the requirements for cases involving juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 556	Ellinger	Changes the time for a man to file an action to establish paternity or file with the putative father registry from 15 days to 60 days after the birth of the child
HB 558	Roorda	Prohibits associate circuit judges in the city of St. Louis from presiding over the trial or sentencing phase of any class A felony case
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 615	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights regarding discrimination based upon a person's sexual orientation or gender identity
HB 619	Ellinger	Revises the laws regarding first degree murder
HB 644	Wieland	Repeals the provisions that allow the use of the death penalty in Missouri
HB 670	Parkinson	Changes the terms of imprisonment for the crime of armed criminal action
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 728	Rizzo	Allows the impounding of vehicles used in prostitution
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements
HCS HB 749		Changes the laws regarding landlord-tenant actions
HB 752	Ellinger	Changes the minimum sentencing requirements for felons who have no previous prison commitments and are first-time dangerous felons

No.	Author	Subject
HB 753	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and who is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence
HB 757	Bahr	Establishes the Civil Liberties Defense Act and specifies how a court may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
HB 759	Jones 050	Changes what is considered to be a franchise between alcohol wholesalers and suppliers
HB 763	McGaugh	Establishes the Political Accountability in Campaigning Act
HB 764	Mims	Allows Kansas City to impose an additional court cost of up to a \$7 per case for each municipal ordinance violation case
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergy person
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 847	Gardner	Changes the laws regarding civil contempt for failure to appear for debt collection
HB 849	Lant	Requires the Missouri Supreme Court to develop a model jury instruction to be given to juries, including information on the sentence a defendant will receive and probable time served if found guilty
HB 862	Hubbard	Establishes a procedure for the removal of civil judgment court records from a publically accessible automated case management system
HB 866	Hinson	Specifies that a state or local official may accept or reject the filing of any document that he or she believes is a spurious lien
HB 883	McCann Beatty	Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2013
HB 890	Sommer	Changes the laws regarding animal abuse
HB 915	Bahr	Establishes the Employee Reclassification Act, which requires the Department of Labor and Industrial Relations to concisely define independent contractor and the procedures for changing an individual's classification to an employee
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 941	Walton Gray	Allows certain incarcerated parents to petition the court to delegate visitation time and access to a family member or other person with a close and substantial relationship to the parent's minor child
HB 964	Houghton	Prohibits any court from issuing an injunction to stop or delay the construction of any licensed animal slaughter or processing facility based on a challenge or appeal of a permit, license, or certificate under environmental laws or the inspection provisions for meat processing plants
HB 973	Stream	Changes the laws regarding the granting of grandparent visitation
HB 993	Hurst	Changes the percentage of wages that may be garnished from an employee who is the head of household and a resident of this state from 10% to 20%
HB 997	Colona	Requires the St. Louis County Bar Association to conduct research to establish a more safe and efficient method for attorneys to enter county courthouses
HB 1003	Frame	Creates the crime of drug-induced murder
HCR 2	Diehl	House of Representatives and Senate convene in Joint Session at 10:30 am, Wednesday, January 23, 2013, to receive a message from the Honorable Richard Teitelman, Chief Justice of the Missouri Supreme Court

No.	Author	Subject
HCR 35	Jones 110	Requests the Attorney General to argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act as well as the First Amendment of the Constitution
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
HJR 32	Neth	Proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population
COURTS, JUVENILE		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 48	Lamping	Modifies provisions relating to the prohibition of racial considerations in adoption proceedings
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases
HB 102	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 107	Berry	Changes the laws regarding adoption by reducing the required time period before a person can voluntarily relinquish a child and the required time period of a child's placement before his or her adoption can be finalized
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HCS HB 541		Changes the requirements for cases involving juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 668	Torpey	Changes the laws regarding the Safe Place for Newborns Act of 2002
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 718	Grisamore	Extends foster care to the age of 21 for certain children
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 890	Sommer	Changes the laws regarding animal abuse
HB 1027	Roorda	Requires the juvenile officer in specified cases to make an evaluation within 48 hours of detention of the juvenile as to whether the offense was the result of third-party enticement, exploitation, or coercion
CREDIT AND BANKRUPTCY		
HCS SB 12		Modifies various laws relating to judicial procedures
SCS SB 254		Raises the fees a lender can charge for certain loans
SB 336	Walsh	Allows debtors facing nonjudicial foreclosure to choose mediation or judicial foreclosure as alternatives
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees

No.	Author	Subject
SB 425	Nasheed	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 440	Munzlinger	Bans consumer loans for the purchase of the proceeds of a consumer's legal action
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 237	Ellington	Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 260	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HB 268	Walton Gray	Exempts property in bankruptcy which is exempt from attachment or execution under common and statutory law of Missouri or under federal law
HB 271	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 310	Solon	Establishes the Seniors' Retirement Protection Act which specifies that up to \$125,000 of the value of the primary residence of a person who is 62 years old or older will be exempt from attachment or execution
HB 327	Barnes	Changes the laws regarding nonexchange financial guarantees
SCS HB 329		Changes the laws regarding financial institutions
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
HB 447	Diehl	Adds interest in health savings plans and inherited accounts to the list of exemptions in bankruptcy proceedings
HB 495	Dunn	Prohibits a seller or lessor in a sales or lease transaction or any credit card issuer from imposing a surcharge on a consumer using a credit card for the transaction
HB 496	Pfautsch	Prohibits a merchant or lessor from imposing a surcharge on a holder who elects to use a credit or charge card for any sales or lease transaction, with exceptions
SS SCS HB 542		Changes the laws regarding agriculture
HB 747	Scharnhorst	Specifies that a gaming licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at an excursion gambling boat
HB 748	Crawford	Increases the amount of specified fees that a creditor can charge on small loans that are open-end credit contracts tied to a transaction account in a depository institution
HB 780	Schieffer	Prohibits private lenders from charging certain interest rates on student loans
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 845	Cornejo	Exempts rental security deposits from attachment and execution in a bankruptcy proceeding
HB 847	Gardner	Changes the laws regarding civil contempt for failure to appear for debt collection
HB 882	McCann Beatty	Changes the notice requirement for a tenant in a foreclosure action from 10 business days to 90 days

No.	Author	Subject
HB 883	McCann Beatty	Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2013
CREDIT UNIONS		
SB 235	Cunningham	Modifies the law relating to residential real estate loan reporting
SCS SB 254		Raises the fees a lender can charge for certain loans
SB 343	Parson	Establishes that real estate loans shall be governed only by state and federal law
SB 384	Rupp	Modifies the law relating to personal guarantee loans
HCS HB 176		Increases the amount of specified fees that a vendor of a small loan can charge
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 249	Ellington	Limits the amount of interest a title lender can charge on a title loan and requires the average interest rate being charged by credit unions to be made available to the public and updated at least quarterly
SCS HB 329		Changes the laws regarding financial institutions
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 478	Wieland	Changes the laws regarding shares in credit unions
HB 748	Crawford	Increases the amount of specified fees that a creditor can charge on small loans that are open-end credit contracts tied to a transaction account in a depository institution
CRIMES AND PUNISHMENT		
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
CCS SCS SB 36		Modifies provisions related to juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
HCS SB 67		Modifies provisions relating to higher education
HCS SB 75		Modifies provisions relating to public safety
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SB 102	Kraus	Adds catalytic converters to the types of scrap metal requiring documentation by scrap dealers
SB 124	Chappelle-Nadal	Creates the crimes of failing to stop illegal firearm possession, negligent storage of a firearm, and failure to notify a school of firearm ownership
SB 130	Schaefer	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SB 149	Keaveny	Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 150	Munzlinger	Declares certain federal firearm laws unenforceable and makes it a crime for public officers, agents, and employees and licensed firearms dealers to enforce such laws
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders

No.	Author	Subject
CCS HCS SCS SB 157 & SB 102		Modifies provisions relating to the disposition of personal property
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
SB 185	Sater	Criminalizes prenatal drug or alcohol use
SB 189	Romine	Criminalizes the failure to vacate leased premises in a rent and possession case under chapter 535
SB 201	Chappelle-Nadal	Enacts a state-wide smoking ban
SB 203	Chappelle-Nadal	Repeals provisions relating to unauthorized and unlawfully present aliens
SB 214	Silvey	Modifies provisions relating to crime
HCS SB 222		Modifies provisions relating to domestic violence
SB 243	Brown	Makes second degree sexual misconduct a class D felony if the offender was incarcerated in a Department of Corrections facility at the time of the crime
SB 247	Walsh	Abolishes the death penalty and provides that any person sentenced to death before August 28, 2013 must be sentenced to life imprisonment without parole
SCS SB 250		Modifies provisions relating to the crime of possession of child pornography
SB 253	Justus	Modifies provisions relating to criminal law
SB 263	Curls	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications
SB 270	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SB 273	Wallingford	Requires certain crime scene materials to be considered closed records under Missouri's Sunshine Law
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SB 285	Romine	Allows certain law enforcement agencies access to electronic monitoring information regarding sexually violent predators
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors
SB 338	Romine	Modifies provisions relating to correctional treatment programs for offenders who are under the age of 18
SB 346	Curls	Modifies the eligibility requirements for food stamp assistance
SB 347	Nasheed	Makes the offense of nonsupport an infraction rather than a class A misdemeanor or class D felony

No.	Author	Subject
SB 358	Holsman	Exempts industrial hemp from the list of controlled substances and specifies that it is legal for anyone who has not been convicted of a drug-related crime to cultivate such hemp
SB 369	LeVota	Requires reporting and creates crimes related to counterfeit, fake, diluted, or black market drugs
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 377	Dixon	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs
SB 389	Curls	Provides a process for the Parole Board to review the case histories of offenders serving more than 15 years in prison and recommend clemency or allow release on parole
SB 409	Keaveny	Modifies provisions relating to first degree murder
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SB 469	Chappelle-Nadal	Creates the crimes of failing to stop illegal weapon possession, negligent storage of a weapon, and failure to notify a school of weapon ownership
SCR 14	Keaveny	Directs the Oversight Division of the Committee on Legislative Research to conduct a comprehensive study of the costs of the death penalty
SJR 15	Schaaf	Modifies the Constitution to allow for propensity evidence in prosecutions for crimes of a sexual nature involving a victim under the age of eighteen
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 36	Higdon	Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HB 38	Roorda	Creates the crime of altering or falsifying drug or alcohol test results or selling or transporting a biological sample or adulterant to falsify test results
HB 67	Higdon	Allows a local law enforcement officer to provide assistance outside his or her jurisdiction upon the request of or permission granted by specified law enforcement agencies
HB 72	Barnes	Prohibits any person younger than six years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HCS HBs 77, 91 & 95		Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices
HB 84	Berry	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 89	Colona	Establishes the Firearm Responsibility Act which specifies that a person commits the crime of failure to secure a firearm if he or she fails to secure a firearm at all times when it is not in active use
HB 106	Kelley 127	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 108	Kelley 127	Specifies that a person commits the crime of false identification if he or she falsely represents or identifies himself or herself as another person to a law enforcement officer
CCS SS SCS HCS HB 117		Changes the laws regarding initiative and referendum petitions
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance

No.	Author	Subject
HB 146	Davis	Requires a registered sex offender purchasing real estate to disclose that status to his or her buyer's agent and the agent to disclose the buyer's status to the seller and specified neighboring residents
HB 153	Solon	Expands the crime of assault of a law enforcement officer in the first, second, and third degrees to include the assault of an animal control officer
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 167	Hubbard	Repeals the provisions which allow the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 174	Hodges	Revises the definition of "police animal" as it relates to crimes committed against these animals to include a dog, horse, or other animal used by public or private search and rescue units or agencies
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HB 209	Richardson	Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 218	Cox	Changes the laws regarding the sale and possession of controlled substances
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 230	Sommer	Creates the crime of dangerous vehicular flight, increases the penalty for resisting arrest by fleeing in a vehicle in a dangerous manner, and requires high speed pursuit training for all peace officers
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis

No.	Author	Subject
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HB 280	Barnes	Changes the laws regarding certain sexual offenses
HB 281	Barnes	Changes the laws regarding domestic violence
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HCS HB 285		Creates the crime of distribution of a controlled substance near a child care facility
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HB 299	Schieber	Extends to August 28, 2023, the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund which had expired
HB 300	Hubbard	Specifies that the criteria for domestic assault in the third degree includes three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 302	Engler	Creates the crime of the failure to vacate leased premises in a rent and possession case
HB 308	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HCS HB 348		Changes the Kansas City school board to a seven-member board
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
HB 352	Hurst	Changes the laws regarding the sale or provision of certain commodities by specified school district board members, officers, or employees
HB 365	Roorda	Changes the controlled substance classification of all methamphetamine precursor drugs from Schedule IV and Schedule V to Schedule III that requires a physician's prescription
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 390	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HB 461	Phillips	Specifies that any person who refuses to submit to a law enforcement officer's request for a chemical test for alcohol content commits the crime of tampering with physical evidence
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements

No.	Author	Subject
HB 463	Black	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the Department of Mental Health
HCS HB 468		Changes the laws regarding public safety
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 494	LaFaver	Specifies that any person who owns, possesses, manufactures, purchases, or sells a high capacity firearm magazine will be guilty of a class D felony under certain circumstances
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 512	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia
HB 519	Newman	Changes the laws regarding domestic violence
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 524	Schupp	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HB 539	Walton Gray	Allows community service in lieu of a fine for certain traffic offenses
HCS HB 541		Changes the requirements for cases involving juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HB 545	Ellinger	Makes it a class C felony to manufacture, import, possess, purchase, sell, or transfer any assault weapon or large capacity magazine
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 557	Ellinger	Requires all substantiated cases of child abuse and neglect in the central registry to be classified based on risk of future harm to the child
HB 560	Molendorp	Prohibits smoking or using tobacco products in any area or on the grounds of a state correctional facility
HCS HB 564		Changes the laws regarding the crimes of animal neglect and animal abuse and creates the crime of animal trespass
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 574	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 577	Engler	Allows certain law enforcement agencies to access electronic monitoring information regarding sexually violent predators
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals

No.	Author	Subject
HB 583	Roorda	Establishes the School Safety Trust Fund Act which changes the procedure for the distribution of proceeds from the sale or disposition of property under the Criminal Activity Forfeiture Act
HB 587	Remole	Requires registered sexual offenders to vote at the office of the county clerk in their county or by absentee ballot
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HCS HB 608		Requires the MO HealthNet Division to establish a pilot program implementing an electronic benefit transfer payment system for receipt of MO HealthNet services by participating recipients
HB 619	Ellinger	Revises the laws regarding first degree murder
HB 623	Sommer	Specifies that in all criminal cases a \$2 surcharge must be assessed as costs with specified exceptions to be credited to the Brain Injury Fund
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 633	Leara	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bear arms will be guilty of a class D felony
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 644	Wieland	Repeals the provisions that allow the use of the death penalty in Missouri
HB 647	Schieffer	Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HB 648	Schieffer	Prohibits the sale or giving away of energy drinks to a person less than 18 years of age
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 663	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving- while-intoxicated offense
HB 670	Parkinson	Changes the terms of imprisonment for the crime of armed criminal action
HB 674	Hicks	Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense
HB 676	Nichols	Specifies that any refiner purchasing jewelry must keep and retain photographic copies and records of the jewelry and must wait a period of 30 days before refining or selling the jewelry
HB 677	Roorda	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bargain collectively will be guilty of a class D felony
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 696	Cornejo	Creates the offense of impersonation of an actual person by electronic means
HB 707	Grisamore	Changes the laws regarding the crime of causing injury to or the death of a service dog
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HB 728	Rizzo	Allows the impounding of vehicles used in prostitution
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements

No.	Author	Subject
HB 747	Scharnhorst	Specifies that a gaming licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at an excursion gambling boat
HB 752	Ellinger	Changes the minimum sentencing requirements for felons who have no previous prison commitments and are first-time dangerous felons
HB 753	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and who is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 762	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 776	Pace	Creates the crimes of assault of an employee of a mass transit system in the first, second, and third degree
HB 785	Anderson	Changes the laws regarding the confiscation of animals
HB 786	McDonald	Allows third and fourth class cities in counties of the first classification to impose a fine of up to \$1,000 for violations of city ordinances
HB 794	Kolkmeier	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being an endangered person, and changes its name to the Amber Alert and Silver Alert System
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergyperson
HB 801	Barnes	Requires recipients of MO HealthNet benefits who have been convicted of a crime involving drug use to enroll in a drug treatment program in order to continue receiving benefits
HB 812	Rhoads	Adds specified chemical compounds to the list of synthetic cannabinoids included in Schedule I of controlled substances
HB 825	Morgan	Specifies that any driver operating a motor vehicle on a highway, street, or roadway has an affirmative duty to remove accumulated snow or ice from the surface of the vehicle prior to operation
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 831	Jones 050	Specifies that a person is guilty of a class A felony if a child dies as a result of injuries sustained from the abuse of a child
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 860	Wood	Changes the laws regarding the sale of certain commodities by certain school officials of seven-member school board districts that are located in a first classification county
HB 866	Hinson	Specifies that a state or local official may accept or reject the filing of any document that he or she believes is a spurious lien
HB 890	Sommer	Changes the laws regarding animal abuse
HB 912	Brown	Revises the definition of "knife" to include any knife used for hunting or fishing and creates an exception to the crime of possessing certain weapons if the weapon is solely a keepsake
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HCS#2 HB 927		Changes the laws regarding agriculture

No.	Author	Subject
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 945	Rowland	Allows an owner of property damaged during service of process to recover reasonable reimbursement costs associated with the property from the Crime Victims' Compensation Fund
HB 963	Houghton	Changes the laws regarding certain crimes committed on agricultural property
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 979	Hough	Changes the laws regarding motor vehicle, trailer, and boat dealers
HB 990	Torpey	Specifies that any social host that furnishes a minor with alcohol resulting in permanent personal injuries or death will be guilty of a class D felony
HB 991	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from schedule IV and V controlled substances to schedule III requiring a prescription
HB 992	Schatz	Changes the laws regarding the sale and possession of controlled substances
HB 995	Frederick	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1003	Frame	Creates the crime of drug-induced murder
HB 1004	Frame	Creates the requirements for the sale of cellular phones or other electronic communication devices by secondhand dealers
HB 1023	Jones 050	Changes the laws regarding the crime of possession of child pornography
HCR 27	Schupp	Recognizes the U.S. Senators who voted to renew the Violence Against Women Act and urges the Missouri Congressional delegation to support its renewal
CRIMINAL PROCEDURE		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SCS SB 52		Allows law enforcement officers to charge for their services in cases disposed of by a violations bureau and creates the MODEX fund
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 214	Silvey	Modifies provisions relating to crime
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
SB 247	Walsh	Abolishes the death penalty and provides that any person sentenced to death before August 28, 2013 must be sentenced to life imprisonment without parole
SB 253	Justus	Modifies provisions relating to criminal law
SB 273	Wallingford	Requires certain crime scene materials to be considered closed records under Missouri's Sunshine Law
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 313	LeVota	Increases the \$2 surcharge for criminal cases in cities or counties with domestic violence shelters to \$4
SB 316	Parson	Creates a court surcharge in municipal traffic violation cases
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts

No.	Author	Subject
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
SB 351	Lager	Mandates that judges must disqualify themselves from hearing a proceeding in certain situations
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars
SB 377	Dixon	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs
SB 409	Keaveny	Modifies provisions relating to first degree murder
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SB 448	Schmitt	Allows the circuit court of the city of St. Louis to create of a special armed offender docket
SB 482	Nasheed	Mandates that the city of St. Louis must create a special armed offender docket
SJR 15	Schaaf	Modifies the Constitution to allow for propensity evidence in prosecutions for crimes of a sexual nature involving a victim under the age of eighteen
HB 67	Higdon	Allows a local law enforcement officer to provide assistance outside his or her jurisdiction upon the request of or permission granted by specified law enforcement agencies
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 213	Cox	Specifies that any party who takes a deposition in a criminal case will be responsible for the costs of providing one copy of the transcript of the deposition to the opposing party
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 358	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 360	Roorda	Prohibits the denial of mental health care and treatment for children who are alleged victims of abuse and neglect and requires guardians ad litem to have training in child abuse and neglect or in mental health
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HCS HB 424		Changes the laws regarding sheriffs
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 464		Changes the laws regarding sheriffs
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense

No.	Author	Subject
HB 489	Roorda	Prohibits an Associate Circuit Judge in St. Louis City from presiding over the trial of any person charged with a class A misdemeanor unless also charged with a felony
HB 512	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HB 545	Ellinger	Makes it a class C felony to manufacture, import, possess, purchase, sell, or transfer any assault weapon or large capacity magazine
HB 558	Roorda	Prohibits associate circuit judges in the city of St. Louis from presiding over the trial or sentencing phase of any class A felony case
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HB 619	Ellinger	Revises the laws regarding first degree murder
HB 670	Parkinson	Changes the terms of imprisonment for the crime of armed criminal action
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements
HB 752	Ellinger	Changes the minimum sentencing requirements for felons who have no previous prison commitments and are first-time dangerous felons
HB 753	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and who is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergyperson
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 849	Lant	Requires the Missouri Supreme Court to develop a model jury instruction to be given to juries, including information on the sentence a defendant will receive and probable time served if found guilty
HB 945	Rowland	Allows an owner of property damaged during service of process to recover reasonable reimbursement costs associated with the property from the Crime Victims' Compensation Fund
HB 1003	Frame	Creates the crime of drug-induced murder
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
DAIRIES AND DAIRY PRODUCTS		
HB 841	Ross	Authorizes a tax credit for qualifying milk producers in Missouri
DENTISTS		
CCS HCS SB 127		Modifies various public assistance provisions including MO HealthNet dental, home and community based referrals, Missouri adjusted gross income for MO HealthNet eligibility and extends Ticket-to-Work
SB 281	Wasson	Prohibits health carriers from contractually requiring dentists to provide non-covered dental services at an established fee
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SS HCS HB 315		Changes the laws regarding health care services

No.	Author	Subject
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HB 346	Molendorp	Prohibits any contract between a health carrier or health benefit plan and a dentist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 613	Lichtenegger	Requires the Bureau of Dental Health within the Department of Health and Senior Services to implement the Missouri Oral Health Program to increase public awareness of its importance
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 854	Burlison	Allows a dentist to delegate the tasks of placement of pit or fissure sealants and application of topical fluoride to dental assistants under his or her direct supervision
DISABILITIES		
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SB 291	Rupp	Requires the Office of Administration to set a goal of awarding at least 3% of contracts to businesses with disabled employees
SB 345	Lamping	WITHDRAWN
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund
HCS HB 87		Changes the laws regarding certain benevolent tax credits
HB 100	White	Establishes the Adult Health Care Consent Act that specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 185	Kirkton	Designates December 4 as "PKS Day" in Missouri to encourage participation in awareness and educational activities regarding Pallister-Killian Syndrome
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HB 478	Wieland	Changes the laws regarding shares in credit unions
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons

No.	Author	Subject
HB 517	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 699	Grisamore	Requires the Department of Elementary and Secondary Education to establish a work group to access available resources needed for effective work experiences for youth with disabilities
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 707	Grisamore	Changes the laws regarding the crime of causing injury to or the death of a service dog
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HB 710	Grisamore	Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 711	Grisamore	Requires at least one accessible parking space to be lift accessible for new parking lots and parking lots being restriped that contain 25 or more parking spaces
HB 714	Grisamore	This proposal modifies the definition of employment as it relates to employment security law
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HB 768	English	Requires election authorities to make available at least one electronic voting machine for blind or visually impaired voters at state and local elections in order to comply with federal law
HB 773	Entlicher	Changes the laws regarding election ballots and audits
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 811	Cross	Changes the goal that 3% of government contracts be awarded to service-disabled veteran businesses to 4% and appropriates \$100,000 to veteran organizations
HB 834	Sommer	Revises the definition of "service dog" to include animals that provide support or therapeutic functions for individuals with psychiatric or mental disabilities
HB 897	Leara	Changes the laws regarding the alternative police retirement systems in the City of St. Louis
HB 926	Allen	Establishes a MO HealthNet pilot project program and demonstration project to provide medical assistance to certain aged, blind, and disabled populations
HB 985	Barnes	Extends the Ticket to Work Health Assurance Program to 2019
SCS HCS HB 986		Changes the laws regarding health care services
HB 989	Torpey	Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principle residence
HB 996	Cross	Exempts permanently disabled persons from the requirement that a physician's statement be provided each time a disabled license plate or windshield placard is renewed.
HB 1019	McCann Beatty	Repeals the expiration date of a portion of the public mass transportation sales tax in Kansas City and repeals the requirement that the system be in compliance with the Americans with Disabilities Act on that date
HJR 37	Cookson	Proposes a constitutional amendment exempting disabled military veterans from the payment of property taxes

No.	Author	Subject
DOMESTIC RELATIONS		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 110		Establishes procedures to follow in child custody and visitation cases for military personnel
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 153	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 184	Sater	Modifies provisions regarding the termination of alimony and maintenance payments
SB 214	Silvey	Modifies provisions relating to crime
HCS SB 222		Modifies provisions relating to domestic violence
SB 253	Justus	Modifies provisions relating to criminal law
SB 347	Nasheed	Makes the offense of nonsupport an infraction rather than a class A misdemeanor or class D felony
SB 367	Walsh	Creates a right to unpaid leave for employees that are affected by domestic violence
SB 391	Dixon	Codifies the common law remedy of civil contempt for failure to comply with child support orders
HB 52	Miller	Allows an insurance policyholder to petition the court for reimbursement of insurance costs as they occur during the pendency of a dissolution of marriage or legal separation
HB 102	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 121	Barnes	Allows the court discretion in the appointment of a guardian ad litem in specified cases regarding child abuse or neglect and ex parte orders of protection
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
SCS HCS HB 252		Changes the laws regarding adoptions
HB 261	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through 12
HB 280	Barnes	Changes the laws regarding certain sexual offenses
HB 281	Barnes	Changes the laws regarding domestic violence
HCS HB 290		Adds licensed professional counselors and psychologists to the list of people authorized to conduct an investigation into whether an individual is suitable as an adoptive parent
HB 300	Hubbard	Specifies that the criteria for domestic assault in the third degree includes three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 334	Dugger	Exempts farm work performed by children under 16 years of age from certain child labor requirements

No.	Author	Subject
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HB 466	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HCS HB 513		Specifies that parental liberty regarding the upbringing, education, and care of his or her children is a fundamental right which cannot be infringed on without demonstrating a governmental interest of the highest order
HB 516	Burlison	Requires an applicant for a marital and family therapist license to show a master's or doctoral degree from a Commission on Accreditation for Marriage and Family Therapy accredited program
HB 519	Newman	Changes the laws regarding domestic violence
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 556	Ellinger	Changes the time for a man to file an action to establish paternity or file with the putative father registry from 15 days to 60 days after the birth of the child
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
HB 941	Walton Gray	Allows certain incarcerated parents to petition the court to delegate visitation time and access to a family member or other person with a close and substantial relationship to the parent's minor child
HB 946	Schupp	Creates a right to unpaid leave for employees who are affected by domestic violence.
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
DRUGS AND CONTROLLED SUBSTANCES		
SB 111	Emery	Prohibits any requirement that pharmacies carry a specific drug or device
SCS SB 126		Prohibits any requirement that pharmacies carry a specific drug or device
SB 146	Schaaf	Establishes a Prescription Drug Monitoring Program
SB 185	Sater	Criminalizes prenatal drug or alcohol use
SB 233	Sater	Establishes a Prescription Drug Monitoring Program
SB 253	Justus	Modifies provisions relating to criminal law
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors

No.	Author	Subject
SB 358	Holsman	Exempts industrial hemp from the list of controlled substances and specifies that it is legal for anyone who has not been convicted of a drug-related crime to cultivate such hemp
SB 369	LeVota	Requires reporting and creates crimes related to counterfeit, fake, diluted, or black market drugs
HB 38	Roorda	Creates the crime of altering or falsifying drug or alcohol test results or selling or transporting a biological sample or adulterant to falsify test results
HB 40	Roorda	Imposes an excise tax on controlled substances and illicit alcoholic beverages
HB 88	Burlison	Changes who may be accepted by a drug court and allows a circuit court to establish a veterans treatment court to dispose of a case stemming from substance abuse or mental illness of a current military member or a veteran
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HCS HB 210		Changes the laws regarding the Missouri Criminal Code
HB 218	Cox	Changes the laws regarding the sale and possession of controlled substances
HB 231	Sommer	Changes the laws regarding the issuance of temporary instruction driving permits
HCS HB 285		Creates the crime of distribution of a controlled substance near a child care facility
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
HB 365	Roorda	Changes the controlled substance classification of all methamphetamine precursor drugs from Schedule IV and Schedule V to Schedule III that requires a physician's prescription
HB 378	Kelley 127	Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 390	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 474	Brattin	Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 512	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions

No.	Author	Subject
HB 797	Curtis	Authorizes a community children's services fund to expend funds to provide preventative services for children
HB 801	Barnes	Requires recipients of MO HealthNet benefits who have been convicted of a crime involving drug use to enroll in a drug treatment program in order to continue receiving benefits
HB 802	Jones 050	Requires moneys in a County Law Enforcement Restitution Fund to be used for specified purposes for sheriffs and prosecuting attorneys
HB 812	Rhoads	Adds specified chemical compounds to the list of synthetic cannabinoids included in Schedule I of controlled substances
HB 816	Smith 085	Requires members of the House of Representatives to be subject to drug testing within 60 days of the start of the legislative session
HB 826	Wood	Requires retail establishments selling potpourri or incense containing a chemical that also serves as a drug substitute to clearly label the product with the potential health effects of the chemical
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits
HB 991	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from schedule IV and V controlled substances to schedule III requiring a prescription
HB 992	Schatz	Changes the laws regarding the sale and possession of controlled substances
HB 1003	Frame	Creates the crime of drug-induced murder
DRUNK DRIVING/BOATING		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
HB 354	Cornejo	Allows DWI courts to use private probation and parole services for judicial supervision when the Department of Probation and Parole is unable to provide the services
HB 663	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving- while-intoxicated offense
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 990	Torpey	Specifies that any social host that furnishes a minor with alcohol resulting in permanent personal injuries or death will be guilty of a class D felony
EASEMENTS AND CONVEYANCES		
HCS SB 67		Modifies provisions relating to higher education
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SCS SB 419		Allows the Governor to convey certain state properties to the State Highways and Transportation Commission

No.	Author	Subject
SS HB 331		Changes the laws regarding utilities
SCS HB 460		Authorizes the conveyance of various state properties
HB 658	English	Authorizes the City of Florissant to charge a reasonable fee to pay for costs associated with the maintenance of right-of-ways and easements
HB 868	Pfautsch	Prohibits a homeowner from being required to join a homeowner or subdivision association as part of a plan of maintenance for a private road
HB 892	Hicks	Specifies that any sale of lands under Chapter 92, RSMo, is subject to valid recorded covenants running with the land and valid easements of record or in use
HB 901	Funderburk	Establishes procedures for certain utilities to construct facilities over, under, or across a railroad right-of-way
ECONOMIC DEVELOPMENT		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
SCS SBs 10 & 25		Creates a tax credit to attract amateur sporting events to the state
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SB 63	Schmitt	Requires all tax credit programs created on or after August 28, 2013, to comply with the Tax Credit Accountability Act of 2004
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
SB 91	Justus	Reauthorizes the New Markets Tax Credit and creates the Missouri Angel Investment Incentive Act
SB 93	Justus	Repeals provisions making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SB 103	Kraus	Reauthorizes the Alternative Fuel Stations Tax Credit and creates a tax credit for fleet conversions of vehicles to natural gas
HCS SB 112		Modifies provisions relating to tax incentives
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SB 163	Kraus	Reauthorizes certain benevolent tax credits, prohibits further authorization of certain tax credits, and modifies historic preservation and low-income housing tax credits
SB 172	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SB 213	Kraus	Modifies provisions of law relating to tax increment financing
SB 323	Dixon	Creates the Missouri Works Program and eliminates or modifies certain other economic development programs
SB 333	Silvey	Reauthorizes and modifies provisions relating to the Qualified Research Expenses Tax Credit
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 379	Keaveny	Modifies provisions relating to the Distressed Areas Land Assemblage Tax Credit
SB 387	Nasheed	Reduces the fiscal year cap and extends the sunset on the Film Production Tax Credit
SB 436	McKenna	Modifies provisions relating to small business incubators
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
SCR 7	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project

No.	Author	Subject
HB 96	White	Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HB 124	Gatschenberger	Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 227	Zerr	Allows an entity that makes a qualified equity investment to receive certain tax credits and establishes procedures for obtaining the credits
HB 242	Ellington	Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
HB 423	Zerr	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit Act
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HB 526	Franklin	Establishes a rural regional development grants program
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts

No.	Author	Subject
HB 620	Barnes	Establishes the Buck Stops Here Economic Development Tax Credit Reform Program that provides tax incentives through retained withholding taxes and refundable income and financial institution tax credits for qualified companies
HB 622	McCaherty	Provides tax incentives for qualified manufacturing facilities or qualified suppliers that create or retain jobs in Missouri
HCS HB 630		Changes the laws regarding the Missouri Quality Jobs Act, the Manufacturing Jobs Act, and the Missouri International Business Advertising Fund
HB 664	Marshall	Changes the laws regarding blighted areas and the use of eminent domain
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
CCS SCS HCS#2 HB 698		Changes the laws regarding tax incentives and tax credits
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 767	Jones 050	Expands the Manufacturing Jobs Act to include qualified investor owned utilities
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
HCS HB 813		Requires the Department of Economic Development to distribute money to early stage business development corporations for grants to newly formed businesses that have the potential for national or international sales or the development of new technology
HB 833	Rowden	Establishes the MissouriLink Network
HCS HB 850		Establishes the Bring Jobs Home Act which authorizes a tax deduction for out-of-state businesses that relocate to Missouri
HB 914	Bahr	Modifies the real property tax increment allocation redevelopment act
HB 924	Johnson	Establishes the Missouri Business Recruiters Act to create employment positions for business recruiters to attract out-of-state business owners and companies to Missouri
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 998	Frame	Establishes the Manufacturing Incubators Act
HB 1009	Schupp	Revises the definition of "qualified voters" with regard to community improvement districts
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
ECONOMIC DEVELOPMENT DEPT.		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SB 46	Parson	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
SB 91	Justus	Reauthorizes the New Markets Tax Credit and creates the Missouri Angel Investment Incentive Act
HCS SB 112		Modifies provisions relating to tax incentives
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives

No.	Author	Subject
SB 163	Kraus	Reauthorizes certain benevolent tax credits, prohibits further authorization of certain tax credits, and modifies historic preservation and low-income housing tax credits
SB 333	Silvey	Reauthorizes and modifies provisions relating to the Qualified Research Expenses Tax Credit
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 379	Keaveny	Modifies provisions relating to the Distressed Areas Land Assemblage Tax Credit
SB 387	Nasheed	Reduces the fiscal year cap and extends the sunset on the Film Production Tax Credit
SB 394	Silvey	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 436	McKenna	Modifies provisions relating to small business incubators
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
HCS HB 78		Establishes the Missouri Jobs for Education Program to provide a tuition credit for certain business owners or companies who create new full-time jobs
HB 124	Gatschenberger	Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 227	Zerr	Allows an entity that makes a qualified equity investment to receive certain tax credits and establishes procedures for obtaining the credits
HB 242	Ellington	Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 316	Phillips	Extends the expiration date of the Division of Tourism Supplemental Revenue Fund from the year 2015 to 2020
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 423	Zerr	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit Act
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 526	Franklin	Establishes a rural regional development grants program
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments

No.	Author	Subject
HB 620	Barnes	Establishes the Buck Stops Here Economic Development Tax Credit Reform Program that provides tax incentives through retained withholding taxes and refundable income and financial institution tax credits for qualified companies
HCS HB 621		Authorizes three new tax credits for port facilities
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
CCS SCS HCS#2 HB 698		Changes the laws regarding tax incentives and tax credits
HB 767	Jones 050	Expands the Manufacturing Jobs Act to include qualified investor owned utilities
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
HCS HB 813		Requires the Department of Economic Development to distribute money to early stage business development corporations for grants to newly formed businesses that have the potential for national or international sales or the development of new technology
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HB 905	Butler	Authorizes a tax on tickets to sporting events to fund youth sports programs
HB 921	Berry	Authorizes the Department of Economic Development to exercise discretion in approving or rejecting a notice of intent under the Quality Jobs Act at its discretion in certain counties
HB 924	Johnson	Establishes the Missouri Business Recruiters Act to create employment positions for business recruiters to attract out-of-state business owners and companies to Missouri
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 998	Frame	Establishes the Manufacturing Incubators Act
HB 1024	Korman	Allows a member of the Missouri Workforce Investment Board to vote on a matter regarding the provision of services by an entity that the member represents if the member is required by law to represent the entity
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
EDUCATION, ELEMENTARY AND SECONDARY		
SB 3	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SCS SB 7		Modifies provisions relating to school accreditation for failing school districts
CCS HCS SCS SB 17		Modifies provisions relating to education
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
HCS SB 75		Modifies provisions relating to public safety
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
SB 95	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SS SCS SB 125		Modifies duties of boards of education
SB 132	Keaveny	Allows school districts to receive state aid for children ages three to five participating in a district-operated pre-kindergarten program

No.	Author	Subject
SCS SB 133		Allows school districts and charter schools to receive state aid for children ages three to five who are eligible for free and reduced lunch and are participating in a district-operated pre-kindergarten program
SB 168	Chappelle-Nadal	Modifies the use of student assessment data when calculating a school district's performance when a school district receives students as a result of a change in district boundary lines
SB 169	Chappelle-Nadal	Requires certain financial information to be included in a school district's bond filing and included on the ballot when voters authorize a school district bond issuance
SB 171	Chappelle-Nadal	Provides that charter school sponsors are responsible for all expenditures associated with the closure of a charter school they sponsor
SB 173	Nasheed	Transfers governance of the St. Louis School District from the special administrative board to the elected school board when certain conditions are satisfied
SB 193	Schaefer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
SB 195	Keaveny	Allows school boards to establish and adopt a unique professional development program for teachers in lieu of following statutory mandates
SB 200	Chappelle-Nadal	Allows school districts and charter schools to establish and implement an age-appropriate curriculum to educate students about domestic violence and teen dating violence prevention
HCS SS SCS SB 210		Requires the Department of Elementary and Secondary Education to hold public meetings in each congressional district on the Common Core State Standards
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 221	Lamping	Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 223	Curls	Modifies provisions of the Public School Retirement System of Kansas City
SB 228	Holsman	Authorizes the establishment of urban agricultural zones
SB 232	Wallingford	Makes permanent several alternative retirement provisions for members of the Public School Retirement System and Public Education Employee Retirement System
SCS SB 239		Prohibits school districts from requiring a student to use certain radio frequency identification devices and extends authorization for teacher certification based on American Board for Certification of Teacher Excellence certification
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SB 249	Nasheed	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
CCS HCS SCS SB 256		Modifies provisions relating to child abuse and neglect including the Safe Place for Newborns Act
SCS SB 258		Reduces the membership of the Kansas City School District board of education and changes the election date for board members
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SB 276	Emery	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 284	Sifton	Changes the requirements for school anti-bullying policies
SB 311	Nasheed	Creates the Parental Involvement Act to allow parents to petition to convert a public school using a school turnaround model or into a charter school
SB 332	Libla	Modifies provisions relating to the employment and evaluation of teachers
SB 344	Parson	Requires the Department of Elementary and Secondary Education to issue an annual report card for each public school that rates the school with a grade of A, B, C, D, or F

No.	Author	Subject
SB 359	LeVota	Allows local school boards to adopt a year-round educational program
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
SB 390	Chappelle-Nadal	Requires any school board that sponsors a charter school to use an estimate of the district's current year weighted average daily attendance
SB 408	Emery	Modifies provisions relating to elementary and secondary education
SB 421	Walsh	Requires certain individuals to receive the meningococcal conjugate vaccine
SB 426	Nasheed	Creates a pilot program for support of nonprofit math and science tutoring centers in St. Louis City
SB 427	Sifton	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
SB 450	Justus	Modifies provisions relating to sexual education
SCS SB 455		Removes the August 28, 2014 termination date for individuals to obtain teacher certification based on certification by the American Board for Certification of Teacher Excellence
SB 474	Lamping	Modifies provisions relating to school facilities and equipment
SB 476	Lamping	Requires the board of trustees of the Public School Retirement System of Missouri to establish a defined contribution plan for members hired on or after July 1, 2014
SB 483	Nasheed	Establishes alternative procedures for public schools, modifies the School Flex Program, and creates the Missouri Credit Flex Program
SCR 4	Schmitt	Establishes the Joint Interim Committee on Funding for Elementary and Secondary Education to study the elementary and secondary education foundation formula
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 43	Rowland	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 50	Lair	Changes the laws regarding the classification of a school district as unaccredited and the lapse of the district's corporate organization
HB 56	Thomson	Establishes the Career and Technical Education Student Protection Act and the Career and Technical Education Board to oversee and coordinate career and technical education and student organizations' activities
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
SCS HCS HB 76		Changes the laws regarding the penalty for a school district that fails to meet Missouri School Improvement Program standards in a fiscal year in which the school is specifically underfunded
HB 111	Solon	Establishes the Education Protection Act regarding enrollment of students from unaccredited school districts
HCS HB 114		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 120	Rowland	Changes the laws regarding the deadlines for the notification concerning a teacher's reemployment and the offering of a contract
SCS HCS HB 134		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 136	Hinson	Requires high school students to complete at least two full semesters of science and two full semesters of math within the two semesters immediately preceding a student's graduation from high school
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses

No.	Author	Subject
HCS HB 159		Allows an exemption from the proof of residency or domicile requirement to register a child for school whose parent or guardian is serving on specified active duty military orders
HCS HB 179		Specifies that the State Board of Education and other public school entities must encourage students to explore scientific questions and assist teaching strengths and weaknesses of scientific theories of biological or chemical evolution
HB 208	Kirkton	Adds certain graphing calculators to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies
HB 219	Stream	Specifies that school districts operating magnet schools as part of a desegregation settlement agreement will not be penalized for inefficient bus routes in calculating aid for the transportation of pupils
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 226	Berry	Exempts fuel used in school buses from the motor fuel tax when the bus is driven to transport students to or from school or to or from any place for educational purposes
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 229	Sommer	Grants physical education credit for participation in certain school-sanctioned sports or activities and allows students to take other courses instead
HB 261	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through 12
HB 264	Walton Gray	Establishes a community schools grant program in St. Louis
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 282	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution
HB 283	Thomson	Modifies provisions relating to school funding calculations
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 292	Spencer	Requires a transitional skills class to be taken after the personal finance class in order for a student to receive a high school diploma
HB 294	Spencer	Establishes the Student Accountability Act that requires a student score proficient or higher on a state assessment in order to receive a high school academic diploma
HB 295	Spencer	Repeals the requirement that school districts spend one percent of their formula funding on professional development
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 352	Hurst	Changes the laws regarding the sale or provision of certain commodities by specified school district board members, officers, or employees
HB 366	Roorda	Prohibits a school district from scheduling a day or a half day off of school within five weekdays of Veterans Day unless the district also schedules Veterans Day as a day off
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HB 396	Kratky	Requires the special administrative board of the St. Louis City Transitional School District to develop and submit to the voters of the district a plan to divide the district into four subdistricts

No.	Author	Subject
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 431	Jones 050	Allows the school board of any school district to provide a work station to a licensed law enforcement or peace officer employed by a local law enforcement agency to use during normal school hours
HB 439	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities during the school day and week
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HCS HB 470		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 477	Morgan	Changes the laws regarding bullying in schools
HB 501	McNeil	Creates the High Performance Energy Efficient Schools Transparency Act which requires each school district to earn and maintain an Energy Star efficiency rating on each of the district's buildings
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 528	Sommer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HB 540	Walton Gray	Establishes a Council for Community Education within the Department of Elementary and Secondary Education
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HB 562	Morgan	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 563	Morgan	Requires children in the City of St. Louis and Kansas City school districts to enroll in a school by the age of five
HB 583	Roorda	Establishes the School Safety Trust Fund Act which changes the procedure for the distribution of proceeds from the sale or disposition of property under the Criminal Activity Forfeiture Act
HB 596	Wright	Allows a school district to receive state aid for children ages three to five participating in a district-operated full-day pre-kindergarten program
HB 603	Jones 110	Establishes intervention options for struggling schools
HB 616	Bahr	Prohibits the State Board of Education from adopting and implementing the standards for public schools developed by the Common Core Standards Initiative
HB 626	McNeil	Requires the Department of Elementary and Secondary Education to establish a grant program for unaccredited and provisionally accredited districts that commit to extended school time
HCS#2 HB 631		Changes the laws regarding the employment and evaluation of teachers.
HB 639	Brown	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about any firearms in their homes
HB 669	Parkinson	Prohibits a school district from entering into a contract with any teacher for unpaid leave that results in the teacher receiving funds from the district when another organization is reimbursing the district for the services of the teacher
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 679	Torpey	Requires the Department of Elementary and Secondary Education to wait five years, rather than three years, to count the scores of English language learners on statewide assessments

No.	Author	Subject
HB 681	Torpey	Changes the laws regarding the compulsory school attendance of certain students
HB 705	Kelly 045	Requires every child 11 year of age to receive one dose of meningococcal conjugate vaccine and one booster dose after the child reaches 16 years of age
HB 736	Scharnhorst	Authorizes an income tax deduction for tuition, attendance fees, and school supplies purchased for educating a dependent enrolled in a Missouri elementary or secondary school
HB 737	Leara	Changes the laws regarding the public school retirement system of the City of St. Louis.
HB 738	Lauer	Adds making a terrorist threat to the list of offenses that school administrators must report
HB 743	Ellington	Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HCS HB 783		Changes the laws regarding the leasing of school buildings
HB 790	Spencer	Changes the laws regarding a school district annexation petition
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 806	Bahr	Prohibits school districts from requiring a student to use an identification device that uses radio frequency identification technology to transmit certain information
HB 808	Funderburk	Extends the expiration date regarding teaching certificates based on certification by the American Board for Certification of Teaching Excellence from August 28, 2014 to August 28, 2020
HB 821	Montecillo	Changes the laws regarding elementary and secondary education
HB 858	English	Allows a school district to authorize its schools to observe a moment of silence in individual classrooms
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 860	Wood	Changes the laws regarding the sale of certain commodities by certain school officials of seven-member school board districts that are located in a first classification county
HB 861	Neth	Changes the laws regarding the Public School Retirement System of Kansas City
HB 876	Wieland	Requires high schools to offer instruction in first aid
HB 902	Dunn	Authorizes the establishment of urban agricultural zones
HB 904	Butler	Establishes the Missouri Parent/Teacher Involvement Act to provide grant awards to schools to develop and build relationships between families and school staff
HB 907	Butler	Authorizes a tax credit for a contribution to a public school foundation
HB 920	Dunn	Establishes the Missouri Early Childhood Education Act which allows children four and five years of age to attend early childhood programs under certain circumstances
HB 928	Burlison	Enacts the Education Compact to return authority to regulate education to the states
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 933	Jones 050	Changes the laws regarding travel hardships of public school students
HB 942	Swan	Adds virtual courses to the postsecondary courses that can be offered to high school students participating in dual enrollment classes
HB 1008	Smith 085	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases

No.	Author	Subject
HB 1010	Morgan	Changes the laws regarding the Missouri Professional Teacher and Administrator Act by adding requirements relating to plans for professional development
HB 1011	Scharnhorst	Requires the Department of Elementary and Secondary Education to develop a physical fitness challenge for elementary, middle, and high school level students
HB 1016	Cookson	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,078
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision
HB 1026	Jones 050	Specifies that the proceeds from the sale of any seized property must be divided among local schools, the seizing law enforcement agency, and the county general revenue fund
HB 1040	Cookson	Specifies that school age children of welfare recipients must attend public school at least 90% of the time in order to receive benefits
HCR 29	Gannon	Designates March as "Missouri Whole Child Month"
HCR 34	Houghton	Urges Congress and the U.S. Department of Agriculture to reevaluate the Healthy, Hunger-Free Kids Act of 2010
HJR 9	Fitzwater	Proposes a constitutional amendment changing the composition of the State Board of Education
HJR 22	Neth	Proposes a constitutional amendment authorizing an increase in the level of school district bonded indebtedness
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
EDUCATION, HIGHER		
SB 3	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes
CCS#2 HCS SCS SB 9		Modifies provisions relating to agriculture
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
HCS SB 67		Modifies provisions relating to higher education
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 197	Sater	Modifies current provisions relating to tuberculosis treatment and prevention and provides for meningococcal disease information
HCS SB 205		Allows for higher education or armed services visits for children in foster care or in the Division of Youth Services and raises the age limit for foster care reentry
SB 208	Justus	Raises the age limit for when a youth may reenter into foster care
SB 209	Justus	Creates the Missouri Tuition Equity Act
CCS HCS SCS SB 256		Modifies provisions relating to child abuse and neglect including the Safe Place for Newborns Act
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
SB 320	Schaefer	Modifies the composition of the University of Missouri Board of Curators

No.	Author	Subject
SCS SB 376		Allows hospital districts to permit higher education institutions to use space for health care education or training
SCS SB 378		Modifies provisions of the A+ Program, Bright Flight Scholarship Program, and the Access Missouri Financial Assistance Program
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
SB 392	Dixon	Allows certain exempt higher education institutions to receive state recognition from the Coordinating Board for Higher Education
SB 410	Kehoe	Renames Linn State Technical College as "State Technical College of Missouri" effective July 1, 2014
SB 421	Walsh	Requires certain individuals to receive the meningococcal conjugate vaccine
SS SCS SB 437		Creates a model for funding the state's public institutions of higher education
SB 438	Munzlinger	Allows certain agricultural fees to be used for research outside of the Missouri Agricultural Experiment Station so long as the research relates to the value and proper use of fertilizer
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue
HB 56	Thomson	Establishes the Career and Technical Education Student Protection Act and the Career and Technical Education Board to oversee and coordinate career and technical education and student organizations' activities
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
HCS HB 78		Establishes the Missouri Jobs for Education Program to provide a tuition credit for certain business owners or companies who create new full-time jobs
HB 94	Miller	Requires a full-time nonresident student in a college, university, or technical school to pay the same hunting, trapping, and fishing license or permit fee as a resident applicant
HCS HB 114		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
SCS HB 274		Establishes Chloe's Law that requires the newborn screening requirements to include a critical congenital heart disease screening
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements

No.	Author	Subject
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HCS HB 312		Allows the governing board of any state college or university to enforce traffic regulations and general motor vehicle laws on college or university property through campus police officers
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HCS HB 401		Establishes the Missouri Advisory Boards and Commissions Association
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HCS HB 438		Allows certain out-of-state colleges and universities to authorize the use of their official school emblems on special license plates.
HB 515	Burlison	Requires all children over 15 years of age in foster care or in the Division of Youth Services to receive a visit to a state university or community or technical college in the child's area
HB 561	Molendorp	Specifies that if an anatomical gift is medically unsuitable for transplantation or therapy, the gift may be used for research, education, or pass to an appropriate procurement organization
HB 573	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 628	McNeil	Authorizes an income tax deduction for 100% of the tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 629	Kelly 045	Requires that one voting member of the University of Missouri Board of Curators be a student
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HB 673	Schatz	Changes the name of Linn State Technical College to State Technical College of Missouri
HB 705	Kelly 045	Requires every child 11 year of age to receive one dose of meningococcal conjugate vaccine and one booster dose after the child reaches 16 years of age
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 721	Grisamore	Requires all children older than 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 743	Ellington	Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 745	Thomson	Changes the laws regarding the A+ Program, the higher education scholarship, commonly known as "Bright Flight," and Access Missouri
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
HB 780	Schieffer	Prohibits private lenders from charging certain interest rates on student loans
HCS HB 783		Changes the laws regarding the leasing of school buildings
HB 829	Smith 085	Imposes restrictions on the institutional names of institutions of higher education
HB 833	Rowden	Establishes the MissouriLink Network
HB 857	Davis	Creates the Show Me Heroes Education Fund dedicated to assist military personnel with tuition assistance
HB 873	Dunn	Establishes the Missouri Tuition Equity Act, which requires a Missouri higher education institution that receives state funding to recognize a student as a Missouri resident for tuition purposes under specified circumstances
HB 879	Smith 085	Establishes the College Credit Disclosure Act which requires a higher education institution to disclose its unaccredited status to students before enrollment

No.	Author	Subject
HCS#2 HB 927		Changes the laws regarding agriculture
HB 934	Curtis	Creates a tax credit for employers who hire students majoring in the fields of science, technology, engineering, or mathematics for internships
HB 942	Swan	Adds virtual courses to the postsecondary courses that can be offered to high school students participating in dual enrollment classes
HB 972	Morgan	Establishes the Missouri Tuition Equity Act
HB 1015	Cookson	Requires public institutions of higher education to adopt policies on student favoritism
EDUCATION, PROPRIETARY		
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
ELDERLY		
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
SB 199	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
CCS HCS SB 342		Modifies provisions relating to agriculture
SB 345	Lamping	WITHDRAWN
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund
SB 430	Chappelle-Nadal	Modifies provisions relating to adult day care programs
HB 173	Hodges	Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting
HB 192	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 310	Solon	Establishes the Seniors' Retirement Protection Act which specifies that up to \$125,000 of the value of the primary residence of a person who is 62 years old or older will be exempt from attachment or execution
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 476	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 506	Redmon	Allows nursing home districts to establish and maintain senior housing in any third or fourth classification county
HB 683	Berry	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 784	Diehl	Repeals the provision regarding the property tax credit for renters, commonly known as the circuit breaker, and establishes the Missouri Senior Services Protection Fund
HB 807	Lair	Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing after serving 15 years of his or her sentence

No.	Author	Subject
HB 894	LaFaver	Increases the maximum amount of the property tax credit, commonly known as the circuit breaker, by 25% for both homeowners and renters
HB 926	Allen	Establishes a MO HealthNet pilot project program and demonstration project to provide medical assistance to certain aged, blind, and disabled populations
SCS HCS HB 986		Changes the laws regarding health care services
HB 989	Torpey	Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principle residence
HB 999	Frame	Exempts residential property owned by an individual 62 years of age or older from certain increases in assessed valuation
ELECTIONS		
SCS SB 2		Modifies the law relating to initiative and referendum petitions
SB 4	Lager	Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists
SB 27	Kraus	Establishes photo identification requirements for voting
SB 58	Romine	Modifies annexation procedures, allows certain cities to adopt nuisance abatement ordinances, and modifies ordinance adoption procedures in certain cities
SB 79	Lamping	Changes the primary election date from August to June
SCS SB 82		Requires the Governor to call a special election if the office of Lieutenant Governor is vacated
HCS SB 90		Modifies provisions relating to elections and allows council members in third class cities to serve four-year terms upon passage of ballot proposal
SB 92	Justus	Imposes campaign contribution limits
SB 94	Justus	Creates an advance voting system for elections
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
HCS SS SCS SB 116		Modifies the law relating to uniformed military and overseas voters
SB 135	Sater	Requires a newly formed Fair Ballot Commission to approve fair ballot language and ballot summary statements
SB 145	Walsh	Creates an advance voting system for elections
SB 177	Schmitt	Moves the date of the presidential primary from February to March
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SCS SB 258		Reduces the membership of the Kansas City School District board of education and changes the election date for board members
SB 283	Parson	Requires county treasurer and collector candidates to provide the election authority with a signed affidavit indicating they can meet bond requirements for the office
SB 290	Walsh	Modifies numerous provisions relating to campaign finance
SB 298	Holsman	Creates a method for publicly financing election campaigns for legislative and statewide candidates and caps contributions to political party committees
SCS SB 375		Establishes the paper ballot as the official ballot and requires audits before election certification
SB 385	Rupp	Modifies the law relating to campaign finance
SB 386	LeVota	Modifies the law relating to election authorities and county committee elections
SB 395	Kraus	Modifies the membership of the county political party committees in Jackson County
SB 435	McKenna	Modifies provisions that disqualify candidates from public office

No.	Author	Subject
SB 470	Rupp	Modifies the law relating to campaign finance
SJR 6	Kraus	Allows for photographic identification for voting
SJR 8	Dixon	Removes obsolete language and adds that judges from the Court of Appeals shall serve as a reapportionment commission
SJR 10	Nasheed	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 39	Roorda	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 41	Rowland	Requires proof of identity and status as a United States natural born citizen for a candidate for the Office of President or Vice President to be submitted with other required certification documents to the Secretary of State
HCS HBs 48 & 216		Requires a person to submit a specified form of photo identification in order to vote in a public election with specified exceptions
HB 54	Dugger	Changes the required percentage of defeat of the votes cast when a candidate or a ballot question must be allowed a recount
HB 61	Engler	Authorizes the city council of the City of Farmington to also adopt or repeal any ordinance by submitting the proposed ordinance to the registered voters of the city
HB 64	Burlison	Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually
HB 65	Lant	Lowers, from 21 year of age to 18 years of age, the minimum age requirement for a person to serve as an alderman in a fourth class city
HCS HB 74		Changes the laws regarding political subdivisions
SCS HCS HB 110		Changes the laws regarding the selection of public officials
HB 113	Davis	Establishes the Uniformed Military Voters Act
CCS SS SCS HCS HB 117		Changes the laws regarding initiative and referendum petitions
HB 125	Sommer	Allows 17-year-olds to vote in presidential primaries if they will be 18 on the day of the general election
HB 126	Sommer	Changes the laws relating to the nomination of candidates for special elections
HB 127	Sommer	Changes the presidential primary election to the general municipal election day on the first Tuesday after the first Monday in April of each presidential election year
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 160	Sommer	Prohibits certain election and campaign activities on election day within the property boundaries of a polling place and electioneering at specified voting sites within a 250 foot radius of the entrance to the site
HB 163	Fitzpatrick	Changes the laws regarding elections
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HB 188	Conway 010	Allows any registered voter who is eligible to vote in a particular election to do so by absentee ballot without being required to state a reason
HB 189	Muntzel	Establishes procedures for general elections following primary elections that have resulted in a tie vote between candidates for a county office.

No.	Author	Subject
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
SS HCS HB 199		Repeals obsolete statutes regarding elections
HB 200	Barnes	Repeals provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 232	Barnes	Requires election authorities to compile and use a voluntary interactive computerized voter registration list for voters who have no form of state-issued photographic identification
HCS HB 235		Changes the laws regarding the qualifications for a candidate for county collector, county treasurer, or county collector-treasurer
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 289	Montecillo	Requires an election authority to hire election judges based upon merit and without regard to political party affiliation instead of the current requirement that there be an equal number from each major political party
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 407	Wieland	Specifies that, if a petition to incorporate a proposed area in Jefferson County fails to be adopted, it cannot be resubmitted for three years
HB 467	Lichtenegger	Requires a public water system to notify the Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation
HB 587	Remole	Requires registered sexual offenders to vote at the office of the county clerk in their county or by absentee ballot
HB 588	Diehl	Changes the primary election date to the first Tuesday after the third Monday of June
HB 605	McGaugh	Requires a person registering to vote to use his or her legal name as it appears on a birth certificate or as changed by marriage or court order
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 661	Marshall	Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HB 682	Newman	Allows a voter to cast an advance ballot
HB 686	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 710	Grisamore	Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 763	McGaugh	Establishes the Political Accountability in Campaigning Act
HB 768	English	Requires election authorities to make available at least one electronic voting machine for blind or visually impaired voters at state and local elections in order to comply with federal law
HB 773	Entlicher	Changes the laws regarding election ballots and audits
HB 790	Spencer	Changes the laws regarding a school district annexation petition
HB 848	Neth	Establishes the requirements for early voting
HB 865	Neely	Requires the establishment of a death notification system for election authorities in order to remove deceased individuals from voter registration records

No.	Author	Subject
HB 1032	Jones 050	Repeals the provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HJR 1	Dugger	Proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in an election
SCS HCS HJR 5 & 12		Proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in an election
ELEMENTARY AND SECONDARY EDUCATION DEPT.		
SB 3	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SCS SB 7		Modifies provisions relating to school accreditation for failing school districts
CCS HCS SCS SB 17		Modifies provisions relating to education
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
SB 95	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SS SCS SB 125		Modifies duties of boards of education
SB 132	Keaveny	Allows school districts to receive state aid for children ages three to five participating in a district-operated pre-kindergarten program
SCS SB 133		Allows school districts and charter schools to receive state aid for children ages three to five who are eligible for free and reduced lunch and are participating in a district-operated pre-kindergarten program
SB 168	Chappelle-Nadal	Modifies the use of student assessment data when calculating a school district's performance when a school district receives students as a result of a change in district boundary lines
SB 193	Schaefer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HCS SS SCS SB 210		Requires the Department of Elementary and Secondary Education to hold public meetings in each congressional district on the Common Core State Standards
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 276	Emery	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 284	Sifton	Changes the requirements for school anti-bullying policies
SB 311	Nasheed	Creates the Parental Involvement Act to allow parents to petition to convert a public school using a school turnaround model or into a charter school
SB 332	Libla	Modifies provisions relating to the employment and evaluation of teachers
SB 344	Parson	Requires the Department of Elementary and Secondary Education to issue an annual report card for each public school that rates the school with a grade of A, B, C, D, or F
SB 359	LeVota	Allows local school boards to adopt a year-round educational program
SB 408	Emery	Modifies provisions relating to elementary and secondary education
SB 427	Sifton	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
SCS SB 455		Removes the August 28, 2014 termination date for individuals to obtain teacher certification based on certification by the American Board for Certification of Teacher Excellence

No.	Author	Subject
SB 483	Nasheed	Establishes alternative procedures for public schools, modifies the School Flex Program, and creates the Missouri Credit Flex Program
HB 43	Rowland	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 50	Lair	Changes the laws regarding the classification of a school district as unaccredited and the lapse of the district's corporate organization
HB 56	Thomson	Establishes the Career and Technical Education Student Protection Act and the Career and Technical Education Board to oversee and coordinate career and technical education and student organizations' activities
SCS HCS HB 76		Changes the laws regarding the penalty for a school district that fails to meet Missouri School Improvement Program standards in a fiscal year in which the school is specifically underfunded
SCS HCS HB 134		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 136	Hinson	Requires high school students to complete at least two full semesters of science and two full semesters of math within the two semesters immediately preceding a student's graduation from high school
HCS HB 179		Specifies that the State Board of Education and other public school entities must encourage students to explore scientific questions and assist teaching strengths and weaknesses of scientific theories of biological or chemical evolution
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 229	Sommer	Grants physical education credit for participation in certain school-sanctioned sports or activities and allows students to take other courses instead
HB 264	Walton Gray	Establishes a community schools grant program in St. Louis
HB 280	Barnes	Changes the laws regarding certain sexual offenses
HB 282	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution
HB 283	Thomson	Modifies provisions relating to school funding calculations
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 292	Spencer	Requires a transitional skills class to be taken after the personal finance class in order for a student to receive a high school diploma
HB 294	Spencer	Establishes the Student Accountability Act that requires a student score proficient or higher on a state assessment in order to receive a high school academic diploma
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HB 396	Kratky	Requires the special administrative board of the St. Louis City Transitional School District to develop and submit to the voters of the district a plan to divide the district into four subdistricts
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HB 477	Morgan	Changes the laws regarding bullying in schools
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 528	Sommer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HB 540	Walton Gray	Establishes a Council for Community Education within the Department of Elementary and Secondary Education

No.	Author	Subject
HB 562	Morgan	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 596	Wright	Allows a school district to receive state aid for children ages three to five participating in a district-operated full-day pre-kindergarten program
HB 603	Jones 110	Establishes intervention options for struggling schools
HB 616	Bahr	Prohibits the State Board of Education from adopting and implementing the standards for public schools developed by the Common Core Standards Initiative
HB 626	McNeil	Requires the Department of Elementary and Secondary Education to establish a grant program for unaccredited and provisionally accredited districts that commit to extended school time
HCS#2 HB 631		Changes the laws regarding the employment and evaluation of teachers.
HB 669	Parkinson	Prohibits a school district from entering into a contract with any teacher for unpaid leave that results in the teacher receiving funds from the district when another organization is reimbursing the district for the services of the teacher
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 679	Torpey	Requires the Department of Elementary and Secondary Education to wait five years, rather than three years, to count the scores of English language learners on statewide assessments
HB 681	Torpey	Changes the laws regarding the compulsory school attendance of certain students
HB 699	Grisamore	Requires the Department of Elementary and Secondary Education to establish a work group to access available resources needed for effective work experiences for youth with disabilities
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HB 738	Lauer	Adds making a terrorist threat to the list of offenses that school administrators must report
HB 743	Ellington	Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 821	Montecillo	Changes the laws regarding elementary and secondary education
HB 876	Wieland	Requires high schools to offer instruction in first aid
HB 904	Butler	Establishes the Missouri Parent/Teacher Involvement Act to provide grant awards to schools to develop and build relationships between families and school staff
HB 907	Butler	Authorizes a tax credit for a contribution to a public school foundation
HB 920	Dunn	Establishes the Missouri Early Childhood Education Act which allows children four and five years of age to attend early childhood programs under certain circumstances
HB 933	Jones 050	Changes the laws regarding travel hardships of public school students
HB 942	Swan	Adds virtual courses to the postsecondary courses that can be offered to high school students participating in dual enrollment classes
HB 1008	Smith 085	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases

No.	Author	Subject
HB 1011	Scharnhorst	Requires the Department of Elementary and Secondary Education to develop a physical fitness challenge for elementary, middle, and high school level students
HB 1016	Cookson	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,078
EMBLEMS		
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 206	Schaaf	Designates "jumping jacks" as the official exercise of the state of Missouri
SB 399	Holsman	Recognizes the Missouri Korean War Veterans Memorial located in Kansas City as the official Korean War Memorial of the state of Missouri
HB 258	Conway 010	Designates the exercise commonly known as "jumping jacks" as the official state exercise
HCS HB 438		Allows certain out-of-state colleges and universities to authorize the use of their official school emblems on special license plates.
SCS HB 450		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 702	Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property
HB 704	McKenna	Requires the display of the Honor and Remember flag at all state buildings and state parks
HB 871	Rehder	Designates the song "Missouri Anthem," written by Neal E. Boyd, as the official state anthem of Missouri
EMERGENCIES		
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
SB 271	Nieves	Requires 911 operators to receive training regarding self-defense and defense of others
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services
SB 441	Dempsey	Creates a transient guest tax exemption for entities providing disaster relief services
HCS HB 74		Changes the laws regarding political subdivisions
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HB 163	Fitzpatrick	Changes the laws regarding elections
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements

No.	Author	Subject
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HCS HB 335		Changes the laws regarding public safety
CCS SS HB 336		Changes the laws regarding emergency services
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 499	Jones 050	Prohibits a health carrier from requiring prior authorization for serious and urgent conditions
HB 517	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 612	Lichtenegger	Authorizes any municipality or fire protection district to adopt orders or ordinances relating to a natural or man-made disaster if the safety and welfare of the residents are jeopardized
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 761	Walton Gray	Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a 12-month period
HB 794	Kolkmeyer	Expands the Amber Alert System to include missing endangered persons, specifies the criteria for being an endangered person, and changes its name to the Amber Alert and Silver Alert System
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
EMINENT DOMAIN AND CONDEMNATION		
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HB 664	Marshall	Changes the laws regarding blighted areas and the use of eminent domain
HB 1001	Frame	Prohibits any condemning authority from acquiring by eminent domain any real property where a commercial gun shop, hunting preserve, or shooting range is located
EMPLOYEES - EMPLOYERS		
CCS HCS SS#2 SCS SB 1		Modifies the law relating to workers' compensation

No.	Author	Subject
SS SB 28		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SS SCS SB 29		Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks
SCS SB 30		Repeals all of the prevailing wage laws and modifies provisions relating to project labor agreements
CCS HCS SS SB 34		Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database and modifies provisions relating to experience ratings for workers' compensation insurance
SB 68	Parson	Modifies prevailing wage determinations for third class counties
SB 71	Parson	Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
SB 76	Brown	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SS SCS SB 125		Modifies duties of boards of education
SB 134	Sater	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SCS SB 164		Protects employees from being required to disclose personal user names or passwords
SB 202	Chappelle-Nadal	Creates a crime for employers who divulge certain personal information of employees and customers
HCS SCS SB 229		Modifies provisions relating to the Mental Health Employment Disqualification Registry
SB 238	Emery	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 274	Walsh	Establishes mandatory wage reporting for the purposes of determining the prevailing wage
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 353	Lager	Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 367	Walsh	Creates a right to unpaid leave for employees that are affected by domestic violence
SB 446	Brown	Provides that the Department of Economic Development shall disburse development grants to rural regional development groups
SB 458	Kehoe	Reduces duration of state unemployment benefits until December 31, 2013
HB 64	Burlison	Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually
HCS HBs 77, 91 & 95		Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices
HCS HB 78		Establishes the Missouri Jobs for Education Program to provide a tuition credit for certain business owners or companies who create new full-time jobs
HB 98	White	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 105	Kelley 127	Changes the laws regarding the withholding tax filing requirements for certain small businesses
HB 115	Davis	Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device

No.	Author	Subject
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 286	Funderburk	Prohibits employers from asking current or prospective employees to provide specified information to gain access to a social networking website where such employees maintain an account or profile
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
SS HCS HB 320		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 364	Roorda	Allows an employee of a fire protection or ambulance district to serve as a board member of a fire protection or ambulance district if the district is not in the same county where he or she is employed
HB 367	Hough	Specifies that an employer or supervisor requiring a state employee to work any overtime hours must give the employee at least 48 hours' notice of the requirement
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HCS HB 430		Changes the laws regarding the uniform experience rating plan of workers' compensation insurance
HB 444	Hubbard	Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents and legal guardians paid leave from work to help their children in their school
HB 466	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 518	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 526	Franklin	Establishes a rural regional development grants program
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed

No.	Author	Subject
SCS HCS HB 611		Changes the laws regarding employment
HCS HB 630		Changes the laws regarding the Missouri Quality Jobs Act, the Manufacturing Jobs Act, and the Missouri International Business Advertising Fund
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HB 687	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 706	Funderburk	Establishes the Password Privacy Protection Act which prohibits an employee from being required to disclose personal user names or passwords
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HB 742	Ellington	Requires the Department of Corrections to perform specified actions to improve the ability of inmates to obtain employment upon release from incarceration
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 767	Jones 050	Expands the Manufacturing Jobs Act to include qualified investor owned utilities
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
HB 915	Bahr	Establishes the Employee Reclassification Act, which requires the Department of Labor and Industrial Relations to concisely define independent contractor and the procedures for changing an individual's classification to an employee
HB 946	Schupp	Creates a right to unpaid leave for employees who are affected by domestic violence.
HB 1020	McCann Beatty	Prohibits employers from requiring current or prospective employees to provide specified information to gain access to the employee's account or profile on a social networking website
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HJR 28	Marshall	Proposes a constitutional amendment specifying that the right of an individual to work cannot be denied or abridged on account of his or her membership or lack thereof in any labor organization or labor union
EMPLOYMENT SECURITY		
SS SB 28		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SB 458	Kehoe	Reduces duration of state unemployment benefits until December 31, 2013
SB 472	Rupp	Removes the responsibility of the Division of Employment Security to administer the Missouri state employment services operation
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 714	Grisamore	This proposal modifies the definition of employment as it relates to employment security law
ENERGY		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes

No.	Author	Subject
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
SB 103	Kraus	Reauthorizes the Alternative Fuel Stations Tax Credit and creates a tax credit for fleet conversions of vehicles to natural gas
SCS SB 207		Allows electric corporations to recover costs for infrastructure replacement projects
SCS SB 240		Modifies provisions relating to ratemaking for gas corporations
HCS SB 275		Requires a water supply district located in St. Charles County to be regulated by the Public Service Commission and modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low income customers
SB 277	Holsman	Establishes the Missouri Energy Efficiency Performance Standard
SCS SB 297		Modifies provisions related to water utilities
SB 299	Holsman	Establishes the Capital Green Program to provide funding for energy efficiency improvements to certain state buildings
SCS SB 396		Creates the Electrical Corporation Net Metering and Easy Connection Act and modifies the renewable energy standard
SB 398	Holsman	Extends the expiration of an income tax deduction for energy efficiency audits and projects to December 31, 2019
SB 400	Holsman	Modifies provisions relating to the renewable energy standard
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 420	Lager	Modifies provisions relating to renewable energy
SB 431	Cunningham	Allows members of electric cooperatives to participate in certain meetings by mail or electronic means
SB 439	Munzlinger	Requires that diesel fuel pumps at retail and wholesale establishments have pump handles that are primary green in color
SCR 7	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SCR 8	Sifton	Urges the Department of Natural Resources to require groundwater monitoring of new and existing coal ash ponds and require clean-up at leaking coal ash ponds
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 119	Berry	Modifies provisions relating to the Net Metering and Easy Connection Act
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HCS HB 398		Allows an electrical corporation to file a petition with the Missouri Public Service Commission to recover specified infrastructure replacement costs
HB 413	Fitzwater	Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to \$4.5 million in any fiscal year
HB 453	Fraker	Changes the laws regarding prevailing wages on public works projects
HCS HB 473		Changes the laws regarding a request for a rate increase by a gas corporation to the Missouri Public Service Commission
HB 501	McNeil	Creates the High Performance Energy Efficient Schools Transparency Act which requires each school district to earn and maintain an Energy Star efficiency rating on each of the district's buildings
HB 502	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings

No.	Author	Subject
HB 618	Fraker	Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HB 690	Korman	Adds hydrogen to the definition of "alternative fuel" and increases specified alternative fuel decal fees.
HB 762	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 779	McNeil	Establishes the Missouri Energy Efficiency Performance Standard, which requires certain utilities to achieve specified saving requirements established by the Missouri Public Service Commission
HB 898	Berry	Extends the expiration date of an income tax deduction for energy efficiency audits and projects to December 31, 2019
HB 984	McNeil	Establishes the Homeowners' Solar Rights Act which prohibits entities from restricting the installation of solar energy systems
HB 1006	Jones 050	Allows a member of an electric cooperative to participate in certain meetings by mail or electronic means
HB 1028	Webber	Changes the laws regarding property tax assessments for certain wind energy devices
HB 1038	Burlison	Establishes the Energy Compact to return authority for energy regulation to the states
HCR 19	Rowden	Strongly urges the continued and increase development and delivery of North American oil to United States refineries, and the approval of the Keystone XL Pipeline project
HCR 26	Kirkton	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 32	Schatz	Urges the U.S. Congress to support the development of a rare earth element refinery and create a Thorium Bank
ENGINEERS		
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HB 471	Spencer	Designates the third week of February as "Engineers Awareness Week" in Missouri
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
ENTERPRISE ZONES		
SB 323	Dixon	Creates the Missouri Works Program and eliminates or modifies certain other economic development programs
HB 620	Barnes	Establishes the Buck Stops Here Economic Development Tax Credit Reform Program that provides tax incentives through retained withholding taxes and refundable income and financial institution tax credits for qualified companies
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
ENTERTAINMENT, SPORTS AND AMUSEMENTS		
SCS SBs 10 & 25		Creates a tax credit to attract amateur sporting events to the state
SB 166	Schaaf	Extends allocation of tax revenues from the nonresident entertainer and athlete tax until December 31, 2019
HB 94	Miller	Requires a full-time nonresident student in a college, university, or technical school to pay the same hunting, trapping, and fishing license or permit fee as a resident applicant

No.	Author	Subject
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 165	Gosen	Allows brewers of beer for personal or family use to use the beer off the premises where brewed and prohibits the sale of liquor that is manufactured for personal or family use
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 229	Sommer	Grants physical education credit for participation in certain school-sanctioned sports or activities and allows students to take other courses instead
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
SS HCS HB 315		Changes the laws regarding health care services
HB 355	Cornejo	Exempts active duty military personnel from the hunter education and safety training and course requirements for issuance of a hunting permit by the Department of Conservation
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 439	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities during the school day and week
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 483	Neth	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests
HCS HB 586		Guarantees the right to conduct and participate in rodeos in this state and prohibits a restriction on the conducting of or participation in rodeos
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HB 672	Korman	Prohibits bicycle operation on state roadways when there is a state bicycle path or trail running generally parallel and within two miles of a roadway with specified exceptions
HB 874	Richardson	Authorizes a tax exemption for olympic medalists
HB 893	Franklin	Authorizes a violent video game excise tax to be deposited in the Violent Video Game Excise Tax Fund and distributed to the departments of Revenue, Mental Health, and Public Safety
HB 905	Butler	Authorizes a tax on tickets to sporting events to fund youth sports programs
HCS#2 HB 927		Changes the laws regarding agriculture
HB 943	Austin	Prohibits an action against an amusement park owner or operator for damages or injuries sustained due to a defect or unsafe condition unless notification is given within certain time frames
HB 1001	Frame	Prohibits any condemning authority from acquiring by eminent domain any real property where a commercial gun shop, hunting preserve, or shooting range is located
HCR 30	Dunn	Recognizes April 15, 2013 as "Jackie Robinson Day" in Missouri in honor of the first African American to play major league baseball
ENVIRONMENTAL PROTECTION		
SB 363	Chappelle-Nadal	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SCR 8	Sifton	Urges the Department of Natural Resources to require groundwater monitoring of new and existing coal ash ponds and require clean-up at leaking coal ash ponds

No.	Author	Subject
SCR 11	Chappelle-Nadal	Urges the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
SS SCR 15		Establishes the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HB 51	Miller	Requires Missouri state parks' designated swim beaches to utilize a standard that measures culturable E. coli using a specified federal method at a geometric mean based on specified sampling data
HB 119	Berry	Modifies provisions relating to the Net Metering and Easy Connection Act
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 501	McNeil	Creates the High Performance Energy Efficient Schools Transparency Act which requires each school district to earn and maintain an Energy Star efficiency rating on each of the district's buildings
HB 502	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals
HCS HB 604		Changes the laws regarding the Department of Natural Resources
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 739	Korman	Extends the Clean Water Commission's authority to charge specified clean water fees to September 1, 2018
HB 740	Korman	Extends the fees on the retail sale of a lead-acid battery as well as the fees on certain hazardous waste to December 31, 2018
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 964	Houghton	Prohibits any court from issuing an injunction to stop or delay the construction of any licensed animal slaughter or processing facility based on a challenge or appeal of a permit, license, or certificate under environmental laws or the inspection provisions for meat processing plants
HCS HB 975		Exempts certain civil actions from damages arising out of underground hard rock mining or hard rock milling unless the injury subject to the action is attended by fraud, malice, or willful and wanton conduct
HB 1038	Burlison	Establishes the Energy Compact to return authority for energy regulation to the states

No.	Author	Subject
HCR 26	Kirkton	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
ESTATES, WILLS AND TRUSTS		
SB 196	Keaveny	Allows private trust companies to be examined every thirty-six months and makes alternative dispute provisions in trusts enforceable
SB 405	Sater	Excludes money placed in an irrevocable personal funeral trust from being considered as an asset when determining eligibility for public assistance
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases
HB 144	Austin	Allows private trust companies to be examined every 36 months and makes alternative dispute provisions in trusts enforceable.
SCS HB 329		Changes the laws regarding financial institutions
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
ETHICS		
SB 4	Lager	Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists
SB 70	Munzlinger	Modifies the operations and procedures of the Missouri Ethics Commission
SCS SB 78		Restricts General Assembly members from acting as lobbyists
SB 92	Justus	Imposes campaign contribution limits
SB 144	Walsh	Creates the crime of obstruction of an ethics investigation
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 227	LeVota	Charges the Attorney General with administering and enforcing ethics laws and imposes campaign contribution limits
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SB 290	Walsh	Modifies numerous provisions relating to campaign finance
SB 298	Holsman	Creates a method for publicly financing election campaigns for legislative and statewide candidates and caps contributions to political party committees
SB 385	Rupp	Modifies the law relating to campaign finance
SB 433	Lamping	Bars state contract recipients from making certain campaign contributions during the duration of the contract and for two years after completion of such contract
SB 434	Lamping	Bars tax credit recipients from making certain campaign contributions for two years
SB 470	Rupp	Modifies the law relating to campaign finance
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
HB 576	Walker	Specifies that dissolution of marriage proceedings are exempt from the automatic stay provisions for members of the General Assembly
HB 646	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations
HB 763	McGaugh	Establishes the Political Accountability in Campaigning Act
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergyperson
HB 886	Bahr	Authorizes the General Assembly to remove any department director or deputy director if it determines that the removal is necessary for the betterment of the public service

No.	Author	Subject
EVIDENCE		
SB 64	Dixon	Changes the evidentiary standard in medical malpractice cases to clear and convincing for noneconomic damages
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 409	Keaveny	Modifies provisions relating to first degree murder
HB 41	Rowland	Requires proof of identity and status as a United States natural born citizen for a candidate for the Office of President or Vice President to be submitted with other required certification documents to the Secretary of State
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 461	Phillips	Specifies that any person who refuses to submit to a law enforcement officer's request for a chemical test for alcohol content commits the crime of tampering with physical evidence
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements
HCS HB 975		Exempts certain civil actions from damages arising out of underground hard rock mining or hard rock milling unless the injury subject to the action is attended by fraud, malice, or willful and wanton conduct
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
FAIRS		
HB 165	Gosen	Allows brewers of beer for personal or family use to use the beer off the premises where brewed and prohibits the sale of liquor that is manufactured for personal or family use
FAMILY LAW		
HCS SB 12		Modifies various laws relating to judicial procedures
SCS SB 47		Adds to the list of legal guardians of a child who may receive subsidies
SB 48	Lamping	Modifies provisions relating to the prohibition of racial considerations in adoption proceedings
SCS SB 69		Modifies provisions relating to administrative child support orders
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
HCS SB 110		Establishes procedures to follow in child custody and visitation cases for military personnel
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 153	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 184	Sater	Modifies provisions regarding the termination of alimony and maintenance payments

No.	Author	Subject
HCS SB 222		Modifies provisions relating to domestic violence
SB 225	Curls	Modifies laws regarding educational parental support for higher education
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases
HB 52	Miller	Allows an insurance policyholder to petition the court for reimbursement of insurance costs as they occur during the pendency of a dissolution of marriage or legal separation
HB 101	White	Changes the laws regarding child abuse investigations.
HB 102	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 107	Berry	Changes the laws regarding adoption by reducing the required time period before a person can voluntarily relinquish a child and the required time period of a child's placement before his or her adoption can be finalized
SCS HB 148		Establishes the custody and visitation rights of a deploying military parent
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 248	Ellington	Increases, from no later than 15 days to no later than 60 days, the time after a child's birth that the father has to file an action to establish paternity prior to an adoption or to file a notice with the Putative Father Registry
HB 300	Hubbard	Specifies that the criteria for domestic assault in the third degree includes three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HCS HB 371		Changes the laws regarding judicial procedures
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HCS HB 513		Specifies that parental liberty regarding the upbringing, education, and care of his or her children is a fundamental right which cannot be infringed on without demonstrating a governmental interest of the highest order
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 556	Ellinger	Changes the time for a man to file an action to establish paternity or file with the putative father registry from 15 days to 60 days after the birth of the child
HB 566	Austin	Allows the father of a child whose paternity has been determined and whose visitation rights have been violated to have access to an expedited hearing
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 719	Grisamore	Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 973	Stream	Changes the laws regarding the granting of grandparent visitation
FAMILY SERVICES DIVISION		
HCS SB 12		Modifies various laws relating to judicial procedures
SCS SB 47		Adds to the list of legal guardians of a child who may receive subsidies
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel

No.	Author	Subject
HCS SB 205		Allows for higher education or armed services visits for children in foster care or in the Division of Youth Services and raises the age limit for foster care reentry
SB 208	Justus	Raises the age limit for when a youth may reenter into foster care
SB 347	Nasheed	Makes the offense of nonsupport an infraction rather than a class A misdemeanor or class D felony
SCS HCS HB 252		Changes the laws regarding adoptions
HCS HB 290		Adds licensed professional counselors and psychologists to the list of people authorized to conduct an investigation into whether an individual is suitable as an adoptive parent
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 988	Barnes	Changes the laws regarding MO HealthNet benefits for foster children
FEDERAL - STATE RELATIONS		
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
HCS SB 75		Modifies provisions relating to public safety
SB 119	Emery	Creates the State Sovereignty Commission
SB 150	Munzlinger	Declares certain federal firearm laws unenforceable and makes it a crime for public officers, agents, and employees and licensed firearms dealers to enforce such laws
SB 203	Chappelle-Nadal	Repeals provisions relating to unauthorized and unlawfully present aliens
SB 270	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
SCS SCR 5		Urges the federal government to stop the Affordable Care Act's disproportionate share hospital (DSH) payment reductions
SCR 6	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution
SCR 7	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SCR 9	Justus	Endorses Taiwan's participation in the International Civil Aviation Organization
SCR 10	Chappelle-Nadal	Urges Congress to treat immigrants with dignity and respect in changing federal immigration policy
SCR 11	Chappelle-Nadal	Urges the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
SCR 12	Lamping	Urges the Missouri congressional delegation to lead efforts to strengthen federal laws and protect our national borders
SCR 13	Brown	Urges the U.S. Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 39	Roorda	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act

No.	Author	Subject
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
HB 125	Sommer	Allows 17-year-olds to vote in presidential primaries if they will be 18 on the day of the general election
HB 127	Sommer	Changes the presidential primary election to the general municipal election day on the first Tuesday after the first Monday in April of each presidential election year
HCS HB 137		Requires all state agencies to obtain approval from the General Assembly prior to administering, implementing, or expanding any federal program
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 181	Sommer	Establishes the Intrastate Commerce Act which specifies that all goods produced or manufactured in Missouri and remain in Missouri are not subject to federal law or regulation
HB 209	Richardson	Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 268	Walton Gray	Exempts property in bankruptcy which is exempt from attachment or execution under common and statutory law of Missouri or under federal law
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HB 432	Funderburk	Authorizes the Missouri Public Service Commission to appear, participate, and intervene in any federal, state, or other administrative, regulatory, or judicial proceeding
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 527	Sommer	Creates the Joint Committee on the Tenth Amendment
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 616	Bahr	Prohibits the State Board of Education from adopting and implementing the standards for public schools developed by the Common Core Standards Initiative
HB 692	Fitzpatrick	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program

No.	Author	Subject
HB 765	Brown	Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HCS HB 771		Changes the laws regarding commercial drivers' licenses
HB 801	Barnes	Requires recipients of MO HealthNet benefits who have been convicted of a crime involving drug use to enroll in a drug treatment program in order to continue receiving benefits
HB 803	Brown	Specifies that any state department or agency that experiences a reduction in funds from the federal government due to a fine or penalty imposed on it must notify the General Assembly and the Governor
HB 818	Ross	Prohibits a state agency or department from constructing, enabling, maintaining, participating in, or developing a database of the number or type of firearms, ammunition, or accessories that an individual possesses
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 823	Kirkton	Eliminates the state individual and corporate income tax deduction for federal income tax liability beginning January 1, 2015
HB 896	LaFaver	Expands MO HealthNet coverage beginning on January 1, 2014
HB 911	Brown	Changes the eligibility requirements for supplemental nutrition assistance as it relates to an ineligible immigrant
HB 995	Frederick	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1038	Burlison	Establishes the Energy Compact to return authority for energy regulation to the states
HCR 3	Sommer	Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 4	Scharnhorst	Submits to Congress a proposed federal balanced budget amendment to the United States Constitution
HCR 6	Sommer	Claims sovereignty for the states under the Tenth Amendment of the United States Constitution for all powers not otherwise enumerated and granted to the federal government under the Constitution
HCR 9	Curtman	Strongly urges the U.S. Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve Bank
HCR 12	Walton Gray	Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
HCR 16	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HCS HCR 17		Urges the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures
HCR 18	English	Requests the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
HCR 19	Rowden	Strongly urges the continued and increase development and delivery of North American oil to United States refineries, and the approval of the Keystone XL Pipeline project
HCR 20	Black	Supports lawful legislative action which protects the rights of gun owners, addresses the mental health issues that threaten public safety, and ensures that only law-abiding citizens have access to firearms
HCR 21	Black	Urges the U.S. Congress to pass a comprehensive Farm Bill
HCR 22	Roorda	Urges Congress to require the establishment of a national database on police shootings
HCR 23	Fitzpatrick	Proposes to rescind Missouri's call for a constitutional convention for the purposes of adopting a balanced budget amendment

No.	Author	Subject
HCR 26	Kirkton	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 27	Schupp	Recognizes the U.S. Senators who voted to renew the Violence Against Women Act and urges the Missouri Congressional delegation to support its renewal
HCR 28	Lynch	Strongly urges the United States Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
HCR 31	Ellinger	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 32	Schatz	Urges the U.S. Congress to support the development of a rare earth element refinery and create a Thorium Bank
HCR 34	Houghton	Urges Congress and the U.S. Department of Agriculture to reevaluate the Healthy, Hunger-Free Kids Act of 2010
FEES		
HCS SB 12		Modifies various laws relating to judicial procedures
SCS SB 13		Eliminates solid waste management districts and reduces landfill tipping fees by the amount previously used on district overhead and administration
HCS SB 57		Modifies provisions relating to public works contracts, city ordinances, and hospital district taxes, and limits damages in civil actions against mining companies
HCS SB 75		Modifies provisions relating to public safety
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
HCS SCS SB 88		Modifies provisions relating to the furnishing of medical records and hospital licensure
SB 98	Schaefer	Modifies provisions relating to animal shelters
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
HCS SS SB 252		Modifies provisions relating to the Department of Revenue, including provisions that prohibit the Department from retaining copies of source documents used to obtain driver's licenses
SCS SB 254		Raises the fees a lender can charge for certain loans
SB 313	LeVota	Increases the \$2 surcharge for criminal cases in cities or counties with domestic violence shelters to \$4
SB 316	Parson	Creates a court surcharge in municipal traffic violation cases
SB 343	Parson	Establishes that real estate loans shall be governed only by state and federal law
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees
SS SCS SB 373		Modifies fees relating to agricultural weights and measures
SCS SB 396		Creates the Electrical Corporation Net Metering and Easy Connection Act and modifies the renewable energy standard
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources

No.	Author	Subject
SB 418	Lager	Regulates the crossing of railroad rights-of-ways by certain utilities
SB 420	Lager	Modifies provisions relating to renewable energy
SB 438	Munzlinger	Allows certain agricultural fees to be used for research outside of the Missouri Agricultural Experiment Station so long as the research relates to the value and proper use of fertilizer
SB 462	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
SB 479	Dixon	Repeals a section of law relating to prepaid legal service plans
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 35	Higdon	Creates the Alcohol and Tobacco Control Trust Fund consisting of specified fees collected by the Director of Revenue to be used for the administration and regulation of the liquor control and tobacco laws
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HB 45	Hinson	Authorizes the county commission in any county to adopt specified building codes and establish a building commission and exempts a structure used solely for specified agricultural purposes from building code regulations
SCS HB 60		Allows the marshal of the City of Farmington to order the abate of weeds or trash without notification and bill the owner if there has been a previous violation on the same property in a specified time period
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 71	Fraker	Changes the amount a motor vehicle fee office is authorized to collect for certain services
HCS HB 75		Prohibits specified increases in premiums or fees charged for sewer or wastewater treatment in St. Charles County without a vote of the people
HCS HBs 77, 91 & 95		Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices
HB 84	Berry	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 86		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HB 130	Gosen	Eliminates the \$30 special license plate fee for a biennial Gold Star license plate
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 143	McCaherty	Authorizes the City of Arnold to create a utility board or utility corporation to review and establish rates and fees for utility services
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements

No.	Author	Subject
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HCS HB 176		Increases the amount of specified fees that a vendor of a small loan can charge
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 204	Reiboldt	Allows the clerk of the circuit court to charge and collect a surcharge of up to \$10 in cases where a garnishment is granted
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 241	Ellington	Repeals the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
HB 255	Torpey	Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SCS HB 329		Changes the laws regarding financial institutions
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HB 346	Molendorp	Prohibits any contract between a health carrier or health benefit plan and a dentist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act

No.	Author	Subject
HCS HB 349		Allows the owner of a property-carrying commercial motor vehicle registered at a gross weight in excess of 12,000 pounds to request and be issued two license plates
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HB 370	Cox	Allows municipalities to assess an additional surcharge of up to \$7 per municipal traffic violation case unless the case has been dismissed by the court or the court finds the defendant unable to pay the cost
HCS HB 371		Changes the laws regarding judicial procedures
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
HCS HB 424		Changes the laws regarding sheriffs
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HCS HB 464		Changes the laws regarding sheriffs
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HCS HB 473		Changes the laws regarding a request for a rate increase by a gas corporation to the Missouri Public Service Commission
HB 486	Korman	Authorizes an additional \$4 fee to be charged by county recorders in second and third classification counties to be used for county and regional economic development planning
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
HB 495	Dunn	Prohibits a seller or lessor in a sales or lease transaction or any credit card issuer from imposing a surcharge on a consumer using a credit card for the transaction
HB 496	Pfautsch	Prohibits a merchant or lessor from imposing a surcharge on a holder who elects to use a credit or charge card for any sales or lease transaction, with exceptions
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 514	Bahr	Changes the laws regarding midwifery
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
HB 532	Bahr	Allows an employer to receive fees and expenses from the Department of Labor and Industrial Relations if an employer prevails in a suit or appeal based on an audit reclassifying a person or entity from an independent contractor to an employee
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act

No.	Author	Subject
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HCS HB 604		Changes the laws regarding the Department of Natural Resources
HB 623	Sommer	Specifies that in all criminal cases a \$2 surcharge must be assessed as costs with specified exceptions to be credited to the Brain Injury Fund
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 658	English	Authorizes the City of Florissant to charge a reasonable fee to pay for costs associated with the maintenance of right-of-ways and easements
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 678	Fraker	Allows fee offices to collect a \$2 fee on any electronic transmission reception
HB 690	Korman	Adds hydrogen to the definition of "alternative fuel" and increases specified alternative fuel decal fees.
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
HB 739	Korman	Extends the Clean Water Commission's authority to charge specified clean water fees to September 1, 2018
HB 740	Korman	Extends the fees on the retail sale of a lead-acid battery as well as the fees on certain hazardous waste to December 31, 2018
HB 741	Korman	Extends the industrial mineral permit fees utilized to regulate and ensure reclamation of surfaced mined lands to December 31, 2018
HB 748	Crawford	Increases the amount of specified fees that a creditor can charge on small loans that are open-end credit contracts tied to a transaction account in a depository institution
HB 750	Molendorp	Prohibits any contract between a health carrier or health benefit plan and an optometrist from requiring a fee schedule established by the insurer if the services are not covered under the vision plan
HB 761	Walton Gray	Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a 12-month period
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 853	Cox	Establishes the Missouri Consumer Litigation Loan Act which restricts consumer litigation loans
HB 870	Cornejo	Adds a motorcycle registration surcharge of \$5 to be deposited in the Motorcycle Safety Trust Fund for motorcycle safety programs
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HB 887	Kelly 045	Prohibits the Department of Revenue from selling or disclosing certain driver record information

No.	Author	Subject
HB 891	Redmon	Changes the laws regarding liquefied petroleum gas
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
HB 915	Bahr	Establishes the Employee Reclassification Act, which requires the Department of Labor and Industrial Relations to concisely define independent contractor and the procedures for changing an individual's classification to an employee
HB 916	Schupp	Specifies that certain business fees can only be changed every four years
HB 918	Roorda	Waives business fees for a person who is a member of the Missouri National Guard or any other military branch, resides in Missouri, and shows proof to the Secretary of State of service
HCS#2 HB 927		Changes the laws regarding agriculture
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 994	Butler	Increases the fee for notary public service from \$2 to \$5
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 1014	Korman	Authorizes the Department of Transportation to set fees for drivers' licenses and license plates
HB 1033	Shull	Reauthorizes tax credits for guaranty fees paid by small businesses
HB 1037	Englund	Requires a tenant to initiate a dispute in the Office of the Attorney General by filing a consumer complaint form if a landlord wrongfully withholds his or her security deposit and the Attorney General to mediate all disputes
HJR 17	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years
FIRE PROTECTION		
SB 264	Dempsey	Allows owners of property in a residential subdivision to file a petition seeking to have their subdivision excluded from a fire protection district
SB 272	Nieves	Allows contractors who install fire sprinkler systems to apply for a certificate of registration
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
HB 27	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 66	Burlison	Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years
SCS HCS HB 161		Changes the laws regarding political subdivisions
HB 173	Hodges	Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
CCS SS SCS HB 307		Changes the laws regarding emergency service providers

No.	Author	Subject
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HCS HB 335		Changes the laws regarding public safety
CCS SS HB 336		Changes the laws regarding emergency services
HB 364	Roorda	Allows an employee of a fire protection or ambulance district to serve as a board member of a fire protection or ambulance district if the district is not in the same county where he or she is employed
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
SCS HB 533		Changes the laws regarding firearms
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 612	Lichtenegger	Authorizes any municipality or fire protection district to adopt orders or ordinances relating to a natural or man-made disaster if the safety and welfare of the residents are jeopardized
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 846	Pfautsch	Repeals the requirement that reimbursement paid to a fire protection district by the City of Harrisonville for annexed property be governed by the boundary commission laws
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
FIREARMS AND FIREWORKS		
HCS SB 75		Modifies provisions relating to public safety
SB 124	Chappelle-Nadal	Creates the crimes of failing to stop illegal firearm possession, negligent storage of a firearm, and failure to notify a school of firearm ownership
SB 150	Munzlinger	Declares certain federal firearm laws unenforceable and makes it a crime for public officers, agents, and employees and licensed firearms dealers to enforce such laws
SB 253	Justus	Modifies provisions relating to criminal law
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 448	Schmitt	Allows the circuit court of the city of St. Louis to create of a special armed offender docket
SB 469	Chappelle-Nadal	Creates the crimes of failing to stop illegal weapon possession, negligent storage of a weapon, and failure to notify a school of weapon ownership
SB 482	Nasheed	Mandates that the city of St. Louis must create a special armed offender docket
SCS SJR 14		Modifies constitutional provisions regarding the right to keep and bear arms
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government

No.	Author	Subject
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
HB 89	Colona	Establishes the Firearm Responsibility Act which specifies that a person commits the crime of failure to secure a firearm if he or she fails to secure a firearm at all times when it is not in active use
HB 92	Gatschenberger	Changes the minimum age at which a person can be issued a concealed carry endorsement from 21 years of age to 19 years of age
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HB 209	Richardson	Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HCS HB 335		Changes the laws regarding public safety
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
HCS HB 372		Establishes the Business Premises Safety Act
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 390	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense
HB 494	LaFaver	Specifies that any person who owns, possesses, manufactures, purchases, or sells a high capacity firearm magazine will be guilty of a class D felony under certain circumstances
HB 519	Newman	Changes the laws regarding domestic violence
SCS HB 533		Changes the laws regarding firearms
HB 537	Zerr	Allows hunting privileges to be denied for up to 10 years for any person who kills another person while hunting
HB 545	Ellinger	Makes it a class C felony to manufacture, import, possess, purchase, sell, or transfer any assault weapon or large capacity magazine
HCS HB 630		Changes the laws regarding the Missouri Quality Jobs Act, the Manufacturing Jobs Act, and the Missouri International Business Advertising Fund

No.	Author	Subject
HB 633	Leara	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bear arms will be guilty of a class D felony
HB 639	Brown	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about any firearms in their homes
HB 640	Parkinson	Establishes the forms of identification that may be accepted by a federally licensed firearms dealer for the purchase of a firearm
HB 670	Parkinson	Changes the terms of imprisonment for the crime of armed criminal action
HB 732	Hicks	Prohibits any health care professional, except a mental health professional, from inquiring of a patient whether the patient has a firearm in his or her home or on his or her property
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 818	Ross	Prohibits a state agency or department from constructing, enabling, maintaining, participating in, or developing a database of the number or type of firearms, ammunition, or accessories that an individual possesses
HB 855	Gatschenberger	Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 872	Schatz	Removes the renewal requirements for concealed carry endorsements making them valid for life if not suspended or revoked
HB 965	Houghton	Requires a hunter at least six years of age but less than 15 years of age to hunt in the immediate presence of an adult hunter with a valid hunter education certificate card
HB 981	Franklin	Allows a person to explode or ignite fireworks within 600 feet of a church if he or she obtains approval, in writing, from the church secretary at least 24 hours in advance
HB 1000	Frame	Establishes the Second Amendment Sales Tax Holiday which authorizes an annual state sales and use tax holiday on retail purchases of certain firearms
HB 1001	Frame	Prohibits any condemning authority from acquiring by eminent domain any real property where a commercial gun shop, hunting preserve, or shooting range is located
HB 1022	Jones 050	Specifies that private businesses that post signage prohibiting weapons on the premises is liable for injury or damage to public invitees, business visitors, and employees as a result of the prohibition
HCR 8	Parkinson	A resolution against the adoption of a United Nations Arms Trade Treaty
HCR 20	Black	Supports lawful legislative action which protects the rights of gun owners, addresses the mental health issues that threaten public safety, and ensures that only law-abiding citizens have access to firearms
HCS HJR 15		Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition for the proper functioning of arms must not be infringed or limited
HCS HJR 35		Modifies constitutional provisions regarding the right to keep and bear arms
FISHING AND HUNTING		
HB 355	Cornejo	Exempts active duty military personnel from the hunter education and safety training and course requirements for issuance of a hunting permit by the Department of Conservation
HB 537	Zerr	Allows hunting privileges to be denied for up to 10 years for any person who kills another person while hunting
HB 912	Brown	Revises the definition of "knife" to include any knife used for hunting or fishing and creates an exception to the crime of possessing certain weapons if the weapon is solely a keepsake
HB 965	Houghton	Requires a hunter at least six years of age but less than 15 years of age to hunt in the immediate presence of an adult hunter with a valid hunter education certificate card

No.	Author	Subject
HB 1001	Frame	Prohibits any condemning authority from acquiring by eminent domain any real property where a commercial gun shop, hunting preserve, or shooting range is located
HJR 36	Jones 050	Proposes a constitutional amendment requiring all rules and regulations of the Missouri Conservation Commission to comply with statutory rulemaking requirements except for rules regarding hunting and fishing seasons
FUNERALS AND FUNERAL DIRECTORS		
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 405	Sater	Excludes money placed in an irrevocable personal funeral trust from being considered as an asset when determining eligibility for public assistance
SCS HB 329		Changes the laws regarding financial institutions
HB 482	Davis	Changes the laws regarding the unclaimed cremated remains of veterans collected by veterans' service organizations
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
GAMBLING		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 328	Brown	Authorizes charities to utilize sweepstakes terminal devices on their premises
SB 481	Rupp	Authorizes gaming establishments to provide lines of credit
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 279	Hinson	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HB 747	Scharnhorst	Specifies that a gaming licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at an excursion gambling boat
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 805	Walton Gray	Prohibits the state lottery from publishing the names of lottery winners without consent
HJR 24	Riddle	Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
GENERAL ASSEMBLY		
SB 4	Lager	Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists
SCS SB 7		Modifies provisions relating to school accreditation for failing school districts
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes

No.	Author	Subject
CCS HCS SCS SB 17		Modifies provisions relating to education
SB 38	Sifton	Institutes a lobbyist gift ban for the members of the General Assembly and their candidate committees
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 66	Dixon	Repeals a number of expired or obsolete committees
HCS SB 67		Modifies provisions relating to higher education
SCS SB 78		Restricts General Assembly members from acting as lobbyists
SB 156	Sater	Prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal health care act unless authorized by law
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
HCS SS SCS SB 210		Requires the Department of Elementary and Secondary Education to hold public meetings in each congressional district on the Common Core State Standards
SB 269	Nieves	Modifies the use of the Capitol complex grounds by non-public entities
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
SB 320	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources
SS SCS SB 437		Creates a model for funding the state's public institutions of higher education
SB 464	Schaefer	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office buildings
SB 471	Rupp	Modifies provisions regarding the publishing of the Missouri statutes by the Revisor of Statutes
SCR 2	Richard	Directs the State Historical Society of Missouri to develop plans to commemorate and celebrate the State of Missouri's bicentennial
SCR 4	Schmitt	Establishes the Joint Interim Committee on Funding for Elementary and Secondary Education to study the elementary and secondary education foundation formula
SCR 7	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SCR 14	Keaveny	Directs the Oversight Division of the Committee on Legislative Research to conduct a comprehensive study of the costs of the death penalty
SS SCR 15		Establishes the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force
SJR 1	Lager	Grants the General Assembly the power to limit by statute jury awards of noneconomic damages
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 5	Lamping	Requires the legislative session to end in late March rather than mid-May, beginning with the 99th General Assembly in 2017
SJR 7	Dixon	Modifies provisions regarding members and meetings of Missouri Senate and House of Representatives apportionment commissions
SJR 9	Emery	Requires the Senate to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court

No.	Author	Subject
SJR 10	Nasheed	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 18	Schmitt	Modifies provisions relating to meetings of apportionment commissions and prohibits commission members from serving in General Assembly for six years after service on commission
SJR 23	Cunningham	Removes duties of the Lieutenant Governor regarding the Missouri Senate
HB 93	Lichtenegger	Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
SS#2 SCS HB 116		Changes the laws regarding audits
CCS SS SCS HCS HB 117		Changes the laws regarding initiative and referendum petitions
HCS HB 132		Changes the laws regarding health insurance coverage and contracts
HCS HB 137		Requires all state agencies to obtain approval from the General Assembly prior to administering, implementing, or expanding any federal program
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
HB 183	Hoskins	Requires all state agencies authorized to issue tax credits to deliver an annual report of all credits issued to the Department of Revenue by January 15
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 262	Walton Gray	Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities
SCS HCS HBs 373 & 435		Grants the authority to redraw the circuit and appellate judicial districts every 10 years to the Supreme Court
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HCS HB 401		Establishes the Missouri Advisory Boards and Commissions Association
HB 414	Kelly 045	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office building projects, except for refunding of existing debt
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles

No.	Author	Subject
HB 474	Brattin	Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 475	Brattin	Requires a person becoming a member of the General Assembly for the first time on or after January 1, 2014, to be covered under a defined contribution retirement plan
HB 526	Franklin	Establishes a rural regional development grants program
HB 527	Sommer	Creates the Joint Committee on the Tenth Amendment
SCS HB 533		Changes the laws regarding firearms
SS SCS HB 542		Changes the laws regarding agriculture
HCS HB 543		Changes the duties and authority of the State Auditor
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 576	Walker	Specifies that dissolution of marriage proceedings are exempt from the automatic stay provisions for members of the General Assembly
HB 600	Kelly 045	Changes the laws regarding the Open Records and Meetings Law
HB 633	Leara	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bear arms will be guilty of a class D felony
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 677	Roorda	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bargain collectively will be guilty of a class D felony
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 697	Cornejo	Defines terms relating to electronic public and business records
HB 772	Haahr	Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
HB 816	Smith 085	Requires members of the House of Representatives to be subject to drug testing within 60 days of the start of the legislative session
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HB 863	Allen	Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 886	Bahr	Authorizes the General Assembly to remove any department director or deputy director if it determines that the removal is necessary for the betterment of the public service
HB 919	Mayfield	Specifies that the open records and meetings law and its exceptions apply to individual members of the General Assembly
SCS HCS HB 986		Changes the laws regarding health care services
HCR 1	Diehl	House of Representatives and Senate to convene in Joint Session in Hall of House of Representatives at 7:00 pm, Monday, January 28, 2013 to receive a message from the Honorable Jeremiah W. Nixon, Governor
HCR 2	Diehl	House of Representatives and Senate convene in Joint Session at 10:30 am, Wednesday, January 23, 2013, to receive a message from the Honorable Richard Teitelman, Chief Justice of the Missouri Supreme Court
HCR 3	Sommer	Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 6	Sommer	Claims sovereignty for the states under the Tenth Amendment of the United States Constitution for all powers not otherwise enumerated and granted to the federal government under the Constitution

No.	Author	Subject
HCR 7	Pfautsch	Directs the State Historical Society of Missouri to develop plans, ideas and proposals to commemorate and celebrate the State of Missouri's bicentennial in 2021
HCR 10	Walton Gray	Designates April 2013 as "Donate Life Month" in Missouri
HCR 11	Walton Gray	Designates the week of March 24, 2013, as "Colon Cancer Awareness Week" in Missouri
HCR 12	Walton Gray	Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
HCR 13	Walton Gray	Designates the week of May 12 - 18, 2013, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 15	Walton Gray	Designates December 15, 2013, as "American Red Cross Minority Blood Drive Day" in Missouri
HCR 16	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HCR 20	Black	Supports lawful legislative action which protects the rights of gun owners, addresses the mental health issues that threaten public safety, and ensures that only law-abiding citizens have access to firearms
HCR 22	Roorda	Urges Congress to require the establishment of a national database on police shootings
HCR 24	Hoskins	Endorses Taiwan's participation in the International Civil Aviation Organization
SS HCR 25		Establishes the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation
HCR 26	Kirkton	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 28	Lynch	Strongly urges the United States Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
HCR 29	Gannon	Designates March as "Missouri Whole Child Month"
HCR 31	Ellinger	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 35	Jones 110	Requests the Attorney General to argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act as well as the First Amendment of the Constitution
HRM 1	Marshall	Condemns the release of private protected information on concealed carry endorsements, remonstrates against executive departments, and demands the Governor investigate, discipline, and remove those responsible
HJR 2	Black	Proposes a constitutional amendment reducing the number of members of the Missouri House of Representatives from 163 to 120 and increasing the number of members of the Missouri Senate from 34 to 40 beginning in 2023
HJR 4	Neth	Proposes a constitutional amendment allowing a member of the General Assembly to serve the 16-year maximum in any proportion in either chamber as long as he or she serves no more than 16 years total
HJR 13	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion between the House of Representatives and the Senate
HJR 17	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 18	Schupp	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 20	Hampton	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 120 and increasing the number of members of the Senate from 34 to 40 beginning in 2023
HJR 21	Scharnhorst	Proposes a constitutional amendment limiting the total service in the General Assembly to 16 years in any proportion between the House of Representatives and the Senate

No.	Author	Subject
HJR 31	Marshall	Proposes a constitutional amendment changing the laws regarding sessions of the General Assembly
HJR 32	Neth	Proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population
HJR 34	Butler	Proposes a constitutional amendment allowing anyone elected to the General Assembly after November 1, 2014, to serve up to 12 years in any one house and up to 24 years total in both houses
HJR 36	Jones 050	Proposes a constitutional amendment requiring all rules and regulations of the Missouri Conservation Commission to comply with statutory rulemaking requirements except for rules regarding hunting and fishing seasons
GOVERNOR & LT. GOVERNOR		
SCS SB 7		Modifies provisions relating to school accreditation for failing school districts
CCS HCS SCS SB 17		Modifies provisions relating to education
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
SB 54	Lamping	Requires the joint election of the Governor and Lieutenant Governor
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SCS SB 82		Requires the Governor to call a special election if the office of Lieutenant Governor is vacated
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
SB 320	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 389	Curls	Provides a process for the Parole Board to review the case histories of offenders serving more than 15 years in prison and recommend clemency or allow release on parole
SCS SB 419		Allows the Governor to convey certain state properties to the State Highways and Transportation Commission
SB 457	Parson	Bars any state employee's salary from exceeding the Governor's salary
SCR 3	Walsh	Recognizes September 26th as Mesothelioma Awareness Day in Missouri
SS SCR 15		Establishes the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 4	Lamping	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 9	Emery	Requires the Senate to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 23	Cunningham	Removes duties of the Lieutenant Governor regarding the Missouri Senate
SCS HCS HB 76		Changes the laws regarding the penalty for a school district that fails to meet Missouri School Improvement Program standards in a fiscal year in which the school is specifically underfunded
SCS HCS HB 110		Changes the laws regarding the selection of public officials

No.	Author	Subject
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 167	Hubbard	Repeals the provisions which allow the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HB 408	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
SCS HB 460		Authorizes the conveyance of various state properties
HB 526	Franklin	Establishes a rural regional development grants program
HCS HB 543		Changes the duties and authority of the State Auditor
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HRM 1	Marshall	Condemns the release of private protected information on concealed carry endorsements, remonstrates against executive departments, and demands the Governor investigate, discipline, and remove those responsible
GUARDIANS		
SB 452	Justus	Gives the family courts original jurisdiction to hear guardianship cases
HB 100	White	Establishes the Adult Health Care Consent Act that specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 121	Barnes	Allows the court discretion in the appointment of a guardian ad litem in specified cases regarding child abuse or neglect and ex parte orders of protection
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System

No.	Author	Subject
HB 497	Kirkton	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 968	Grisamore	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HEALTH CARE		
SB 37	Wallingford	Designates each March 27th as "Medical Radiation Safety Awareness Day"
SB 84	Rupp	Provides for the conscience rights of individuals who provide medical services
CCS HCS SB 127		Modifies various public assistance provisions including MO HealthNet dental, home and community based referrals, Missouri adjusted gross income for MO HealthNet eligibility and extends Ticket-to-Work
SB 131	Nasheed	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
CCS HCS SB 161		Requires actuarial analyses to be performed to determine potential costs of instituting oral anti-cancer parity and eating disorders mandate
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 230	Brown	Establishes Chloe's Law which requires newborn screenings for critical congenital heart disease
SB 231	Munzlinger	Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses
CCS HCS SS SB 262		Modifies various provisions relating to health insurance
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
SB 303	Wasson	Adds four classes of pharmacy permits
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 340	Schmitt	Modifies provisions relating to tax refund setoffs
SB 349	LeVota	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
SB 362	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 367	Walsh	Creates a right to unpaid leave for employees that are affected by domestic violence
SCS SB 376		Allows hospital districts to permit higher education institutions to use space for health care education or training
SB 393	Libla	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
SB 421	Walsh	Requires certain individuals to receive the meningococcal conjugate vaccine
SB 444	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 447	Brown	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SB 453	Cunningham	Requires state and contracted correctional health care systems to implement certain billing technologies and services
SB 468	Schaefer	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SB 480	Richard	Modifies provisions relating to local health departments
SCR 3	Walsh	Recognizes September 26th as Mesothelioma Awareness Day in Missouri
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government

No.	Author	Subject
HB 29	Lichtenegger	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HCS HB 30		Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 47	Cross	Requires, prior to any person younger than 17 years of age using a tanning device in a tanning facility, the parent or guardian of the person to appear in person giving written consent to the minor's use of a device
HB 53	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 72	Barnes	Prohibits any person younger than six years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 100	White	Establishes the Adult Health Care Consent Act that specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HCS HB 132		Changes the laws regarding health insurance coverage and contracts
HB 141	Haefner	Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 171	Hodges	Designates May 7 as "ROHHAD Awareness Day" in Missouri
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 173	Hodges	Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting
HB 195	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
HB 262	Walton Gray	Establishes the Sickie Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
SCS HB 274		Establishes Chloe's Law that requires the newborn screening requirements to include a critical congenital heart disease screening
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HB 298	English	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
SS HCS HB 315		Changes the laws regarding health care services
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination

No.	Author	Subject
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 378	Kelley 127	Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HCS HB 430		Changes the laws regarding the uniform experience rating plan of workers' compensation insurance
HB 454	Koenig	Allows pharmacists to administer all vaccines after appropriate training on the contraindications and adverse reactions to each vaccine
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 499	Jones 050	Prohibits a health carrier from requiring prior authorization for serious and urgent conditions
HB 504	McCaherty	Establishes a three-year statute of limitations for disciplinary proceedings to be initiated against any licensed psychologist, professional counselor or social worker
HB 514	Bahr	Changes the laws regarding midwifery
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 549	Englund	Requires personal care items sold in this state to include on its label whether the items contain gluten
HB 559	Scharnhorst	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HCS HBs 593 & 695		Prohibits a health benefit plan from requiring a higher out-of-pocket cost for an oral anti-cancer medication than for an intravenously-administered cancer medication
HB 595	Kirkton	Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a child from birth to age three who has been screened and assessed for a hearing impairment
HB 598	Guernsey	Requires the MO HealthNet Division to reimburse licensed chiropractors for specific services
HB 623	Sommer	Specifies that in all criminal cases a \$2 surcharge must be assessed as costs with specified exceptions to be credited to the Brain Injury Fund
HB 634	Elmer	Designates the month of February as "Turner Syndrome Awareness Month" in Missouri
HB 687	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 712	Grisamore	Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet
HB 713	Grisamore	Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet

No.	Author	Subject
HB 716	Grisamore	Establishes the Show-Me Healthy Babies Program as a separate children's health insurance program for low-income unborn children
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
HB 732	Hicks	Prohibits any health care professional, except a mental health professional, from inquiring of a patient whether the patient has a firearm in his or her home or on his or her property
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 766	Schupp	Requires every medical malpractice insurer to establish a premium rate based on the average of all judgments awarded during the previous year in the county in which the provider practices
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 856	Morgan	Requires each hospital to adopt a patient protection and health care worker back and musculoskeletal injury prevention plan as part of injury and illness prevention programs
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 896	LaFaver	Expands MO HealthNet coverage beginning on January 1, 2014
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
SCS HCS HB 986		Changes the laws regarding health care services
HB 995	Frederick	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HCS HCR 17		Urges the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures
HCR 31	Ellinger	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 33	Swan	Recognizes music therapy as a valid health care service
HCR 35	Jones 110	Requests the Attorney General to argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act as well as the First Amendment of the Constitution
HJR 19	Bahr	Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care related services or products
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
HEALTH CARE PROFESSIONALS		
SB 84	Rupp	Provides for the conscience rights of individuals who provide medical services
SCS SB 126		Prohibits any requirement that pharmacies carry a specific drug or device

No.	Author	Subject
SS SCS SB 129		Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization
SB 146	Schaaf	Establishes a Prescription Drug Monitoring Program
SS SCS SB 159		Requires parity between the out-of-pocket expenses charged for physical therapist services and the out-of-pocket expenses charged for similar services provided by primary care physicians
SB 160	Pearce	Requires insurers to provide coverage for eating disorders
CCS HCS SB 161		Requires actuarial analyses to be performed to determine potential costs of instituting oral anti-cancer parity and eating disorders mandate
SB 175	Wallingford	Requires the physical presence of the physician who prescribed or dispensed any abortion-inducing drugs while such drug is administered
SB 214	Silvey	Modifies provisions relating to crime
SB 219	Sater	Modifies provisions relating to the scope of practice for physician assistants
SB 233	Sater	Establishes a Prescription Drug Monitoring Program
SB 260	Brown	Establishes a negotiation and arbitration procedure to determine the reimbursement level for health care services provided by nonparticipating providers at participating facilities and prohibits balance billing under certain circumstances
CCS HCS SS SB 262		Modifies various provisions relating to health insurance
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
SB 303	Wasson	Adds four classes of pharmacy permits
SB 304	Wasson	Allows the Board of Healing Arts to indefinitely restrict an athletic trainer's license or revoke a license
SCS SB 305		Specifies examination requirements for physicians who graduated before or after January 1, 1994
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 307	Schaaf	Prohibits contractual provisions that restrict the disclosure of contractual payment amounts between providers and health carriers under certain circumstances
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HB 131	Stream	Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization
HB 195	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis

No.	Author	Subject
HB 308	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
SS HCS HB 315		Changes the laws regarding health care services
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HCS HB 335		Changes the laws regarding public safety
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 454	Koenig	Allows pharmacists to administer all vaccines after appropriate training on the contraindications and adverse reactions to each vaccine
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 504	McCaherty	Establishes a three-year statute of limitations for disciplinary proceedings to be initiated against any licensed psychologist, professional counselor or social worker
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 514	Bahr	Changes the laws regarding midwifery
HB 518	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 609	Miller	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 639	Brown	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about any firearms in their homes
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 732	Hicks	Prohibits any health care professional, except a mental health professional, from inquiring of a patient whether the patient has a firearm in his or her home or on his or her property
HB 770	Higdon	Requires any person who holds himself or herself out as a radiologist assistant or radiology technician to be licensed by the State Board of Registration for the Healing Arts
HB 792	Schupp	Requires every employee and volunteer of a health care facility inspected by the Department of Health and Senior Services to receive an influenza vaccination each year
HB 854	Burlison	Allows a dentist to delegate the tasks of placement of pit or fissure sealants and application of topical fluoride to dental assistants under his or her direct supervision

No.	Author	Subject
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 899	Kirkton	Changes the laws regarding malpractice insurance
HCR 33	Swan	Recognizes music therapy as a valid health care service
HEALTH DEPT.		
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SB 56	Munzlinger	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria they have already been inspected for by the state or federal Department of Agriculture
SB 77	Lamping	Allows for certain neighborhood youth development programs to be exempt from child care licensing requirements
HCS SCS SB 88		Modifies provisions relating to the furnishing of medical records and hospital licensure
SCS SB 109		Amends various provisions regarding the licensure and inspection of hospitals
SB 146	Schaaf	Establishes a Prescription Drug Monitoring Program
SB 160	Pearce	Requires insurers to provide coverage for eating disorders
SB 194	Schaaf	Limits the certificate of need program to only long-term care facilities
SB 197	Sater	Modifies current provisions relating to tuberculosis treatment and prevention and provides for meningococcal disease information
SB 198	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SB 199	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 230	Brown	Establishes Chloe's Law which requires newborn screenings for critical congenital heart disease
SB 233	Sater	Establishes a Prescription Drug Monitoring Program
SCS SB 259		Modifies provisions related to infectious diseases reported to the Department of Health and Senior Services
SB 318	Rupp	Modifies provisions relating to abortion reporting and recordkeeping
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 421	Walsh	Requires certain individuals to receive the meningococcal conjugate vaccine
SB 430	Chappelle-Nadal	Modifies provisions relating to adult day care programs
SS SCS SB 432		Modifies provisions relating to food preparation for charitable purposes
SB 444	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 131	Stream	Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 141	Haefner	Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center

No.	Author	Subject
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 248	Ellington	Increases, from no later than 15 days to no later than 60 days, the time after a child's birth that the father has to file an action to establish paternity prior to an adoption or to file a notice with the Putative Father Registry
SCS HCS HB 252		Changes the laws regarding adoptions
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
SCS HB 274		Establishes Chloe's Law that requires the newborn screening requirements to include a critical congenital heart disease screening
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
CCS SS HB 336		Changes the laws regarding emergency services
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
HB 359	Roorda	Requires the Department of Health and Senior Services to establish cord blood collection sites across the state for transportation to the Saint Louis Cord Blood Bank
HB 433	Korman	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria already under inspection by the Department of Agriculture or under federal inspection
SCS HCS HB 440		Allows certain cottage food production operations to sell baked goods from their home without being subject to state health and food laws and regulations
HB 467	Lichtenegger	Requires a public water system to notify the Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 493	LaFaver	Changes the laws regarding the licensure of certain child-care facilities
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 514	Bahr	Changes the laws regarding midwifery
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 571	Schupp	Establishes Nathan's Law that changes the laws regarding licensing requirements for child-care facilities
HB 613	Lichtenegger	Requires the Bureau of Dental Health within the Department of Health and Senior Services to implement the Missouri Oral Health Program to increase public awareness of its importance
HB 617	Parkinson	Allows a cottage food production operation to sell baked goods out of an individual's home without being subject to the state health and food laws and regulations
HB 627	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet program
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 660	Marshall	Establishes the Safe and Fair Elections Act

No.	Author	Subject
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 705	Kelly 045	Requires every child 11 year of age to receive one dose of meningococcal conjugate vaccine and one booster dose after the child reaches 16 years of age
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 792	Schupp	Requires every employee and volunteer of a health care facility inspected by the Department of Health and Senior Services to receive an influenza vaccination each year
HB 801	Barnes	Requires recipients of MO HealthNet benefits who have been convicted of a crime involving drug use to enroll in a drug treatment program in order to continue receiving benefits
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 837	Fraker	Requires a nonprofit organization to notify the local public health authority 14 days prior to a fundraising event that is open to the public where potentially hazardous food will be consumed
HB 856	Morgan	Requires each hospital to adopt a patient protection and health care worker back and musculoskeletal injury prevention plan as part of injury and illness prevention programs
HB 865	Neely	Requires the establishment of a death notification system for election authorities in order to remove deceased individuals from voter registration records
HB 875	Wieland	Authorizes Jefferson County to impose, upon voter approval, a sales tax to fund the county public health center in lieu of a property tax
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 900	Meredith	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 906	Butler	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 908	Pace	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 932	Funderburk	Allows the City of St. Charles to establish and maintain a local health department
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
HB 937	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet Program
HB 947	Dunn	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 948	Burns	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 949	Curtis	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 950	McNeil	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 951	Colona	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 952	Mayfield	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 953	Ellinger	Changes the eligibility requirements for medical assistance under the MO HealthNet program

No.	Author	Subject
HB 954	Schieffer	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 955	Nichols	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 956	Otto	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 957	Schupp	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 958	Mims	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 959	Morgan	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 960	Englund	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 961	Walton Gray	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 966	Gardner	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 967	LaFaver	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 969	May	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 974	Kirkton	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 977	Mitten	Changes the eligibility requirements for medical assistance under the MO HealthNet program
SCS HCS HB 986		Changes the laws regarding health care services
HB 991	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from schedule IV and V controlled substances to schedule III requiring a prescription
HB 1012	Ellington	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HEALTH, PUBLIC		
SB 56	Munzlinger	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria they have already been inspected for by the state or federal Department of Agriculture
HCS SB 57		Modifies provisions relating to public works contracts, city ordinances, and hospital district taxes, and limits damages in civil actions against mining companies
SCS SB 87		Modifies provisions relating to breast-feeding
SS SCS SB 129		Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization
SB 197	Sater	Modifies current provisions relating to tuberculosis treatment and prevention and provides for meningococcal disease information
SB 201	Chappelle-Nadal	Enacts a state-wide smoking ban
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SCS SB 226		Modifies the standards for determining when a person is in need of mental health detention and evaluation
SCS SB 259		Modifies provisions related to infectious diseases reported to the Department of Health and Senior Services
SB 413	Wasson	Adds comprehensive day services rehabilitation as a covered service under the MO HealthNet
SB 421	Walsh	Requires certain individuals to receive the meningococcal conjugate vaccine
SS SCS SB 432		Modifies provisions relating to food preparation for charitable purposes
SB 450	Justus	Modifies provisions relating to sexual education
SCR 8	Sifton	Urges the Department of Natural Resources to require groundwater monitoring of new and existing coal ash ponds and require clean-up at leaking coal ash ponds

No.	Author	Subject
SCR 11	Chappelle-Nadal	Urges the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 51	Miller	Requires Missouri state parks' designated swim beaches to utilize a standard that measures culturable E. coli using a specified federal method at a geometric mean based on specified sampling data
SCS HB 60		Allows the marshal of the City of Farmington to order the abate of weeds or trash without notification and bill the owner if there has been a previous violation on the same property in a specified time period
HB 109	Berry	Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state
HB 171	Hodges	Designates May 7 as "ROHHAD Awareness Day" in Missouri
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
HB 262	Walton Gray	Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities
SCS HB 274		Establishes Chloe's Law that requires the newborn screening requirements to include a critical congenital heart disease screening
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HB 433	Korman	Prohibits the Department of Health and Senior Services from inspecting meat processors for criteria already under inspection by the Department of Agriculture or under federal inspection
SCS HCS HB 440		Allows certain cottage food production operations to sell baked goods from their home without being subject to state health and food laws and regulations
HB 467	Lichtenegger	Requires a public water system to notify the Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation
HB 514	Bahr	Changes the laws regarding midwifery
HB 518	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 561	Molendorp	Specifies that if an anatomical gift is medically unsuitable for transplantation or therapy, the gift may be used for research, education, or pass to an appropriate procurement organization
HB 617	Parkinson	Allows a cottage food production operation to sell baked goods out of an individual's home without being subject to the state health and food laws and regulations
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources

No.	Author	Subject
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 766	Schupp	Requires every medical malpractice insurer to establish a premium rate based on the average of all judgments awarded during the previous year in the county in which the provider practices
HB 785	Anderson	Changes the laws regarding the confiscation of animals
HB 792	Schupp	Requires every employee and volunteer of a health care facility inspected by the Department of Health and Senior Services to receive an influenza vaccination each year
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 837	Fraker	Requires a nonprofit organization to notify the local public health authority 14 days prior to a fundraising event that is open to the public where potentially hazardous food will be consumed
HB 842	Kelley 127	Requires a county recorder of deeds to make informative literature regarding cystic fibrosis available to marriage license applicants if the literature has been supplied by the Cystic Fibrosis Foundation
HB 876	Wieland	Requires high schools to offer instruction in first aid
HB 929	Cornejo	Changes the standards for determining when a person is in need of mental health detention and evaluation
HIGHER EDUCATION DEPT.		
SB 3	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
HCS SB 67		Modifies provisions relating to higher education
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 225	Curls	Modifies laws regarding educational parental support for higher education
SCS SB 378		Modifies provisions of the A+ Program, Bright Flight Scholarship Program, and the Access Missouri Financial Assistance Program
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
SS SCS SB 437		Creates a model for funding the state's public institutions of higher education
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
HB 353	Leara	Changes the laws regarding the defined contribution plan for employees of certain higher education institutions
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 629	Kelly 045	Requires that one voting member of the University of Missouri Board of Curators be a student
HB 745	Thomson	Changes the laws regarding the A+ Program, the higher education scholarship, commonly known as "Bright Flight," and Access Missouri
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
HB 857	Davis	Creates the Show Me Heroes Education Fund dedicated to assist military personnel with tuition assistance
HB 879	Smith 085	Establishes the College Credit Disclosure Act which requires a higher education institution to disclose its unaccredited status to students before enrollment
HB 934	Curtis	Creates a tax credit for employers who hire students majoring in the fields of science, technology, engineering, or mathematics for internships

No.	Author	Subject
HB 1015	Cookson	Requires public institutions of higher education to adopt policies on student favoritism
		HIGHWAY PATROL
HCS SB 75		Modifies provisions relating to public safety
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services
HB 67	Higdon	Allows a local law enforcement officer to provide assistance outside his or her jurisdiction upon the request of or permission granted by specified law enforcement agencies
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 425	Wilson	Specifies that all law enforcement officers are immune from personal civil liability for acts that are within the scope of their official duties, discretionary, and not performed in bad faith or with malice
SCS HB 460		Authorizes the conveyance of various state properties
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 468		Changes the laws regarding public safety
HB 519	Newman	Changes the laws regarding domestic violence
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 624	Ellinger	Changes the laws regarding sexual offender registration
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 703	Conway 104	Specifies that the Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund include money for the maintenance of State Highway Patrol vehicles, watercraft, and aircraft and be used to pay for the maintenance and fuel costs of the items
HB 825	Morgan	Specifies that any driver operating a motor vehicle on a highway, street, or roadway has an affirmative duty to remove accumulated snow or ice from the surface of the vehicle prior to operation
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers

No.	Author	Subject
HB 878	Koenig	Establishes a hybrid plan and a defined contribution program for employees and elected officials becoming employed after January 1, 2014
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HB 991	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from schedule IV and V controlled substances to schedule III requiring a prescription
HB 992	Schatz	Changes the laws regarding the sale and possession of controlled substances
HRM 1	Marshall	Condemns the release of private protected information on concealed carry endorsements, remonstrates against executive departments, and demands the Governor investigate, discipline, and remove those responsible
HISTORIC PRESERVATION		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
SB 32	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SB 163	Kraus	Reauthorizes certain benevolent tax credits, prohibits further authorization of certain tax credits, and modifies historic preservation and low-income housing tax credits
SCR 2	Richard	Directs the State Historical Society of Missouri to develop plans to commemorate and celebrate the State of Missouri's bicentennial
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HOLIDAYS		
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SB 37	Wallingford	Designates each March 27th as "Medical Radiation Safety Awareness Day"
SB 72	Schaefer	Designates the month of May as "Motorcycle Awareness Month" and designates December 4th as "Pallister-Killian Syndrome (PKS) Day"
SB 246	Walsh	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
SCR 3	Walsh	Recognizes September 26th as Mesothelioma Awareness Day in Missouri
HB 37	Roorda	Establishes the Thanksgiving Family Protection Act that requires retailers, with specified exceptions, to be closed during the hours of 12:00 a.m. to 11:59 p.m. on Thanksgiving Day
HB 68	Kelley 127	Designates the month of November as "Pancreatic Cancer Awareness Month" and the last week in October as "Respiratory Syncytial Virus Awareness Week" in Missouri
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
HB 171	Hodges	Designates May 7 as "ROHHAD Awareness Day" in Missouri
HB 185	Kirkton	Designates December 4 as "PKS Day" in Missouri to encourage participation in awareness and educational activities regarding Pallister-Killian Syndrome
HB 206	Reiboldt	Designates the month of December as "Pet Breeders Appreciation Month"
HB 259	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week cannot be required to take two hours of vacation leave for paid holidays
HB 263	Walton Gray	Designates July 3 of each year as "Organ Donor Recognition Day"

No.	Author	Subject
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 366	Roorda	Prohibits a school district from scheduling a day or a half day off of school within five weekdays of Veterans Day unless the district also schedules Veterans Day as a day off
HB 471	Spencer	Designates the third week of February as "Engineers Awareness Week" in Missouri
HB 570	Smith 085	Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 585	Schieffer	Designates November 21 of each year as "Stan Musial Day" in Missouri
HB 632	Dunn	Designates December 4 as "Alpha Phi Alpha Day" in Missouri in honor of the first Black intercollegiate Greek-letter fraternity established for African-Americans
HB 634	Elmer	Designates the month of February as "Turner Syndrome Awareness Month" in Missouri
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 835	Sommer	Designates the first week of August each year as "Animal Rescue and Adoption Week" in Missouri
HB 982	Curtis	Designates January 17th of each year as "Youth Mentoring Day" in Missouri
HCR 7	Pfautsch	Directs the State Historical Society of Missouri to develop plans, ideas and proposals to commemorate and celebrate the State of Missouri's bicentennial in 2021
HCR 10	Walton Gray	Designates April 2013 as "Donate Life Month" in Missouri
HCR 11	Walton Gray	Designates the week of March 24, 2013, as "Colon Cancer Awareness Week" in Missouri
HCR 13	Walton Gray	Designates the week of May 12 - 18, 2013, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 14	Walton Gray	Designates August 1, 2013, as "Minority Organ Donor Awareness Day" in Missouri
HCR 15	Walton Gray	Designates December 15, 2013, as "American Red Cross Minority Blood Drive Day" in Missouri
HCR 29	Gannon	Designates March as "Missouri Whole Child Month"
HCR 30	Dunn	Recognizes April 15, 2013 as "Jackie Robinson Day" in Missouri in honor of the first African American to play major league baseball
HCR 37	McCann Beatty	Recognizes July 1, 2013, as "Lucille Bluford Day" in Missouri in honor of a brave and persistent civil rights activist
HOSPITALS		
SB 84	Rupp	Provides for the conscience rights of individuals who provide medical services
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
SCS SB 109		Amends various provisions regarding the licensure and inspection of hospitals
SCS SB 259		Modifies provisions related to infectious diseases reported to the Department of Health and Senior Services
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SCS SB 376		Allows hospital districts to permit higher education institutions to use space for health care education or training
SB 443	Silvey	Allows certain local city hospitals to become nonprofit corporations upon a vote of the people or the adoption of a resolution by the hospital's board of trustees
SB 447	Brown	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead

No.	Author	Subject
SB 468	Schaefer	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SCS SCR 5		Urges the federal government to stop the Affordable Care Act's disproportionate share hospital (DSH) payment reductions
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 163	Fitzpatrick	Changes the laws regarding elections
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 643	Muntzel	Authorizes the governing body of Cooper County to impose, upon voter approval, a sales tax of up to 2% in lieu of a property tax to fund the county hospital
HB 668	Torpey	Changes the laws regarding the Safe Place for Newborns Act of 2002
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HB 792	Schupp	Requires every employee and volunteer of a health care facility inspected by the Department of Health and Senior Services to receive an influenza vaccination each year
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 856	Morgan	Requires each hospital to adopt a patient protection and health care worker back and musculoskeletal injury prevention plan as part of injury and illness prevention programs
HOUSING		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
SB 32	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SB 151	Curls	Changes the notice requirement to a tenant in a foreclosure action from ten days to ninety days
SB 163	Kraus	Reauthorizes certain benevolent tax credits, prohibits further authorization of certain tax credits, and modifies historic preservation and low-income housing tax credits
SB 179	Parson	Creates an income tax deduction for purchases of new homes
SB 353	Lager	Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 368	Holsman	Prohibits certain property associations from barring the installation of solar energy systems

No.	Author	Subject
SB 428	Sifton	Creates a Homeless Bill of Rights and prohibits discrimination based on housing status
SB 445	Wasson	Requires homeowner insurance companies to offer sinkhole coverage
HB 26	Lant	Authorizes a one time income tax deduction to a taxpayer for the cost of the construction or \$5,000, whichever is less, of a storm shelter that was made in America
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
HB 192	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HCS HB 194		Authorizes a one-time individual income tax deduction for the purchase of a new home used as the principal residence of the taxpayer for at least two years.
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HB 271	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 310	Solon	Establishes the Seniors' Retirement Protection Act which specifies that up to \$125,000 of the value of the primary residence of a person who is 62 years old or older will be exempt from attachment or execution
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
SS HCS HB 320		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HCS HB 479		Changes the laws regarding residential mortgage loan brokers
HB 683	Berry	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 828	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 984	McNeil	Establishes the Homeowners' Solar Rights Act which prohibits entities from restricting the installation of solar energy systems
IDENTITY THEFT AND PROTECTION		
HB 696	Cornejo	Creates the offense of impersonation of an actual person by electronic means
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
IMMIGRATION		
SB 203	Chappelle-Nadal	Repeals provisions relating to unauthorized and unlawfully present aliens

No.	Author	Subject
SB 209	Justus	Creates the Missouri Tuition Equity Act
SCR 10	Chappelle-Nadal	Urges Congress to treat immigrants with dignity and respect in changing federal immigration policy
SCR 12	Lamping	Urges the Missouri congressional delegation to lead efforts to strengthen federal laws and protect our national borders
HCS HB 275		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing an unauthorized alien
HB 476	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 765	Brown	Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HB 873	Dunn	Establishes the Missouri Tuition Equity Act, which requires a Missouri higher education institution that receives state funding to recognize a student as a Missouri resident for tuition purposes under specified circumstances
HB 972	Morgan	Establishes the Missouri Tuition Equity Act
INSURANCE - AUTOMOBILE		
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
CCS SCS HB 103		Changes the laws regarding transportation
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
HB 339	Wieland	Requires an uninsured motorist to forfeit recovery of noneconomic loss under specified circumstances
HB 429	Schatz	Changes the laws regarding the issuance of salvage motor vehicle titles to insurers who purchase motor vehicles through the claims adjustment process
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 649	Wieland	Prohibits an automobile insurer from canceling, refusing to issue or renew a policy, or imposing a surcharge solely because the insured is a volunteer driver
HB 663	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving- while-intoxicated offense
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 1002	Frame	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
INSURANCE - GENERAL		
SB 60	Rupp	Modifies the law regarding the accreditation requirements for reinsurance companies and specifies when insurers can take credit or reduce liability due to reinsurance
SB 115	Schmitt	Establishes the conditions for dissolving the Missouri Employers Mutual Insurance Company
HCS SB 148		Modifies provisions relating to the issuance of junking certificates and salvage motor vehicle titles
SCS SB 287		Modifies Missouri's captive insurance law to allow for the formation of sponsored captive insurance companies and other ancillary matters
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SCS SB 324		Regulates the sale of travel insurance and establishes a limited lines travel insurance producer licensure system

No.	Author	Subject
SB 402	Rupp	Modifies provisions relating to insurer market conduct examinations, revises the process for approving certain policy forms, and incorporates several of the NAIC revisions to the Model Insurance Holding Company System Regulatory Act and Regulation
SB 479	Dixon	Repeals a section of law relating to prepaid legal service plans
HB 52	Miller	Allows an insurance policyholder to petition the court for reimbursement of insurance costs as they occur during the pendency of a dissolution of marriage or legal separation
HB 53	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
SS HCS HB 58		Changes the laws regarding portable electronics insurance coverage
HB 90	Gosen	Specifies that an insurer has the right to intervene in a civil action in which it may be contractually obligated to pay the cost of defending a civil lawsuit or a portion of any judgment that may be rendered in the lawsuit
HB 133	Gosen	Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance
HB 195	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
HB 212	Cox	Changes the law regarding secured transactions under the Uniform Commercial Code
HB 260	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 338	Wieland	Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HCS HB 430		Changes the laws regarding the uniform experience rating plan of workers' compensation insurance
HB 481	Gosen	Changes the laws regarding liability insurance in construction contracts
HB 580	May	Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 597	Spencer	Allows a person 18 years of age or older to operate a motorcycle on any state highway without wearing protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 610	Gosen	Allows for the formation of a sponsored captive insurance company
HB 654	Hansen	Allows for the issuance of a limited lines travel insurance producer license
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
HB 735	Gosen	Changes the laws regarding insurance businesses
HB 899	Kirkton	Changes the laws regarding malpractice insurance
HB 1034	Jones 050	Adds cellular phones and specified smart phone to the definition of "portable electronics" for the purpose of specified insurance policies

No.	Author	Subject
INSURANCE - LIFE		
SB 59	Rupp	Modifies provisions relating to the regulation of the Missouri Property and Casualty Insurance Association and the Missouri Life and Health Insurance Guaranty Association
HB 53	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
INSURANCE - MEDICAL		
SB 40	Sifton	Prohibits insurers from imposing waiting periods for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
SB 59	Rupp	Modifies provisions relating to the regulation of the Missouri Property and Casualty Insurance Association and the Missouri Life and Health Insurance Guaranty Association
SCS SB 65		Modifies the duties and authority of the State Auditor
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SCS SB 147		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
SB 156	Sater	Prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal health care act unless authorized by law
SB 158	Sater	Allows foreign health insurers from selected states to issue health insurance policies in Missouri
SS SCS SB 159		Requires parity between the out-of-pocket expenses charged for physical therapist services and the out-of-pocket expenses charged for similar services provided by primary care physicians
SB 160	Pearce	Requires insurers to provide coverage for eating disorders
CCS HCS SB 161		Requires actuarial analyses to be performed to determine potential costs of instituting oral anti-cancer parity and eating disorders mandate
SB 260	Brown	Establishes a negotiation and arbitration procedure to determine the reimbursement level for health care services provided by nonparticipating providers at participating facilities and prohibits balance billing under certain circumstances
CCS HCS SS SB 262		Modifies various provisions relating to health insurance
SB 281	Wasson	Prohibits health carriers from contractually requiring dentists to provide non-covered dental services at an established fee
SB 307	Schaaf	Prohibits contractual provisions that restrict the disclosure of contractual payment amounts between providers and health carriers under certain circumstances
SB 308	Schaaf	Requires health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications
SB 309	Schaaf	Prohibits certain types of public benefit corporations from entering into agreements to operate health insurance exchanges
SB 348	LeVota	Requires health carriers to file their premium rates and accompanying information with the Department of Insurance for approval
HCS SS SB 401		Modifies provisions pertaining to health insurance
SCS SB 403		Allows health maintenance organizations to issue policies with deductibles and requires navigators to be licensed.
SB 406	Wallingford	Prohibits health carriers from requiring prior authorization for serious and urgent conditions and requires certain health benefit determinations to be made within 4 hours rather than 2 working days
SB 473	Lamping	Modifies Missouri Health Care Freedom Act by prohibiting the state from implementing a health insurance exchange, prohibiting insurers from accepting remuneration that may result in penalties, and prescribing duties of the Attorney General for enforcement of the act

No.	Author	Subject
HB 29	Lichtenegger	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HCS HB 30		Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 53	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 131	Stream	Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 132		Changes the laws regarding health insurance coverage and contracts
HB 141	Haefner	Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 308	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
SS HCS HB 315		Changes the laws regarding health care services
HB 346	Molendorp	Prohibits any contract between a health carrier or health benefit plan and a dentist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 499	Jones 050	Prohibits a health carrier from requiring prior authorization for serious and urgent conditions
HB 559	Scharnhorst	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HCS HBs 593 & 695		Prohibits a health benefit plan from requiring a higher out-of-pocket cost for an oral anti-cancer medication than for an intravenously-administered cancer medication
HB 595	Kirkton	Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a child from birth to age three who has been screened and assessed for a hearing impairment
HB 636	Fitzwater	Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HCS HB 701		Establishes the Health Insurance Marketplace Innovation Act of 2013
HB 750	Molendorp	Prohibits any contract between a health carrier or health benefit plan and an optometrist from requiring a fee schedule established by the insurer if the services are not covered under the vision plan
HB 766	Schupp	Requires every medical malpractice insurer to establish a premium rate based on the average of all judgments awarded during the previous year in the county in which the provider practices
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 983	McNeil	Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration for approval
HB 995	Frederick	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act

No.	Author	Subject
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
INSURANCE - PROPERTY		
SB 59	Rupp	Modifies provisions relating to the regulation of the Missouri Property and Casualty Insurance Association and the Missouri Life and Health Insurance Guaranty Association
SB 154	Richard	Modifies Missouri's valued policy statute to cover all perils covered under a policy rather than just loss caused by fire
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SB 364	Parson	Modifies the title insurance law with respect to the performance of escrow, settlement, or closing services by title insurers, agencies, and agents
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SB 445	Wasson	Requires homeowner insurance companies to offer sinkhole coverage
HB 338	Wieland	Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
INSURANCE DEPT.		
SB 59	Rupp	Modifies provisions relating to the regulation of the Missouri Property and Casualty Insurance Association and the Missouri Life and Health Insurance Guaranty Association
SB 60	Rupp	Modifies the law regarding the accreditation requirements for reinsurance companies and specifies when insurers can take credit or reduce liability due to reinsurance
SB 115	Schmitt	Establishes the conditions for dissolving the Missouri Employers Mutual Insurance Company
SCS SB 147		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
SB 156	Sater	Prohibits the Department of Insurance and other state agencies from applying for, accepting, or expending federal moneys relating to the implementation of the federal health care act unless authorized by law
SB 158	Sater	Allows foreign health insurers from selected states to issue health insurance policies in Missouri
SB 260	Brown	Establishes a negotiation and arbitration procedure to determine the reimbursement level for health care services provided by nonparticipating providers at participating facilities and prohibits balance billing under certain circumstances
SCS SB 287		Modifies Missouri's captive insurance law to allow for the formation of sponsored captive insurance companies and other ancillary matters
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SCS SB 324		Regulates the sale of travel insurance and establishes a limited lines travel insurance producer licensure system
SB 348	LeVota	Requires health carriers to file their premium rates and accompanying information with the Department of Insurance for approval
HCS SS SB 401		Modifies provisions pertaining to health insurance
SB 402	Rupp	Modifies provisions relating to insurer market conduct examinations, revises the process for approving certain policy forms, and incorporates several of the NAIC revisions to the Model Insurance Holding Company System Regulatory Act and Regulation
SCS SB 403		Allows health maintenance organizations to issue policies with deductibles and requires navigators to be licensed

No.	Author	Subject
SB 406	Wallingford	Prohibits health carriers from requiring prior authorization for serious and urgent conditions and requires certain health benefit determinations to be made within 4 hours rather than 2 working days
SB 444	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 473	Lamping	Modifies Missouri Health Care Freedom Act by prohibiting the state from implementing a health insurance exchange, prohibiting insurers from accepting remuneration that may result in penalties, and prescribing duties of the Attorney General for enforcement of the act
HB 141	Haefner	Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 144	Austin	Allows private trust companies to be examined every 36 months and makes alternative dispute provisions in trusts enforceable.
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 249	Ellington	Limits the amount of interest a title lender can charge on a title loan and requires the average interest rate being charged by credit unions to be made available to the public and updated at least quarterly
HB 260	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
HB 499	Jones 050	Prohibits a health carrier from requiring prior authorization for serious and urgent conditions
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 565	Cornejo	Revises the definition of "professional counseling" for the purposes of licensure of professional counselors
HB 580	May	Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 610	Gosen	Allows for the formation of a sponsored captive insurance company
HB 649	Wieland	Prohibits an automobile insurer from canceling, refusing to issue or renew a policy, or imposing a surcharge solely because the insured is a volunteer driver
HCS HB 701		Establishes the Health Insurance Marketplace Innovation Act of 2013
HB 735	Gosen	Changes the laws regarding insurance businesses
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 770	Higdon	Requires any person who holds himself or herself out as a radiologist assistant or radiology technician to be licensed by the State Board of Registration for the Healing Arts
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HB 899	Kirkton	Changes the laws regarding malpractice insurance

No.	Author	Subject
HB 983	McNeil	Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration for approval
HB 1002	Frame	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 1036	Schatz	Specifies that an employer within the construction group of code classifications may submit payroll information for any quarter of the year prior to the workers' compensation policy beginning or renewal date
INTERNET, WORLD-WIDE WEB & E-MAIL		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HCS HB 81		Establishes the Missouri International Agricultural Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 115	Davis	Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HB 145	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 279	Hinson	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 299	Schieber	Extends to August 28, 2023, the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund which had expired
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 333	Kelly 045	Changes the laws regarding the collection of sales and use taxes and funding the Second Injury Fund

No.	Author	Subject
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 408	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 410	Love	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 431	Jones 050	Allows the school board of any school district to provide a work station to a licensed law enforcement or peace officer employed by a local law enforcement agency to use during normal school hours
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 470		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HCS HB 601		Changes the laws regarding telecommunications
HB 617	Parkinson	Allows a cottage food production operation to sell baked goods out of an individual's home without being subject to the state health and food laws and regulations
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 696	Cornejo	Creates the offense of impersonation of an actual person by electronic means
HB 697	Cornejo	Defines terms relating to electronic public and business records
HB 706	Funderburk	Establishes the Password Privacy Protection Act which prohibits an employee from being required to disclose personal user names or passwords
HB 713	Grisamore	Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HB 778	Kelley 127	Requires the Office of Administration to sell advertising space on all websites operated by its Information Technology Services Division
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 942	Swan	Adds virtual courses to the postsecondary courses that can be offered to high school students participating in dual enrollment classes

No.	Author	Subject
HB 1020	McCann Beatty	Prohibits employers from requiring current or prospective employees to provide specified information to gain access to the employee's account or profile on a social networking website
HB 1034	Jones 050	Adds cellular phones and specified smart phone to the definition of "portable electronics" for the purpose of specified insurance policies
INTERSTATE COOPERATION		
HB 39	Roorda	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HCS HB 340		Establishes daylight saving time as new standard time
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 616	Bahr	Prohibits the State Board of Education from adopting and implementing the standards for public schools developed by the Common Core Standards Initiative
JACKSON COUNTY		
HCS HB 74		Changes the laws regarding political subdivisions
SCS HCS HB 110		Changes the laws regarding the selection of public officials
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts
HB 682	Newman	Allows a voter to cast an advance ballot
HB 921	Berry	Authorizes the Department of Economic Development to exercise discretion in approving or rejecting a notice of intent under the Quality Jobs Act at its discretion in certain counties
JUDGES		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 21	Dixon	Provides the Supreme Court with the ability to transfer circuit and associate judge positions from one circuit to another
SB 44	Dixon	Allows circuit courts that reimburse the state for the salaries of family court commissioners to charge up to a twenty dollar surcharge for cases

No.	Author	Subject
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SB 64	Dixon	Changes the evidentiary standard in medical malpractice cases to clear and convincing for noneconomic damages
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders
SB 312	LeVota	Prohibits retired judges or state employees from collecting retirement benefits while subsequently employed by a Missouri city, town, county, or village
CCS SB 327		Modifies provisions relating to electronic monitoring of criminal defendants and DWI courts
SB 351	Lager	Mandates that judges must disqualify themselves from hearing a proceeding in certain situations
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SJR 7	Dixon	Modifies provisions regarding members and meetings of Missouri Senate and House of Representatives apportionment commissions
SJR 8	Dixon	Removes obsolete language and adds that judges from the Court of Appeals shall serve as a reapportionment commission
SJR 18	Schmitt	Modifies provisions relating to meetings of apportionment commissions and prohibits commission members from serving in General Assembly for six years after service on commission
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 325	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 363	Roorda	Allows for the appointment of an acting county municipal court judge on a temporary basis if any judge of a county municipal court becomes ill or is otherwise unavailable
HB 370	Cox	Allows municipalities to assess an additional surcharge of up to \$7 per municipal traffic violation case unless the case has been dismissed by the court or the court finds the defendant unable to pay the cost
HCS HB 371		Changes the laws regarding judicial procedures
SCS HCS HBs 373 & 435		Grants the authority to redraw the circuit and appellate judicial districts every 10 years to the Supreme Court
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HB 376	Hough	Allows the Thirty-first Judicial Circuit in Greene County to appoint a family court commissioner whose compensation must be payable by the state without the necessity of reimbursement
HB 489	Roorda	Prohibits an Associate Circuit Judge in St. Louis City from presiding over the trial of any person charged with a class A misdemeanor unless also charged with a felony

No.	Author	Subject
HB 558	Roorda	Prohibits associate circuit judges in the city of St. Louis from presiding over the trial or sentencing phase of any class A felony case
HB 849	Lant	Requires the Missouri Supreme Court to develop a model jury instruction to be given to juries, including information on the sentence a defendant will receive and probable time served if found guilty
JURIES		
SB 64	Dixon	Changes the evidentiary standard in medical malpractice cases to clear and convincing for noneconomic damages
SJR 1	Lager	Grants the General Assembly the power to limit by statute jury awards of noneconomic damages
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made
HB 538	Walton Gray	Allows a person to appeal certain civil cases tried before an associate circuit judge or a municipal court judge and specifies that certain appellate cases can not be dismissed for lack of jurisdiction
HB 849	Lant	Requires the Missouri Supreme Court to develop a model jury instruction to be given to juries, including information on the sentence a defendant will receive and probable time served if found guilty
KANSAS CITY		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 17		Modifies provisions relating to education
SB 215	Silvey	Modifies the Kansas City police retirement systems
SB 223	Curls	Modifies provisions of the Public School Retirement System of Kansas City
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 249	Nasheed	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
SCS SB 258		Reduces the membership of the Kansas City School District board of education and changes the election date for board members
SB 399	Holsman	Recognizes the Missouri Korean War Veterans Memorial located in Kansas City as the official Korean War Memorial of the state of Missouri
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
CCS SS HB 336		Changes the laws regarding emergency services
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 359	Roorda	Requires the Department of Health and Senior Services to establish cord blood collection sites across the state for transportation to the Saint Louis Cord Blood Bank
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HCS HB 418		Modifies the Kansas City police retirement systems
HCS HB 424		Changes the laws regarding sheriffs

No.	Author	Subject
HCS HB 464		Changes the laws regarding sheriffs
HB 562	Morgan	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 563	Morgan	Requires children in the City of St. Louis and Kansas City school districts to enroll in a school by the age of five
HB 599	Berry	Allows an applicant for a motor vehicle registration or renewal to make a \$1 donation to the National World War I Museum at the Liberty Memorial in Kansas City
HB 682	Newman	Allows a voter to cast an advance ballot
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 764	Mims	Allows Kansas City to impose an additional court cost of up to a \$7 per case for each municipal ordinance violation case
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
LABOR AND INDUSTRIAL RELATIONS DEPT.		
CCS HCS SS#2 SCS SB 1		Modifies the law relating to workers' compensation
SS SB 28		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SCS SB 30		Repeals all of the prevailing wage laws and modifies provisions relating to project labor agreements
CCS HCS SS SB 34		Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database and modifies provisions relating to experience ratings for workers' compensation insurance
SB 68	Parson	Modifies prevailing wage determinations for third class counties
SB 190	Walsh	WITHDRAWN
SB 255	Schmitt	Removes the Director of the Division of Workers' Compensation as a member of the Administrative Law Judge Review Committee
SB 274	Walsh	Establishes mandatory wage reporting for the purposes of determining the prevailing wage
SB 278	Kehoe	Establishes psychological stress of paid peace officers of a police department as an occupational disease
SB 292	Rupp	Allows for a refund for workers' compensation tax overpayments
SB 301	McKenna	Modifies the law relating to the prevailing wage
SB 367	Walsh	Creates a right to unpaid leave for employees that are affected by domestic violence
SB 458	Kehoe	Reduces duration of state unemployment benefits until December 31, 2013
SB 472	Rupp	Removes the responsibility of the Division of Employment Security to administer the Missouri state employment services operation
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HCS HBs 77, 91 & 95		Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices
HB 98	White	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages

No.	Author	Subject
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 520	Newman	Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 532	Bahr	Allows an employer to receive fees and expenses from the Department of Labor and Industrial Relations if an employer prevails in a suit or appeal based on an audit reclassifying a person or entity from an independent contractor to an employee
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 687	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 692	Fitzpatrick	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 714	Grisamore	This proposal modifies the definition of employment as it relates to employment security law
HB 915	Bahr	Establishes the Employee Reclassification Act, which requires the Department of Labor and Industrial Relations to concisely define independent contractor and the procedures for changing an individual's classification to an employee
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
LABOR AND MANAGEMENT		
SS SCS SB 29		Requires authorization for certain labor unions to use dues and fees to make political contributions and requires consent for withholding earnings from paychecks
SCS SB 30		Repeals all of the prevailing wage laws and modifies provisions relating to project labor agreements
SB 68	Parson	Modifies prevailing wage determinations for third class counties
SB 71	Parson	Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
SB 76	Brown	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 134	Sater	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 190	Walsh	WITHDRAWN
SB 238	Emery	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 274	Walsh	Establishes mandatory wage reporting for the purposes of determining the prevailing wage
SB 301	McKenna	Modifies the law relating to the prevailing wage
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HB 64	Burlison	Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually
HCS HBs 77, 91 & 95		Specifies that no person as a condition or continuation of employment can be required to engage in or cease engaging in specified labor organization practices

No.	Author	Subject
HB 98	White	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 115	Davis	Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 367	Hough	Specifies that an employer or supervisor requiring a state employee to work any overtime hours must give the employee at least 48 hours' notice of the requirement
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 453	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 677	Roorda	Specifies that any member of the General Assembly who proposes legislation that further restricts an individual's right to bargain collectively will be guilty of a class D felony
HB 1024	Korman	Allows a member of the Missouri Workforce Investment Board to vote on a matter regarding the provision of services by an entity that the member represents if the member is required by law to represent the entity
HB 1036	Schatz	Specifies that an employer within the construction group of code classifications may submit payroll information for any quarter of the year prior to the workers' compensation policy beginning or renewal date
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HJR 28	Marshall	Proposes a constitutional amendment specifying that the right of an individual to work cannot be denied or abridged on account of his or her membership or lack thereof in any labor organization or labor union
LAKES, RIVERS AND WATERWAYS		
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 51	Miller	Requires Missouri state parks' designated swim beaches to utilize a standard that measures culturable E. coli using a specified federal method at a geometric mean based on specified sampling data
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HCS HB 621		Authorizes three new tax credits for port facilities
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
LANDLORDS AND TENANTS		
SB 151	Curls	Changes the notice requirement to a tenant in a foreclosure action from ten days to ninety days
SB 189	Romine	Criminalizes the failure to vacate leased premises in a rent and possession case under chapter 535
SB 463	Schaefer	Allows Boone County to adopt regulations to control the minimum standards for occupancy for residential units and to develop a program for licensing and inspecting the units
HB 267	Walton Gray	Changes the laws regarding delinquent real estate taxes or mortgage notes
HB 302	Engler	Creates the crime of the failure to vacate leased premises in a rent and possession case

No.	Author	Subject
HB 393	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HCS HB 749		Changes the laws regarding landlord-tenant actions
HB 845	Cornejo	Exempts rental security deposits from attachment and execution in a bankruptcy proceeding
HB 882	McCann Beatty	Changes the notice requirement for a tenant in a foreclosure action from 10 business days to 90 days
HB 884	McCann Beatty	Allows a tenant to recover as damages twice the amount wrongfully withheld if a landlord wrongfully withholds the tenant's security deposit
HB 993	Hurst	Changes the percentage of wages that may be garnished from an employee who is the head of household and a resident of this state from 10% to 20%
HB 1037	Englund	Requires a tenant to initiate a dispute in the Office of the Attorney General by filing a consumer complaint form if a landlord wrongfully withholds his or her security deposit and the Attorney General to mediate all disputes
LAW ENFORCEMENT OFFICERS AND AGENCIES		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SCS SB 52		Allows law enforcement officers to charge for their services in cases disposed of by a violations bureau and creates the MODEX fund
HCS SB 67		Modifies provisions relating to higher education
HCS SB 73		Modifies provisions relating to the judicial process, including provisions relating to motorcycle brake lights
HCS SB 75		Modifies provisions relating to public safety
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SB 149	Keaveny	Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 215	Silvey	Modifies the Kansas City police retirement systems
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 236	Parson	Provides that a Highway Patrol fund include money for the maintenance of Highway Patrol vehicles, watercraft, and aircraft and be used for the maintenance of such items
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
SCS SB 250		Modifies provisions relating to the crime of possession of child pornography
SB 271	Nieves	Requires 911 operators to receive training regarding self-defense and defense of others
SB 273	Wallingford	Requires certain crime scene materials to be considered closed records under Missouri's Sunshine Law
SB 278	Kehoe	Establishes psychological stress of paid peace officers of a police department as an occupational disease

No.	Author	Subject
SB 285	Romine	Allows certain law enforcement agencies access to electronic monitoring information regarding sexually violent predators
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 322	Dixon	Provides immunity for law enforcement officers from personal civil liability
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 377	Dixon	Modifies penalties for first degree murder when the person was under the age of 18 at the time of committing the offense
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services
SB 409	Keaveny	Modifies provisions relating to first degree murder
SB 412	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other
SB 414	Dixon	Modifies provisions relating to the legal defense of indigent persons
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SCR 10	Chappelle-Nadal	Urges Congress to treat immigrants with dignity and respect in changing federal immigration policy
HB 36	Higdon	Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HB 40	Roorda	Imposes an excise tax on controlled substances and illicit alcoholic beverages
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 67	Higdon	Allows a local law enforcement officer to provide assistance outside his or her jurisdiction upon the request of or permission granted by specified law enforcement agencies
HB 86		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 89	Colona	Establishes the Firearm Responsibility Act which specifies that a person commits the crime of failure to secure a firearm if he or she fails to secure a firearm at all times when it is not in active use
HB 92	Gatschenberger	Changes the minimum age at which a person can be issued a concealed carry endorsement from 21 years of age to 19 years of age

No.	Author	Subject
CCS SCS HB 103		Changes the laws regarding transportation
HB 106	Kelley 127	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 108	Kelley 127	Specifies that a person commits the crime of false identification if he or she falsely represents or identifies himself or herself as another person to a law enforcement officer
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses
HB 153	Solon	Expands the crime of assault of a law enforcement officer in the first, second, and third degrees to include the assault of an animal control officer
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HB 174	Hodges	Revises the definition of "police animal" as it relates to crimes committed against these animals to include a dog, horse, or other animal used by public or private search and rescue units or agencies
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
HB 230	Sommer	Creates the crime of dangerous vehicular flight, increases the penalty for resisting arrest by fleeing in a vehicle in a dangerous manner, and requires high speed pursuit training for all peace officers
HB 238	Ellington	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HB 299	Schieber	Extends to August 28, 2023, the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund which had expired
HB 300	Hubbard	Specifies that the criteria for domestic assault in the third degree includes three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HCS HB 312		Allows the governing board of any state college or university to enforce traffic regulations and general motor vehicle laws on college or university property through campus police officers
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HCS HB 335		Changes the laws regarding public safety

No.	Author	Subject
CCS SS HB 336		Changes the laws regarding emergency services
HB 341	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 362	Roorda	Adds one active member of the Missouri Deputy Sheriff's Association to the Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART)
HB 365	Roorda	Changes the controlled substance classification of all methamphetamine precursor drugs from Schedule IV and Schedule V to Schedule III that requires a physician's prescription
HCS HB 371		Changes the laws regarding judicial procedures
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 382	Bahr	Excludes a representative of the Department of Revenue or his or her designee from the definition of "peace officer", "law enforcement officer", or "public safety official" as they are used in the Revised Statutes of Missouri
HB 390	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
HCS HB 418		Modifies the Kansas City police retirement systems
HCS HB 424		Changes the laws regarding sheriffs
HB 425	Wilson	Specifies that all law enforcement officers are immune from personal civil liability for acts that are within the scope of their official duties, discretionary, and not performed in bad faith or with malice
HB 431	Jones 050	Allows the school board of any school district to provide a work station to a licensed law enforcement or peace officer employed by a local law enforcement agency to use during normal school hours
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 461	Phillips	Specifies that any person who refuses to submit to a law enforcement officer's request for a chemical test for alcohol content commits the crime of tampering with physical evidence
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 464		Changes the laws regarding sheriffs
HCS HB 468		Changes the laws regarding public safety
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense

No.	Author	Subject
HB 492	Roorda	Changes the laws regarding the Open Meetings and Records Law, commonly known as the Sunshine Law, on records or documents involving law enforcement officers
HB 494	LaFaver	Specifies that any person who owns, possesses, manufactures, purchases, or sells a high capacity firearm magazine will be guilty of a class D felony under certain circumstances
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 519	Newman	Changes the laws regarding domestic violence
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 545	Ellinger	Makes it a class C felony to manufacture, import, possess, purchase, sell, or transfer any assault weapon or large capacity magazine
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 577	Engler	Allows certain law enforcement agencies to access electronic monitoring information regarding sexually violent predators
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals
HB 583	Roorda	Establishes the School Safety Trust Fund Act which changes the procedure for the distribution of proceeds from the sale or disposition of property under the Criminal Activity Forfeiture Act
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 594	Cornejo	Prohibits a law enforcement agency from establishing a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of a motorcycle-only checkpoint
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 647	Schieffer	Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
SCS HCS HB 722		Changes the laws regarding the Police Retirement System of St. Louis
HB 725	Phillips	Specifies that a engineer or conductor of a locomotive or train cannot be required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train
HB 728	Rizzo	Allows the impounding of vehicles used in prostitution
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 738	Lauer	Adds making a terrorist threat to the list of offenses that school administrators must report
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements

No.	Author	Subject
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 761	Walton Gray	Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a 12-month period
HB 785	Anderson	Changes the laws regarding the confiscation of animals
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergyperson
HB 802	Jones 050	Requires moneys in a County Law Enforcement Restitution Fund to be used for specified purposes for sheriffs and prosecuting attorneys
HB 825	Morgan	Specifies that any driver operating a motor vehicle on a highway, street, or roadway has an affirmative duty to remove accumulated snow or ice from the surface of the vehicle prior to operation
HB 826	Wood	Requires retail establishments selling potpourri or incense containing a chemical that also serves as a drug substitute to clearly label the product with the potential health effects of the chemical
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 866	Hinson	Specifies that a state or local official may accept or reject the filing of any document that he or she believes is a spurious lien
HB 872	Schatz	Removes the renewal requirements for concealed carry endorsements making them valid for life if not suspended or revoked
HB 897	Leara	Changes the laws regarding the alternative police retirement systems in the City of St. Louis
HB 945	Rowland	Allows an owner of property damaged during service of process to recover reasonable reimbursement costs associated with the property from the Crime Victims' Compensation Fund
HB 976	Schupp	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 1002	Frame	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 1002	Frame	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 1005	Curtman	Prohibits law enforcement agencies from establishing roadside checkpoints or road block patterns based upon a particular vehicle types, including the establishment of motorcycle-only checkpoints
HB 1018	Curtman	Prohibits any law enforcement agency or transportation entity from conducting random checkpoints for the purpose of performing vehicle safety inspections for motorcycles or personal vehicles
HB 1026	Jones 050	Specifies that the proceeds from the sale of any seized property must be divided among local schools, the seizing law enforcement agency, and the county general revenue fund
HCR 22	Roorda	Urges Congress to require the establishment of a national database on police shootings
HCS HJR 26		Proposes a constitutional amendment specifying that parents have a fundamental right to exercise exclusive control over the care, custody, upbringing, and education of their minor children
LIABILITY		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 41		Modifies the laws regarding certain private nuisance actions
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SS SCS SB 129		Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization

No.	Author	Subject
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 321	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
SB 322	Dixon	Provides immunity for law enforcement officers from personal civil liability
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 356	Kehoe	Terminates a manufacturer's liability when a product is materially altered by a person not in the business of selling the product
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 477	Lamping	Requires the boards of the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System to create a defined contribution retirement plan for new employees
HB 53	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
SCS HB 55		Authorizes a tax amnesty program
HB 69	Kelley 127	Specifies that gross negligence will be the standard of proof in a court action brought against a public or private jail or a correctional or detention facility as a result of a death by suicide of any inmate
CCS SCS HB 103		Changes the laws regarding transportation
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 237	Ellington	Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time
HB 269	Walton Gray	Changes the laws regarding abandoned property

No.	Author	Subject
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
HB 327	Barnes	Changes the laws regarding nonexchange financial guarantees
HCS HB 372		Establishes the Business Premises Safety Act
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HB 425	Wilson	Specifies that all law enforcement officers are immune from personal civil liability for acts that are within the scope of their official duties, discretionary, and not performed in bad faith or with malice
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HCS HB 468		Changes the laws regarding public safety
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 488	Elmer	Removes the exception for gross negligence from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
HB 510	Torpey	Allows a limited liability company to establish a designated series of members, managers, and company interests having separate rights and duties regarding specified property
HB 514	Bahr	Changes the laws regarding midwifery
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 567	Austin	Gives limited civil immunity to any entity that supervises community service work performed in connection with a written deferred prosecution agreement
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 839	McManus	Establishes the Missouri False Claims and Fraud Prevention Act
HB 884	McCann Beatty	Allows a tenant to recover as damages twice the amount wrongfully withheld if a landlord wrongfully withholds the tenant's security deposit
HB 890	Sommer	Changes the laws regarding animal abuse
HB 943	Austin	Prohibits an action against an amusement park owner or operator for damages or injuries sustained due to a defect or unsafe condition unless notification is given within certain time frames
HB 1022	Jones 050	Specifies that private businesses that post signage prohibiting weapons on the premises is liable for injury or damage to public invitees, business visitors, and employees as a result of the prohibition
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law

No.	Author	Subject
LIBRARIES AND ARCHIVES		
SB 166	Schaaf	Extends allocation of tax revenues from the nonresident entertainer and athlete tax until December 31, 2019
LICENSES - DRIVER'S		
HCS SS SB 252		Modifies provisions relating to the Department of Revenue, including provisions that prohibit the Department from retaining copies of source documents used to obtain driver's licenses
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 71	Fraker	Changes the amount a motor vehicle fee office is authorized to collect for certain services
CCS SCS HB 103		Changes the laws regarding transportation
HB 231	Sommer	Changes the laws regarding the issuance of temporary instruction driving permits
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HB 476	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 503	McCaherty	Creates the Paperless Documents and Forms Act
HB 524	Schupp	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 555	Burlison	Exempts motorcyclists 21 years of age and older from wearing a helmet when operating a motorcycle or motortricycle and allows a temporary motorcycle instruction permit holder to renew the permit two additional times
HB 597	Spencer	Allows a person 18 years of age or older to operate a motorcycle on any state highway without wearing protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 609	Miller	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 655	Hurst	Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HB 657	English	Allows the Director of the Department of Revenue to require certain applications to include the applicant's unique identification number
HB 725	Phillips	Specifies that a engineer or conductor of a locomotive or train cannot be required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train
HCS HB 771		Changes the laws regarding commercial drivers' licenses
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 840	Brown	Requires the Department of Revenue to indemnify local fee offices if, during the course of its official duties and pursuant to state law or regulations, the fee office is sued
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses

No.	Author	Subject
HB 855	Gatschenberger	Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 887	Kelly 045	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 1014	Korman	Authorizes the Department of Transportation to set fees for drivers' licenses and license plates
LICENSES - LIQUOR AND BEER		
HB 35	Higdon	Creates the Alcohol and Tobacco Control Trust Fund consisting of specified fees collected by the Director of Revenue to be used for the administration and regulation of the liquor control and tobacco laws
HB 165	Gosen	Allows brewers of beer for personal or family use to use the beer off the premises where brewed and prohibits the sale of liquor that is manufactured for personal or family use
HB 356	Cornejo	Allows certain licensed beer merchants to sell 32 ounces or more of draft beer to customers in containers filled on the premises for consumption off the premises
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
LICENSES - MISC		
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 55	Lamping	Amends laws relating to unsecured loans of \$500 or less
HCS SB 75		Modifies provisions relating to public safety
SB 77	Lamping	Allows for certain neighborhood youth development programs to be exempt from child care licensing requirements
SS SCS SB 114		Modifies provisions relating to intoxicating liquor
SS SCS SB 121		Modifies provisions relating to liquor control laws
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HB 92	Gatschenberger	Changes the minimum age at which a person can be issued a concealed carry endorsement from 21 years of age to 19 years of age
HB 94	Miller	Requires a full-time nonresident student in a college, university, or technical school to pay the same hunting, trapping, and fishing license or permit fee as a resident applicant
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HB 255	Torpey	Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act

No.	Author	Subject
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HCS HB 285		Creates the crime of distribution of a controlled substance near a child care facility
SCS HCS HB 351		Changes the laws regarding the licensure and inspection of hospitals
HB 355	Cornejo	Exempts active duty military personnel from the hunter education and safety training and course requirements for issuance of a hunting permit by the Department of Conservation
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
HB 493	LaFaver	Changes the laws regarding the licensure of certain child-care facilities
HB 537	Zerr	Allows hunting privileges to be denied for up to 10 years for any person who kills another person while hunting
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 654	Hansen	Allows for the issuance of a limited lines travel insurance producer license
HCS HB 701		Establishes the Health Insurance Marketplace Innovation Act of 2013
HB 828	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 842	Kelley 127	Requires a county recorder of deeds to make informative literature regarding cystic fibrosis available to marriage license applicants if the literature has been supplied by the Cystic Fibrosis Foundation
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 872	Schatz	Removes the renewal requirements for concealed carry endorsements making them valid for life if not suspended or revoked
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
HB 979	Hough	Changes the laws regarding motor vehicle, trailer, and boat dealers
LICENSES - MOTOR VEHICLE		
SB 66	Dixon	Repeals a number of expired or obsolete committees
HCS SB 75		Modifies provisions relating to public safety
SB 104	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 130	Schaefer	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SB 136	Sater	Allows motorists to register motor vehicles triennially rather than biennially and replaces the biennial motor vehicle inspection system with a triennial motor vehicle inspection program
SB 217	LeVota	Modifies the process for replacing stolen license plate tabs
HCS SS SB 252		Modifies provisions relating to the Department of Revenue, including provisions that prohibit the Department from retaining copies of source documents used to obtain driver's licenses

No.	Author	Subject
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SB 326	McKenna	Exempts railroad crew members of a locomotive or train being operated upon rails from Missouri's driver's license law
SB 397	Holsman	Allows motorists to donate \$1 to the World War I Memorial Trust Fund to fund the National World War I Memorial in Kansas City and transfers all moneys in the World War II Memorial Trust Fund to the newly established World War I Memorial Trust Fund
SCS SB 411		Modifies Missouri's commercial motor vehicle law to conform with Federal Motor Carrier Safety Administration regulations
SB 484	Cunningham	Modifies various provisions relating to the regulation of motor vehicle dealers
HB 71	Fraker	Changes the amount a motor vehicle fee office is authorized to collect for certain services
CCS SCS HB 103		Changes the laws regarding transportation
HB 130	Gosen	Eliminates the \$30 special license plate fee for a biennial Gold Star license plate
HB 150	Brown	Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HB 237	Ellington	Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 249	Ellington	Limits the amount of interest a title lender can charge on a title loan and requires the average interest rate being charged by credit unions to be made available to the public and updated at least quarterly
HCS HB 349		Allows the owner of a property-carrying commercial motor vehicle registered at a gross weight in excess of 12,000 pounds to request and be issued two license plates
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 429	Schatz	Changes the laws regarding the issuance of salvage motor vehicle titles to insurers who purchase motor vehicles through the claims adjustment process
HCS HB 438		Allows certain out-of-state colleges and universities to authorize the use of their official school emblems on special license plates.
HB 465	Curtman	Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HB 503	McCaherty	Creates the Paperless Documents and Forms Act
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 657	English	Allows the Director of the Department of Revenue to require certain applications to include the applicant's unique identification number
HB 674	Hicks	Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense
HB 684	Schieffer	Changes from six months to 90 days the period of time that a temporary motorcycle permit is valid
HB 689	Bernskoetter	Changes the design of the "Operation Enduring Freedom" and the "Operation Noble Eagle" license plates
HB 870	Cornejo	Adds a motorcycle registration surcharge of \$5 to be deposited in the Motorcycle Safety Trust Fund for motorcycle safety programs

No.	Author	Subject
HB 885	Franklin	Allows salvage dealers to issue a temporary driveaway license plate to be valid for one week for the sole purpose of transporting a vehicle to a State Highway Patrol inspection station
HB 971	Fitzwater	Revises the definition of "local log truck" and "local log tractor"
HB 1014	Korman	Authorizes the Department of Transportation to set fees for drivers' licenses and license plates
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years
LICENSES - PROFESSIONAL		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 17		Modifies provisions relating to education
SB 80	Romine	Requires the Missouri Board of Nursing Home Administrators to notify, instead of mail, an applicant when it is time for license renewal
HCS SCS SB 88		Modifies provisions relating to the furnishing of medical records and hospital licensure
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
SCS SB 109		Amends various provisions regarding the licensure and inspection of hospitals
SCS SB 167		Modifies provisions relating to nursing
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 219	Sater	Modifies provisions relating to the scope of practice for physician assistants
SB 234	Wasson	Requires an applicant for a marital and family therapist license to show a master's or doctoral degree from a Commission on Accreditation for Marriage and Family Therapy accredited program
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SB 272	Nieves	Allows contractors who install fire sprinkler systems to apply for a certificate of registration
SCS SBs 289 & 314		Modifies the provisions which require an applicant's Social Security number when applying for a professional license renewal
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
SB 303	Wasson	Adds four classes of pharmacy permits
SB 304	Wasson	Allows the Board of Healing Arts to indefinitely restrict an athletic trainer's license or revoke a license
SCS SB 305		Specifies examination requirements for physicians who graduated before or after January 1, 1994
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 321	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
SCS SB 324		Regulates the sale of travel insurance and establishes a limited lines travel insurance producer licensure system
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 362	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 370	Wasson	Adds additional causes for which the Board of Nursing may file a complaint, and allows the Board to request an emergency suspension of a license

No.	Author	Subject
SCS SB 455		Removes the August 28, 2014 termination date for individuals to obtain teacher certification based on certification by the American Board for Certification of Teacher Excellence
HB 27	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 29	Lichtenegger	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HB 59	Engler	Removes the requirement that the Missouri Board of Nursing Home Administrators mail licensure renewal applications to every person whose license must be renewed during the year and specifies that the board must notify these persons
HCS HB 114		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HB 255	Torpey	Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HB 280	Barnes	Changes the laws regarding certain sexual offenses
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SS HCS HB 315		Changes the laws regarding health care services
CCS SS HB 336		Changes the laws regarding emergency services
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HB 384	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HCS HB 424		Changes the laws regarding sheriffs
HB 448	Webb	Changes the laws regarding the licensure of hearing instrument specialists
HCS HB 479		Changes the laws regarding residential mortgage loan brokers
HB 483	Neth	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
HB 493	LaFaver	Changes the laws regarding the licensure of certain child-care facilities
HB 504	McCaherty	Establishes a three-year statute of limitations for disciplinary proceedings to be initiated against any licensed psychologist, professional counselor or social worker
HB 514	Bahr	Changes the laws regarding midwifery
HB 516	Burlison	Requires an applicant for a marital and family therapist license to show a master's or doctoral degree from a Commission on Accreditation for Marriage and Family Therapy accredited program
HB 565	Cornejo	Revises the definition of "professional counseling" for the purposes of licensure of professional counselors
HB 590	Koenig	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed

No.	Author	Subject
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 598	Guernsey	Requires the MO HealthNet Division to reimburse licensed chiropractors for specific services
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 639	Brown	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about any firearms in their homes
HB 652	Korman	Changes the laws regarding the licensing of land surveyors
HB 659	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 762	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 770	Higdon	Requires any person who holds himself or herself out as a radiologist assistant or radiology technician to be licensed by the State Board of Registration for the Healing Arts
HB 796	McCann Beatty	Allows the Missouri Real Estate Appraiser's Commission to impose monetary penalties in disciplinary actions against real estate appraisers
HB 808	Funderburk	Extends the expiration date regarding teaching certificates based on certification by the American Board for Certification of Teaching Excellence from August 28, 2014 to August 28, 2020
HB 877	Marshall	Exempts certain animal husbandry practices from the definition of "veterinary medicine"
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law
LIENS		
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
SB 138	Kraus	Modifies provisions regarding the collection of neighborhood improvement district special assessments
SS SB 357		Modifies the law relating to mechanics' liens for rental machinery and equipment
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 269	Walton Gray	Changes the laws regarding abandoned property
HB 427	Schatz	Changes the laws regarding a lien involving the rental of machinery or equipment
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 429	Schatz	Changes the laws regarding the issuance of salvage motor vehicle titles to insurers who purchase motor vehicles through the claims adjustment process

No.	Author	Subject
HCS HB 468		Changes the laws regarding public safety
HB 478	Wieland	Changes the laws regarding shares in credit unions
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts
HB 683	Berry	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 734	Torpey	Changes the laws regarding the assignment of property tax liens
HB 866	Hinson	Specifies that a state or local official may accept or reject the filing of any document that he or she believes is a spurious lien
HB 980	Fraker	Requires the county or city clerk of the governing body creating a neighborhood improvement district to file a notice with the recorder of deeds
LOBBYING		
SB 4	Lager	Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists
SB 38	Sifton	Institutes a lobbyist gift ban for the members of the General Assembly and their candidate committees
SB 70	Munzlinger	Modifies the operations and procedures of the Missouri Ethics Commission
SCS SB 78		Restricts General Assembly members from acting as lobbyists
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
LOTTERIES		
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 231	Munzlinger	Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 805	Walton Gray	Prohibits the state lottery from publishing the names of lottery winners without consent
HJR 8	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket with proceeds to go to the Veterans Commission Capital Improvement Trust Fund
MANUFACTURED HOUSING		
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 828	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission

No.	Author	Subject
MARRIAGE AND DIVORCE		
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 220	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 361	Roorda	Authorizes counties to assess a fee on all civil case filings by the circuit court to provide funding to qualified nonprofit organizations to implement a neutral site child custody exchange program
HCS HB 371		Changes the laws regarding judicial procedures
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HB 566	Austin	Allows the father of a child whose paternity has been determined and whose visitation rights have been violated to have access to an expedited hearing
HB 576	Walker	Specifies that dissolution of marriage proceedings are exempt from the automatic stay provisions for members of the General Assembly
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 842	Kelley 127	Requires a county recorder of deeds to make informative literature regarding cystic fibrosis available to marriage license applicants if the literature has been supplied by the Cystic Fibrosis Foundation
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
MEDICAID		
SB 14	Schaaf	Raises Medicaid eligibility for the aged, blind and disabled population by modifying the eligibility for pregnant women and children if tax credits are available in a federal exchange
CCS HCS SB 127		Modifies various public assistance provisions including MO HealthNet dental, home and community based referrals, Missouri adjusted gross income for MO HealthNet eligibility and extends Ticket-to-Work
SB 131	Nasheed	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
SB 300	Holsman	Adds home nursing visits for at-risk newborns as a covered MO HealthNet service
SB 349	LeVota	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
SB 413	Wasson	Adds comprehensive day services rehabilitation as a covered service under the MO HealthNet
SB 456	Parson	Provides for the expiration of certain changes to the MO HealthNet Program if enacted
SCS SCR 5		Urges the federal government to stop the Affordable Care Act's disproportionate share hospital (DSH) payment reductions
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 598	Guernsey	Requires the MO HealthNet Division to reimburse licensed chiropractors for specific services
HCS HB 608		Requires the MO HealthNet Division to establish a pilot program implementing an electronic benefit transfer payment system for receipt of MO HealthNet services by participating recipients

No.	Author	Subject
HB 627	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 712	Grisamore	Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet
HB 713	Grisamore	Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HB 716	Grisamore	Establishes the Show-Me Healthy Babies Program as a separate children's health insurance program for low-income unborn children
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HB 731	Grisamore	Extends MO HealthNet eligibility to a person less than 26 years of age if the person was in foster care at the age of 18
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 801	Barnes	Requires recipients of MO HealthNet benefits who have been convicted of a crime involving drug use to enroll in a drug treatment program in order to continue receiving benefits
HB 867	Jones 050	Allows providers to use clinical decision support tools as an alternative to prior authorization to determine the clinical appropriateness of services or procedures for recipients of medical assistance
HB 896	LaFaver	Expands MO HealthNet coverage beginning on January 1, 2014
HB 900	Meredith	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 906	Butler	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 908	Pace	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HCS HB 925		Changes the requirements for providing comprehensive health care for public assistance recipients
HB 926	Allen	Establishes a MO HealthNet pilot project program and demonstration project to provide medical assistance to certain aged, blind, and disabled populations
HB 937	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet Program
HB 939	Fitzpatrick	Changes the laws regarding public assistance benefits
HB 947	Dunn	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 948	Burns	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 949	Curtis	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 950	McNeil	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 951	Colona	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 952	Mayfield	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 953	Ellinger	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 954	Schieffer	Changes the eligibility requirements for medical assistance under the MO HealthNet program

No.	Author	Subject
HB 955	Nichols	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 956	Otto	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 957	Schupp	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 958	Mims	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 959	Morgan	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 960	Englund	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 961	Walton Gray	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 966	Gardner	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 967	LaFaver	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 969	May	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 974	Kirkton	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 977	Mitten	Changes the eligibility requirements for medical assistance under the MO HealthNet program
SCS HCS HB 986		Changes the laws regarding health care services
HB 987	Barnes	Changes the laws regarding eligibility for MO HealthNet benefits
HB 988	Barnes	Changes the laws regarding MO HealthNet benefits for foster children
HB 1012	Ellington	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HB 1039	Franklin	Establishes the Show-me Transformation Act that changes the requirements for the MO HealthNet Program
HCS HCR 17		Urges the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures
MEDICAL PROCEDURES AND PERSONNEL		
SB 84	Rupp	Provides for the conscience rights of individuals who provide medical services
HCS SCS SB 88		Modifies provisions relating to the furnishing of medical records and hospital licensure
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 219	Sater	Modifies provisions relating to the scope of practice for physician assistants
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SB 304	Wasson	Allows the Board of Healing Arts to indefinitely restrict an athletic trainer's license or revoke a license
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses

No.	Author	Subject
HB 172	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 173	Hodges	Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HCS HB 257		Changes the laws regarding the testing of persons with tuberculosis
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HB 298	English	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
HB 308	Jones 050	Requires persons certified and providing homebirth services to provide proof of malpractice insurance coverage prior to the provision of services
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HB 359	Roorda	Requires the Department of Health and Senior Services to establish cord blood collection sites across the state for transportation to the Saint Louis Cord Blood Bank
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
HB 448	Webb	Changes the laws regarding the licensure of hearing instrument specialists
HB 454	Koenig	Allows pharmacists to administer all vaccines after appropriate training on the contraindications and adverse reactions to each vaccine
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 461	Phillips	Specifies that any person who refuses to submit to a law enforcement officer's request for a chemical test for alcohol content commits the crime of tampering with physical evidence
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 514	Bahr	Changes the laws regarding midwifery
HB 561	Molendorp	Specifies that if an anatomical gift is medically unsuitable for transplantation or therapy, the gift may be used for research, education, or pass to an appropriate procurement organization
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HCR 14	Walton Gray	Designates August 1, 2013, as "Minority Organ Donor Awareness Day" in Missouri

No.	Author	Subject
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law
		MENTAL HEALTH
HCS SB 12		Modifies various laws relating to judicial procedures
CCS SCS SB 33		Modifies provisions relating to individuals with mental disabilities and establishes Pallister-Killian Syndrome (PKS) Awareness Day
SCS SB 178		Modifies provisions relating to safety provisions in mental health facilities
HCS SB 188		Modifies provisions relating to civil commitment of sexually violent predators
SCS SB 226		Modifies the standards for determining when a person is in need of mental health detention and evaluation
HB 88	Burlison	Changes who may be accepted by a drug court and allows a circuit court to establish a veterans treatment court to dispose of a case stemming from substance abuse or mental illness of a current military member or a veteran
HB 157	Franklin	Institutes a tax on violent video games
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 360	Roorda	Prohibits the denial of mental health care and treatment for children who are alleged victims of abuse and neglect and requires guardians ad litem to have training in child abuse and neglect or in mental health
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HB 463	Black	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the Department of Mental Health
HB 565	Cornejo	Revises the definition of "professional counseling" for the purposes of licensure of professional counselors
HB 583	Roorda	Establishes the School Safety Trust Fund Act which changes the procedure for the distribution of proceeds from the sale or disposition of property under the Criminal Activity Forfeiture Act
HB 724	Kirkton	Changes the safety requirements for mental health facilities
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 797	Curtis	Authorizes a community children's services fund to expend funds to provide preventative services for children
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 834	Sommer	Revises the definition of "service dog" to include animals that provide support or therapeutic functions for individuals with psychiatric or mental disabilities
HB 890	Sommer	Changes the laws regarding animal abuse
HB 929	Cornejo	Changes the standards for determining when a person is in need of mental health detention and evaluation

No.	Author	Subject
MENTAL HEALTH DEPT.		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 66	Dixon	Repeals a number of expired or obsolete committees
SB 160	Pearce	Requires insurers to provide coverage for eating disorders
SCS SB 178		Modifies provisions relating to safety provisions in mental health facilities
HCS SCS SB 229		Modifies provisions relating to the Mental Health Employment Disqualification Registry
SB 285	Romine	Allows certain law enforcement agencies access to electronic monitoring information regarding sexually violent predators
SB 444	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
HB 131	Stream	Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 157	Franklin	Institutes a tax on violent video games
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 463	Black	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the Department of Mental Health
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 577	Engler	Allows certain law enforcement agencies to access electronic monitoring information regarding sexually violent predators
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 627	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 724	Kirkton	Changes the safety requirements for mental health facilities
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits
HB 893	Franklin	Authorizes a violent video game excise tax to be deposited in the Violent Video Game Excise Tax Fund and distributed to the departments of Revenue, Mental Health, and Public Safety
HB 900	Meredith	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 906	Butler	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 908	Pace	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HCS HB 925		Changes the requirements for providing comprehensive health care for public assistance recipients
HB 937	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet Program

No.	Author	Subject
HB 947	Dunn	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 948	Burns	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 949	Curtis	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 950	McNeil	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 951	Colona	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 952	Mayfield	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 953	Ellinger	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 954	Schieffer	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 955	Nichols	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 956	Otto	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 957	Schupp	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 958	Mims	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 959	Morgan	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 960	Englund	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 961	Walton Gray	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 966	Gardner	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 967	LaFaver	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 969	May	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 974	Kirkton	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 977	Mitten	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 1012	Ellington	Changes the eligibility requirements for medical assistance under the MO HealthNet program
MERCHANDISING PRACTICES		
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
SCS SB 101		Prohibits florists from including a geographic reference in their name or advertising if they are not physically located at that place
SB 102	Kraus	Adds catalytic converters to the types of scrap metal requiring documentation by scrap dealers
SB 155	Nasheed	Requires all genetically modified meat and fish raised and sold in Missouri to be labeled as genetically modified
CCS HCS SCS SB 157 & SB 102		Modifies provisions relating to the disposition of personal property
SB 354	Schmitt	Prohibits merchants from charging credit or debit card surcharge fees
SB 365	Parson	Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums
SB 439	Munzlinger	Requires that diesel fuel pumps at retail and wholesale establishments have pump handles that are primary green in color
SB 466	Schaefer	Requires that all donation receptacles have the name and contact information of the receptacle owner and that the owner has permission from the property owner where the receptacle is located

No.	Author	Subject
HB 37	Roorda	Establishes the Thanksgiving Family Protection Act that requires retailers, with specified exceptions, to be closed during the hours of 12:00 a.m. to 11:59 p.m. on Thanksgiving Day
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 224	Berry	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 244	Ellington	Requires all food or food products sold in Missouri that are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 245	Ellington	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 356	Cornejo	Allows certain licensed beer merchants to sell 32 ounces or more of draft beer to customers in containers filled on the premises for consumption off the premises
HB 395	Kratky	Changes the laws regarding the resale of certain scrap metals
HB 496	Pfausch	Prohibits a merchant or lessor from imposing a surcharge on a holder who elects to use a credit or charge card for any sales or lease transaction, with exceptions
HB 549	Englund	Requires personal care items sold in this state to include on its label whether the items contain gluten
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 574	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 582	Roorda	Changes the laws regarding the resale of certain scrap metals
HB 617	Parkinson	Allows a cottage food production operation to sell baked goods out of an individual's home without being subject to the state health and food laws and regulations
HB 648	Schieffer	Prohibits the sale or giving away of energy drinks to a person less than 18 years of age
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 751	Molendorp	Requires tobacco-derived products and vapor products to be subject to the same provisions as tobacco products
HB 759	Jones 050	Changes what is considered to be a franchise between alcohol wholesalers and suppliers
HB 778	Kelley 127	Requires the Office of Administration to sell advertising space on all websites operated by its Information Technology Services Division
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 826	Wood	Requires retail establishments selling potpourri or incense containing a chemical that also serves as a drug substitute to clearly label the product with the potential health effects of the chemical
HB 853	Cox	Establishes the Missouri Consumer Litigation Loan Act which restricts consumer litigation loans
HB 1004	Frame	Creates the requirements for the sale of cellular phones or other electronic communication devices by secondhand dealers
MILITARY AFFAIRS		
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
HCS SB 110		Establishes procedures to follow in child custody and visitation cases for military personnel

No.	Author	Subject
HCS SS SCS SB 116		Modifies the law relating to uniformed military and overseas voters
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 218	LeVota	Allows for the display of the Honor and Remember flag at all state buildings and state parks
SB 399	Holsman	Recognizes the Missouri Korean War Veterans Memorial located in Kansas City as the official Korean War Memorial of the state of Missouri
SCR 13	Brown	Urges the U.S. Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
HB 88	Burlison	Changes who may be accepted by a drug court and allows a circuit court to establish a veterans treatment court to dispose of a case stemming from substance abuse or mental illness of a current military member or a veteran
CCS SCS HB 103		Changes the laws regarding transportation
HB 113	Davis	Establishes the Uniformed Military Voters Act
HCS HB 114		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 130	Gosen	Eliminates the \$30 special license plate fee for a biennial Gold Star license plate
SCS HB 148		Establishes the custody and visitation rights of a deploying military parent
HB 150	Brown	Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HCS HB 159		Allows an exemption from the proof of residency or domicile requirement to register a child for school whose parent or guardian is serving on specified active duty military orders
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 355	Cornejo	Exempts active duty military personnel from the hunter education and safety training and course requirements for issuance of a hunting permit by the Department of Conservation
SCS HB 450		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 456	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 702	Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property

No.	Author	Subject
HB 704	McKenna	Requires the display of the Honor and Remember flag at all state buildings and state parks
HB 857	Davis	Creates the Show Me Heroes Education Fund dedicated to assist military personnel with tuition assistance
HB 918	Roorda	Waives business fees for a person who is a member of the Missouri National Guard or any other military branch, resides in Missouri, and shows proof to the Secretary of State of service
HCR 28	Lynch	Strongly urges the United States Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood
HJR 3	Elmer	Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
MINING AND OIL AND GAS PRODUCTION		
HB 741	Korman	Extends the industrial mineral permit fees utilized to regulate and ensure reclamation of surfaced mined lands to December 31, 2018
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HCS HB 975		Exempts certain civil actions from damages arising out of underground hard rock mining or hard rock milling unless the injury subject to the action is attended by fraud, malice, or willful and wanton conduct
HCR 19	Rowden	Strongly urges the continued and increase development and delivery of North American oil to United States refineries, and the approval of the Keystone XL Pipeline project
HCR 32	Schatz	Urges the U.S. Congress to support the development of a rare earth element refinery and create a Thorium Bank
MINORITIES		
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 520	Newman	Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HCR 14	Walton Gray	Designates August 1, 2013, as "Minority Organ Donor Awareness Day" in Missouri
HCR 30	Dunn	Recognizes April 15, 2013 as "Jackie Robinson Day" in Missouri in honor of the first African American to play major league baseball
HCR 37	McCann Beatty	Recognizes July 1, 2013, as "Lucille Bluford Day" in Missouri in honor of a brave and persistent civil rights activist
MORTGAGES AND DEEDS		
SB 235	Cunningham	Modifies the law relating to residential real estate loan reporting
SB 343	Parson	Establishes that real estate loans shall be governed only by state and federal law
SB 368	Holsman	Prohibits certain property associations from barring the installation of solar energy systems
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 271	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
SCS HB 329		Changes the laws regarding financial institutions
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property

No.	Author	Subject
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
SCS HB 460		Authorizes the conveyance of various state properties
HCS HB 479		Changes the laws regarding residential mortgage loan brokers
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 883	McCann Beatty	Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2013
MOTELS AND HOTELS		
SB 123	Chappelle-Nadal	Modifies provisions relating to taxes on hotels and motels in fourth class cities
SB 429	Chappelle-Nadal	Authorizes the cities of Edmundson and Woodson Terrace to charge a transient guest tax
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HB 140	Thomson	Authorizes Mound City to impose, upon voter approval, a transient guest tax for tourism purposes
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HB 335		Changes the laws regarding public safety
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
MOTOR CARRIERS		
SB 165	Walsh	Enacts various regulations pertaining to contract carriers that transport railroad employees
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HCS HB 349		Allows the owner of a property-carrying commercial motor vehicle registered at a gross weight in excess of 12,000 pounds to request and be issued two license plates
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HCS HB 771		Changes the laws regarding commercial drivers' licenses
MOTOR FUEL		
HB 226	Berry	Exempts fuel used in school buses from the motor fuel tax when the bus is driven to transport students to or from school or to or from any place for educational purposes
HB 277	Brattin	Authorizes an exemption from the motor fuel tax for motor fuel used in watercraft in this state
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri

No.	Author	Subject
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 1013	Korman	Authorizes a tax on motor fuel equal to 17 cents per gallon or 6% of the cost per gallon of the motor fuel before any tax is imposed on it, whichever is greater
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
MOTOR VEHICLES		
CCS HCS SB 43		Modifies various provisions relating to transportation
CCS HCS SB 51		Modifies provisions relating to the regulation of motor vehicles
SB 62	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
HCS SB 67		Modifies provisions relating to higher education
SB 72	Schaefer	Designates the month of May as "Motorcycle Awareness Month" and designates December 4th as "Pallister-Killian Syndrome (PKS) Day"
HCS SB 73		Modifies provisions relating to the judicial process, including provisions relating to motorcycle brake lights
SB 104	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 108	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 130	Schaefer	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SB 136	Sater	Allows motorists to register motor vehicles triennially rather than biennially and replaces the biennial motor vehicle inspection system with a triennial motor vehicle inspection program
SB 141	Dempsey	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines to send revenues in excess of such threshold to the state school system
HCS SB 148		Modifies provisions relating to the issuance of junking certificates and salvage motor vehicle titles
SB 165	Walsh	Enacts various regulations pertaining to contract carriers that transport railroad employees
HCS SCS SB 182		Eliminates state and local use taxes on motor vehicle sales and modifies state and local sales taxes on such purchases
SB 187	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 236	Parson	Provides that a Highway Patrol fund include money for the maintenance of Highway Patrol vehicles, watercraft, and aircraft and be used for the maintenance of such items
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SB 326	McKenna	Exempts railroad crew members of a locomotive or train being operated upon rails from Missouri's driver's license law
SB 397	Holsman	Allows motorists to donate \$1 to the World War I Memorial Trust Fund to fund the National World War I Memorial in Kansas City and transfers all moneys in the World War II Memorial Trust Fund to the newly established World War I Memorial Trust Fund
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services

No.	Author	Subject
SCS SB 411		Modifies Missouri's commercial motor vehicle law to conform with Federal Motor Carrier Safety Administration regulations
SB 484	Cunningham	Modifies various provisions relating to the regulation of motor vehicle dealers
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 71	Fraker	Changes the amount a motor vehicle fee office is authorized to collect for certain services
CCS SCS HB 103		Changes the laws regarding transportation
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 130	Gosen	Eliminates the \$30 special license plate fee for a biennial Gold Star license plate
HB 145	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 230	Sommer	Creates the crime of dangerous vehicular flight, increases the penalty for resisting arrest by fleeing in a vehicle in a dangerous manner, and requires high speed pursuit training for all peace officers
HB 231	Sommer	Changes the laws regarding the issuance of temporary instruction driving permits
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HCS HB 312		Allows the governing board of any state college or university to enforce traffic regulations and general motor vehicle laws on college or university property through campus police officers
HB 341	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HCS HB 371		Changes the laws regarding judicial procedures
HCS HB 372		Establishes the Business Premises Safety Act
HB 383	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HB 392	Kratky	Revises the crime of unlawful use of weapons and requires the revocation of a concealed carry endorsement if the holder pleads guilty or is found guilty of a felony while in the possession of a firearm
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 429	Schatz	Changes the laws regarding the issuance of salvage motor vehicle titles to insurers who purchase motor vehicles through the claims adjustment process

No.	Author	Subject
HCS HB 438		Allows certain out-of-state colleges and universities to authorize the use of their official school emblems on special license plates.
HB 465	Curtman	Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HCS HB 468		Changes the laws regarding public safety
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 524	Schupp	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
SCS HB 533		Changes the laws regarding firearms
HB 539	Walton Gray	Allows community service in lieu of a fine for certain traffic offenses
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HB 555	Burlison	Exempts motorcyclists 21 years of age and older from wearing a helmet when operating a motorcycle or motortricycle and allows a temporary motorcycle instruction permit holder to renew the permit two additional times
HB 594	Cornejo	Prohibits a law enforcement agency from establishing a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of a motorcycle-only checkpoint
HB 597	Spencer	Allows a person 18 years of age or older to operate a motorcycle on any state highway without wearing protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 599	Berry	Allows an applicant for a motor vehicle registration or renewal to make a \$1 donation to the National World War I Museum at the Liberty Memorial in Kansas City
HB 623	Sommer	Specifies that in all criminal cases a \$2 surcharge must be assessed as costs with specified exceptions to be credited to the Brain Injury Fund
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 655	Hurst	Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HCS HB 656		Combines the parking enforcement division and parking meter division in the City of St. Louis into a parking division
HB 665	Marshall	Allows county assessors to use the Kelly Blue Book or other credible resource when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 674	Hicks	Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense
HB 684	Schieffer	Changes from six months to 90 days the period of time that a temporary motorcycle permit is valid
HB 689	Bernskoetter	Changes the design of the "Operation Enduring Freedom" and the "Operation Noble Eagle" license plates
HB 690	Korman	Adds hydrogen to the definition of "alternative fuel" and increases specified alternative fuel decal fees.
HB 693	Hough	Changes the laws regarding emergency vehicle lighting and tow trucks and requires the State Highway Patrol to establish a rotation list procedure for requests for towing services

No.	Author	Subject
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
HB 703	Conway 104	Specifies that the Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund include money for the maintenance of State Highway Patrol vehicles, watercraft, and aircraft and be used to pay for the maintenance and fuel costs of the items
HB 711	Grisamore	Requires at least one accessible parking space to be lift accessible for new parking lots and parking lots being restriped that contain 25 or more parking spaces
HB 715	McCaherty	Authorizes motorcycles to be equipped with a means of varying the brightness of the vehicle's brake light for up to five seconds upon application of the vehicle's brakes
HB 728	Rizzo	Allows the impounding of vehicles used in prostitution
HCS HB 771		Changes the laws regarding commercial drivers' licenses
HB 776	Pace	Creates the crimes of assault of an employee of a mass transit system in the first, second, and third degree
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 825	Morgan	Specifies that any driver operating a motor vehicle on a highway, street, or roadway has an affirmative duty to remove accumulated snow or ice from the surface of the vehicle prior to operation
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses
HB 870	Cornejo	Adds a motorcycle registration surcharge of \$5 to be deposited in the Motorcycle Safety Trust Fund for motorcycle safety programs
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 971	Fitzwater	Revises the definition of "local log truck" and "local log tractor"
HB 976	Schupp	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 979	Hough	Changes the laws regarding motor vehicle, trailer, and boat dealers
HB 996	Cross	Exempts permanently disabled persons from the requirement that a physician's statement be provided each time a disabled license plate or windshield placard is renewed.
HB 1005	Curtman	Prohibits law enforcement agencies from establishing roadside checkpoints or road block patterns based upon a particular vehicle types, including the establishment of motorcycle-only checkpoints
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 1018	Curtman	Prohibits any law enforcement agency or transportation entity from conducting random checkpoints for the purpose of performing vehicle safety inspections for motorcycles or personal vehicles
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years
MUSEUMS		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
SB 374	Nieves	Modifies provisions relating to the management and maintenance of museums

No.	Author	Subject
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HCR 12	Walton Gray	Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
NATIONAL GUARD		
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
SCS HB 148		Establishes the custody and visitation rights of a deploying military parent
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
SCS HB 450		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 857	Davis	Creates the Show Me Heroes Education Fund dedicated to assist military personnel with tuition assistance
HB 918	Roorda	Waives business fees for a person who is a member of the Missouri National Guard or any other military branch, resides in Missouri, and shows proof to the Secretary of State of service
NATURAL RESOURCES DEPT.		
SCS SB 13		Eliminates solid waste management districts and reduces landfill tipping fees by the amount previously used on district overhead and administration
SB 103	Kraus	Reauthorizes the Alternative Fuel Stations Tax Credit and creates a tax credit for fleet conversions of vehicles to natural gas
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
SB 140	Brown	Requires certain testing methods for E. coli at Missouri State Parks' swim beaches
SB 218	LeVota	Allows for the display of the Honor and Remember flag at all state buildings and state parks
SB 277	Holsman	Establishes the Missouri Energy Efficiency Performance Standard
SB 360	Rupp	Modifies the terms that a public sewer district must abide by before disconnecting a customer's service due to an unpaid balance
SB 361	Rupp	Modifies the pH level that wastewater treatment facilities must maintain
SB 363	Chappelle-Nadal	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SB 400	Holsman	Modifies provisions relating to the renewable energy standard
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources
SCR 8	Sifton	Urges the Department of Natural Resources to require groundwater monitoring of new and existing coal ash ponds and require clean-up at leaking coal ash ponds
SCR 11	Chappelle-Nadal	Urges the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program

No.	Author	Subject
SS SCR 15		Establishes the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force
SS SCS HCS HB 28		Changes the laws regarding the Department of Natural Resources
HB 51	Miller	Requires Missouri state parks' designated swim beaches to utilize a standard that measures culturable E. coli using a specified federal method at a geometric mean based on specified sampling data
HB 119	Berry	Modifies provisions relating to the Net Metering and Easy Connection Act
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HB 467	Lichtenegger	Requires a public water system to notify the Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 550	Englund	Establishes the Toxic Fire Retardant Prevention Act
HCS HB 604		Changes the laws regarding the Department of Natural Resources
HB 618	Fraker	Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 651	Ross	Changes the laws regarding the Land Survey Program and transfers all powers, duties, and functions of the program from the Department of Natural Resources to the Department of Agriculture
HB 739	Korman	Extends the Clean Water Commission's authority to charge specified clean water fees to September 1, 2018
HB 758	Schieber	Allows the Department of Natural Resources to designate certain areas within state parks as off-leash areas or dog parks
HB 779	McNeil	Establishes the Missouri Energy Efficiency Performance Standard, which requires certain utilities to achieve specified saving requirements established by the Missouri Public Service Commission
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HB 944	Schatz	Prohibits the Department of Natural Resources from requiring existing permittees to meet more stringent standards of new water classifications unless there are federal or state funds available to cover the costs of any upgrades
HJR 27	Hicks	Proposes a constitutional amendment protecting a citizen's right to hunt, fish, and harvest wildlife and the use of traditional devices and methods to exercise the right
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
NEWSPAPERS AND PUBLICATIONS		
SS SCS SB 125		Modifies duties of boards of education

No.	Author	Subject
SB 478	Lamping	Provides that certain legal material published electronically must be authenticated and preserved
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 730	Rowden	Allows the State Treasurer to use any other method of notification that he or she deems appropriate regarding abandoned property instead of the required publication in a newspaper
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HB 805	Walton Gray	Prohibits the state lottery from publishing the names of lottery winners without consent
HCS HB 814		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
NOTARY PUBLIC		
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
HB 994	Butler	Increases the fee for notary public service from \$2 to \$5
NURSES		
CCS HCS SB 127		Modifies various public assistance provisions including MO HealthNet dental, home and community based referrals, Missouri adjusted gross income for MO HealthNet eligibility and extends Ticket-to-Work
SS SCS SB 129		Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization
SCS SB 167		Modifies provisions relating to nursing
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
SB 370	Wasson	Adds additional causes for which the Board of Nursing may file a complaint, and allows the Board to request an emergency suspension of a license
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 724	Kirkton	Changes the safety requirements for mental health facilities
HB 856	Morgan	Requires each hospital to adopt a patient protection and health care worker back and musculoskeletal injury prevention plan as part of injury and illness prevention programs

No.	Author	Subject
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
NURSING AND BOARDING HOMES		
SB 80	Romine	Requires the Missouri Board of Nursing Home Administrators to notify, instead of mail, an applicant when it is time for license renewal
HCS SCS SB 89		Allows certain nursing home districts to establish senior housing and modifies provisions relating to health information organizations
SB 194	Schaaf	Limits the certificate of need program to only long-term care facilities
SB 199	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
HB 59	Engler	Removes the requirement that the Missouri Board of Nursing Home Administrators mail licensure renewal applications to every person whose license must be renewed during the year and specifies that the board must notify these persons
HB 173	Hodges	Requires health care facilities to notify the local fire department when they provide oxygen tanks or apparatuses to a patient or customer in a residential setting
HCS HB 402		Establishes family intervention orders for the treatment of persons who abuse chemical substances
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 506	Redmon	Allows nursing home districts to establish and maintain senior housing in any third or fourth classification county
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 792	Schupp	Requires every employee and volunteer of a health care facility inspected by the Department of Health and Senior Services to receive an influenza vaccination each year
OPTOMETRY		
HB 750	Molendorp	Prohibits any contract between a health carrier or health benefit plan and an optometrist from requiring a fee schedule established by the insurer if the services are not covered under the vision plan
PARKS AND RECREATION		
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
HB 51	Miller	Requires Missouri state parks' designated swim beaches to utilize a standard that measures culturable E. coli using a specified federal method at a geometric mean based on specified sampling data
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HCS HB 604		Changes the laws regarding the Department of Natural Resources
HB 618	Fraker	Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks

No.	Author	Subject
HB 704	McKenna	Requires the display of the Honor and Remember flag at all state buildings and state parks
HB 758	Schieber	Allows the Department of Natural Resources to designate certain areas within state parks as off-leash areas or dog parks
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
PHARMACY		
SB 111	Emery	Prohibits any requirement that pharmacies carry a specific drug or device
SCS SB 126		Prohibits any requirement that pharmacies carry a specific drug or device
SB 146	Schaaf	Establishes a Prescription Drug Monitoring Program
SB 233	Sater	Establishes a Prescription Drug Monitoring Program
SCS SB 302		Modifies provisions regarding medications, the regulation of food production, and contracts between health carriers and optometrists
SB 303	Wasson	Adds four classes of pharmacy permits
SB 306	Wasson	Allows the Board of Pharmacy to test the drugs possessed by licensees
SB 369	LeVota	Requires reporting and creates crimes related to counterfeit, fake, diluted, or black market drugs
HCS HB 30		Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 99	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 218	Cox	Changes the laws regarding the sale and possession of controlled substances
SS HCS HB 315		Changes the laws regarding health care services
HB 347	Engler	Establishes the Prescription Drug Monitoring Program Act
HB 365	Roorda	Changes the controlled substance classification of all methamphetamine precursor drugs from Schedule IV and Schedule V to Schedule III that requires a physician's prescription
HB 378	Kelley 127	Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
HB 454	Koenig	Allows pharmacists to administer all vaccines after appropriate training on the contraindications and adverse reactions to each vaccine

No.	Author	Subject
HB 518	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HCS HBs 593 & 695		Prohibits a health benefit plan from requiring a higher out-of-pocket cost for an oral anti-cancer medication than for an intravenously-administered cancer medication
HCS HB 685		Allows pharmacists to dispense emergency medication without prior authorization from the prescriber
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 992	Schatz	Changes the laws regarding the sale and possession of controlled substances
PHYSICAL THERAPISTS		
HB 29	Lichtenegger	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HCS HB 30		Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 559	Scharnhorst	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
PHYSICIANS		
SCS SB 126		Prohibits any requirement that pharmacies carry a specific drug or device
SS SCS SB 129		Establishes the Volunteer Health Services Act to allow for licensed health care professionals to provide volunteer services for a sponsoring organization
CCS HCS SB 161		Requires actuarial analyses to be performed to determine potential costs of instituting oral anti-cancer parity and eating disorders mandate
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 219	Sater	Modifies provisions relating to the scope of practice for physician assistants
CCS HCS SS SB 262		Modifies various provisions relating to health insurance
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
CCS#2 HCS SB 330		Modifies provisions relating to professional licenses
HCS HB 30		Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 112	Burlison	Establishes a statutory cause of action, replacing the common law action, for damages against a health care provider for personal injury arising out of the rendering of or failure to render health care services
HB 177	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 190	Burlison	Establishes the Volunteer Health Services Act that allows certain licensed health professionals to provide volunteer professional health care services for a sponsoring organization

No.	Author	Subject
HB 298	English	Requires an ultrasound to be conducted and reviewed with the pregnant woman prior to the 24-hour waiting period for an abortion
HCS HB 314		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SS HCS HB 315		Changes the laws regarding health care services
HB 317	Phillips	Establishes Molly's Law that requires a health care practitioner to provide the list of ingredients in a vaccination to the parent or guardian of specified children prior to the administration of the vaccination
HB 324	Frederick	Changes the amount a health care provider may charge for the search and retrieval of medical records and the cost of supplies and labor for copying them
HB 365	Roorda	Changes the controlled substance classification of all methamphetamine precursor drugs from Schedule IV and Schedule V to Schedule III that requires a physician's prescription
HB 386	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2013 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HCS HB 387		Changes the laws regarding the scope of practice for physician assistants
HB 400	Riddle	Establishes requirements for the administration of RU-486 or any other abortion-inducing drug or chemical
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 559	Scharnhorst	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians for an office visit
HB 592	Roorda	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 688	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 724	Kirkton	Changes the safety requirements for mental health facilities
HB 732	Hicks	Prohibits any health care professional, except a mental health professional, from inquiring of a patient whether the patient has a firearm in his or her home or on his or her property
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HJR 6	White	Proposes a constitutional amendment limiting the liability for noneconomic damages and authorizes the General Assembly to adjust the amount as necessary by law
PLANNING AND ZONING		
SS HB 331		Changes the laws regarding utilities
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
HB 902	Dunn	Authorizes the establishment of urban agricultural zones

No.	Author	Subject
POLITICAL PARTIES		
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 395	Kraus	Modifies the membership of the county political party committees in Jackson County
HB 41	Rowland	Requires proof of identity and status as a United States natural born citizen for a candidate for the Office of President or Vice President to be submitted with other required certification documents to the Secretary of State
HB 54	Dugger	Changes the required percentage of defeat of the votes cast when a candidate or a ballot question must be allowed a recount
HB 64	Burlison	Allows a labor organization to obtain a political contribution through an automatic payroll deduction if the employee or member consents to the contribution in writing annually
SCS HCS HB 110		Changes the laws regarding the selection of public officials
HB 126	Sommer	Changes the laws relating to the nomination of candidates for special elections
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 160	Sommer	Prohibits certain election and campaign activities on election day within the property boundaries of a polling place and electioneering at specified voting sites within a 250 foot radius of the entrance to the site
HB 163	Fitzpatrick	Changes the laws regarding elections
HB 189	Muntzel	Establishes procedures for general elections following primary elections that have resulted in a tie vote between candidates for a county office.
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
SS HCS HB 199		Repeals obsolete statutes regarding elections
HB 200	Barnes	Repeals provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HB 289	Montecillo	Requires an election authority to hire election judges based upon merit and without regard to political party affiliation instead of the current requirement that there be an equal number from each major political party
CCS SS HB 336		Changes the laws regarding emergency services
HCS HB 348		Changes the Kansas City school board to a seven-member board
HB 588	Diehl	Changes the primary election date to the first Tuesday after the third Monday of June
HB 646	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations
HB 682	Newman	Allows a voter to cast an advance ballot
HB 686	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 1032	Jones 050	Repeals the provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
POLITICAL SUBDIVISIONS		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices

No.	Author	Subject
SB 46	Parson	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 108	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 141	Dempsey	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines to send revenues in excess of such threshold to the state school system
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
SB 216	Silvey	Prohibits political activity restrictions on first responders and modifies current political activity restrictions on the Kansas City Police Department
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 257	Silvey	Modifies provisions contained in the Port Improvement District Act
SB 264	Dempsey	Allows owners of property in a residential subdivision to file a petition seeking to have their subdivision excluded from a fire protection district
SB 265	Nieves	Prohibits the state and political subdivisions from implementing policies affecting property rights and from entering into certain relationships with organizations
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications
SB 295	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 341	Schmitt	Repeals a reference to an obsolete section of law
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
SB 394	Silvey	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SCS HB 42		Prohibits the state and all political subdivisions from adopting or implementing United Nations or international environmental and developmental policies that infringe or restrict private property rights without due process
HCS HB 74		Changes the laws regarding political subdivisions
HCS HB 75		Prohibits specified increases in premiums or fees charged for sewer or wastewater treatment in St. Charles County without a vote of the people
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HB 118	Shull	Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
SCS HB 152		Allows school districts to authorize and commission school officers to enforce laws relating to crimes committed on school grounds, at school activities, and on school buses
HCS HB 159		Allows an exemption from the proof of residency or domicile requirement to register a child for school whose parent or guardian is serving on specified active duty military orders
SCS HCS HB 161		Changes the laws regarding political subdivisions

No.	Author	Subject
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 208	Kirkton	Adds certain graphing calculators to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
CCS SS SCS HB 307		Changes the laws regarding emergency service providers
HB 311	Thomson	Changes the laws regarding a petition for a tax levy for certain special road districts in Atchison County and the requirements to be elected or appointed as a commissioner of certain special road districts in the county
HB 327	Barnes	Changes the laws regarding nonexchange financial guarantees
SS HB 331		Changes the laws regarding utilities
HCS HB 335		Changes the laws regarding public safety
CCS SS HB 336		Changes the laws regarding emergency services
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HB 399	Riddle	Specifies the procedure for the removal of the non-elected chief law enforcement officer of a political subdivision
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri

No.	Author	Subject
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
SCS HB 533		Changes the laws regarding firearms
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document
HCS HB 543		Changes the duties and authority of the State Auditor
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HCS HB 604		Changes the laws regarding the Department of Natural Resources
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HB 642	Elmer	Allows a construction manager and any construction firm that he or she controls to bid and perform any of the actual construction on a public works project
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HB 661	Marshall	Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HCS HB 675		Establishes Cade's Law, requires the training of school employees in the care needed for students with diabetes, and establishes curriculum and certification requirements for school resource officers
HB 682	Newman	Allows a voter to cast an advance ballot
HB 697	Cornejo	Defines terms relating to electronic public and business records
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HB 711	Grisamore	Requires at least one accessible parking space to be lift accessible for new parking lots and parking lots being restriped that contain 25 or more parking spaces
HB 764	Mims	Allows Kansas City to impose an additional court cost of up to a \$7 per case for each municipal ordinance violation case
HB 790	Spencer	Changes the laws regarding a school district annexation petition
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 832	Korman	Proposes a sales tax holiday week for products that are made in the USA
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 909	Pfautsch	Specifies that transportation development district audits may be conducted once every three years with a cost of no more than 3% of gross revenues paid by the district
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 999	Frame	Exempts residential property owned by an individual 62 years of age or older from certain increases in assessed valuation
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision

No.	Author	Subject
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
PRISONS AND JAILS		
HCS SB 12		Modifies various laws relating to judicial procedures
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 61	Keaveny	Requires the State Auditor to compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 243	Brown	Makes second degree sexual misconduct a class D felony if the offender was incarcerated in a Department of Corrections facility at the time of the crime
SB 338	Romine	Modifies provisions relating to correctional treatment programs for offenders who are under the age of 18
SB 380	Kraus	Modifies provisions relating to criminal offenders participating in Department of Corrections' 120-day programs and sexual offender assessment programs
SB 389	Curls	Provides a process for the Parole Board to review the case histories of offenders serving more than 15 years in prison and recommend clemency or allow release on parole
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SB 453	Cunningham	Requires state and contracted correctional health care systems to implement certain billing technologies and services
HB 69	Kelley 127	Specifies that gross negligence will be the standard of proof in a court action brought against a public or private jail or a correctional or detention facility as a result of a death by suicide of any inmate
HB 106	Kelley 127	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 166	Hubbard	Establishes a pilot program to allow increased visitation of children with incarcerated mothers
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
SCS HB 460		Authorizes the conveyance of various state properties
HCS HB 464		Changes the laws regarding sheriffs
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HB 560	Molendorp	Prohibits smoking or using tobacco products in any area or on the grounds of a state correctional facility
HB 635	Fitzwater	Changes the age requirement for first time offenders to enter correctional treatment programs and repeals provisions regarding records and reports concerning offenders under 17 years of age
HB 742	Ellington	Requires the Department of Corrections to perform specified actions to improve the ability of inmates to obtain employment upon release from incarceration

No.	Author	Subject
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 836	Guernsey	Requires a Department of Corrections' facility to maintain a garden and use the produce from the garden to supplement the facility's food supply
HB 941	Walton Gray	Allows certain incarcerated parents to petition the court to delegate visitation time and access to a family member or other person with a close and substantial relationship to the parent's minor child
PROBATION AND PAROLE		
HB 106	Kelley 127	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 155	Gatschenberger	Changes the requirements for the use of private probation services
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 241	Ellington	Repeals the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 354	Cornejo	Allows DWI courts to use private probation and parole services for judicial supervision when the Department of Probation and Parole is unable to provide the services
HB 419	Hubbard	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 512	Ellinger	Changes the laws regarding the possession of less than 35 grams of marijuana and the possession of marijuana drug paraphernalia
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 567	Austin	Gives limited civil immunity to any entity that supervises community service work performed in connection with a written deferred prosecution agreement
HB 753	Ellinger	Requires a felon who has a previous prison commitment for any felony offense and who is a first-time dangerous felony offender to be granted parole after serving a specified portion of his or her sentence
HB 807	Lair	Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing after serving 15 years of his or her sentence
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits
PROPERTY, REAL AND PERSONAL		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
HCS SB 41		Modifies the laws regarding certain private nuisance actions

No.	Author	Subject
HCS SB 67		Modifies provisions relating to higher education
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 235	Cunningham	Modifies the law relating to residential real estate loan reporting
CCS SCS SB 248		Modifies provisions relating to neighborhood improvement districts and delinquent property taxes
SB 264	Dempsey	Allows owners of property in a residential subdivision to file a petition seeking to have their subdivision excluded from a fire protection district
SB 265	Nieves	Prohibits the state and political subdivisions from implementing policies affecting property rights and from entering into certain relationships with organizations
SB 293	Pearce	Removes the expiration date on the authority of certain public higher education institutions to transfer real property, except in fee simple, without General Assembly authorization
SB 315	Pearce	Eliminates the expiration of a requirement for counties to deposit certain amounts into the assessment fund
SB 336	Walsh	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 368	Holsman	Prohibits certain property associations from barring the installation of solar energy systems
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 379	Keaveny	Modifies provisions relating to the Distressed Areas Land Assemblage Tax Credit
SB 388	Curls	Regulates certain contracts for the sale of residential real estate
SB 425	Nasheed	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
SB 474	Lamping	Modifies provisions relating to school facilities and equipment
HB 32	Guernsey	Requires the State Tax Commission to use the local assessor's property assessment method when the commission's assessment is in conflict with the local assessor's assessment
SCS HB 42		Prohibits the state and all political subdivisions from adopting or implementing United Nations or international environmental and developmental policies that infringe or restrict private property rights without due process
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HB 146	Davis	Requires a registered sex offender purchasing real estate to disclose that status to his or her buyer's agent and the agent to disclose the buyer's status to the seller and specified neighboring residents
HB 147	Davis	Expands the procedural protections given to taxpayers in charter counties and the City of St. Louis regarding residential property tax assessments to taxpayers in any county
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes

No.	Author	Subject
HCS HB 194		Authorizes a one-time individual income tax deduction for the purchase of a new home used as the principal residence of the taxpayer for at least two years.
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 237	Ellington	Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 267	Walton Gray	Changes the laws regarding delinquent real estate taxes or mortgage notes
HB 268	Walton Gray	Exempts property in bankruptcy which is exempt from attachment or execution under common and statutory law of Missouri or under federal law
HB 269	Walton Gray	Changes the laws regarding abandoned property
HB 271	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 273	Walton Gray	Requires the consolidation of specified civil court actions filed pertaining to the title of property in forcible entry and unlawful detainer cases
SCS HB 329		Changes the laws regarding financial institutions
HB 334	Dugger	Exempts farm work performed by children under 16 years of age from certain child labor requirements
HB 338	Wieland	Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
HCS HB 372		Establishes the Business Premises Safety Act
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 381	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 405	Harris	Changes the laws regarding the management and maintenance of museum donations and collections
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 423	Zerr	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit Act
HB 427	Schatz	Changes the laws regarding a lien involving the rental of machinery or equipment
HB 437	Funderburk	Changes the laws regarding underground facility safety
HCS HBs 446 & 211		Changes the laws regarding the enforcement and servicing of real estate loans
HB 447	Diehl	Adds interest in health savings plans and inherited accounts to the list of exemptions in bankruptcy proceedings
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
SCS HB 460		Authorizes the conveyance of various state properties
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document

No.	Author	Subject
HB 548	Englund	Establishes the Informed Growth Act which requires an economic impact study to be completed as part of a review of land use permit applications for large-scale retail developments
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 664	Marshall	Changes the laws regarding blighted areas and the use of eminent domain
HB 665	Marshall	Allows county assessors to use the Kelly Blue Book or other credible resource when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 676	Nichols	Specifies that any refiner purchasing jewelry must keep and retain photographic copies and records of the jewelry and must wait a period of 30 days before refining or selling the jewelry
HB 702	Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property
HB 730	Rowden	Allows the State Treasurer to use any other method of notification that he or she deems appropriate regarding abandoned property instead of the required publication in a newspaper
HB 734	Torpey	Changes the laws regarding the assignment of property tax liens
HB 755	Lynch	Requires a person conducting a home inspection to be licensed by the Missouri Home Inspectors Board, which is established within the Division of Professional Registration
HB 769	Englund	Changes the requirements for the sale of certain unclaimed property held by the State Treasurer
HCS HB 783		Changes the laws regarding the leasing of school buildings
HB 790	Spencer	Changes the laws regarding a school district annexation petition
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
HB 796	McCann Beatty	Allows the Missouri Real Estate Appraiser's Commission to impose monetary penalties in disciplinary actions against real estate appraisers
HB 800	Pace	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 845	Cornejo	Exempts rental security deposits from attachment and execution in a bankruptcy proceeding
HB 868	Pfautsch	Prohibits a homeowner from being required to join a homeowner or subdivision association as part of a plan of maintenance for a private road
HB 882	McCann Beatty	Changes the notice requirement for a tenant in a foreclosure action from 10 business days to 90 days
HB 892	Hicks	Specifies that any sale of lands under Chapter 92, RSMo, is subject to valid recorded covenants running with the land and valid easements of record or in use
HB 938	Schupp	Specifies that, beginning January 1, 2014, certain specified building codes will be deemed the official state codes
HB 980	Fraker	Requires the county or city clerk of the governing body creating a neighborhood improvement district to file a notice with the recorder of deeds
HB 999	Frame	Exempts residential property owned by an individual 62 years of age or older from certain increases in assessed valuation
HB 1026	Jones 050	Specifies that the proceeds from the sale of any seized property must be divided among local schools, the seizing law enforcement agency, and the county general revenue fund
HB 1028	Webber	Changes the laws regarding property tax assessments for certain wind energy devices
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions

No.	Author	Subject
PSYCHOLOGISTS		
HB 287	McCaherty	Establishes a five-year statute of limitations for actions against a mental health professional for malpractice, negligence, or error
HCS HB 290		Adds licensed professional counselors and psychologists to the list of people authorized to conduct an investigation into whether an individual is suitable as an adoptive parent
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 504	McCaherty	Establishes a three-year statute of limitations for disciplinary proceedings to be initiated against any licensed psychologist, professional counselor or social worker
HB 732	Hicks	Prohibits any health care professional, except a mental health professional, from inquiring of a patient whether the patient has a firearm in his or her home or on his or her property
PUBLIC ASSISTANCE		
SB 128	Sater	Modifies the permissible uses of electronic transfer benefits (EBT) cards for food stamp and cash assistance
SB 198	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SS SB 251		Updates provisions relating to public assistance fraud and abuse
HCS SB 275		Requires a water supply district located in St. Charles County to be regulated by the Public Service Commission and modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low income customers
SB 346	Curls	Modifies the eligibility requirements for food stamp assistance
SCS SB 381		Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
SB 405	Sater	Excludes money placed in an irrevocable personal funeral trust from being considered as an asset when determining eligibility for public assistance
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HB 270	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 279	Hinson	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HB 765	Brown	Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits

No.	Author	Subject
HB 911	Brown	Changes the eligibility requirements for supplemental nutrition assistance as it relates to an ineligible immigrant
HB 913	Brown	Requires the Children's Division within the Department of Social Services to verify on a monthly basis the employment status of any person eligible to receive transitional child day care services based on employment
HCS HB 925		Changes the requirements for providing comprehensive health care for public assistance recipients
HB 939	Fitzpatrick	Changes the laws regarding public assistance benefits
HB 985	Barnes	Extends the Ticket to Work Health Assurance Program to 2019
HB 1040	Cookson	Specifies that school age children of welfare recipients must attend public school at least 90% of the time in order to receive benefits
PUBLIC BUILDINGS		
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
SB 353	Lager	Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 383	Wallingford	Modifies the Missouri Public Prompt Payment Act and the law relating to public works projects
SB 464	Schaefer	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office buildings
HB 139	McManus	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 186	Curtman	Eliminates parental liability for financial damages caused by a minor if the minor is no longer living in the home
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 319	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
SS HCS HB 320		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 414	Kelly 045	Requires approval by the General Assembly before the Board of Public Buildings may issue revenue bonds for state office building projects, except for refunding of existing debt
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 502	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 517	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 704	McKenna	Requires the display of the Honor and Remember flag at all state buildings and state parks
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works

No.	Author	Subject
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
PUBLIC OFFICERS		
SB 4	Lager	Bars members of the General Assembly from acting as paid political consultants and imposes a two year cooling off period before members may become lobbyists
SB 70	Munzlinger	Modifies the operations and procedures of the Missouri Ethics Commission
SB 92	Justus	Imposes campaign contribution limits
SB 144	Walsh	Creates the crime of obstruction of an ethics investigation
SB 150	Munzlinger	Declares certain federal firearm laws unenforceable and makes it a crime for public officers, agents, and employees and licensed firearms dealers to enforce such laws
SB 170	Chappelle-Nadal	Allows members of public governmental bodies to cast roll call votes in a meeting if the member is participating via videoconferencing
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
SB 242	Kehoe	Modifies the law relating to the sale or provision of certain commodities by certain school officials of seven- director districts that are located in a first class county
SB 290	Walsh	Modifies numerous provisions relating to campaign finance
SB 385	Rupp	Modifies the law relating to campaign finance
SB 435	McKenna	Modifies provisions that disqualify candidates from public office
SB 470	Rupp	Modifies the law relating to campaign finance
SJR 9	Emery	Requires the Senate to try all impeachments except for the impeachment of the Governor, which shall be tried by the Chief Justice of the Missouri Supreme Court
SCS HB 60		Allows the marshal of the City of Farmington to order the abate of weeds or trash without notification and bill the owner if there has been a previous violation on the same property in a specified time period
HB 65	Lant	Lowers, from 21 year of age to 18 years of age, the minimum age requirement for a person to serve as an alderman in a fourth class city
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 200	Barnes	Repeals provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HB 250	Jones 050	Changes the laws regarding the operations and procedures of the Missouri Ethics Commission
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 311	Thomson	Changes the laws regarding a petition for a tax levy for certain special road districts in Atchison County and the requirements to be elected or appointed as a commissioner of certain special road districts in the county
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HB 667	Houghton	Changes the Department of Agriculture to the Office of Agriculture with all of the same powers, functions, and duties as the current department contingent upon passage of a constitutional amendment

No.	Author	Subject
PUBLIC RECORDS, PUBLIC MEETINGS		
SB 94	Justus	Creates an advance voting system for elections
SB 122	Schaefer	Modifies provisions regarding the Sunshine Law
SB 139	Kehoe	Modifies provisions regarding the Sunshine Law
SB 145	Walsh	Creates an advance voting system for elections
SB 170	Chappelle-Nadal	Allows members of public governmental bodies to cast roll call votes in a meeting if the member is participating via videoconferencing
SB 273	Wallingford	Requires certain crime scene materials to be considered closed records under Missouri's Sunshine Law
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 424	Nasheed	Requires jail employees to report abuse against offenders to the sheriff and makes failure to report a class A misdemeanor
SB 478	Lamping	Provides that certain legal material published electronically must be authenticated and preserved
HB 41	Rowland	Requires proof of identity and status as a United States natural born citizen for a candidate for the Office of President or Vice President to be submitted with other required certification documents to the Secretary of State
HB 118	Shull	Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 327	Barnes	Changes the laws regarding nonexchange financial guarantees
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HCS HB 468		Changes the laws regarding public safety
HB 486	Korman	Authorizes an additional \$4 fee to be charged by county recorders in second and third classification counties to be used for county and regional economic development planning
HB 492	Roorda	Changes the laws regarding the Open Meetings and Records Law, commonly known as the Sunshine Law, on records or documents involving law enforcement officers
HB 511	Ellinger	Authorizes the expungement for specified offenses and increases the surcharge on petitions for expungement from \$100 to \$500
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document
HCS HB 543		Changes the duties and authority of the State Auditor
HB 600	Kelly 045	Changes the laws regarding the Open Records and Meetings Law
HB 697	Cornejo	Defines terms relating to electronic public and business records
HB 862	Hubbard	Establishes a procedure for the removal of civil judgment court records from a publically accessible automated case management system

No.	Author	Subject
HB 919	Mayfield	Specifies that the open records and meetings law and its exceptions apply to individual members of the General Assembly
		PUBLIC SAFETY DEPT.
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 75		Modifies provisions relating to public safety
CCS HCS SB 100		Modifies provisions regarding bankruptcy, child custody, adoptions, and child support administrative proceedings as well as court surcharges, court costs, and judicial personnel
SS SCS SB 114		Modifies provisions relating to intoxicating liquor
SS SCS SB 121		Modifies provisions relating to liquor control laws
SB 162	Keaveny	Modifies provisions relating to criminal procedure
SB 214	Silvey	Modifies provisions relating to crime
SB 236	Parson	Provides that a Highway Patrol fund include money for the maintenance of Highway Patrol vehicles, watercraft, and aircraft and be used for the maintenance of such items
SB 270	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SB 271	Nieves	Requires 911 operators to receive training regarding self-defense and defense of others
SB 310	Nasheed	Creates a petition process for the expungement of records relating to certain criminal offenses
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services
SB 409	Keaveny	Modifies provisions relating to first degree murder
HB 27	Lant	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 67	Higdon	Allows a local law enforcement officer to provide assistance outside his or her jurisdiction upon the request of or permission granted by specified law enforcement agencies
HB 218	Cox	Changes the laws regarding the sale and possession of controlled substances
HB 265	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HB 341	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 491	Roorda	Establishes the Fire Equipment Distributors Regulation and Licensing Law
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence

No.	Author	Subject
HB 584	Roorda	Establishes the Commission on the Death Penalty, places a moratorium on all executions until January 1, 2016, and creates the Cold Case Investigation Revolving Fund
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HB 612	Lichtenegger	Authorizes any municipality or fire protection district to adopt orders or ordinances relating to a natural or man-made disaster if the safety and welfare of the residents are jeopardized
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 744	Ellington	Requires any criminal justice entity conducting eyewitness identifications to adopt specific procedures for conducting photo and live lineups that meet specified requirements
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 825	Morgan	Specifies that any driver operating a motor vehicle on a highway, street, or roadway has an affirmative duty to remove accumulated snow or ice from the surface of the vehicle prior to operation
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 893	Franklin	Authorizes a violent video game excise tax to be deposited in the Violent Video Game Excise Tax Fund and distributed to the departments of Revenue, Mental Health, and Public Safety
HB 945	Rowland	Allows an owner of property damaged during service of process to recover reasonable reimbursement costs associated with the property from the Crime Victims' Compensation Fund
HB 992	Schatz	Changes the laws regarding the sale and possession of controlled substances
PUBLIC SERVICE COMMISSION		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
SCS SB 191		Allows the Public Service Commission to publish certain papers, studies, reports, decisions and orders electronically
SCS SB 207		Allows electric corporations to recover costs for infrastructure replacement projects
SB 237	Emery	Exempts certain telecommunications companies from Public Service Commission price caps
SCS SB 240		Modifies provisions relating to ratemaking for gas corporations
SS SCS SB 241		Creates the Uniform Wireless Communications Infrastructure Deployment Act and modifies provisions relating to utility right-of-way
HCS SB 275		Requires a water supply district located in St. Charles County to be regulated by the Public Service Commission and modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low income customers
SB 277	Holsman	Establishes the Missouri Energy Efficiency Performance Standard
HCS SB 294		Modifies provisions relating to utilities
SCS SB 297		Modifies provisions related to water utilities

No.	Author	Subject
SB 334	Sifton	Requires that any person, corporation, or utility who wishes to acquire fifty percent or more of the total stock issued by the water or sewer corporation to get permission from the Public Service Commission
SB 335	Sifton	Merges water and sewer corporations into one group of public utilities for assessment purposes
SCS SB 396		Creates the Electrical Corporation Net Metering and Easy Connection Act and modifies the renewable energy standard
SB 400	Holsman	Modifies provisions relating to the renewable energy standard
SB 420	Lager	Modifies provisions relating to renewable energy
SB 459	Kehoe	Requires that the Public Service Commission use the revenue allocation method in rate cases involving electric corporations
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
SS HB 331		Changes the laws regarding utilities
HCS HB 398		Allows an electrical corporation to file a petition with the Missouri Public Service Commission to recover specified infrastructure replacement costs
HB 432	Funderburk	Authorizes the Missouri Public Service Commission to appear, participate, and intervene in any federal, state, or other administrative, regulatory, or judicial proceeding
HCS HB 473		Changes the laws regarding a request for a rate increase by a gas corporation to the Missouri Public Service Commission
HCS HB 601		Changes the laws regarding telecommunications
HB 618	Fraker	Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HB 779	McNeil	Establishes the Missouri Energy Efficiency Performance Standard, which requires certain utilities to achieve specified saving requirements established by the Missouri Public Service Commission
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
HB 789	Funderburk	Merges water and sewer corporations into one group of public utilities for assessment purposes
HB 828	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 844	McNeil	Authorizes the Missouri Public Service Commission to adopt rules for the interconnection of combined heat and power systems
HB 1025	Korman	Requires any person or entity conducting pole attachments to obtain a written contract containing specified information prior to attaching any equipment to the poles
RAILROADS		
SB 165	Walsh	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 326	McKenna	Exempts railroad crew members of a locomotive or train being operated upon rails from Missouri's driver's license law
SB 418	Lager	Regulates the crossing of railroad rights-of-ways by certain utilities
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
SS HB 331		Changes the laws regarding utilities
HB 437	Funderburk	Changes the laws regarding underground facility safety

No.	Author	Subject
HB 725	Phillips	Specifies that a engineer or conductor of a locomotive or train cannot be required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train
HB 901	Funderburk	Establishes procedures for certain utilities to construct facilities over, under, or across a railroad right-of-way
REDISTRICTING		
HJR 32	Neth	Proposes a constitutional amendment establishing nonpartisan procedures for apportioning the state into state senatorial and legislative districts on the basis of population
RELIGION		
CCS HCS SCS SB 17		Modifies provisions relating to education
SB 50	Wallingford	Provides protections for Alternatives to Abortion Agencies to freely engage in religious practices
SS SB 267		Specifies how courts may rule in contractual disputes involving the law of other countries
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 31	Gatschenberger	Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 282	Shumake	Allows religious books to be used in public schools in certain situations as long as they are used in a manner that does not violate the Establishment Clause of the United States Constitution
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
SCS HCS HB 457		Specifies that anyone providing medical services cannot be required to perform or participate in activities that violate his or her conscience or principles
HB 493	LaFaver	Changes the laws regarding the licensure of certain child-care facilities
HB 574	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 705	Kelly 045	Requires every child 11 year of age to receive one dose of meningococcal conjugate vaccine and one booster dose after the child reaches 16 years of age
HB 757	Bahr	Establishes the Civil Liberties Defense Act and specifies how a court may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 799	Conway 104	Creates the crime of sexual exploitation by a clergyperson
HB 858	English	Allows a school district to authorize its schools to observe a moment of silence in individual classrooms
HB 981	Franklin	Allows a person to explode or ignite fireworks within 600 feet of a church if he or she obtains approval, in writing, from the church secretary at least 24 hours in advance
RETIREMENT - LOCAL GOVERNMENT		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SCS SB 65		Modifies the duties and authority of the State Auditor

No.	Author	Subject
HCS SCS SB 86		Modifies the provisions of various public retirement plans
SB 107	Lamping	Changes the laws regarding the firemen's retirement system of St. Louis
SB 215	Silvey	Modifies the Kansas City police retirement systems
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
HCS SS SB 245		Modifies the Sheriff's Retirement Fund court surcharge, and adds law school clinics to the list of entities who may qualify for a court cost waiver
SB 355	Munzlinger	Changes the court surcharge which is paid to the sheriffs' retirement fund from three dollars to two dollars
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
CCS SS HB 336		Changes the laws regarding emergency services
HCS HB 418		Modifies the Kansas City police retirement systems
HCS HB 424		Changes the laws regarding sheriffs
SCS HCS HB 722		Changes the laws regarding the Police Retirement System of St. Louis
HB 897	Leara	Changes the laws regarding the alternative police retirement systems in the City of St. Louis
RETIREMENT - SCHOOLS		
CCS HCS SCS SB 17		Modifies provisions relating to education
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SCS SB 65		Modifies the duties and authority of the State Auditor
SB 221	Lamping	Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 223	Curts	Modifies provisions of the Public School Retirement System of Kansas City
SB 232	Wallingford	Makes permanent several alternative retirement provisions for members of the Public School Retirement System and Public Education Employee Retirement System
SB 288	Lamping	Changes provisions regarding the defined contribution retirement plan for employees of certain higher education institutions
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 476	Lamping	Requires the board of trustees of the Public School Retirement System of Missouri to establish a defined contribution plan for members hired on or after July 1, 2014
HB 313	Thomson	Removes certain dates from the retirement allowances of public school and education employees' retirement systems
HB 353	Leara	Changes the laws regarding the defined contribution plan for employees of certain higher education institutions
HB 737	Leara	Changes the laws regarding the public school retirement system of the City of St. Louis.
HB 782	Spencer	Changes the laws regarding membership and contributions to public school retirement systems in Missouri
HB 861	Neth	Changes the laws regarding the Public School Retirement System of Kansas City
RETIREMENT - STATE		
SCS SB 65		Modifies the duties and authority of the State Auditor

No.	Author	Subject
HCS SCS SB 86		Modifies the provisions of various public retirement plans
SB 279	Kehoe	Modifies provisions relating to the retirement systems for state officers and employees
SB 288	Lamping	Changes provisions regarding the defined contribution retirement plan for employees of certain higher education institutions
SB 312	LeVota	Prohibits retired judges or state employees from collecting retirement benefits while subsequently employed by a Missouri city, town, county, or village
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 477	Lamping	Requires the boards of the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System to create a defined contribution retirement plan for new employees
HB 93	Lichtenegger	Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
HB 353	Leara	Changes the laws regarding the defined contribution plan for employees of certain higher education institutions
HB 474	Brattin	Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 475	Brattin	Requires a person becoming a member of the General Assembly for the first time on or after January 1, 2014, to be covered under a defined contribution retirement plan
HB 772	Haahr	Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
HB 816	Smith 085	Requires members of the House of Representatives to be subject to drug testing within 60 days of the start of the legislative session
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HB 878	Koenig	Establishes a hybrid plan and a defined contribution program for employees and elected officials becoming employed after January 1, 2014
RETIREMENT SYSTEMS AND BENEFITS - GENERAL		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SCS SB 45		Modifies provisions relating to the prosecuting attorneys' retirement, judicial positions, DWI courts, and information management products for governmental agencies
SCS SB 65		Modifies the duties and authority of the State Auditor
HCS SCS SB 86		Modifies the provisions of various public retirement plans
SB 279	Kehoe	Modifies provisions relating to the retirement systems for state officers and employees
SB 288	Lamping	Changes provisions regarding the defined contribution retirement plan for employees of certain higher education institutions
SB 312	LeVota	Prohibits retired judges or state employees from collecting retirement benefits while subsequently employed by a Missouri city, town, county, or village
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 477	Lamping	Requires the boards of the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System to create a defined contribution retirement plan for new employees

No.	Author	Subject
SS#2 SCS HB 116		Changes the laws regarding audits
HCS HB 169		Changes the laws regarding county contributions to the Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund and requires certain persons who pay a fine through a collection center to be assessed a surcharge
HB 353	Leara	Changes the laws regarding the defined contribution plan for employees of certain higher education institutions
HB 447	Diehl	Adds interest in health savings plans and inherited accounts to the list of exemptions in bankruptcy proceedings
REVENUE DEPT.		
HCS SB 12		Modifies various laws relating to judicial procedures
SB 32	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SB 46	Parson	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
HCS SB 75		Modifies provisions relating to public safety
SB 103	Kraus	Reauthorizes the Alternative Fuel Stations Tax Credit and creates a tax credit for fleet conversions of vehicles to natural gas
SB 104	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 136	Sater	Allows motorists to register motor vehicles triennially rather than biennially and replaces the biennial motor vehicle inspection system with a triennial motor vehicle inspection program
SB 141	Dempsey	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines to send revenues in excess of such threshold to the state school system
HCS SB 148		Modifies provisions relating to the issuance of junking certificates and salvage motor vehicle titles
SCS SB 174		Reduces the corporate income tax rate and modifies provisions relating to use tax nexus
SB 179	Parson	Creates an income tax deduction for purchases of new homes
SB 217	LeVota	Modifies the process for replacing stolen license plate tabs
SB 220	Lamping	Increases the excise tax on cigarettes and reduces personal income taxes
SB 231	Munzlinger	Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses
HCS SS SB 252		Modifies provisions relating to the Department of Revenue, including provisions that prohibit the Department from retaining copies of source documents used to obtain driver's licenses
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
HCS SCS SBs 317 & 319		Allows proof of financial responsibility and other insurance-related documents to be provided or presented through electronic means
SB 340	Schmitt	Modifies provisions relating to tax refund setoffs
SB 345	Lamping	WITHDRAWN
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund
SB 394	Silvey	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project

No.	Author	Subject
SB 397	Holsman	Allows motorists to donate \$1 to the World War I Memorial Trust Fund to fund the National World War I Memorial in Kansas City and transfers all moneys in the World War II Memorial Trust Fund to the newly established World War I Memorial Trust Fund
SCS SB 411		Modifies Missouri's commercial motor vehicle law to conform with Federal Motor Carrier Safety Administration regulations
SB 415	Dixon	Allows Greene County or any city within the county to impose a sales tax, upon voter approval, to fund early childhood education education
SB 465	Schaefer	Creates an amnesty program for state taxes due as of December 31, 2012
SB 484	Cunningham	Modifies various provisions relating to the regulation of motor vehicle dealers
HB 26	Lant	Authorizes a one time income tax deduction to a taxpayer for the cost of the construction or \$5,000, whichever is less, of a storm shelter that was made in America
SCS HB 55		Authorizes a tax amnesty program
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HB 71	Fraker	Changes the amount a motor vehicle fee office is authorized to collect for certain services
HB 84	Berry	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
CCS SCS HB 103		Changes the laws regarding transportation
HB 105	Kelley 127	Changes the laws regarding the withholding tax filing requirements for certain small businesses
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 130	Gosen	Eliminates the \$30 special license plate fee for a biennial Gold Star license plate
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HB 183	Hoskins	Requires all state agencies authorized to issue tax credits to deliver an annual report of all credits issued to the Department of Revenue by January 15
HB 192	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 208	Kirkton	Adds certain graphing calculators to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 246	Ellington	Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 382	Bahr	Excludes a representative of the Department of Revenue or his or her designee from the definition of "peace officer", "law enforcement officer", or "public safety official" as they are used in the Revised Statutes of Missouri
HB 383	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax

No.	Author	Subject
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 393	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
SS SCS HB 428		Changes the laws regarding the registration and licensing of motor vehicles
HB 444	Hubbard	Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents and legal guardians paid leave from work to help their children in their school
HB 449	English	Allows limited driving privileges to be granted to a person whose driver's license has been suspended due to child support arrearage, under certain circumstances
HB 465	Curtman	Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HB 476	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 503	McCaherty	Creates the Paperless Documents and Forms Act
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 578	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 597	Spencer	Allows a person 18 years of age or older to operate a motorcycle on any state highway without wearing protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 599	Berry	Allows an applicant for a motor vehicle registration or renewal to make a \$1 donation to the National World War I Museum at the Liberty Memorial in Kansas City
HB 609	Miller	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 628	McNeil	Authorizes an income tax deduction for 100% of the tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college

No.	Author	Subject
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 655	Hurst	Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HB 657	English	Allows the Director of the Department of Revenue to require certain applications to include the applicant's unique identification number
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HB 678	Fraker	Allows fee offices to collect a \$2 fee on any electronic transmission reception
HB 684	Schieffer	Changes from six months to 90 days the period of time that a temporary motorcycle permit is valid
HB 689	Bernskoetter	Changes the design of the "Operation Enduring Freedom" and the "Operation Noble Eagle" license plates
HB 720	Grisamore	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born
HB 736	Scharnhorst	Authorizes an income tax deduction for tuition, attendance fees, and school supplies purchased for educating a dependent enrolled in a Missouri elementary or secondary school
HCS HB 771		Changes the laws regarding commercial drivers' licenses
HB 784	Diehl	Repeals the provision regarding the property tax credit for renters, commonly known as the circuit breaker, and establishes the Missouri Senior Services Protection Fund
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 823	Kirkton	Eliminates the state individual and corporate income tax deduction for federal income tax liability beginning January 1, 2015
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 832	Korman	Proposes a sales tax holiday week for products that are made in the USA
HB 840	Brown	Requires the Department of Revenue to indemnify local fee offices if, during the course of its official duties and pursuant to state law or regulations, the fee office is sued
HB 843	Kirkton	Changes the laws regarding the Missouri individual income tax
HB 852	Hinson	Requires ignition interlock devices for all intoxication-related traffic offenses
HB 855	Gatschenberger	Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HCS HB 859		Changes the laws regarding concealed carry endorsements, firearms, the Department of Revenue, and school resource officers
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 870	Cornejo	Adds a motorcycle registration surcharge of \$5 to be deposited in the Motorcycle Safety Trust Fund for motorcycle safety programs
HB 885	Franklin	Allows salvage dealers to issue a temporary driveaway license plate to be valid for one week for the sole purpose of transporting a vehicle to a State Highway Patrol inspection station
HB 887	Kelly 045	Prohibits the Department of Revenue from selling or disclosing certain driver record information
HB 893	Franklin	Authorizes a violent video game excise tax to be deposited in the Violent Video Game Excise Tax Fund and distributed to the departments of Revenue, Mental Health, and Public Safety

No.	Author	Subject
HB 895	LaFaver	Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed on the taxpayer's federal income tax return
HB 903	Mayfield	Requires marriage license applicants less than 25 years of age to obtain at least three hours of premarital counseling in order to obtain a marriage license
HB 917	Burlison	Allows a deduction for one-half of the capital gains included in the taxpayer's federal adjusted gross income unless already deducted from the Missouri adjusted gross income under specified tax provisions
HB 924	Johnson	Establishes the Missouri Business Recruiters Act to create employment positions for business recruiters to attract out-of-state business owners and companies to Missouri
HB 931	Jones 050	Changes the laws regarding alcohol-related traffic offenses
HB 979	Hough	Changes the laws regarding motor vehicle, trailer, and boat dealers
HB 996	Cross	Exempts permanently disabled persons from the requirement that a physician's statement be provided each time a disabled license plate or windshield placard is renewed.
HB 1013	Korman	Authorizes a tax on motor fuel equal to 17 cents per gallon or 6% of the cost per gallon of the motor fuel before any tax is imposed on it, whichever is greater
HRM 1	Marshall	Condemns the release of private protected information on concealed carry endorsements, remonstrates against executive departments, and demands the Governor investigate, discipline, and remove those responsible
HJR 25	Koenig	Changes the laws regarding taxes by phasing out the income tax and replacing it with a sales tax
REVISION BILLS		
SB 8	Pearce	Makes technical corrections and updates obsolete references in certain higher education statutes
HCS SB 67		Modifies provisions relating to higher education
SB 471	Rupp	Modifies provisions regarding the publishing of the Missouri statutes by the Revisor of Statutes
HB 774	Redmon	Repeals obsolete, expired, and ineffective statutory provisions
HB 775	Hampton	Repeals obsolete provisions in statute
ROADS AND HIGHWAYS		
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
CCS HCS SB 43		Modifies various provisions relating to transportation
CCS HCS SB 51		Modifies provisions relating to the regulation of motor vehicles
SB 62	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
HCS SB 67		Modifies provisions relating to higher education
HCS SB 73		Modifies provisions relating to the judicial process, including provisions relating to motorcycle brake lights
SB 108	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 130	Schaefer	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances

No.	Author	Subject
SB 141	Dempsey	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines to send revenues in excess of such threshold to the state school system
SCS SBs 176 & 192		Designates the new bridge on Interstate 70 crossing the Mississippi River as the "Stan Musial Memorial Bridge" and designates a portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 280	Wasson	Designates a bridge on United States Highway 65 in Greene County as the "Missouri Fallen Soldiers Memorial Bridge"
SB 286	Romine	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 296	Lager	Allows the governing body of any state college or university to establish regulations to control vehicular traffic on campus through college or university police officers
SB 326	McKenna	Exempts railroad crew members of a locomotive or train being operated upon rails from Missouri's driver's license law
SS SB 366		Creates the Rebuild Damaged Infrastructure Program, transfers moneys between certain funds, and creates a tax exemption for disaster relief services
SB 422	Curls	Designates a portion of Interstate 70 in Independence as the "Clifton J. Scott Memorial Highway"
SB 460	Kehoe	Designates a portion of U.S. Highway 69 in Clay County as the "Irvine O. Hockaday, Jr. Highway"
HCS SS#2 SCS SJR 16		Imposes a temporary one cent sales and use tax for transportation purposes
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 145	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 230	Sommer	Creates the crime of dangerous vehicular flight, increases the penalty for resisting arrest by fleeing in a vehicle in a dangerous manner, and requires high speed pursuit training for all peace officers
SCS HCS HBs 303 & 304		Makes specified memorial bridge and highway designations
HB 311	Thomson	Changes the laws regarding a petition for a tax levy for certain special road districts in Atchison County and the requirements to be elected or appointed as a commissioner of certain special road districts in the county
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 441	Webb	Designates the "William Lacy 'Bill' Clay, Sr. Highway" in St. Louis County
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person

No.	Author	Subject
HB 445	Engler	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway".
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HB 539	Walton Gray	Allows community service in lieu of a fine for certain traffic offenses
HB 544	Bahr	Repeals the provisions designating Department of Revenue employees as peace officers
HB 552	Conway 104	Requires political subdivisions receiving more than 20% of their annual general operating revenues from traffic fines on state highways to send the revenues in excess of the threshold to the state school system
HB 555	Burlison	Exempts motorcyclists 21 years of age and older from wearing a helmet when operating a motorcycle or motortricycle and allows a temporary motorcycle instruction permit holder to renew the permit two additional times
HB 581	Roorda	Designates a portion of State Highway 32 in Farmington as the "Sergeant Jeffry Kowalski Memorial Highway" and a portion of Interstate 70 in St. Louis as the "Police Officer Daryl Hall Memorial Highway"
HB 591	Hubbard	Designates the bridge on Interstates 55, 64, 70 and U.S. Route 40 crossing the Mississippi River between downtown St. Louis and southwestern Illinois as the "Congressman William L. Clay Bridge"
HB 594	Cornejo	Prohibits a law enforcement agency from establishing a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of a motorcycle-only checkpoint
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HB 672	Korman	Prohibits bicycle operation on state roadways when there is a state bicycle path or trail running generally parallel and within two miles of a roadway with specified exceptions
HB 674	Hicks	Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 815	Smith 085	Establishes registration and reporting requirements for a jurisdiction utilizing automated speed enforcement systems on roadways within the state highway system
HB 868	Pfautsch	Prohibits a homeowner from being required to join a homeowner or subdivision association as part of a plan of maintenance for a private road
HB 869	Crawford	Designates the bridge on Missouri Highway 5 crossing over Interstate 44 in Laclede County as the "James R. Ledbetter Memorial Bridge"
HB 888	Rowland	Designates the bridge on U.S. Highway 160 crossing over Lick Creek in Ozark County as the "Barney Douglas (The Citizen) Memorial Bridge"
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 970	Wieland	Changes the laws regarding motor vehicle insurance
HB 976	Schupp	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 1005	Curtman	Prohibits law enforcement agencies from establishing roadside checkpoints or road block patterns based upon a particular vehicle types, including the establishment of motorcycle-only checkpoints
HB 1017	Love	Designates U.S. Highway 54 in Missouri as the "Discover More on Route 54 Highway"

No.	Author	Subject
HCS HB 1041		Changes the way the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
		SAINT LOUIS
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SS SCS SB 125		Modifies duties of boards of education
SB 173	Nasheed	Transfers governance of the St. Louis School District from the special administrative board to the elected school board when certain conditions are satisfied
CCS SCS SB 224		Modifies provisions relating to crimes and law enforcement officers and agencies
SB 249	Nasheed	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
SB 286	Romine	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 423	Nasheed	Requires the Supervisor of Parking Meters in the city of St. Louis to supervise a parking division rather than a parking enforcement division and a parking meter division
SB 426	Nasheed	Creates a pilot program for support of nonprofit math and science tutoring centers in St. Louis City
SB 448	Schmitt	Allows the circuit court of the city of St. Louis to create of a special armed offender docket
SB 475	Lamping	Mandates that certain state retirement plans shall be one hundred percent funded in five years
SB 482	Nasheed	Mandates that the city of St. Louis must create a special armed offender docket
SJR 13	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SCS HCS HB 110		Changes the laws regarding the selection of public officials
SS#2 SCS HB 116		Changes the laws regarding audits
HB 163	Fitzpatrick	Changes the laws regarding elections
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 193	Diehl	Relating to boards of election commissioners in cities not within a county or in home rule cities with more than four hundred thousand inhabitants located in more than one county.
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
HB 264	Walton Gray	Establishes a community schools grant program in St. Louis
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 318	Crawford	Authorizes any court in a civil case to order that the jury costs be paid by the party against whom a judgment is made
CCS SS HB 336		Changes the laws regarding emergency services
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state

No.	Author	Subject
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HB 396	Kratky	Requires the special administrative board of the St. Louis City Transitional School District to develop and submit to the voters of the district a plan to divide the district into four subdistricts
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 445	Engler	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway".
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
SCS HB 460		Authorizes the conveyance of various state properties
HB 489	Roorda	Prohibits an Associate Circuit Judge in St. Louis City from presiding over the trial of any person charged with a class A misdemeanor unless also charged with a felony
HB 530	Butler	Creates the Neighborhood Watch Fund, which provides state funding for political subdivisions and the wards of St. Louis City to establish neighborhood watch organizations
HB 540	Walton Gray	Establishes a Council for Community Education within the Department of Elementary and Secondary Education
HB 558	Roorda	Prohibits associate circuit judges in the city of St. Louis from presiding over the trial or sentencing phase of any class A felony case
HB 563	Morgan	Requires children in the City of St. Louis and Kansas City school districts to enroll in a school by the age of five
HCS HB 656		Combines the parking enforcement division and parking meter division in the City of St. Louis into a parking division
HB 682	Newman	Allows a voter to cast an advance ballot
SCS HCS HB 722		Changes the laws regarding the Police Retirement System of St. Louis
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 756	Hubbard	Establishes a prisoner re-entry program within the Department of Corrections for an offender who has served his or her full sentence and is relocating to St. Louis upon release
HB 761	Walton Gray	Prohibits third and fourth class cities in St. Louis County from imposing a fee for a false alarm to which the police department responds if it is the alarm user's first false alarm in a 12-month period
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 897	Leara	Changes the laws regarding the alternative police retirement systems in the City of St. Louis
HJR 39	Gatschenberger	Proposes a constitutional amendment that consolidates the City of St. Louis and St. Louis County into a single governing entity
HJR 40	Gatschenberger	Proposes a constitutional amendment to make the City of St. Louis part of St. Louis county
SAINT LOUIS COUNTY		
SJR 13	Chappelle-Nadal	Makes St. Louis city a part of St. Louis county
SCS HCS HB 110		Changes the laws regarding the selection of public officials
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures

No.	Author	Subject
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
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HB 997	Colona	Requires the St. Louis County Bar Association to conduct research to establish a more safe and efficient method for attorneys to enter county courthouses
HCR 18	English	Requests the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
HJR 39	Gatschenberger	Proposes a constitutional amendment that consolidates the City of St. Louis and St. Louis County into a single governing entity
HJR 40	Gatschenberger	Proposes a constitutional amendment to make the City of St. Louis part of St. Louis county
SALARIES		
SB 457	Parson	Bars any state employee's salary from exceeding the Governor's salary
SS#2 HB 34		Changes the way that the Department of Labor and Industrial Relations determines the prevailing hourly rate of wages on public work projects
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
HB 98	White	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 323	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases
HB 376	Hough	Allows the Thirty-first Judicial Circuit in Greene County to appoint a family court commissioner whose compensation must be payable by the state without the necessity of reimbursement
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 409	Love	Changes the laws regarding the prevailing hourly rate of wages
HB 411	Muntzel	Specifies that nonexempt state employees can retain up to 80 compensatory hours at any time during the year or request payment for any overtime hours accrued
HB 452	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 453	Fraker	Changes the laws regarding prevailing wages on public works projects
HB 456	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 520	Newman	Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HB 636	Fitzwater	Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HB 637	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors

No.	Author	Subject
HB 666	Marshall	Requires a nonprofit corporation that solicits contributions or gifts from the public to provide, upon request, the name and any compensation paid by the corporation to any board member or officer
SAVINGS AND LOAN		
HCS HB 176		Increases the amount of specified fees that a vendor of a small loan can charge
HCS HB 203		Requires specified disclosures on new credit card processing service contracts
HB 375	Cox	Requires credit agreements to be executed by both the debtor and the lender and signed by the debtor
HB 403	Gosen	Changes the laws regarding unsecured loans of \$750 or less, commonly known as payday loans
HB 412	Reiboldt	Increases the maximum amount of certificates of guaranty that the Missouri Agricultural and Small Business Development Authority may issue on a loan for livestock feed and crop input
HCS HB 479		Changes the laws regarding residential mortgage loan brokers
SCIENCE AND TECHNOLOGY		
SB 93	Justus	Repeals provisions making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SB 333	Silvey	Reauthorizes and modifies provisions relating to the Qualified Research Expenses Tax Credit
SB 362	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 426	Nasheed	Creates a pilot program for support of nonprofit math and science tutoring centers in St. Louis City
SB 467	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 136	Hinson	Requires high school students to complete at least two full semesters of science and two full semesters of math within the two semesters immediately preceding a student's graduation from high school
HCS HB 179		Specifies that the State Board of Education and other public school entities must encourage students to explore scientific questions and assist teaching strengths and weaknesses of scientific theories of biological or chemical evolution
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 383	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 524	Schupp	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting

No.	Author	Subject
HB 561	Molendorp	Specifies that if an anatomical gift is medically unsuitable for transplantation or therapy, the gift may be used for research, education, or pass to an appropriate procurement organization
HB 575	Higdon	Changes the laws regarding criminal procedure as it relates to obtaining and using eyewitness identification testimony, in-custody informant testimony, and the identification, collection, and preservation of biological evidence
HB 619	Ellinger	Revises the laws regarding first degree murder
HB 673	Schatz	Changes the name of Linn State Technical College to State Technical College of Missouri
HB 746	Cross	Creates the Innovation Education Campus Fund and recognizes the University of Central Missouri's Missouri Innovation Campus
HB 773	Entlicher	Changes the laws regarding election ballots and audits
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
HCS HB 813		Requires the Department of Economic Development to distribute money to early stage business development corporations for grants to newly formed businesses that have the potential for national or international sales or the development of new technology
HB 833	Rowden	Establishes the MissouriLink Network
HB 922	Nichols	Establishes the Clinical Laboratory Science Practice Act which requires the licensure of clinical laboratory science personnel
HB 934	Curtis	Creates a tax credit for employers who hire students majoring in the fields of science, technology, engineering, or mathematics for internships
SEARCH AND SEIZURE		
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HB 272	Walton Gray	Changes the laws regarding certain offenders who are fugitives from justice or have outstanding arrest warrants from more than one political subdivision or jurisdiction
HB 296	Spencer	Establishes the Missouri Good Samaritan Law
HB 421	Curtman	Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
SECRETARY OF STATE		
SCS SB 2		Modifies the law relating to initiative and referendum petitions
SB 27	Kraus	Establishes photo identification requirements for voting
SB 79	Lamping	Changes the primary election date from August to June
HCS SB 90		Modifies provisions relating to elections and allows council members in third class cities to serve four-year terms upon passage of ballot proposal
SB 94	Justus	Creates an advance voting system for elections
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights
HCS SS SCS SB 116		Modifies the law relating to uniformed military and overseas voters
SB 135	Sater	Requires a newly formed Fair Ballot Commission to approve fair ballot language and ballot summary statements

No.	Author	Subject
SB 143	Walsh	Allows religious and charitable organizations to file with the Secretary of State instead of the circuit court in order to amend charters and convert to a nonprofit corporation
SB 145	Walsh	Creates an advance voting system for elections
SB 177	Schmitt	Moves the date of the presidential primary from February to March
SB 309	Schaaf	Prohibits certain types of public benefit corporations from entering into agreements to operate health insurance exchanges
SCS SB 375		Establishes the paper ballot as the official ballot and requires audits before election certification
SB 478	Lamping	Provides that certain legal material published electronically must be authenticated and preserved
SJR 6	Kraus	Allows for photographic identification for voting
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 39	Roorda	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 41	Rowland	Requires proof of identity and status as a United States natural born citizen for a candidate for the Office of President or Vice President to be submitted with other required certification documents to the Secretary of State
HB 54	Dugger	Changes the required percentage of defeat of the votes cast when a candidate or a ballot question must be allowed a recount
SCS HCS HB 110		Changes the laws regarding the selection of public officials
HB 113	Davis	Establishes the Uniformed Military Voters Act
SS#2 SCS HB 116		Changes the laws regarding audits
SS HCS HB 199		Repeals obsolete statutes regarding elections
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
HB 232	Barnes	Requires election authorities to compile and use a voluntary interactive computerized voter registration list for voters who have no form of state-issued photographic identification
HB 421	Curtman	Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
HB 646	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 686	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 710	Grisamore	Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 777	Swearingen	Allows specified local city hospitals to become a nonprofit corporation upon the approval of the voters in the city or by the adoption of a resolution by the hospital's board of trustees
HCS HB 814		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HB 848	Neth	Establishes the requirements for early voting
HB 916	Schupp	Specifies that certain business fees can only be changed every four years

No.	Author	Subject
HB 918	Roorda	Waives business fees for a person who is a member of the Missouri National Guard or any other military branch, resides in Missouri, and shows proof to the Secretary of State of service
SCS HCS HJR 5 & 12		Proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in an election
SECURITIES		
HB 212	Cox	Changes the law regarding secured transactions under the Uniform Commercial Code
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 421	Curtman	Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
SEWERS AND SEWER DISTRICTS		
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HCS HB 74		Changes the laws regarding political subdivisions
HCS HB 75		Prohibits specified increases in premiums or fees charged for sewer or wastewater treatment in St. Charles County without a vote of the people
SS SCS HB 142		Changes the laws regarding utilities
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HCS HB 604		Changes the laws regarding the Department of Natural Resources
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
HB 789	Funderburk	Merges water and sewer corporations into one group of public utilities for assessment purposes
SEXUAL OFFENSES		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 188		Modifies provisions relating to civil commitment of sexually violent predators
SB 214	Silvey	Modifies provisions relating to crime
SB 243	Brown	Makes second degree sexual misconduct a class D felony if the offender was incarcerated in a Department of Corrections facility at the time of the crime
SCS SB 250		Modifies provisions relating to the crime of possession of child pornography
SB 285	Romine	Allows certain law enforcement agencies access to electronic monitoring information regarding sexually violent predators
SJR 15	Schaaf	Modifies the Constitution to allow for propensity evidence in prosecutions for crimes of a sexual nature involving a victim under the age of eighteen
HB 106	Kelley 127	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HCS HB 210		Changes the laws regarding the Missouri Criminal Code

No.	Author	Subject
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HB 247	Ellington	Removes the statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child and allows prosecutions for child abuse to be commenced at any time
HB 266	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 280	Barnes	Changes the laws regarding certain sexual offenses
SCS HB 301		Changes the laws regarding certain sexual offenses and sexually violent offenders and establishes a prisoner re-entry program for certain offenders
HB 326	Fitzwater	Changes the penalty for the crime of sexual misconduct to a class D felony if the crime is committed while the person is incarcerated within a Department of Corrections' facility
HCS HB 371		Changes the laws regarding judicial procedures
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
HCS HB 462		Changes the laws regarding the state sexual offender registry and its requirements
HB 463	Black	Creates criminal penalties for acts of violence committed by a sexually violent predator while in a secure facility operated by the Department of Mental Health
HCS HB 468		Changes the laws regarding public safety
HB 480	Gosen	Increases the penalty when any owner or employee of a skilled nursing facility has sexual contact with a resident to a class D felony or has sexual intercourse with a resident to a class C felony
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 535	Barnes	Changes the laws regarding sexual offenses against a child
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HCS HB 830		Changes the laws regarding criminal offenders participating in the Department of Corrections' 120-day programs and sexual offender assessment programs
HB 1023	Jones 050	Changes the laws regarding the crime of possession of child pornography
HB 1027	Roorda	Requires the juvenile officer in specified cases to make an evaluation within 48 hours of detention of the juvenile as to whether the offense was the result of third-party enticement, exploitation, or coercion
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
SOCIAL SERVICES DEPT.		
SB 14	Schaaf	Raises Medicaid eligibility for the aged, blind and disabled population by modifying the eligibility for pregnant women and children if tax credits are available in a federal exchange
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
CCS SCS SB 36		Modifies provisions related to juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction

No.	Author	Subject
SB 49	Lamping	Modifies the criteria for determining whether a child is a special needs child for the purposes of the special needs adoption tax credit
SCS SB 69		Modifies provisions relating to administrative child support orders
SB 113	Schmitt	Modifies provisions of mandatory reporting of child sexual abuse
SB 128	Sater	Modifies the permissible uses of electronic transfer benefits (EBT) cards for food stamp and cash assistance
SB 131	Nasheed	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
SB 152	Curls	Allows judges to suspend the imposition of an adult criminal sentence for juvenile offenders
HCS SB 205		Allows for higher education or armed services visits for children in foster care or in the Division of Youth Services and raises the age limit for foster care reentry
SB 208	Justus	Raises the age limit for when a youth may reenter into foster care
SS SB 251		Updates provisions relating to public assistance fraud and abuse
SB 349	LeVota	Provides for the expansion of MO HealthNet services beginning on January 1, 2014
SB 391	Dixon	Codifies the common law remedy of civil contempt for failure to comply with child support orders
SB 413	Wasson	Adds comprehensive day services rehabilitation as a covered service under the MO HealthNet
SB 444	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 456	Parson	Provides for the expiration of certain changes to the MO HealthNet Program if enacted
HCS HB 87		Changes the laws regarding certain benevolent tax credits
HB 101	White	Changes the laws regarding child abuse investigations.
HB 156	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 279	Hinson	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
SCS HCS HB 343		Changes the laws regarding public assistance benefits
HCS HB 344		Requires MO HealthNet reimbursement for certain services based on the new behavior assessment and intervention codes under the Current Procedural Terminology (CPT) coding system
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 406	Wieland	Requires all employers with more than fifty employees to remit payments to the Family Support Payment Center by electronic means
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HCS HBs 455 & 297		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 497	Kirkton	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
SCS HCS HB 505		Changes the laws regarding child abuse and neglect
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HB 515	Burlison	Requires all children over 15 years of age in foster care or in the Division of Youth Services to receive a visit to a state university or community or technical college in the child's area

No.	Author	Subject
HB 529	Mims	Allows certain felons to be eligible for food stamp program benefits
HCS HB 541		Changes the requirements for cases involving juvenile offenders who have been certified as adults and found guilty in a court of general jurisdiction
HB 547	Mitten	Changes the laws regarding the termination of parental rights
HB 557	Ellinger	Requires all substantiated cases of child abuse and neglect in the central registry to be classified based on risk of future harm to the child
HCS HB 608		Requires the MO HealthNet Division to establish a pilot program implementing an electronic benefit transfer payment system for receipt of MO HealthNet services by participating recipients
HB 624	Ellinger	Changes the laws regarding sexual offender registration
HB 627	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 668	Torpey	Changes the laws regarding the Safe Place for Newborns Act of 2002
HCS HB 700		Establishes the Show-Me Transformation Act which changes the requirements for delivery of health care benefits under the MO HealthNet program
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 712	Grisamore	Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairments to the list of services covered under MO HealthNet
HB 713	Grisamore	Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under MO HealthNet
HB 716	Grisamore	Establishes the Show-Me Healthy Babies Program as a separate children's health insurance program for low-income unborn children
SCS HCS HB 717		Increases the age limit for a youth to reenter foster care from 18 to 21 years of age
HB 718	Grisamore	Extends foster care to the age of 21 for certain children
HB 721	Grisamore	Requires all children older than 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 723	Grisamore	Requires the Department of Health and Senior Services to seek a waiver from the federal government to allow moneys from the Brain Injury Fund to be used for brain injury services under the MO HealthNet program
SCS HCS HB 727		Changes the laws regarding services for individuals with disabilities
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care
HB 791	LaFaver	Repeals the provision requiring the Department of Elementary and Secondary Education to pay the per pupil cost of educational services for children whose school placement is arranged by or approved by the departments of Mental Health or Social Services or by court order as soon as the funds are appropriated
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 838	Wieland	Specifies that certain felons must be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits
HB 867	Jones 050	Allows providers to use clinical decision support tools as an alternative to prior authorization to determine the clinical appropriateness of services or procedures for recipients of medical assistance
HB 896	LaFaver	Expands MO HealthNet coverage beginning on January 1, 2014
HB 900	Meredith	Changes the eligibility requirements for medical assistance under the MO HealthNet program

No.	Author	Subject
HB 906	Butler	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 908	Pace	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 911	Brown	Changes the eligibility requirements for supplemental nutrition assistance as it relates to an ineligible immigrant
HB 913	Brown	Requires the Children's Division within the Department of Social Services to verify on a monthly basis the employment status of any person eligible to receive transitional child day care services based on employment
HCS HB 925		Changes the requirements for providing comprehensive health care for public assistance recipients
HB 926	Allen	Establishes a MO HealthNet pilot project program and demonstration project to provide medical assistance to certain aged, blind, and disabled populations
HB 937	Hummel	Changes the eligibility requirements for medical assistance under the MO HealthNet Program
HB 939	Fitzpatrick	Changes the laws regarding public assistance benefits
HB 947	Dunn	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 948	Burns	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 949	Curtis	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 950	McNeil	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 951	Colona	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 952	Mayfield	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 953	Ellinger	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 954	Schieffer	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 955	Nichols	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 956	Otto	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 957	Schupp	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 958	Mims	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 959	Morgan	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 960	Englund	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 961	Walton Gray	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 966	Gardner	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 967	LaFaver	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 968	Grisamore	Revises the definition of "relative" for purposes of the guardianship subsidy to include fictive kin
HB 969	May	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 974	Kirkton	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 977	Mitten	Changes the eligibility requirements for medical assistance under the MO HealthNet program
HB 985	Barnes	Extends the Ticket to Work Health Assurance Program to 2019
SCS HCS HB 986		Changes the laws regarding health care services
HB 987	Barnes	Changes the laws regarding eligibility for MO HealthNet benefits
HB 988	Barnes	Changes the laws regarding MO HealthNet benefits for foster children
HB 1012	Ellington	Changes the eligibility requirements for medical assistance under the MO HealthNet program

No.	Author	Subject
HB 1027	Roorda	Requires the juvenile officer in specified cases to make an evaluation within 48 hours of detention of the juvenile as to whether the offense was the result of third-party enticement, exploitation, or coercion
HB 1039	Franklin	Establishes the Show-me Transformation Act that changes the requirements for the MO HealthNet Program
SOIL CONSERVATION		
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
SOVEREIGN OR OFFICIAL IMMUNITY		
HCS SB 75		Modifies provisions relating to public safety
HCS HB 46		Establishes the Preserving Freedom from Unwarranted Surveillance Act that prohibits the use of a drone or other aircraft to gather evidence or other information with specified exceptions
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
STATE DEPARTMENTS		
HCS SB 12		Modifies various laws relating to judicial procedures
HCS SB 18		Requires agencies to track federal fund usage, requires political subdivisions and charter schools to disclose indebtedness, requires the Governor to report withholdings, and removes the Auditor from the Board of Fund Commissioners
SCS SB 174		Reduces the corporate income tax rate and modifies provisions relating to use tax nexus
SB 183	Sater	Makes it a crime for a government officer to unlawfully search a person seeking access to a public venue or transportation source
SJR 17	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 57	Fitzpatrick	Prohibits a state agency or political subdivision or a member of the Missouri National Guard from knowingly aiding an agency of the United States armed forces in specified unlawful detention of a citizen
SS#2 SCS HB 116		Changes the laws regarding audits
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
HCS HB 137		Requires all state agencies to obtain approval from the General Assembly prior to administering, implementing, or expanding any federal program
HB 164	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 183	Hoskins	Requires all state agencies authorized to issue tax credits to deliver an annual report of all credits issued to the Department of Revenue by January 15
HB 217	Cox	Requires state agencies to track federal fund use, political subdivisions and schools to disclose indebtedness, the Governor to report budget withholdings, removes the State Auditor from the Board of Fund Commissioners, and prohibits the state from entering into a contingency contract with a private attorney that exceeds certain fee restrictions
HB 236	Ellington	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts

No.	Author	Subject
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 278	Brattin	Prohibits any state or local governmental entity; public building, park, or school; or public setting or place from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 293	Spencer	Requires any state agency that assesses or imposes an administrative penalty to implement procedures that provide information regarding the administrative appeal process
HCS HB 484		Requires the Division of Purchasing to establish a goal of buying at least 3% of goods and services from a person with a significant mental or physical impairment or a business or agency employing or serving these persons
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 508	Redmon	Changes the laws regarding Executive branch reorganization
HCS HB 543		Changes the duties and authority of the State Auditor
HB 578	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HB 642	Elmer	Allows a construction manager and any construction firm that he or she controls to bid and perform any of the actual construction on a public works project
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HB 658	English	Authorizes the City of Florissant to charge a reasonable fee to pay for costs associated with the maintenance of right-of-ways and easements
HB 709	Grisamore	Establishes the Missourians with Disabilities Jobs Act of 2013, which requires 3% of the goods and services purchased by state departments and political subdivisions to be from persons having significant mental or physical disabilities
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 803	Brown	Specifies that any state department or agency that experiences a reduction in funds from the federal government due to a fine or penalty imposed on it must notify the General Assembly and the Governor
HCS HB 814		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 817	Ross	Specifies that beginning in fiscal year 2015, moneys to be deposited into the Missouri Revolving Information Technology Trust Fund must be collected by the Office of Administration for actual costs incurred
HB 818	Ross	Prohibits a state agency or department from constructing, enabling, maintaining, participating in, or developing a database of the number or type of firearms, ammunition, or accessories that an individual possesses
HB 863	Allen	Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 886	Bahr	Authorizes the General Assembly to remove any department director or deputy director if it determines that the removal is necessary for the betterment of the public service
STATE EMPLOYEES		
SB 269	Nieves	Modifies the use of the Capitol complex grounds by non-public entities
SB 312	LeVota	Prohibits retired judges or state employees from collecting retirement benefits while subsequently employed by a Missouri city, town, county, or village

No.	Author	Subject
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 457	Parson	Bars any state employee's salary from exceeding the Governor's salary
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HB 200	Barnes	Repeals provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees
HB 209	Richardson	Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
HB 239	Ellington	Specifies that no person applying for state employment, public assistance, or state housing assistance can be required to disclose any prior nonviolent felony plea or conviction with certain exceptions
HB 246	Ellington	Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
HB 259	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week cannot be required to take two hours of vacation leave for paid holidays
HB 337	Swearingen	Prohibits political subdivisions from discriminating between licensed professional counselors and other mental health professionals when promulgating regulations or recommending services
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 367	Hough	Specifies that an employer or supervisor requiring a state employee to work any overtime hours must give the employee at least 48 hours' notice of the requirement
HB 411	Muntzel	Specifies that nonexempt state employees can retain up to 80 compensatory hours at any time during the year or request payment for any overtime hours accrued
HB 426	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HB 456	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
SCS HB 533		Changes the laws regarding firearms
HB 636	Fitzwater	Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HCS HB 787		Prohibits the Department of Revenue from retaining copies of source documents used to obtain driver's licenses and nondriver's licenses
HB 839	McManus	Establishes the Missouri False Claims and Fraud Prevention Act
HB 1032	Jones 050	Repeals the provisions that prohibit specified state employees from being a candidate for public office and changes the laws regarding the political activities of state employees

No.	Author	Subject
STATE TAX COMMISSION		
SB 261	Rupp	Requires the State Tax Commission to assign a hearing officer within 60 days of appeals from boards of equalization
HB 32	Guernsey	Requires the State Tax Commission to use the local assessor's property assessment method when the commission's assessment is in conflict with the local assessor's assessment
HB 207	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 683	Berry	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
SUNSHINE LAW		
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HB 118	Shull	Changes the laws regarding the Open Meetings and Records Law to allow certain meetings and records regarding policies, security systems, and structural plans regarding any terrorist or public safety or health incident to be closed
HB 180	Roorda	Extends the expiration date of certain provisions of the Open Meetings and Records Law
CCS HCS HBs 256, 33 & 305		Changes the laws regarding the Open Meetings and Records Law
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HCS HB 284		Changes the laws regarding the Large Carnivore Act and establishes the Nonhuman Primate Act.
HB 330	Guernsey	Requires specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 332	Sommer	Removes the sunset provisions with regard to certain provisions of the Open Meetings and Records Law
HB 377	Kelley 127	Removes the expiration date of certain provisions of the Open Meetings and Records Law
HCS HB 468		Changes the laws regarding public safety
HB 492	Roorda	Changes the laws regarding the Open Meetings and Records Law, commonly known as the Sunshine Law, on records or documents involving law enforcement officers
HB 534	Schupp	Specifies that any portion of a record that identifies security systems, access codes, or authorization codes for security systems of real property shall be a closed document
HB 600	Kelly 045	Changes the laws regarding the Open Records and Meetings Law
HB 887	Kelly 045	Prohibits the Department of Revenue from selling or disclosing certain driver record information
SURVEYORS		
HB 135	Diehl	Authorizes any political subdivision to enter into design-build contracts for construction projects exceeding one million dollars
HB 651	Ross	Changes the laws regarding the Land Survey Program and transfers all powers, duties, and functions of the program from the Department of Natural Resources to the Department of Agriculture
HB 652	Korman	Changes the laws regarding the licensing of land surveyors
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources

No.	Author	Subject
TAX CREDITS		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
SCS SBs 10 & 25		Creates a tax credit to attract amateur sporting events to the state
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
SB 32	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SB 39	Sifton	Reauthorizes the Missouri Homestead Preservation Tax Credit program
SB 49	Lamping	Modifies the criteria for determining whether a child is a special needs child for the purposes of the special needs adoption tax credit
SB 63	Schmitt	Requires all tax credit programs created on or after August 28, 2013, to comply with the Tax Credit Accountability Act of 2004
SB 91	Justus	Reauthorizes the New Markets Tax Credit and creates the Missouri Angel Investment Incentive Act
SB 103	Kraus	Reauthorizes the Alternative Fuel Stations Tax Credit and creates a tax credit for fleet conversions of vehicles to natural gas
HCS SB 112		Modifies provisions relating to tax incentives
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SB 163	Kraus	Reauthorizes certain benevolent tax credits, prohibits further authorization of certain tax credits, and modifies historic preservation and low-income housing tax credits
SB 204	Brown	Extends the sunset on the Wood Energy Producers Tax Credit and caps the amount of tax credits available under the program each fiscal year
SB 323	Dixon	Creates the Missouri Works Program and eliminates or modifies certain other economic development programs
SB 333	Silvey	Reauthorizes and modifies provisions relating to the Qualified Research Expenses Tax Credit
CCS HCS SB 342		Modifies provisions relating to agriculture
SB 345	Lamping	WITHDRAWN
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund
SB 379	Keaveny	Modifies provisions relating to the Distressed Areas Land Assemblage Tax Credit
SB 387	Nasheed	Reduces the fiscal year cap and extends the sunset on the Film Production Tax Credit
SB 436	McKenna	Modifies provisions relating to small business incubators
HB 26	Lant	Authorizes a one time income tax deduction to a taxpayer for the cost of the construction or \$5,000, whichever is less, of a storm shelter that was made in America
HCS HB 78		Establishes the Missouri Jobs for Education Program to provide a tuition credit for certain business owners or companies who create new full-time jobs
HB 80	Johnson	Authorizes a tax credit equal to the cost of labor and materials to construct or improve a data center
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HCS HB 87		Changes the laws regarding certain benevolent tax credits

No.	Author	Subject
HB 97	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing hourly wage to be paid to a contractor on a project eligible for a housing tax credit if it is in a Governor-declared disaster area
SS SCS HB 142		Changes the laws regarding utilities
HB 183	Hoskins	Requires all state agencies authorized to issue tax credits to deliver an annual report of all credits issued to the Department of Revenue by January 15
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HBs 191 & 182		Establishes the Missouri Angel Investment Incentive Act
HB 192	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 221		Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
HB 223	Zerr	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 227	Zerr	Allows an entity that makes a qualified equity investment to receive certain tax credits and establishes procedures for obtaining the credits
HB 243	Ellington	Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HB 288	McCaherty	Repeals the provision allowing an individual to assign, transfer, sell or otherwise convey the pregnancy resource center tax credit and removes the sunset for the pregnancy resource center and food pantry tax credits
HB 321	Haahr	Changes the laws regarding the Second Injury Fund
HB 368	Hough	Changes the laws regarding certain benevolent tax credits
HB 369	Hough	Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 380	Bahr	Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HB 385	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HCS HB 389		Authorizes a tax credit for qualified research expenses, limits the annual total credits to \$10 million, limits the qualified research activities, and specifies how the credits are to be issued
HCS HB 391		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 393	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 413	Fitzwater	Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to \$4.5 million in any fiscal year
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%

No.	Author	Subject
HB 423	Zerr	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit Act
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HB 620	Barnes	Establishes the Buck Stops Here Economic Development Tax Credit Reform Program that provides tax incentives through retained withholding taxes and refundable income and financial institution tax credits for qualified companies
HCS HB 621		Authorizes three new tax credits for port facilities
HB 622	McCaherty	Provides tax incentives for qualified manufacturing facilities or qualified suppliers that create or retain jobs in Missouri
HCS HB 630		Changes the laws regarding the Missouri Quality Jobs Act, the Manufacturing Jobs Act, and the Missouri International Business Advertising Fund
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
CCS SCS HCS#2 HB 698		Changes the laws regarding tax incentives and tax credits
HB 736	Scharnhorst	Authorizes an income tax deduction for tuition, attendance fees, and school supplies purchased for educating a dependent enrolled in a Missouri elementary or secondary school
HB 784	Diehl	Repeals the provision regarding the property tax credit for renters, commonly known as the circuit breaker, and establishes the Missouri Senior Services Protection Fund
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 841	Ross	Authorizes a tax credit for qualifying milk producers in Missouri
HCS HB 850		Establishes the Bring Jobs Home Act which authorizes a tax deduction for out-of-state businesses that relocate to Missouri
HB 894	LaFaver	Increases the maximum amount of the property tax credit, commonly known as the circuit breaker, by 25% for both homeowners and renters
HB 895	LaFaver	Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed on the taxpayer's federal income tax return
HB 907	Butler	Authorizes a tax credit for a contribution to a public school foundation
HB 921	Berry	Authorizes the Department of Economic Development to exercise discretion in approving or rejecting a notice of intent under the Quality Jobs Act at its discretion in certain counties
HB 998	Frame	Establishes the Manufacturing Incubators Act
HB 1030	Burlison	Authorizes a tax credit for donations to charities for medical care and changes the laws regarding health care liability contracts
HB 1033	Shull	Reauthorizes tax credits for guaranty fees paid by small businesses
HJR 30	Solon	Proposes a constitutional amendment requiring any law creating a new tax credit or extending an existing tax credit to reduce the allowable amount of other tax credits
TAXATION AND REVENUE - GENERAL		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SB 24		Modifies provisions relating to political subdivisions, taxation, roads, emergency services, liquor, crimes, and merchandising practices
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SB 123	Chappelle-Nadal	Modifies provisions relating to taxes on hotels and motels in fourth class cities
SB 213	Kraus	Modifies provisions of law relating to tax increment financing

No.	Author	Subject
SB 323	Dixon	Creates the Missouri Works Program and eliminates or modifies certain other economic development programs
SB 333	Silvey	Reauthorizes and modifies provisions relating to the Qualified Research Expenses Tax Credit
SB 340	Schmitt	Modifies provisions relating to tax refund setoffs
SB 429	Chappelle-Nadal	Authorizes the cities of Edmundson and Woodson Terrace to charge a transient guest tax
SB 434	Lamping	Bars tax credit recipients from making certain campaign contributions for two years
SB 465	Schaefer	Creates an amnesty program for state taxes due as of December 31, 2012
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 20	Curls	Authorizes the creation of Show-me Small Business Districts
SJR 24	Emery	Replaces income taxes with an increased sales and use tax
HB 40	Roorda	Imposes an excise tax on controlled substances and illicit alcoholic beverages
SCS HB 55		Authorizes a tax amnesty program
HB 96	White	Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
HB 383	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HB 503	McCaherty	Creates the Paperless Documents and Forms Act
HB 546	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 554	Englund	Changes the laws regarding administrative garnishment and lien simplification
HB 661	Marshall	Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HB 767	Jones 050	Expands the Manufacturing Jobs Act to include qualified investor owned utilities
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 822	Kirkton	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 892	Hicks	Specifies that any sale of lands under Chapter 92, RSMo, is subject to valid recorded covenants running with the land and valid easements of record or in use
HB 1031	Parkinson	Eliminates the corporate income tax imposed on Missouri businesses beginning in 2014
SS HCR 25		Establishes the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation
HJR 17	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 25	Koenig	Changes the laws regarding taxes by phasing out the income tax and replacing it with a sales tax

No.	Author	Subject
TAXATION AND REVENUE - INCOME		
SB 5	Lager	Modifies several provisions regarding tax credits and the corporate income tax
HCS SS SCS SBs 20, 15 & 19		Modifies provisions of law regarding certain benevolent tax credits
HCS SS#2 SCS SBs 26, 11 & 31		Modifies provisions of law relating to taxation
SB 32	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SB 35	Wallingford	Creates an income tax return check-off program to provide funds for CureSearch for Children's Cancer
CCS HCS SCS SB 42		Modifies provisions relating to county sheriffs, school protection officers, and creates procedures and policies for unpaid debts to county jails
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SB 166	Schaaf	Extends allocation of tax revenues from the nonresident entertainer and athlete tax until December 31, 2019
SCS SB 174		Reduces the corporate income tax rate and modifies provisions relating to use tax nexus
SB 179	Parson	Creates an income tax deduction for purchases of new homes
SB 204	Brown	Extends the sunset on the Wood Energy Producers Tax Credit and caps the amount of tax credits available under the program each fiscal year
SB 220	Lamping	Increases the excise tax on cigarettes and reduces personal income taxes
SB 231	Munzlinger	Modifies tax refund and lottery setoff procedure for unpaid healthcare expenses
SB 246	Walsh	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 382	Kraus	Changes the rates of tax on personal and corporate income
SB 387	Nasheed	Reduces the fiscal year cap and extends the sunset on the Film Production Tax Credit
SB 398	Holsman	Extends the expiration of an income tax deduction for energy efficiency audits and projects to December 31, 2019
SB 407	Wallingford	Makes all of an individual's federal income tax liability deductible on their state taxes
SB 449	Romine	Creates a phased in personal income deduction for business income
SB 461	Wallingford	Provides an alternative method for calculating Missouri taxable income for corporations
SJR 2	Lager	Amends the Constitution to limit general revenue appropriations and mandate state income tax rate reductions in certain situations
SJR 24	Emery	Replaces income taxes with an increased sales and use tax
HB 26	Lant	Authorizes a one time income tax deduction to a taxpayer for the cost of the construction or \$5,000, whichever is less, of a storm shelter that was made in America
SCS HB 55		Authorizes a tax amnesty program
HB 80	Johnson	Authorizes a tax credit equal to the cost of labor and materials to construct or improve a data center
HB 82	Johnson	Reduces the corporate income tax rate for a company that creates a specified number of new jobs
HCS HB 83		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel

No.	Author	Subject
HCS HB 87	Kelley 127	Changes the laws regarding certain benevolent tax credits
HB 105		Changes the laws regarding the withholding tax filing requirements for certain small businesses
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HCS HB 194		Authorizes a one-time individual income tax deduction for the purchase of a new home used as the principal residence of the taxpayer for at least two years.
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 221	Zerr	Establishes the Missouri Export Incentive Act to encourage foreign trade through international airports in Missouri
HB 223		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HCS HB 234		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 243		Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HB 246		Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
SS HB 253	Haahr	Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 321		Changes the laws regarding the Second Injury Fund
HB 368		Changes the laws regarding certain benevolent tax credits
HB 369		Authorizes a tax credit for the eligible costs of attracting an amateur sporting event to the state
HB 380		Changes the laws regarding the deductions of certain net profits and caps the aggregate amount the Department of Economic Development may issue for all tax credits
HCS HB 391	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or who was recently discharged from a correctional facility
HB 393		Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 413		Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to \$4.5 million in any fiscal year
HB 421		Changes the laws regarding the use of gold and silver coins issued by the federal government as legal tender
HB 422		Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 444	Hubbard	Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents and legal guardians paid leave from work to help their children in their school
HCS HB 458		Establishes Bryce's Law which authorizes a tax credit for donations to a scholarship-granting organization for special needs students if it is not claimed on a federal income tax return
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri

No.	Author	Subject
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 553	Englund	Allows the Department of Revenue and Office of Administration to enter into a reciprocal collection and offset of indebtedness agreement with the federal government
HB 607	Curtman	Changes the individual income tax rates to adjust for inflation
SCS HCS HB 611		Changes the laws regarding employment
HB 628	McNeil	Authorizes an income tax deduction for 100% of the tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 671	Parkinson	Establishes an expiration date for tax credit programs, eliminates the corporate income tax, and authorizes an income tax deduction for small businesses
HB 720	Grisamore	Authorizes an income tax dependency exemption deduction for a stillborn child for the taxable year in which the child was born
HB 726	Pierson	Creates the Missouri Juneteenth Heritage and Jazz Festival and Memorial Fund and changes the distribution of funds from the professional athletes and entertainers tax
HB 810	Butler	Establishes the Economic-Education Partnership Act, which allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on job training for employees
HB 823	Kirkton	Eliminates the state individual and corporate income tax deduction for federal income tax liability beginning January 1, 2015
HB 843	Kirkton	Changes the laws regarding the Missouri individual income tax
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 874	Richardson	Authorizes a tax exemption for olympic medalists
HB 898	Berry	Extends the expiration date of an income tax deduction for energy efficiency audits and projects to December 31, 2019
HB 917	Burlison	Allows a deduction for one-half of the capital gains included in the taxpayer's federal adjusted gross income unless already deducted from the Missouri adjusted gross income under specified tax provisions
HB 1029	Burlison	Authorizes an alternative method for calculating the Missouri taxable income of the interstate income of a corporation
HB 1031	Parkinson	Eliminates the corporate income tax imposed on Missouri businesses beginning in 2014
HJR 25	Koenig	Changes the laws regarding taxes by phasing out the income tax and replacing it with a sales tax
TAXATION AND REVENUE - PROPERTY		
HCS SS#2 SCS SBs 26, 11 & 31		Modifies provisions of law relating to taxation
SB 39	Sifton	Reauthorizes the Missouri Homestead Preservation Tax Credit program
SB 74	Richard	Modifies provisions of law relating to tax increment financing and museum districts in natural disaster areas
HCS SS SCS SB 83		Modifies provisions of law relating to political subdivisions, traffic offenses and taxation
SB 228	Holsman	Authorizes the establishment of urban agricultural zones
CCS SCS SB 248		Modifies provisions relating to neighborhood improvement districts and delinquent property taxes

No.	Author	Subject
SB 261	Rupp	Requires the State Tax Commission to assign a hearing officer within 60 days of appeals from boards of equalization
SB 315	Pearce	Eliminates the expiration of a requirement for counties to deposit certain amounts into the assessment fund
SB 345	Lamping	WITHDRAWN
SB 350	Dempsey	Eliminates the renter's portion of the Senior Citizens Property Tax Credit and creates the Missouri Senior Services Protection Fund
SB 442	Silvey	Allows a property owner to authorize a collector to assign a property tax lien to a third party
SB 454	Nieves	Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes
HB 32	Guernsey	Requires the State Tax Commission to use the local assessor's property assessment method when the commission's assessment is in conflict with the local assessor's assessment
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HB 104	Solon	Changes the laws regarding special assessments for neighborhood improvement districts
HCS HB 128		Changes the laws regarding property tax bills, the taxes excluded from tax increment financing redevelopment plans, and the division of interstate income for Missouri corporate income taxation
SS SCS HB 142		Changes the laws regarding utilities
HB 147	Davis	Expands the procedural protections given to taxpayers in charter counties and the City of St. Louis regarding residential property tax assessments to taxpayers in any county
HCS HB 158		Changes the laws regarding tax increment financing in areas where a majority of the property is located within an area affected by specified natural disasters
SS SCS HCS HB 175		Changes the laws regarding the collection of special assessments and delinquent property taxes
HB 192	McNeil	Increases from \$14,300 to \$16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 201	Torpey	Extends to August 28, 2020, the tax credit a freight line company is allowed against its property taxes for specified expenses incurred in this state
HCS HB 202		Authorizes University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 267	Walton Gray	Changes the laws regarding delinquent real estate taxes or mortgage notes
SS SCS HB 542		Changes the laws regarding agriculture
SCS HB 568		Changes the laws regarding the collection of specified special assessments in Neighborhood Improvement Districts
HB 602	Dohrman	Repeals the expiration date of the provision requiring certain counties and the City of St. Louis to deduct an additional percentage of property tax collections for the payment of assessment costs
HB 643	Muntzel	Authorizes the governing body of Cooper County to impose, upon voter approval, a sales tax of up to 2% in lieu of a property tax to fund the county hospital
HB 665	Marshall	Allows county assessors to use the Kelly Blue Book or other credible resource when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 683	Berry	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 734	Torpey	Changes the laws regarding the assignment of property tax liens

No.	Author	Subject
HB 784	Diehl	Repeals the provision regarding the property tax credit for renters, commonly known as the circuit breaker, and establishes the Missouri Senior Services Protection Fund
HB 793	Rizzo	Allows 50 cents to be added to every zoning and tax incrementing financing application submitted for land banking in Kansas City
HCS HB 795		Changes the laws regarding the regulation of alternative fuels
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 894	LaFaver	Increases the maximum amount of the property tax credit, commonly known as the circuit breaker, by 25% for both homeowners and renters
HB 902	Dunn	Authorizes the establishment of urban agricultural zones
HB 914	Bahr	Modifies the real property tax increment allocation redevelopment act
HB 980	Fraker	Requires the county or city clerk of the governing body creating a neighborhood improvement district to file a notice with the recorder of deeds
HB 989	Torpey	Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principle residence
HB 999	Frame	Exempts residential property owned by an individual 62 years of age or older from certain increases in assessed valuation
HB 1009	Schupp	Revises the definition of "qualified voters" with regard to community improvement districts
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision
HB 1028	Webber	Changes the laws regarding property tax assessments for certain wind energy devices
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
HJR 3	Elmer	Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
HJR 37	Cookson	Proposes a constitutional amendment exempting disabled military veterans from the payment of property taxes
TAXATION AND REVENUE - SALES AND USE		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HCS SS#2 SCS SBs 26, 11 & 31		Modifies provisions of law relating to taxation
SB 46	Parson	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
HCS SB 99		Modifies provisions relating to elections, printing of the official state manual, and tax ballot issues
SS SCS SB 120		Modifies provisions relating to tax credits and tax incentives
SCS SB 174		Reduces the corporate income tax rate and modifies provisions relating to use tax nexus
HCS SCS SB 182		Eliminates state and local use taxes on motor vehicle sales and modifies state and local sales taxes on such purchases
SB 394	Silvey	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 415	Dixon	Allows Greene County or any city within the county to impose a sales tax, upon voter approval, to fund early childhood education education

No.	Author	Subject
SB 441	Dempsey	Creates a transient guest tax exemption for entities providing disaster relief services
SB 447	Brown	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
SB 468	Schaefer	Allows for a local hospital to abolish the current property taxes authorized to fund hospital operations and establish a sales tax for such operations instead
HCS SS#2 SCS SJR 16		Imposes a temporary one cent sales and use tax for transportation purposes
SJR 24	Emery	Replaces income taxes with an increased sales and use tax
HCS HB 74		Changes the laws regarding political subdivisions
HB 96	White	Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HB 140	Thomson	Authorizes Mound City to impose, upon voter approval, a transient guest tax for tourism purposes
HCS HBs 149 & 536		Establishes the Broad-Based Tax Relief Act of 2013 regarding business income and corporate income taxes and clarifies that fees paid to places of recreation are not subject to state and local sales and use taxes
HB 151	Brown	Exempts veteran's organizations from paying taxes on bingo and pull tab card sales
HB 157	Franklin	Institutes a tax on violent video games
SCS HCS HB 161		Changes the laws regarding political subdivisions
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HCS HB 197		Changes the laws regarding the collection of special assessments by county collectors and the distribution of funds from a county special road and bridge levy and establishes the STAR Bonds Financing Act
HB 208	Kirkton	Adds certain graphing calculators to the list of items that are exempt from sales tax during the annual sales tax holiday for school supplies
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 226	Berry	Exempts fuel used in school buses from the motor fuel tax when the bus is driven to transport students to or from school or to or from any place for educational purposes
SS HB 253		Changes the laws regarding the streamlined sales and use tax agreement, tax amnesty, the community development district tax, income tax, sales and use taxes, use tax nexus, and the transportation development tax
HB 254	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 277	Brattin	Authorizes an exemption from the motor fuel tax for motor fuel used in watercraft in this state
HB 333	Kelly 045	Changes the laws regarding the collection of sales and use taxes and funding the Second Injury Fund
HCS HB 335		Changes the laws regarding public safety
HB 342	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at farmers' markets
HB 397	Riddle	Authorizes a state and local sales and use tax exemption for specified titled manufacturing and mining equipment
HB 410	Love	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri

No.	Author	Subject
HB 416	Korman	Authorizes Montgomery and Douglas counties and the cities of New Florence and Ava to impose, upon voter approval, a transient guest tax
HB 422	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%
HB 459	Bahr	Establishes procedures for approving changes to redevelopment projects in St. Louis County, St. Charles County, and Jefferson County
HB 500	McNeil	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HBs 521 & 579		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding the collection of sales and use relating to nexus with Missouri
HB 546	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack
HB 551	Englund	Changes the laws regarding statements of no tax due
HB 578	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 643	Muntzel	Authorizes the governing body of Cooper County to impose, upon voter approval, a sales tax of up to 2% in lieu of a property tax to fund the county hospital
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 809	Rowden	Requires tax districts to report to the Department of Revenue its non-confidential tax rate and revenue collection information for display on the department's website
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 827	Redmon	Authorizes a tax exemption for certain materials used or consumed in certain business processes
HB 832	Korman	Proposes a sales tax holiday week for products that are made in the USA
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 875	Wieland	Authorizes Jefferson County to impose, upon voter approval, a sales tax to fund the county public health center in lieu of a property tax
HB 893	Franklin	Authorizes a violent video game excise tax to be deposited in the Violent Video Game Excise Tax Fund and distributed to the departments of Revenue, Mental Health, and Public Safety
HB 905	Butler	Authorizes a tax on tickets to sporting events to fund youth sports programs
HCS#2 HB 927		Changes the laws regarding agriculture
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 1000	Frame	Establishes the Second Amendment Sales Tax Holiday which authorizes an annual state sales and use tax holiday on retail purchases of certain firearms
HB 1013	Korman	Authorizes a tax on motor fuel equal to 17 cents per gallon or 6% of the cost per gallon of the motor fuel before any tax is imposed on it, whichever is greater
HB 1019	McCann Beatty	Repeals the expiration date of a portion of the public mass transportation sales tax in Kansas City and repeals the requirement that the system be in compliance with the Americans with Disabilities Act on that date
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision
HB 1042	Koenig	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri

No.	Author	Subject
HCS HJR 15		Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition for the proper functioning of arms must not be infringed or limited
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
HJR 25	Koenig	Changes the laws regarding taxes by phasing out the income tax and replacing it with a sales tax
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
TEACHERS		
SS SCS SB 125		Modifies duties of boards of education
SB 195	Keaveny	Allows school boards to establish and adopt a unique professional development program for teachers in lieu of following statutory mandates
SB 211	Rupp	Requires the Department of Elementary and Secondary Education to develop guidelines for the training of school employees in the care needed for students with diabetes
SB 221	Lamping	Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 223	Curls	Modifies provisions of the Public School Retirement System of Kansas City
SB 232	Wallingford	Makes permanent several alternative retirement provisions for members of the Public School Retirement System and Public Education Employee Retirement System
SCS SB 239		Prohibits school districts from requiring a student to use certain radio frequency identification devices and extends authorization for teacher certification based on American Board for Certification of Teacher Excellence certification
SB 311	Nasheed	Creates the Parental Involvement Act to allow parents to petition to convert a public school using a school turnaround model or into a charter school
SB 332	Libla	Modifies provisions relating to the employment and evaluation of teachers
SB 408	Emery	Modifies provisions relating to elementary and secondary education
SCS SB 455		Removes the August 28, 2014 termination date for individuals to obtain teacher certification based on certification by the American Board for Certification of Teacher Excellence
SB 476	Lamping	Requires the board of trustees of the Public School Retirement System of Missouri to establish a defined contribution plan for members hired on or after July 1, 2014
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
HB 120	Rowland	Changes the laws regarding the deadlines for the notification concerning a teacher's reemployment and the offering of a contract
SCS HCS HB 134		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 276	Brattin	Authorizes any school district to designate a teacher or administrator as a school protection officer who may carry concealed firearms after he or she has met specified minimum training requirements
HB 291	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 295	Spencer	Repeals the requirement that school districts spend one percent of their formula funding on professional development
HB 313	Thomson	Removes certain dates from the retirement allowances of public school and education employees' retirement systems
HB 353	Leara	Changes the laws regarding the defined contribution plan for employees of certain higher education institutions

No.	Author	Subject
HB 357	Roorda	Removes the exemption for police, deputy sheriffs, State Highway patrolmen, and teachers of all schools, colleges, and universities from the right to form and join labor organizations and to collectively bargain
HB 477	Morgan	Changes the laws regarding bullying in schools
HB 528	Sommer	Establishes the Advisory Council on the Education of Gifted and Talented Children and requires the State Board of Education to designate a staff person in charge of gifted and talented education
HCS#2 HB 631		Changes the laws regarding the employment and evaluation of teachers.
HB 737	Leara	Changes the laws regarding the public school retirement system of the City of St. Louis.
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 782	Spencer	Changes the laws regarding membership and contributions to public school retirement systems in Missouri
HB 808	Funderburk	Extends the expiration date regarding teaching certificates based on certification by the American Board for Certification of Teaching Excellence from August 28, 2014 to August 28, 2020
HB 861	Neth	Changes the laws regarding the Public School Retirement System of Kansas City
HB 904	Butler	Establishes the Missouri Parent/Teacher Involvement Act to provide grant awards to schools to develop and build relationships between families and school staff
HB 1008	Smith 085	Changes the laws regarding school course materials and instruction relating to human sexuality and sexually transmitted diseases
HB 1010	Morgan	Changes the laws regarding the Missouri Professional Teacher and Administrator Act by adding requirements relating to plans for professional development
TELECOMMUNICATIONS		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
SB 237	Emery	Exempts certain telecommunications companies from Public Service Commission price caps
SCS SB 239		Prohibits school districts from requiring a student to use certain radio frequency identification devices and extends authorization for teacher certification based on American Board for Certification of Teacher Excellence certification
SS SCS SB 241		Creates the Uniform Wireless Communications Infrastructure Deployment Act and modifies provisions relating to utility right-of-way
SS SB 366		Creates the Rebuild Damaged Infrastructure Program, transfers moneys between certain funds, and creates a tax exemption for disaster relief services
HCS HB 62		Requires an applicant taking the written portion of the driver's license examination more than once to pay a \$10 fee for each additional time he or she must retake the examination
HCS HB 63		Allows county collectors, with specified exceptions, the option to electronically transmit to resident taxpayers the required statement of personal property tax due instead of mailing them
HCS HB 81		Establishes the Missouri International Agricultural Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
CCS SCS HB 103		Changes the laws regarding transportation
HB 115	Davis	Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device
HB 145	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities

No.	Author	Subject
HB 228	Sommer	Allows school districts to install and operate school bus safety cameras to detect violations that require a driver to stop for a school bus that is receiving or discharging students
HB 286	Funderburk	Prohibits employers from asking current or prospective employees to provide specified information to gain access to a social networking website where such employees maintain an account or profile
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SS HB 331		Changes the laws regarding utilities
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
CCS SS SCS HCS HBs 374 & 434		Changes the laws regarding judicial procedures
SCS HCS HB 388		Establishes the Parent and Community School Information Act that requires a simplified letter-grade report card for each public school building and each charter school
HB 394	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HCS HB 470		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 522	Engler	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 524	Schupp	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 569	Smith 085	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HCS HB 589		Changes the laws regarding sexual offender registration and classification
HCS HB 601		Changes the laws regarding telecommunications
HCS HB 608		Requires the MO HealthNet Division to establish a pilot program implementing an electronic benefit transfer payment system for receipt of MO HealthNet services by participating recipients
SCS HB 625		Specifies that the geographic proximity requirement in a collaborative practice arrangement may be waived for up to 28 days per year for rural health clinics under specified conditions
HB 646	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations
SCS HCS HB 653		Changes the laws regarding emergency communications services
HB 662	Marshall	Requires the Office of Administration to install and maintain audio and visual recordings of the capitol office entrances for specified elected officials
HB 678	Fraker	Allows fee offices to collect a \$2 fee on any electronic transmission reception
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
HB 696	Cornejo	Creates the offense of impersonation of an actual person by electronic means

No.	Author	Subject
HB 697	Cornejo	Defines terms relating to electronic public and business records
HB 706	Funderburk	Establishes the Password Privacy Protection Act which prohibits an employee from being required to disclose personal user names or passwords
HB 729	Rizzo	Modifies the documentation requirements for scrap metal purchases
HB 760	Walton Gray	Prohibits publishing of the names of lottery winners
HCS HB 771		Changes the laws regarding commercial drivers' licenses
HB 778	Kelley 127	Requires the Office of Administration to sell advertising space on all websites operated by its Information Technology Services Division
HB 806	Bahr	Prohibits school districts from requiring a student to use an identification device that uses radio frequency identification technology to transmit certain information
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HCS HB 936		Establishes the "Utilization of Telehealth" by advanced practice registered nurses in certain rural areas
HB 942	Swan	Adds virtual courses to the postsecondary courses that can be offered to high school students participating in dual enrollment classes
SCS HCS HB 986		Changes the laws regarding health care services
HB 1002	Frame	Allows proof of motor vehicle financial responsibility to be issued at the request of the insured to a mobile electronic device and used for verification in lieu of an insurance identification card
HB 1004	Frame	Creates the requirements for the sale of cellular phones or other electronic communication devices by secondhand dealers
HB 1020	McCann Beatty	Prohibits employers from requiring current or prospective employees to provide specified information to gain access to the employee's account or profile on a social networking website
HB 1025	Korman	Requires any person or entity conducting pole attachments to obtain a written contract containing specified information prior to attaching any equipment to the poles
HB 1034	Jones 050	Adds cellular phones and specified smart phone to the definition of "portable electronics" for the purpose of specified insurance policies
TELEVISION		
HCS HB 350		Prohibits the publication of any identifying information of firearm owners and prohibits health care professionals from being required to inquire, document, or disclose a patient's status as a firearm owner
TERRORISM		
HB 600	Kelly 045	Changes the laws regarding the Open Records and Meetings Law
HB 708	Grisamore	Changes the requirements for a person to be placed on the mental health employee disqualification list
HB 738	Lauer	Adds making a terrorist threat to the list of offenses that school administrators must report
TOBACCO PRODUCTS		
SB 97	Schaefer	Modifies the formula for determining how much money certain tobacco product manufacturers who are not participating in the Tobacco Master Settlement Agreement receive back from escrow funds
SB 201	Chappelle-Nadal	Enacts a state-wide smoking ban
SB 220	Lamping	Increases the excise tax on cigarettes and reduces personal income taxes
SB 337	Sater	Bans the sale of tobacco-derived and vapor products to minors

No.	Author	Subject
SB 467	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
HB 509	Otto	Prohibits an excursion gambling boat from being subject to more restrictive smoking laws than another excursion gambling boat within a 75 mile radius
HB 523	Schupp	Establishes new laws regarding smoking in public places
HB 546	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack
HB 560	Molendorp	Prohibits smoking or using tobacco products in any area or on the grounds of a state correctional facility
HB 751	Molendorp	Requires tobacco-derived products and vapor products to be subject to the same provisions as tobacco products
HB 864	Carpenter	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 978	Kelly 045	Changes the formula for determining how much money certain tobacco product manufacturers who are not participating in the Tobacco Master Settlement Agreement receive back from escrow funds
HB 1021	Conway 104	Specifies that any business in which tobacco use is prohibited must remit its property and county sales tax revenues to local school districts instead of the local political subdivision
TOURISM		
CCS HCS SB 23		Modifies provisions relating to taxation, economic development, political subdivisions, Kansas City public school teacher retirement, criminal law, and motor vehicles
HB 123	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax of not more than 6% to be used for specified purposes
HB 140	Thomson	Authorizes Mound City to impose, upon voter approval, a transient guest tax for tourism purposes
SS HB 184		Changes the laws regarding the sales tax on motor vehicles, the transient guest tax in Pettis County, and enhanced enterprise zones and establishes the Missouri Works Program
HB 316	Phillips	Extends the expiration date of the Division of Tourism Supplemental Revenue Fund from the year 2015 to 2020
HCS HB 335		Changes the laws regarding public safety
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HJR 33	Ross	Proposes a constitutional amendment to transfer the Soil and Water Sales Tax Fund to the Department of Agriculture and the State Park Sales Tax Fund to the Division of Tourism
TRANSPORTATION		
CCS HCS SB 43		Modifies various provisions relating to transportation
CCS HCS SB 51		Modifies provisions relating to the regulation of motor vehicles
SB 62	Keaveny	Increases the fine for seat belt violations from \$10 to \$50
SB 108	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 130	Schaefer	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances

No.	Author	Subject
SB 165	Walsh	Enacts various regulations pertaining to contract carriers that transport railroad employees
SCS SBs 176 & 192		Designates the new bridge on Interstate 70 crossing the Mississippi River as the "Stan Musial Memorial Bridge" and designates a portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 187	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 257	Silvey	Modifies provisions contained in the Port Improvement District Act
SB 263	Curls	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 280	Wasson	Designates a bridge on United States Highway 65 in Greene County as the "Missouri Fallen Soldiers Memorial Bridge"
HCS SS SB 282		Modifies various provisions relating to the regulation of motor vehicles
SB 286	Romine	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 404	Munzlinger	Modifies laws relating to emergency vehicle lighting and tow trucks, and requires the Highway Patrol to establish a rotation list procedure for requests for towing services
SCS SB 411		Modifies Missouri's commercial motor vehicle law to conform with Federal Motor Carrier Safety Administration regulations
SB 418	Lager	Regulates the crossing of railroad rights-of-ways by certain utilities
SB 422	Curls	Designates a portion of Interstate 70 in Independence as the "Clifton J. Scott Memorial Highway"
SB 460	Kehoe	Designates a portion of U.S. Highway 69 in Clay County as the "Irvine O. Hockaday, Jr. Highway"
SJR 3	Schaefer	Amends the Constitution to provide the authority for a Fifth State Building Bond issue
HCS SS#2 SCS SJR 16		Imposes a temporary one cent sales and use tax for transportation purposes
SJR 21	LeVota	Proposes a constitutional amendment to replace the Highways and Transportation Commission with a Director of Transportation
CCS SCS HB 103		Changes the laws regarding transportation
HB 145	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 219	Stream	Specifies that school districts operating magnet schools as part of a desegregation settlement agreement will not be penalized for inefficient bus routes in calculating aid for the transportation of pupils
HB 383	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
SCS HB 442		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 445	Engler	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway".
HB 469	Higdon	Requires political subdivisions using automated traffic enforcement systems to distribute the fines to local school districts to be used for transportation purposes
HB 472	Rhoads	Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts

No.	Author	Subject
HB 517	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 555	Burlison	Exempts motorcyclists 21 years of age and older from wearing a helmet when operating a motorcycle or motortricycle and allows a temporary motorcycle instruction permit holder to renew the permit two additional times
HB 638	Rhoads	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HB 672	Korman	Prohibits bicycle operation on state roadways when there is a state bicycle path or trail running generally parallel and within two miles of a roadway with specified exceptions
HB 674	Hicks	Increases the penalties for the offense of failing to yield the right-of-way and the time period that the court may order the suspension of a person's driving privilege for the offense
HB 694	Kratky	Establishes the Fair Fare Passenger Safety Act of 2013 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications
HB 715	McCaherty	Authorizes motorcycles to be equipped with a means of varying the brightness of the vehicle's brake light for up to five seconds upon application of the vehicle's brakes
HB 733	Berry	Changes the laws regarding the Port Improvement District Act
HB 776	Pace	Creates the crimes of assault of an employee of a mass transit system in the first, second, and third degree
HB 909	Pfautsch	Specifies that transportation development district audits may be conducted once every three years with a cost of no more than 3% of gross revenues paid by the district
HB 933	Jones 050	Changes the laws regarding travel hardships of public school students
HB 971	Fitzwater	Revises the definition of "local log truck" and "local log tractor"
HB 976	Schupp	Requires the driver and all passengers in a car or truck to wear a safety belt with certain exceptions
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 1019	McCann Beatty	Repeals the expiration date of a portion of the public mass transportation sales tax in Kansas City and repeals the requirement that the system be in compliance with the Americans with Disabilities Act on that date
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years
TRANSPORTATION DEPT.		
SB 165	Walsh	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 280	Wasson	Designates a bridge on United States Highway 65 in Greene County as the "Missouri Fallen Soldiers Memorial Bridge"
SB 286	Romine	Modifies the Mark Twain Highway designation and designates an additional portion of Interstate 70 as the "Andy Gammon Memorial Highway"
SB 418	Lager	Regulates the crossing of railroad rights-of-ways by certain utilities
SCS SB 419		Allows the Governor to convey certain state properties to the State Highways and Transportation Commission
SB 422	Curls	Designates a portion of Interstate 70 in Independence as the "Clifton J. Scott Memorial Highway"
HCS SS#2 SCS SJR 16		Imposes a temporary one cent sales and use tax for transportation purposes

No.	Author	Subject
SJR 21	LeVota	Proposes a constitutional amendment to replace the Highways and Transportation Commission with a Director of Transportation
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HB 129	Gatschenberger	Changes the state holidays that are to be observed and establishes the 2013 State Employee Retirement Incentive Program that allows certain employees to receive a years of service benefit
SCS HCS HB 233		Changes the laws regarding the Missouri State Employee Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System
SS SCS HCS HB 345		Changes the laws regarding telecommunications practices and municipal pole attachments
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
HB 437	Funderburk	Changes the laws regarding underground facility safety
HB 441	Webb	Designates the "William Lacy 'Bill' Clay, Sr. Highway" in St. Louis County
SCS HB 460		Authorizes the conveyance of various state properties
HB 472	Rhoads	Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts
HB 507	Redmon	Changes the laws based on executive branch reorganization within the departments of Health and Senior Services, Social Services, and Economic Development
HB 690	Korman	Adds hydrogen to the definition of "alternative fuel" and increases specified alternative fuel decal fees.
HB 804	Redmon	Increases membership of the Highways and Transportation Commission to seven commissioners and requires new appointees to be residents of different Department of Transportation geographic districts
HB 815	Smith 085	Establishes registration and reporting requirements for a jurisdiction utilizing automated speed enforcement systems on roadways within the state highway system
HB 869	Crawford	Designates the bridge on Missouri Highway 5 crossing over Interstate 44 in Laclede County as the "James R. Ledbetter Memorial Bridge"
HB 878	Koenig	Establishes a hybrid plan and a defined contribution program for employees and elected officials becoming employed after January 1, 2014
HB 888	Rowland	Designates the bridge on U.S. Highway 160 crossing over Lick Creek in Ozark County as the "Barney Douglas (The Citizen) Memorial Bridge"
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
HB 1014	Korman	Authorizes the Department of Transportation to set fees for drivers' licenses and license plates
HB 1017	Love	Designates U.S. Highway 54 in Missouri as the "Discover More on Route 54 Highway"
HB 1018	Curtman	Prohibits any law enforcement agency or transportation entity from conducting random checkpoints for the purpose of performing vehicle safety inspections for motorcycles or personal vehicles
HCS HJR 23		Proposes a constitutional amendment imposing an 1% temporary, 10-year increase in the state sales and use tax to be used for transportation projects
HJR 38	Korman	Proposes a constitutional amendment establishing a "miles driven" fee to be paid at the time of registration of a motor vehicle and bans toll roads for 10 years

No.	Author	Subject
TREASURER, STATE		
SB 181	Kraus	Modifies the law relating to campaign finance, lobbying, and ethics
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 299	Holsman	Establishes the Capital Green Program to provide funding for energy efficiency improvements to certain state buildings
SJR 19	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 24	Emery	Replaces income taxes with an increased sales and use tax
SCS HCS HB 110		Changes the laws regarding the selection of public officials
SS#2 SCS HB 116		Changes the laws regarding audits
HCS HB 543		Changes the duties and authority of the State Auditor
HB 680	Torpey	Proposes to prohibit statewide elected officials or General Assembly members from acting, serving, or registering as a lobbyist within one year of leaving office
HB 702	Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property
HB 730	Rowden	Allows the State Treasurer to use any other method of notification that he or she deems appropriate regarding abandoned property instead of the required publication in a newspaper
HB 769	Englund	Changes the requirements for the sale of certain unclaimed property held by the State Treasurer
HB 784	Diehl	Repeals the provision regarding the property tax credit for renters, commonly known as the circuit breaker, and establishes the Missouri Senior Services Protection Fund
HB 820	Koenig	Establishes a defined contribution program for elected officials becoming members after January 1, 2014
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
TREES AND OTHER PLANTS		
HB 971	Fitzwater	Revises the definition of "local log truck" and "local log tractor"
UNEMPLOYMENT COMPENSATION		
SS SB 28		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SB 339	Romine	Establishes the Missouri Works Training Program and modifies provisions relating to unemployment compensation
SB 458	Kehoe	Reduces duration of state unemployment benefits until December 31, 2013
SCS HB 196		Changes the laws regarding unemployment benefits, requires the Department of Economic Development to establish the Missouri Works Training Program, and establishes the Missouri Works Job Training Joint Legislative Oversight Committee
SCS HCS HB 611		Changes the laws regarding employment
HB 765	Brown	Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HCS HB 781		Changes the laws regarding MO HealthNet-funded home- and community-based care

No.	Author	Subject
UNIFORM LAWS		
SB 253	Justus	Modifies provisions relating to criminal law
SB 478	Lamping	Provides that certain legal material published electronically must be authenticated and preserved
HB 212	Cox	Changes the law regarding secured transactions under the Uniform Commercial Code
SCS HB 322		Changes the laws regarding motor vehicle insurance policies
SS HB 331		Changes the laws regarding utilities
HB 702	Englund	Allows the State Treasurer to make certain information available to the public in order to facilitate the identification of the original owner of military medals deemed to be abandoned property
UTILITIES		
SB 6	Lager	Allows telecommunications and broadband service providers to attach equipment to rural electric cooperatives' utility poles for smart grid or broadband purposes
SB 85	McKenna	Authorizes the city of Arnold to create a utility board or utility corporation
SCS SB 207		Allows electric corporations to recover costs for infrastructure replacement projects
SB 237	Emery	Exempts certain telecommunications companies from Public Service Commission price caps
SCS SB 240		Modifies provisions relating to ratemaking for gas corporations
SS SCS SB 241		Creates the Uniform Wireless Communications Infrastructure Deployment Act and modifies provisions relating to utility right-of-way
HCS SB 275		Requires a water supply district located in St. Charles County to be regulated by the Public Service Commission and modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low income customers
SB 277	Holsman	Establishes the Missouri Energy Efficiency Performance Standard
HCS SB 294		Modifies provisions relating to utilities
SCS SB 297		Modifies provisions related to water utilities
SB 334	Sifton	Requires that any person, corporation, or utility who wishes to acquire fifty percent or more of the total stock issued by the water or sewer corporation to get permission from the Public Service Commission
SB 335	Sifton	Merges water and sewer corporations into one group of public utilities for assessment purposes
SB 360	Rupp	Modifies the terms that a public sewer district must abide by before disconnecting a customer's service due to an unpaid balance
SB 361	Rupp	Modifies the pH level that wastewater treatment facilities must maintain
SS SB 366		Creates the Rebuild Damaged Infrastructure Program, transfers moneys between certain funds, and creates a tax exemption for disaster relief services
SCS SB 396		Creates the Electrical Corporation Net Metering and Easy Connection Act and modifies the renewable energy standard
SB 400	Holsman	Modifies provisions relating to the renewable energy standard
SB 418	Lager	Regulates the crossing of railroad rights-of-ways by certain utilities
SB 420	Lager	Modifies provisions relating to renewable energy
SB 431	Cunningham	Allows members of electric cooperatives to participate in certain meetings by mail or electronic means
SB 459	Kehoe	Requires that the Public Service Commission use the revenue allocation method in rate cases involving electric corporations
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard

No.	Author	Subject
HB 85	Kelley 127	Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and materials needed following a disaster where utility service has been disrupted
HB 119	Berry	Modifies provisions relating to the Net Metering and Easy Connection Act
SS SCS HB 142		Changes the laws regarding utilities
HB 143	McCaherty	Authorizes the City of Arnold to create a utility board or utility corporation to review and establish rates and fees for utility services
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
SCS HCS HB 222		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
SS HB 331		Changes the laws regarding utilities
HCS HB 398		Allows an electrical corporation to file a petition with the Missouri Public Service Commission to recover specified infrastructure replacement costs
HB 432	Funderburk	Authorizes the Missouri Public Service Commission to appear, participate, and intervene in any federal, state, or other administrative, regulatory, or judicial proceeding
HB 437	Funderburk	Changes the laws regarding underground facility safety
HCS HB 473		Changes the laws regarding a request for a rate increase by a gas corporation to the Missouri Public Service Commission
HCS HB 641		Specifies that no public owner, contractor, or subcontractor can withhold retainage on a public works project if the public owner has obtained a bond
HB 767	Jones 050	Expands the Manufacturing Jobs Act to include qualified investor owned utilities
HB 779	McNeil	Establishes the Missouri Energy Efficiency Performance Standard, which requires certain utilities to achieve specified saving requirements established by the Missouri Public Service Commission
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
HB 789	Funderburk	Merges water and sewer corporations into one group of public utilities for assessment purposes
HB 824	Guernsey	Allows a local hospital to abolish the current property taxes authorized to fund hospital operations and to impose, upon voter approval, a sales tax for the operations instead
HB 844	McNeil	Authorizes the Missouri Public Service Commission to adopt rules for the interconnection of combined heat and power systems
HB 901	Funderburk	Establishes procedures for certain utilities to construct facilities over, under, or across a railroad right-of-way
HB 923	Richardson	Excludes public housing authorities acting in compliance with federal regulations from the definition of "public entity" in regard to contracts for public works
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 1006	Jones 050	Allows a member of an electric cooperative to participate in certain meetings by mail or electronic means
CCS#2 SCS HCS HB 1035		Changes the laws regarding political subdivisions
VETERANS		
CCS SCS SB 106		Modifies various provisions relating to veterans and members of the military including the awarding of academic credit, professional licenses, and child custody rights

No.	Author	Subject
CCS HCS SCS SB 117		Modifies provisions relating to military affairs
HCS SCS SB 118		Authorizes the creation of veterans treatment courts
SB 180	Kraus	Changes the goal of 3% of government contracts awarded to service-disabled veteran businesses to 4%, and appropriates \$100,000 to veteran organizations
HCS SCS SB 186		Authorizes the release of certain information in order to identify veterans' remains and the owners of abandoned military medals, and modifies provisions relating to the registering and issuance of death certificates
SB 218	LeVota	Allows for the display of the Honor and Remember flag at all state buildings and state parks
SB 397	Holsman	Allows motorists to donate \$1 to the World War I Memorial Trust Fund to fund the National World War I Memorial in Kansas City and transfers all moneys in the World War II Memorial Trust Fund to the newly established World War I Memorial Trust Fund
SB 399	Holsman	Recognizes the Missouri Korean War Veterans Memorial located in Kansas City as the official Korean War Memorial of the state of Missouri
HB 88	Burlison	Changes who may be accepted by a drug court and allows a circuit court to establish a veterans treatment court to dispose of a case stemming from substance abuse or mental illness of a current military member or a veteran
HCS HB 114		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 150	Brown	Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 151	Brown	Exempts veteran's organizations from paying taxes on bingo and pull tab card sales
HB 154	Solon	Allows female veterans to obtain a "WOMEN VETERANS" specialized license plate
HCS HB 168		Allows an individual who is separating from the military to have resident student status for admission and tuition purposes at a public institution of higher education under specified circumstances
HCS HBs 309 & 73		Establishes the Military Veterans and Servicemembers Court Program to provide treatment and intervention to veterans and servicemembers charged or convicted of certain crimes
HB 366	Roorda	Prohibits a school district from scheduling a day or a half day off of school within five weekdays of Veterans Day unless the district also schedules Veterans Day as a day off
HB 370	Cox	Allows municipalities to assess an additional surcharge of up to \$7 per municipal traffic violation case unless the case has been dismissed by the court or the court finds the defendant unable to pay the cost
HCS HB 415		Allows the owner of a motor vehicle other than an apportioned motor vehicle or commercial motor vehicle licensed in excess of 24,000 pounds to apply for a special personalized license plate
SCS HB 450		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HB 482	Davis	Changes the laws regarding the unclaimed cremated remains of veterans collected by veterans' service organizations
HB 599	Berry	Allows an applicant for a motor vehicle registration or renewal to make a \$1 donation to the National World War I Museum at the Liberty Memorial in Kansas City
HB 645	Schieffer	Establishes a hiring preference for veterans to fill non-merit positions in state agencies
HB 689	Bernskoetter	Changes the design of the "Operation Enduring Freedom" and the "Operation Noble Eagle" license plates
HB 764	Mims	Allows Kansas City to impose an additional court cost of up to a \$7 per case for each municipal ordinance violation case

No.	Author	Subject
HB 798	Walton Gray	Allows a charitable organization that is exempt from federal income taxes and qualifies to sell intoxicating liquor by the drink in a convention trade area in St. Louis City and St. Louis, St. Charles, and Jefferson counties to obtain a permit to stay open until 3:00 a.m. and open at 9:00 a.m. on Sundays
HB 811	Cross	Changes the goal that 3% of government contracts be awarded to service-disabled veteran businesses to 4% and appropriates \$100,000 to veteran organizations
HCR 5	Phillips	Designates Missouri as a Purple Heart State
HCR 16	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HJR 8	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket with proceeds to go to the Veterans Commission Capital Improvement Trust Fund
HJR 37	Cookson	Proposes a constitutional amendment exempting disabled military veterans from the payment of property taxes
VETERINARIANS		
HB 877	Marshall	Exempts certain animal husbandry practices from the definition of "veterinary medicine"
VICTIMS OF CRIME		
SB 113	Schmitt	Modifies provisions of mandatory reporting of child sexual abuse
SB 214	Silvey	Modifies provisions relating to crime
SB 331	Schmitt	Creates procedures for the collection of restitution through the office of the prosecuting or circuit attorney
HB 214	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
SS SCS HCS HB 215		Changes the laws regarding criminal procedures
HB 251	Lauer	Increases, from \$2 to \$4, the surcharge imposed upon the filing of a civil action that is to be used to provide financial assistance to domestic violence shelters
HB 261	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through 12
HB 266	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 281	Barnes	Changes the laws regarding domestic violence
HB 300	Hubbard	Specifies that the criteria for domestic assault in the third degree includes three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 360	Roorda	Prohibits the denial of mental health care and treatment for children who are alleged victims of abuse and neglect and requires guardians ad litem to have training in child abuse and neglect or in mental health
HB 443	Hubbard	Establishes a pilot program to increase the visitation rights of children with incarcerated parents
HB 490	Roorda	Requires the prosecuting or circuit attorney to file a motion for the court-ordered sexually transmitted disease testing of a defendant charged with certain sexual offenses
HB 519	Newman	Changes the laws regarding domestic violence
HB 866	Hinson	Specifies that a state or local official may accept or reject the filing of any document that he or she believes is a spurious lien
HB 889	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program

No.	Author	Subject
SCS HJR 16		Proposes a constitutional amendment allowing relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under 18 years of age
		VITAL STATISTICS
SB 244	Schaefer	Modifies provisions relating to the registering and issuance of death certificates
SCS HCS HB 252		Changes the laws regarding adoptions
HB 514	Bahr	Changes the laws regarding midwifery
HB 557	Ellinger	Requires all substantiated cases of child abuse and neglect in the central registry to be classified based on risk of future harm to the child
HB 660	Marshall	Establishes the Safe and Fair Elections Act
HB 865	Neely	Requires the establishment of a death notification system for election authorities in order to remove deceased individuals from voter registration records
		WASTE - HAZARDOUS
HCS HB 604		Changes the laws regarding the Department of Natural Resources
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 740	Korman	Extends the fees on the retail sale of a lead-acid battery as well as the fees on certain hazardous waste to December 31, 2018
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
		WASTE - RADIOACTIVE
HCR 18	English	Requests the United States Congress to transfer authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' Formerly Utilized Sites Remedial Action Program
		WASTE - SOLID
SCS SB 13		Eliminates solid waste management districts and reduces landfill tipping fees by the amount previously used on district overhead and administration
CCS HCS SCS SB 157 & SB 102		Modifies provisions relating to the disposition of personal property
SB 363	Chappelle-Nadal	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 328	Nichols	Establishes the Residential Electronic Products Recycling and Reuse Act and repeals the Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
HCS HB 604		Changes the laws regarding the Department of Natural Resources

No.	Author	Subject
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HCS HB 880		Changes the laws regarding the boards and commissions within the Department of Natural Resources
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HCS#2 HB 927		Changes the laws regarding agriculture
WATER PATROL		
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 703	Conway 104	Specifies that the Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund include money for the maintenance of State Highway Patrol vehicles, watercraft, and aircraft and be used to pay for the maintenance and fuel costs of the items
WATER RESOURCES AND WATER DISTRICTS		
HCS SB 294		Modifies provisions relating to utilities
SCS SB 297		Modifies provisions related to water utilities
SS SB 366		Creates the Rebuild Damaged Infrastructure Program, transfers moneys between certain funds, and creates a tax exemption for disaster relief services
SB 416	Dixon	Modifies provisions relating to the Department of Natural Resources
SB 417	Lager	Modifies provisions relating to the Department of Natural Resources
HB 44	Korman	Allows hydropower produced in any quantity to be used to satisfy the renewable energy standard
HCS HB 74		Changes the laws regarding political subdivisions
HCS HB 74		Changes the laws regarding political subdivisions
HCS HB 75		Prohibits specified increases in premiums or fees charged for sewer or wastewater treatment in St. Charles County without a vote of the people
SS SCS HB 142		Changes the laws regarding utilities
HCS#2 HB 178		Changes the laws regarding a local ballot proposal by a political subdivision to enact a tax
HCS HB 198		Changes the laws regarding infrastructure replacement surcharges for water corporations
HB 225	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 417	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wage
HB 467	Lichtenegger	Requires a public water system to notify the Department of Natural Resources, the Department of Health and Senior Services, and its customers at least 30 days prior to a vote to cease fluoridation
HCS HB 604		Changes the laws regarding the Department of Natural Resources
SS SCS HB 650		Changes the laws regarding the Department of Natural Resources
HB 691	Korman	Requires all members of a public water supply district board of directors to be voters who have resided in the district for one year prior to election
HB 739	Korman	Extends the Clean Water Commission's authority to charge specified clean water fees to September 1, 2018

No.	Author	Subject
HB 788	Funderburk	Prohibits a person, corporation, or utility from acquiring 50% or more of the total stock issued by a water or sewer corporation that provides service to no more than 8,000 customers without the consent of the Missouri Public Service Commission
HB 789	Funderburk	Merges water and sewer corporations into one group of public utilities for assessment purposes
HB 819	Ross	Transfers the State Soil and Water Districts Commission within the Department of Natural Resources to the Department of Agriculture and all authority and duties associated with state parks to the Division of Tourism within the Department of Economic Development
HCS HB 881		Dissolves or changes the laws regarding numerous boards, commissions, and councils within the Department of Natural Resources
HB 902	Dunn	Authorizes the establishment of urban agricultural zones
HCS HB 930		Establishes the Rebuild Damaged Infrastructure Program to repair infrastructure damaged by the natural disaster in Joplin
HB 944	Schatz	Prohibits the Department of Natural Resources from requiring existing permittees to meet more stringent standards of new water classifications unless there are federal or state funds available to cover the costs of any upgrades
HCR 26	Kirkton	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
WEAPONS		
HCS SB 75		Modifies provisions relating to public safety
SB 124	Chappelle-Nadal	Creates the crimes of failing to stop illegal firearm possession, negligent storage of a firearm, and failure to notify a school of firearm ownership
SB 150	Munzlinger	Declares certain federal firearm laws unenforceable and makes it a crime for public officers, agents, and employees and licensed firearms dealers to enforce such laws
SB 253	Justus	Modifies provisions relating to criminal law
SB 266	Nieves	Prohibits health care professionals from entering information about firearm ownership into medical records and school employees from asking students about guns in the home
SB 268	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances to incorporate statutory justifications
SB 325	Nieves	Declares the General Assembly's position on the authority of the federal government, declares as invalid certain federal gun laws, and prohibits the enforcement of such laws
SB 352	Lager	Prohibits a governmental body from offering an exchange program for firearms unless an ordinance is adopted requiring the sale or trade of each firearm to a licensed dealer
SB 372	Munzlinger	Provides that state employees can keep firearms in their vehicles on state property and modifies provisions related to training requirements for concealed carry endorsements
SB 469	Chappelle-Nadal	Creates the crimes of failing to stop illegal weapon possession, negligent storage of a weapon, and failure to notify a school of weapon ownership
HB 70	Kelley 127	Allows a teacher or school administrator to carry a concealed firearm into a higher education institution or elementary or secondary school if he or she has a valid concealed carry endorsement or permit
HB 89	Colona	Establishes the Firearm Responsibility Act which specifies that a person commits the crime of failure to secure a firearm if he or she fails to secure a firearm at all times when it is not in active use
HB 92	Gatschenberger	Changes the minimum age at which a person can be issued a concealed carry endorsement from 21 years of age to 19 years of age
HB 162	Sommer	Establishes the Missouri Firearms Freedom Act and changes the laws regarding firearms and concealed carry endorsements
HCS HB 170		Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable

No.	Author	Subject
HB 187	Newman	Requires that all sales or transfers of firearms be processed through a licensed firearms dealer
HB 209	Richardson	Specifies that a federal official must not enforce a federal firearm law when the firearm is manufactured and remains in the state and that any new federal law banning or restricting ownership of a semi-automatic firearm is unenforceable
HCS HB 372		Establishes the Business Premises Safety Act
HB 379	Kelley 127	Allows an applicant for a concealed carry endorsement to have the fingerprint background check be done anonymously for an additional fee
HB 390	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 420	Curtman	Specifies that in any jurisdiction in which the open carry of firearms is prohibited by ordinance the open carry cannot be prohibited if the person meets specified conditions
SCS HCS HB 436		Establishes the Second Amendment Preservation Act which rejects all federal acts that infringe on a Missouri citizens' rights under the Second Amendment of the United States Constitution
HB 485	Hinson	Creates the offense of unlawful possession or use of a firearm during the commission of a felony when prior felony offenders possess or use a firearm during a subsequent felony offense
SCS HB 533		Changes the laws regarding firearms
HB 545	Ellinger	Makes it a class C felony to manufacture, import, possess, purchase, sell, or transfer any assault weapon or large capacity magazine
HB 670	Parkinson	Changes the terms of imprisonment for the crime of armed criminal action
HB 754	Sommer	Changes the requirements for a concealed carry endorsement and adds a concealed firearms exemption endorsement
HB 776	Pace	Creates the crimes of assault of an employee of a mass transit system in the first, second, and third degree
HB 912	Brown	Revises the definition of "knife" to include any knife used for hunting or fishing and creates an exception to the crime of possessing certain weapons if the weapon is solely a keepsake
HB 965	Houghton	Requires a hunter at least six years of age but less than 15 years of age to hunt in the immediate presence of an adult hunter with a valid hunter education certificate card
HCR 8	Parkinson	A resolution against the adoption of a United Nations Arms Trade Treaty
HCS HJR 35		Modifies constitutional provisions regarding the right to keep and bear arms
WEIGHTS AND MEASURES		
HB 122	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste
HB 487	Dugger	Extends the current allowance permitting vehicles hauling solid waste to exceed weight limitations to vehicles hauling recyclable waste for use in the production of animal feed
SS SCS HB 542		Changes the laws regarding agriculture
HB 891	Redmon	Changes the laws regarding liquefied petroleum gas
HB 1007	Hurst	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways
WORKERS COMPENSATION		
CCS HCS SS#2 SCS SB 1		Modifies the law relating to workers' compensation

No.	Author	Subject
CCS HCS SS SB 34		Requires the Division of Workers' Compensation to develop and maintain a workers' compensation claims database and modifies provisions relating to experience ratings for workers' compensation insurance
SB 115	Schmitt	Establishes the conditions for dissolving the Missouri Employers Mutual Insurance Company
SB 255	Schmitt	Removes the Director of the Division of Workers' Compensation as a member of the Administrative Law Judge Review Committee
SB 278	Kehoe	Establishes psychological stress of paid peace officers of a police department as an occupational disease
SB 292	Rupp	Allows for a refund for workers' compensation tax overpayments
HB 333	Kelly 045	Changes the laws regarding the collection of sales and use taxes and funding the Second Injury Fund
HCS HBs 404 & 614		Recognizes psychological stress as an occupational disease for paid police officers of a paid police department certified under Chapter 590 if a direct causal relationship is established
HCS HB 430		Changes the laws regarding the uniform experience rating plan of workers' compensation insurance
HB 466	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 531	Bahr	Specifies that there is a legal presumption, absent contrary evidence, that funds paid to a limited liability company are funds paid to an independent contractor and not to an employee
HB 687	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 1036	Schatz	Specifies that an employer within the construction group of code classifications may submit payroll information for any quarter of the year prior to the workers' compensation policy beginning or renewal date

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2933	Entlicher	Bradley, Sara	1975
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2398	Swan	Caldwell, Nathan	1575
3037	Hicks	Caldwell, Nicole	2302
2221	Keeney	Calvert, Maria	1488
592	Montecillo	Camden, Sarina Rosie	451
2556	Brattin	Cameron, Charles	1593
480	Anderson	Campbell, Andrew	405
2272	Grisamore	Campbell, Brian	1488
207	Kolkmeier	Campbell, Don	191
440	Spencer	Campbell, Elizabeth	385
2021	Kolkmeier	Campbell, James	1374
3194	Lant	Campbell, Robert	2442
125	Phillips	Campbell, Shawn	142
2304	Lynch	Campbell, Sonya	1541
1172	Gosen	Campbell, Stephanie	935
3225	Hummel	Campise, Madeline	2442
1305	McCaherty	Canada, Alexia	957
1222	Swan	Canady, Shaina	957
1544	Zerr	Candela, Victoria Nichole	1129
2554	Kirkton	Canterbury Enterprises	1593
1017	Justus	Cantwell, Jean	743

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2006	Fowler	Capps, Hannah Michelle	1344
3381	Schupp	Caradine, Michael	3127
2695	Franklin	Carnes, Sara	1892
2943	McGaugh	Carpenter, Doug	1975
3320	Montecillo	Carpenter, Mary	2858
626	Rhoads	Carr, Amber	474
2316	Diehl	Carr, Ashlin	1575
2424	Houghton	Carr, Zachary	1575
107	Marshall	Carrizzo, Jackson	124
422	Marshall	Carroll, Rachel Ann	349
2710	Miller	Carson, Audrey	1931
1024	Solon	Carson, Bradyn	743
1324	Haefner	Carter, Allison	957
961	Leara	Carter, Kristen	663
2734	Wood	Carter, Nick	1931
2026	Solon	Cascone, Michael	1374
1443	Pfautsch	Cass Regional Medical Center	1017
1014	Rehder	Cassell, Mitchell	743
438	Newman	Casteel, Sarah	385
1177	Gosen	Cates, Leanna	935
2013	Fowler	Cato, Zachary James	1344
2294	Fitzwater	Causey, Charles	1541
2456	Rowden	Centralia High School FFA Agricultural Issues Team	1575
761	Rowden	Centralia High School Lady Panthers Softball	577
1261	Zerr	Certa Pro Painters	957
20	Cox	Cervantes, Jovana	21
3064	Leara	Chamberlin, Robin	2302
1250	Austin	Chandler, Chloe	957
1421	Lauer	Chappelow, Kaylee	991
3012	Solon	Chappelow, Kaylee	2102
3006	Stream	Charles, Peter	2102
1953	Solon	Chase, Claire	1344
746	Houghton	Chedwick, Laine	564
2082	Burns	Chen, Jack	1374
894	Jones(110)	Cheney, Stephanie	651
3361	May	Chesser, Denise	3127
1340	Lair	Chillicothe Ford Lincoln	980

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3128	Grisamore	Chinnery, Carl	2359
1348	Rowden	Chisholm, Madison	980
2167	Frederick	Choi, Angelreana	1391
1296	Frame	Christensen, Stephen	957
2606	Morris	Christian County Elks Lodge 2777	1661
2377	Bernskoetter	Christian, Shelby	1575
2374	Bernskoetter	Christiansen, Wesley	1575
2047	Kelly(045)	Chu, Kathy	1374
630	Cox	Church of God in Christ Missouri Western Second Ecclesiastical Jurisdiction Youth Department	474
216	McManus	Cianciolo, Nicholas Paul	204
3378	Schupp	Cibulka, Philip	3127
1403	Swan	Cieslewicz, Jacob	991
2045	Kelly(045)	Cing, Sawn	1374
1008	Lauer	City of Blue Springs	695
1797	Remole	City of Marceline	1165
326	Kirkton	City of Shrewsbury	284
2049	Kelly(045)	Clark, Andre	1374
3327	Johnson	Clark, Barbara	2858
2908	Anders	Clark, Ian	1975
1271	Walker	Clark, Kendra Nicole	957
1781	Solon	Clark, Lindsey	1165
1987	Keeney	Clark, Taylor	1344
1925	May	Clarke, Maxine	1344
458	Entlicher	Claros, Eulice	396
311	Engler	Clay, Jack	253
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2916	Anders	Clemons, Nate	1975
2703	Miller	Clevenger, Mary Ann	1931
2627	Fowler	Clifton, Floyd and Sandra	1892
2319	Diehl	Cobin, Samuel	1575
2192	Frederick	Coble, Jacob	1391
1813	Keeney	Cochran, Kenny	1165
2810	Hoskins	Cochran, Richard	1975
450	Wilson	Cockriel, Adam Eugene	396
870	Jones(110)	Coffman, Logan	651
322	Hansen	Coggswell, Gladys	267
1521	Gosen	Cohen, Jacob	1129

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659	Hubbard	Colbert Botchway, Nicole	505
2891	Torpey	Cole, Leslie	1975
2409	Phillips	Coleman, Anne Elizabeth	1575
1165	Cross	Collens, Benjamin John	935
502	Norr	Collette, Mary	421
1131	Jones(110)	Colletti, Christopher	781
872	Jones(110)	Collier, Aaron	651
2882	Scharnhorst	Collier, Christopher	1975
2102	Lant	Collingsworth, Kitty	1391
2565	Anders	Collins, Hamdi	1661
1065	Berry	Collman, Natalie	781
1359	Englund	Colombo, Karen	991
566	Burns	Compton, Amber	451
2615	Flanigan	Compton, William	1661
3261	Higdon	Conaway, Kole	2552
1198	Entlicher	Condren, Tammy	935
576	Englund	Congress of North American Bosniaks	451
2762	Rowden	Conklin, Ryan	1931
79	Hoskins	Conner, Dylan Scott	124
3286	Parkinson	Connors, Zachariah	2858
1132	Jones(110)	Conway, Christian	781
2056	Kelly(045)	Cook, Kimberly	1374
2675	Muntzel	Cook, Kyle	1892
2392	Swan	Cook, Mallory	1575
1474	Frederick	Cooper, Erica	1096
3226	Hummel	Cooper, Mark	2442
2107	Diehl	Copeland, John	1391
1762	Solon	Cordray, Rachael	1165
3243	Hummel	Corey-Yares, Michael	2552
2448	Haefner	Cormack, Kayla	1575
436	Johnson	Cornelius, Harry and Helen	385
401	Guernsey	Cornett, Robert Blake	332
1019	Solon	Corniels, Brayden	743
2969	Rhoads	Cornish, Morgan	1975
1697	Frederick	Corsetto, Bethany Ann	1129
1147	Koenig	Corsi, Madi	781
2885	Scharnhorst	Cotter, Julianna	1975

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3004	Entlicher	Coursey, Ashley	2102
1070	Neth	Cowger, Jordan	781
1419	Lauer	Cowling, Dylan	991
27	Guernsey	Cox, James	60
1195	Runions	Cox, Jessi	935
1038	Burlison	Cox, Jonathan	781
85	Dohrman	Cox, Riley Jacob Stephenson	124
2412	Pfautsch	Cox, Terran	1575
2720	Miller	Crabtree, Patricia	1931
903	Curtis	Craft, Adam Donovan Michael	651
905	Curtis	Craft, Alexander Nicholas	651
904	Curtis	Craft, Jeremy Stuart	651
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793	Leara	Craig, Delaney	608
926	Phillips	Crane High School Lady Pirates Basketball Team	651
2455	Hampton	Cranford, Henrietta	1575
690	Houghton	Crawford, Ashlie	516
614	Jones(110)	Crawford, Sherrell	474
1631	Houghton	Crenshaw, Riley	1129
1507	Fitzwater	Crews, Wes	1096
860	Jones(110)	Croarkin, Morgan	651
33	Butler	Crockett, Rudolph Sr.	60
133	Stream	Croghan, Robert	142
1837	Guernsey	Cross, Debra	1165
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518	Lair	Crow, James and Judith	430
1113	Berry	Crow, Katelynn	781
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487	Rowden	Crum, Justin	421
2067	Fowler	Crump, Gary	1374
451	Wilson	Cull, Zachary	396
2752	Fraker	Cunningham, Debra	1931
2549	Solon	Cunningham, Kayla	1593
2053	Kelly(045)	Cunningham, Quinn	1374
364	Diehl	Cupp-Enyard, Madison Alexis	308
2075	Solon	Curless, Preson	1374

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1855	Harris	Curnutte, Lucille	1187
2719	Miller	Curran, Emilee	1931
1154	Koenig	Curran, Kathleen	781
3309	Guernsey	Curry, Felecia	2858
1974	Solon	Curry, Megan	1344
1587	Houghton	Curtis, Paige	1129
1829	Keeney	Cushman, Zachary	1165
2220	Justus	Cutbirth, Diana	1488
2986	Hansen	Cutt, David	2102
1191	Diehl	Cytron, Clark	935
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1367	Lauer	Dahlor, Elisabeth	991
120	Solon	Dahnke, Maureen	124
883	Jones(110)	Dai, Amy	651
1006	Leara	Dailing, Megan	695
2414	Pfautsch	Dains, Kathy	1575
1870	Bernskoetter	Daledovich, Kyle	1187
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2366	Smith(085)	Dallas, Don	1575
1800	Remole	Dalrymple, Denice	1165
1694	Allen	Dalton, Virginia	1129
1853	Allen	d'Amboise, Christopher	1187
890	Jones(110)	Dames, Katie	651
1173	Gosen	D'Andrea, Felipe	935
3151	Ross	Dandridge, H.T.	2442
2584	Anders	Daniel, David	1661
2218	Justus	Daniel, Judy	1488
474	Fraker	Daniels, Leon and Kay	405
3138	Sommer	Dannenberg, Thomas	2359
1511	Fitzwater	Darden, Maryann	1096
2836	Entlicher	Darnall, John	1975
295	Redmon	Darr, Lenore	239
3294	Muntzel	Daugh, Pierce	2858
2833	Lichtenegger	Daume, Danielle	1975
2081	Solon	Davenport, Georgia	1374
1044	Neth	Davidson, Jacob	781
940	Remole	Davidson, Quinn	651

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1545	Zerr	Davis, Alexander James	1129
1924	May	Davis, Beth	1344
2449	Haefner	Davis, Brianna	1575
2312	Kelley(127)	Davis, Douglas	1541
2591	White	Davis, Holly	1661
2037	Solon	Davis, Jade	1374
3007	Morris	Davis, Jessie	2102
2644	Wood	Davis, Meghanne	1892
1218	Swan	Davis, Nathan	957
2244	Cookson	Davis, Neacie	1488
2313	Kelley(127)	Davis, Rayma	1541
2104	Lant	Davis, Richard	1391
1546	Zerr	Davis, Robert Hunter	1129
1524	Gosen	Davis, Savannah	1129
2853	Solon	Davis, Tyler	1975
2800	Franklin	Davis, Vann	1931
1095	Berry	Davisson, Gary	781
2596	Conway(010)	Day, Grace	1661
3282	Hinson	de Almeida, Zedilson Stelio Garcia	2858
2948	McManus	Dean, Cathy	1975
61	Allen	Dean, Jo Jasper	94
62	Rehder	Deane, Hunter Lee	94
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1941	Lichtenegger	Deken, Renee	1344
1651	McGaugh	DeLany, Judith	1129
1954	Solon	DeLapp, Lexi	1344
3002	Entlicher	Delmont, Marrah	2102
568	Burns	DeMars, Jordan	451
1780	Solon	Demesko, Addison	1165
1975	Solon	Dendish, Charlie	1344
3221	Kelley(127)	Denney, Linsey	2442
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2611	Guernsey	Derks, Herb and Virginia	1661

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1700	Frederick	Dette, Emily Jane	1129
1503	Fitzwater	Dettmer, Barbara	1096
2506	Cornejo	Deutsch, Haley	1593
2487	Cornejo	Deutsch, Jessica	1593
1765	Solon	Devine, Mya	1165
489	Rowden	DeWeese, Terry	421
2237	Davis	Di Pierdomenico, Stephen	1488
3253	Cookson	Diamond, Virgie	2552
875	Jones(110)	DiCarlo, Emily	651
1193	Diehl	DiCera, Giuseppe	935
951	Spencer	Dick, Robert	663
2575	Anders	Dickerson, Danielle	1661
1535	Brown	Diebold, Louie and Marsha	1129
167	Cross	Diekmann, Jeff	166
930	Houghton	Diez, Alonnah	651
885	Jones(110)	Dill, Margaret	651
1143	Wood	Dillon, Hayden	781
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3116	Lynch	Dixon, Walter Aurelio	2359
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344	Schupp	Dobinsky, Ray	293
866	Jones(110)	Dobson, Sarah	651
2601	Norr	Dockery, Rachael	1661
924	Ellinger	Dockett, Richard	651
2212	McGaugh	Dodson, Evan	1391
128	Reiboldt	Dodson, Josh	142
2895	Riddle	Doggett, William Christian	1975
621	Jones(110)	Dolan, Alex	474
250	Walker	Doman, Allyson	223
3363	Lair	Dominique, Leroy and Frances	3127
3110	Carpenter	Domsch, Lois Ann	2359
2915	Anders	Donald, Jefferson	1975
3079	Schieffer	Donaldson, Justin	2302
2947	McManus	Donnelly, Paul	1975
352	Berry	Donner, Jordan Kyle	308

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1415	Lauer	Donohoe, Taylor	991
1320	Haefner	Dooley, Chase	957
2120	Lynch	Dooley, Connor	1391
556	Neth	Dooley, Makayla Lynn	430
2350	Lichtenegger	Dordoni, Benjamin Nicholas	1575
26	Sommer	Dosland, John Anthony	60
1638	Remole	Douglas, Grant	1129
915	Bernskoetter	Douglas, Kevin	651
1444	Fraker	Douglas, Thomas	1017
3334	Neely	Dow, Al	3127
1818	Keeney	Dowd, Logan	1165
1036	Zerr	Dozier, Daniel	781
989	Leara	Drake, Eliza	695
2122	Burns	Dreiling, Tyler	1391
3284	Dohrman	Drennon, Marsha	2858
912	Spencer	Drummond, Robert	651
1716	Norr	Drury University Mens Basketball Panthers	1165
1717	Norr	Drury University Mens Swimming and Diving Panthers	1165
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762	Riddle	Duckett, Gregory	577
622	Jones(110)	Dudley, Alexandria	474
541	Wieland	Duepner, Kristyn	430
3146	Schupp	Duft, Jordan	2442
1412	Lauer	Dujakovich, Kennedy	991
3069	Guernsey	Duncan, Cadance Seraphine	2302
2342	Houghton	Duncan, Levi	1575
644	Austin	Duncan, Roy and Judy	496
2665	Muntzel	Dungan, Tina	1892
944	Remole	Dunkin, Lily	651
1520	Gosen	Dunlap, Kelly	1129
2786	Fraker	Dunn, Cindy	1931
1239	Burns	Dunn, Krista	957
685	Houghton	Duong, Kevin	516
1663	Burns	Durakovic, Nedzad	1129
913	Spencer	Durand, Joseph	651
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2921	Anders	DuRee, Renee	1975
228	Remole	Durham, Bobby and Nancy	204
1583	Houghton	Durham, Justin	1129
3036	Solon	Dutton, Ashley	2302
2279	Runions	Dvorak, Michael	1488
1637	Remole	Dwiggins, John	1129
2768	Rowden	Dwyer, Bryan	1931
1066	Neth	Dye, Christyn	781
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2434	Remole	Easley, Kyle	1575
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3312	Hansen	Ebbesmeyer, Jamie	2858
1176	Gosen	Echele, Adam	935
2086	Englund	Eck, Tyler	1374
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2782	Smith(085)	Eddington, Montee	1931
2763	Rowden	Edie, Kaylee	1931
1976	Solon	Edmondson, Connor	1344
2145	Lynch	Edwards, Ashley	1391
2417	Houghton	Edwards, Ashley	1575
2643	Wood	Edwards, Austin	1892
2228	Keeney	Eftink, Catherine	1488
2897	Swan	Egbert, Barbara	1975
2517	Cornejo	Eggemeyer, Megan	1593
1890	Riddle	Eichman, Allyson	1187
2801	Franklin	Eicholz, Beverly Ilene	1931
892	Jones(110)	Eickel, Grant	651
1649	McGaugh	Eiserer, George	1129
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2310	Lichtenegger	Elam, McKenzie	1541
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1838	Guernsey	Elbert, Chris	1165
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2713	Miller	Elia, Mikayla	1931
1230	Neth	Ellermeier, Kathy	957

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3015	Gardner	Elliott, Mark	2102
1083	Bahr	Ellis, Amanda	781
2438	Haefner	Elrod, Demi	1575
2375	Bernskoetter	Elrod, Natalie	1575
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2680	Pogue	Eminence High School Boys Basketball Redwings	1892
3202	Rowland	Empire District Electric Company	2442
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3023	Diehl	Engel, Nicholas	2102
1377	Lauer	Engelhard, Jacob	991
1515	Lant	England, Kyra	1096
2094	Englund	England, Megan	1374
2920	Anders	Engle, Ryan	1975
2837	Entlicher	Engledow, Eugene	1975
2029	Solon	Ensfield, Saige	1374
3311	Hansen	Ensor, Bryce	2858
3196	Schatz	Epple, Patricia Christine	2442
559	Burns	Erbs, Kaitlyn	451
235	Sommer	Erdmann, Phil	204
1029	Solon	Ernsting, Elizabeth	743
1344	Cox	Eschbacher, Lou Ann	980
3152	Zerr	Eschweiler, Dani	2442
3090	Wright	Eskew, Aaron	2302
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2678	Muntzel	Esser, Logan	1892
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2952	Lair	Fairchild, Richard Todd	1975
715	Rhoads	Fairview R-XI School District	516
1779	Solon	Fallis, Paige	1165
2022	Kolkmeier	Fallman, Andrew	1374
1365	Lauer	Fallman, Jacob	991
3149	Frederick	Fan, Matthew	2442
2867	Scharnhorst	Fansler, Micah	1975
1747	Berry	Farabee, Robert	1165
2215	Reiboldt	Farber, Rudy	1488
2462	Cornejo	Farenholtz, Robby	1593
1547	Zerr	Farmer, Anthony Arnold	1129
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3293	Muntzel	Fisher, Taylor	2858
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1791	Solon	Fleck, Siena	1165
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2092	Burns	Flores, Karla	1374
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2949	McManus	Foland, James	1975
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1549	Zerr	Forquer, Alexandria Jean	1129
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3177	Remole	Francisco, Jennifer	2442
457	Entlicher	Francka, Shania	396
1595	Houghton	Franke, Michaela	1129
1964	Solon	Franklin, Sydney	1344
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1167	Gosen	Frazer, Nicolette	935
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1741	Berry	Freeman, Dallas	1165
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2976	Rhoads	Freshour, Samuel	1975
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44	Leara	Fried, Stephen	85
1210	Swan	Friedrich, Caleb	957
1217	Swan	Friedrich, Joshua	957
2669	Muntzel	Friedrich, Lauren	1892
1550	Zerr	Frimpong, Benita Akosua	1129
2357	Lichtenegger	Fritsche, Clayton Andrew	1575
2995	Lichtenegger	Fritsche, Clayton Andrew	2102
3052	White	Frost, Andrew	2302
2576	Anders	Fry, Theresa	1661
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1893	Riddle	Gaines, Mason	1187
3358	May	Gains, Minnie	3127
914	Reiboldt	GalaxSea Cruises and Tours	651
496	Rowden	Gall, Michelle	421
454	Wilson	Gallegos, Maximillian Esteban	396
2326	Diehl	Gallemore, Samuel	1575
1551	Zerr	Gallion, John Robert	1129
447	Webber	Galloway, Doug	396
2855	Solon	Gamble, Ellie	1975
1454	Haefner	Ganibegovic, Samed	1096
1136	Austin	Gann, Jay	781
1713	Reiboldt	Gannan, Amanda Lynn	1165
1692	Allen	Gannon, Ellie	1129
300	Neth	Gardner, Meagan	253
2877	Scharnhorst	Garg, Rhythm	1975
286	Solon	Garlow, Jonathan	239
2349	Lichtenegger	Garms, Allen Jason	1575
1602	Houghton	Garner, Jordan	1129
2007	Fowler	Garner, Wesley Payne	1344
3024	Kelley(127)	Garr, Cory Andrew	2102
1865	Bernskoetter	Garrison, Austin	1187
421	Love	Garrison, Jordan	349
205	Lauer	Garton, Trent	191
753	Spencer	Gaston, Debbie	564
3222	Kelley(127)	Gateley, Odessa	2442
179	Fowler	Gateway Shoes	191
441	Phillips	Gauldin, Mary	385
2018	Hoskins	Gaw, Charlotte	1374
184	May	Gee, Alison	191
1080	Bahr	Geer, Micheal	781
1043	Neth	Geisert, Alex	781
2676	Muntzel	Gerhardt, Emily	1892
490	Rowden	German, Sam	421
3133	Brattin	Germann, William	2359
929	Harris	Gerullis, Fred Wayne and Wanda Lee	651
1866	Bernskoetter	Gessman, Robert	1187
2307	Lynch	Gettys, Susan	1541

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3300	Muntzel	Gholson, Brady	2858
956	Cierpiot	Giangreco, Kathy	663
291	Neely	Giant Model Products	239
130	Stream	Gibbons, Michael	142
1881	Hough	Giboney, Edith Marie	1187
1590	Houghton	Gibson, Lance	1129
2402	Swan	Gibson, Marcus	1575
893	Jones(110)	Giesing, Ryan	651
2972	Rhoads	Gilbert, Vera	1975
2407	Phillips	Gilchrist, Bunny	1575
3065	Guernsey	Gillespie, Anna May	2302
1491	Solon	Gillespie, Madison	1096
2378	Bernskoetter	Gillespie, Sarah	1575
2579	Anders	Gilliland, Josh	1661
1152	Koenig	Gilman, Hailey	781
2419	Houghton	Gilman, Levi	1575
2065	Kelly(045)	Giltrap, Alexis	1374
2440	Haefner	Gindler, Samantha	1575
264	Anderson	Girl Scout Troop 70500	231
680	Allen	Giuffra, Daniel	505
694	Houghton	Given, Riley	516
684	Houghton	Givens, WrayVauze	516
2430	Houghton	Glasford, Adele	1575
2716	Miller	Glenny, Dalton	1931
714	Rhoads	Glenwood R-VIII School District	516
1455	Haefner	Gobble, Devin	1096
2123	Burns	Goersch, Kaleigh	1391
1317	Haefner	Goersch, Shannon	957
645	Wood	Goetze, Katelyn	496
2735	Wood	Goetze, Katelyn	1931
701	Kirkton	Going, Berklea	516
1190	Diehl	Goldwasser, Jill	935
1001	Leara	Golomski, Allison	695
3157	Zerr	Gonce, Hunter	2442
2522	Kratky	Gonzales, Amber	1593
1027	Solon	Gonzalez, Brooklyn	743
3283	Entlicher	Gooch, Cara	2858

No.	Author	Subject	Page Reference
393	Phillips	Goodin, Dale	332
1111	Neth	Goodwin, Emily	781
2024	Solon	Gopsewisch, Gage	1374
3192	Roorda	Gordon, Hannah	2442
992	Leara	Gorla, Natalie	695
620	Jones(110)	Gorman, Joseph	474
3350	Johnson	Gorman, Renee	3127
1054	Berry	Gosa, Bryan	781
2931	Entlicher	Gosney, Mikayla	1975
297	Redmon	Gottman, Carl Fritz	239
1390	Solon	Gouldsmith, Josh	991
853	Zerr	Graczyk, Ashley	651
921	Cross	Graff, Sarah	651
2231	Keeney	Graham, Casey	1488
2515	Cornejo	Graham, Colton	1593
2886	Scharnhorst	Graham, Gabrielle	1975
837	Guernsey	Graham, Juna	651
1537	Zerr	Graham, Kathleen	1129
2523	Kratky	Graham, Logan	1593
2705	Miller	Graham, Mary Anne	1931
2567	Anders	Grainger, Hailey	1661
405	Lauer	Grand Masters of Masons in North America	332
2946	McManus	Granda, John	1975
415	Guernsey	Graner, Richard	349
363	Diehl	Graney, Richard Daniel	308
22	Schieber	Granger, Spencer	60
1215	Swan	Grant, Bethany	957
8	Flanigan	Grants Catherine L. Hanaway and Ronald F. Richard use of the House Chamber on 1/22/13	21
520	Bahr	Grants TeenPac use of the House Chamber for a mock legislative session on 3/8/13	430
201	Rowland	Grants the 4-H Citizenship in Action Youth Conference use of the House Chamber on Thursday, May 30, 2013	191
486	Allen	Grants the Breckenridge Scholars permission to use the House Chamber for a mock legislative session on 3/4/13	421
2658	Bernskoetter	Grants the Cooperative Youth Conference & Leadership Experience use of the House Chamber on 7/18/13	1892
476	Bernskoetter	Grants the Missouri Catholic Conference permission to use the House Chamber and Hearing Rooms on 9/28/13	405

No.	Author	Subject	Page Reference
229	Thomson	Grants the Missouri Community College Association-Student Government Association use of the House Chamber for a mock legislative session on 2/25/13	204
314	Cox	Grants use of the House Chamber and Rotunda for swearing in of attorneys on April 26, 2013, and 10/4/13	267
310	Burns	Grants use of the House Chamber for presentation of Glory Awards on 3/5/13	253
56	Gosen	Grants use of the House Chamber for presentation of Glory Awards on 4/15/13	85
32	Jones(110)	Grants use of the House Chamber for presentation of Glory Awards on 4/8/13	60
156	Haefner	Grants use of the House Chamber for presentation of Glory Awards on Monday, April 22, 2013, from 1:00 to 2:00 p.m.	166
640	Davis	Grants use of the House Chamber for the dedication of sections of Interstates 70 and 44 as the "Purple Heart Trail" on 3/6/13	496
88	Smith(085)	Grants use of the House Chamber for the Missouri Girls State on 6/26/13	124
7	Cierpiot	Grants Voys Spears Elementary School permission to use the House Chamber for a mock legislative session on 4/22/13	21
1552	Zerr	Gravemann, Ryan Keith	1129
2987	Hansen	Graver, Tina	2102
347	Burlison	Gravett, Robert	293
37	Richardson	Gray, Emily	60
2004	Fowler	Gray, Liza Lynn	1344
1332	Lynch	Greater Ozarks Chapter IAAP	980
147	Hoskins	Green Field Energy Group	154
439	Smith(085)	Green, David	385
1124	Jones(110)	Green, Geoffrey	781
3272	May	Green, Nester	2552
1078	Berry	Green, Sarah	781
317	Elmer	Green, Tyler Allen	267
939	Remole	Greene, Molly	651
2542	Solon	Greene, Summer	1593
430	Phillips	Greenwalt, Sophia	349
2958	Lair	Greenwood, Carolyn	1975
236	Berry	Greer, Elva	223
972	Lair	Greer, Jerry and Judy	663
3112	Barnes	Grefrath, Terry	2359
3364	Lair	Gregory, Eileen	3127
2849	Solon	Greim, Sam	1975
2322	Diehl	Grench, Giselle	1575
470	Love	Gresham, Jordan Christopher	396

No.	Author	Subject	Page Reference
2129	Burns	Greubel, Raechel	1391
328	Hubbard	Griffin, Archie	284
2889	Scharnhorst	Griffin, Erin	1975
1493	Solon	Griffin, Raven	1096
1100	Neth	Griffith, Alyssa	781
1037	Zerr	Griffith, Barb	781
1821	Keeney	Grindstaff, Alexis	1165
1850	Jones(050)	Grindstaff, Tyler	1187
2975	Rhoads	Grisham, Laura	1975
2917	Anders	Grisham, Seth	1975
203	Walker	Griswold, Craig	191
1300	Frame	Grobelny, Anna	957
3339	Spencer	Groeper, Mary	3127
101	Sommer	Grose, Tracy	124
2511	Cornejo	Gross, Sidney	1593
2573	Anders	Groves, Alexis	1661
1729	Keeney	Grubbs, Rodger	1165
2354	Lichtenegger	Gruenwald, Rachael Caroline	1575
2994	Lichtenegger	Gruenwald, Rachael Caroline	2102
397	Molendorp	Gruetze, Stephanie	332
2302	Lynch	Guffey, Jerry	1541
832	Molendorp	Guider, Cole	651
831	Molendorp	Guider, Kyle True	651
1439	Stream	Guilfoy, Patrick Donald	1017
1505	Fitzwater	Guinan, Kathleen	1096
1854	McNeil	Guinther, Chris	1187
1275	Bernskoetter	Gunn, Steven	957
1126	Jones(110)	Gustafson, Kaily	781
813	Schieffer	Guyot, Nicholas Patrick	626
463	Ross	Gwinn, Elsie Audrey Beckham	396
199	Butler	Habitata Building Products	191
791	Leara	Hackbarth, Jacob	608
543	Wieland	Hackbarth, Marissa	430
1097	Neth	Hackett, Jasmine	781
2416	Pfautsch	Hackley, Jack and Laura	1575
1660	Leara	Haferkamp, Thomas Jamas	1129
2666	Muntzel	Hage, Forrest	1892

No.	Author	Subject	Page Reference
1952	Solon	Hagedorn, Nicole	1344
1481	Frederick	Hair, Drayke	1096
1586	Houghton	Hale, Julie	1129
2015	Fowler	Hale, Zachary Hunter	1344
728	Johnson	Hall, Andrea	533
2925	Entlicher	Hall, Cameron	1975
2340	Houghton	Hall, Cheyanne	1575
623	Jones(110)	Hall, Jonathan	474
1056	Neth	Hall, Katherine	781
3102	Carpenter	Hall, Kathleen Anne	2359
2781	Smith(085)	Hall, Latisha	1931
1467	Fraker	Hall, Linda	1096
1778	Solon	Hallberg, Abby	1165
2043	Kelly(045)	Haller, Hayden	1374
549	Wieland	Halley, Kevin	430
807	McKenna	Hallmark Gold Crown Store, Festus	626
2499	Cornejo	Ham, Kelly	1593
1626	Houghton	Hamilton, Asha	1129
214	Barnes	Hamilton, Janis Marie	204
412	McGaugh	Hamilton, Joe	349
2038	Solon	Hamilton, Varonica	1374
1937	Hoskins	Hammond, Ira Samuel and Ruth Joyce	1344
2766	Rowden	Hampton, Braelynn	1931
2233	Keeney	Hampton, Kacie	1488
519	Lair	Hane, David	430
582	Montecillo	Hanford, Olivia	451
2902	Swan	Hankinson, Robin	1975
1832	Keeney	Hanks, Micayla	1165
3204	Lant	Hanks, Patrica	2442
843	Johnson	Hannah, Veldron and Jeannine	651
796	Leara	Hannan, John	608
272	Kratky	Hanneke, Timothy Leonard	239
1986	Keeney	Hanner, Chris	1344
1727	Keeney	Hanners, Laura	1165
426	McNeil	Hannibal, Colleen	349
2032	Solon	Hannum, David	1374
2072	Solon	Hansen, Jack	1374

No.	Author	Subject	Page Reference
772	Brown	Hansen, Jim	608
2482	Cornejo	Hansen, Sierra	1593
493	Rowden	Hanvey, Katelyn	421
3348	Molendorp	Hardee, Rhonda	3127
1907	Lair	Hardie, Laurie	1344
3219	Kelley(127)	Hargis, Paige Ashley	2442
3357	May	Harlan, Emma	3127
2642	Wood	Harlin, Michael	1892
3259	Fraker	Harmon, Darlene	2552
3344	Peters	Harper, William	3127
2336	Houghton	Harpole, Doug	1575
2210	Lant	Harrell, Dale Kim	1391
2308	Crawford	Harrill, Hannah	1541
1792	Solon	Harrill, Kaela	1165
1946	Solon	Harrill, Kaela	1344
1768	Solon	Harrill, Katrina	1165
104	Torpey	Harris, Ashton James	124
615	Jones(110)	Harris, Austin	474
898	Jones(110)	Harris, Drew	651
1437	Stream	Harris, Kathy	1017
1591	Houghton	Harris, Paige	1129
2509	Cornejo	Harris, Skyla	1593
1226	Grisamore	Harris, Wesley Alexander	957
2276	Pfautsch	Harrison School District	1488
2859	Solon	Harrison, Maddy	1975
2721	Miller	Hart, Lea	1931
954	Hodges	Hart, Mary Lynn	663
557	Neth	Hartgrove, Amy	430
3137	Hoskins	Hartley, Curtis	2359
836	Guernsey	Hartley, Kenzie Tayler	651
1851	Jones(050)	Hartman, Daniel	1187
2654	Haefner	Hartman, Lynda Patricia	1892
1667	Burns	Hartman, Rebecca	1129
1597	Houghton	Harvey, Dylan	1129
3072	Guernsey	Harwood, Peggy Ann	2302
2841	Johnson	Haskins, Bill and Juanita	1975
1915	Wilson	Haugen, Nils Edward Theodore	1344

No.	Author	Subject	Page Reference
2760	Rowden	Hauptmann, Caleb	1931
2979	Kirkton	Hauser, Katherine Crane	1975
1318	Haefner	Hausmann, Jessica	957
2991	Hansen	Haverich, Craig	2102
3176	Remole	Hawkins, Douglas	2442
646	Kelly(045)	Hawthorne, Fred	496
346	Spencer	Hayes, Bo	293
1334	Miller	Hayes, Taylor	980
1021	Solon	Hays, Calvin	743
2560	Anders	Hazlett, Mackenzie	1661
1921	May	Headley, Shari	1344
1145	Koenig	Heard, Eric	781
2989	Hansen	Hearn, Anita	2102
503	Kolkmeier	Heaven, Amy	421
3308	Guernsey	Heavenly Flowers	2858
800	Leara	Hebenstreit, Ryan	608
2356	Lichtenegger	Hecht, Lauren Marie	1575
1268	Hurst	Heckemeyer, Sarah	957
1777	Solon	Hecker, Raegan	1165
1766	Solon	Hedenkamp, Maddie	1165
1212	Swan	Hefner, Callie	957
2771	Rowden	Heimann, Chris	1931
1025	Solon	Heinzman, Hailey	743
138	Webb	Heitzler, Tad	142
2028	Solon	Helm, Mackenzie	1374
2526	Phillips	Helminen, Raymond Leon	1593
1879	Leara	Helms, Ron	1187
3058	Remole	Hendren, Virgil and Louise	2302
164	Swan	Hendrickson Business Advisors	166
636	Reiboldt	Hendrix, Anthony	496
1091	Bahr	Hennessy, Brendan	781
798	Leara	Henning, Alyssa	608
2990	Hansen	Henrich, John W.	2102
1295	Frame	Henry, Ashley	957
2944	McManus	Henry, Brandon	1975
2422	Houghton	Henry, Milo	1575
1074	Berry	Henry, Princeton	781

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189	Rhoads	Henson Enterprises	191
634	Swan	Henson, Patti	496
2764	Rowden	Herbold, Mason	1931
958	Leara	Herman, Anna	663
1654	Swearingen	Hernandex, Tyler	1129
695	Houghton	Herndon, Dawshaia	516
1553	Zerr	Herr, Caleb Joshua	1129
1220	Swan	Hess, Hannah	957
1221	Swan	Hess, Hannah	957
3108	Lichtenegger	Hess, Hannah Marie	2359
1678	Rhoads	Hess, Jacob Edward	1129
1346	Rowden	Hesser, Phobe	980
150	Rehder	Hickman, Glenn	154
1042	Berry	Higbee, JT	781
749	Kolkmeier	Higginbotham, Alex	564
1031	Solon	Higgins-Wyatt, Savannah	743
3235	Fitzpatrick	Higgs, Amanda	2552
949	Flanigan	Hijoe, Joe	663
303	Hinson	Hildebrandt, Quinton	253
1606	Houghton	Hilderman, Ethan	1129
752	Burns	Hill, Tim	564
3038	Hicks	Hillhouse, Brian	2302
2274	Pfautsch	Hillgoss, Ed and Gayle	1488
750	Bernskoetter	Hillis, Donald	564
2397	Swan	Hillman, Nicolas	1575
988	Leara	Hillyer, Rachael	695
2863	Scharnhorst	Hilpert, Colin	1975
662	Hubbard	Himes, Ron	505
1869	Bernskoetter	Himmerick, Layne	1187
197	Fitzpatrick	Hinebaugh, Chris	191
830	Hubbard	Hines, Evelyn	651
1122	Jones(110)	Hingorani, Savya	781
1534	Gosen	Hink, Matthew	1129
3257	Anders	Hinson, Jim	2552
923	Cross	Hinzman, Peggy	651
3182	Remole	Hipkins, Tyeshia	2442
510	Jones(110)	Hispanic Capitol Day, Inc.	430

No.	Author	Subject	Page Reference
3322	Schatz	Hitch, Stephen	2858
2894	Smith(120)	Hively, Elizabeth	1975
1500	Fraker	Hjelmeng, Marjorie	1096
2184	Frederick	Ho, Visakha	1391
795	Leara	Hock, Beth	608
847	Zerr	Hodges, Chase	651
2459	Justus	Hodges, Sandra	1593
448	Wilson	Hodson, Jacob Renz	396
642	Conway(104)	Hoefle, Mike	496
2825	Lichtenegger	Hogan, Cory	1975
3160	Zerr	Hohenstreet, Sienna	2442
2683	Lair	Holcer, Kiera	1892
1329	Ross	Holland, Linda	980
1554	Zerr	Hollander, Olivia Rose	1129
1441	Kolkmeier	Hollingsworth, Harold	1017
292	Butler	Holloway, Amanda Earlene Randolph	239
2173	Frederick	Holmes, Olivia	1391
2175	Frederick	Holmes, Olivia	1391
3258	Burlison	Holt, Cody	2552
822	Crawford	Holt, Lawrence and Celia	651
1331	Korman	Holtman, Ellie	980
2031	Solon	Holtswarth, Lindsey	1374
3230	Hinson	Holy Trinity Lutheran Church	2442
2876	Scharnhorst	Holzem, Joseph	1975
1683	Allen	Homire, Elizabeth	1129
1555	Zerr	Hommes, Dakota James	1129
2973	Rhoads	Hones, Suzanne	1975
3099	Carpenter	Hooten, James Douglas	2359
2815	Reiboldt	Hoover, Sherry	1975
1671	Burns	Hopen, Kody	1129
2380	Bernskoetter	Horn, Brennen	1575
3336	Phillips	Horn, Patty	3127
2510	Cornejo	Hornbeck, Brennan	1593
2861	Kirkton	Horner, Tyler	1975
2090	Englund	Horrall, Allison	1374
3370	Schupp	Horvath, Allison	3127
3029	Fitzwater	Hostetler, Ezra Joshua and Isaiah Ryan Hostetler	2102

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374	Berry	Hosticka, Frank and Madeleine	308
388	Kolkmeier	Houck, Avanelle	318
2864	Scharnhorst	Hough, Claire	1975
1018	Hinson	Hough, Sarah	743
857	Zerr	Houghton, Katie	651
2608	Guernsey	Houk, Paige Elizabeth	1661
2200	Frederick	Hounsom, Jack	1391
844	Kolkmeier	House of Hope	651
3	Diehl	House of Representatives of the 97th General Assembly, 1st Regular Session, inform the Senate that the House is duly convened, has elected officers, and is in session ready for consideration of business	19, S53
3246	Shumake	Houston, Amy	2552
526	Wieland	Hovatter, Christina	430
2160	Keeney	Hovis, Brett	1391
2151	Keeney	Hovis, Evan	1391
1989	Keeney	Hovis, Morgan	1344
367	Diehl	Howard, Nicole Elizabeth	308
1272	Bernskoetter	Howard, Olivia	957
357	Diehl	Howard, Samaria Maya Noel	308
361	Diehl	Howard, Samaria Maya Noel	308
1162	Davis	Howard, Shelby	935
2137	Curtis	Howard, Vanessa	1391
2283	Justus	Howard, Waunetta	1488
710	Rhoads	Howell Valley R-I School District	516
2854	Solon	Howerton, James	1975
1805	Gosen	HR Green Inc.	1165
1556	Zerr	Hrenak, David James	1129
2689	Franklin	Hubbs, Levi	1892
1184	Diehl	Huber, Katherine	935
270	Fitzpatrick	Huck, Joseph	239
2501	Cornejo	Hudgens, Griffen	1593
2586	Anders	Hudson, Daeshanna	1661
251	Keeney	Huebschen, Crystal	231
305	Lant	Huff, Gary	253
1895	Riddle	Huff, Solomon	1187
505	Crawford	Huffman, Clarice	421
1627	Houghton	Huffman, Maggie	1129
239	Morgan	Hufft Properties	223

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411	McGaugh	Hughes, Chris	349
432	Lichtenegger	Hull Trucking	349
262	Kelly(045)	Hulshof, Casey	231
612	Jones(110)	Humpert, Elise	474
1557	Zerr	Hundley, Tristan James	1129
952	Fowler	Hunsaker, Gene and June	663
2816	Reiboldt	Hunt, Beth	1975
1350	Rowden	Hunt, Daniel	980
1115	Berry	Hunt, Nathan	781
1979	Solon	Hunt, Perry	1344
2701	Miller	Huntsman, Rebecca	1931
1069	Berry	Hurd, Joey	781
100	Sommer	Hurt Pollard, Erin	124
1894	Riddle	Hurt, Grace	1187
3031	Dohrman	Huston, Samantha	2102
838	Guernsey	Hutchcraft, Reuben	651
2206	Frederick	Hutchens, Hanna	1391
735	Houghton	Hutchinson, Kaylee	564
971	Leara	Hutson, Anelise	663
1106	Berry	Huyser, Kate	781
3260	Fraker	Hyder, Rebecca	2552
143	Miller	Iberia R-V School District Board of Education	154
1313	McCaherty	Ide, Jared	957
3289	Bahr	Independence Elementary School	2858
4	Diehl	Inform the Governor that the House of Representatives and Senate of the 97th General Assembly, 1st Regular Session is organized and ready for business	19, S53 - 54
1429	Schupp	Inman, Marianne	1017
990	Leara	Irvine, Kyle	695
2463	Cornejo	Irwin, Ben	1593
861	Jones(110)	Islas-Malanco, Alan	651
1200	Cross	Ismert, William Tyler	935
452	Wilson	Itao, Nathan Tyler	396
99	Sommer	Iwaszkowicz, Jeremuy	124
429	Morgan	Jack Cooper Transport	349
2546	Solon	Jackman, Amy	1593
2023	Solon	Jackson County Adult Drug Court	1374
1485	Solon	Jackson, Austin	1096

No.	Author	Subject	Page Reference
2406	Hampton	Jackson, Cremer	1575
1211	Swan	Jackson, Emily	957
2282	Justus	Jackson, Frances Ann	1488
829	Montecillo	Jackson, Jacob	651
245	Sommer	Jackson, Julie	223
1618	Houghton	Jackson, Kierra	1129
1803	Remole	Jackson, Leroy and Darlene	1165
2050	Kelly(045)	Jackson, Shydaia	1374
2293	Fitzwater	Jackson, Susan	1541
2436	Haefner	Jackson, Tommy	1575
2998	Molendorp	Jacobs, Jessica	2102
47	Leara	Jacobs, Kim	85
1361	Neely	Jacobs, Patricia	991
2999	Molendorp	Jacobs, Rachel	2102
2612	Guernsey	Jacoby, Vincill Jake	1661
2083	Englund	Jahic, Admir	1374
1763	Solon	Jaime, Karla	1165
3011	Stream	Jaksetic, Max	2102
927	Lynch	James, Jonathan	651
278	Sommer	James, Loria	239
1248	Austin	James, Madison	957
1382	Englund	James, Nicholas	991
70	Cierpiot	James, Quentin Elliot	94
3377	Schupp	Janardhanam, Vignesh	3127
1408	Englund	Janis, Lisa	991
2229	Keeney	Jansen, James	1488
1321	Haefner	Januska, Kathryn	957
1531	Gosen	Jardine, Logan	1129
3025	Kelley(127)	Jaron, Maximilian	2102
351	Fitzwater	Jarvis, Mac	308
3201	Kelley(127)	Jarvis, Susan	2442
833	Haefner	Jarvis-Kellett, Dorothy	651
889	Jones(110)	Jaspers, Ashley	651
814	Harris	Jefferson College	626
1257	Zerr	Jefferson, Bryan	957
817	Rowland	Jenkins, Cody	626
301	Crawford	Jenkins, Sherry	253

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1600	Houghton	Jennings, Jayle	1129
2813	Reiboldt	Jennings, Melissa	1975
515	Lair	Jensen, Andrew Jay	430
810	Schatz	Jerry's TV	626
242	Sommer	Jim Thro's Automotive Repair	223
124	Sommer	Johannesman, Matt	142
590	Montecillo	Johnannsson, Alex	451
1804	Hoskins	Johnson County Historical Society	1165
1189	Diehl	Johnson, Aaliyah	935
1169	Gosen	Johnson, Adam	935
1742	Berry	Johnson, Brennan	1165
3074	Guernsey	Johnson, Bruce	2302
613	Jones(110)	Johnson, Chaz	474
30	Solon	Johnson, Greg	60
410	McGaugh	Johnson, Howard and Pat	349
2759	Phillips	Johnson, Janice	1931
3106	Rehder	Johnson, Katherine	2359
74	Kolkmeier	Johnson, Lynda	124
2737	Wood	Johnson, Madison	1931
2756	Hampton	Johnson, Mary Ellen	1931
2792	Swan	Johnson, Pat	1931
1077	Berry	Johnson, Sarah	781
2635	Hubbard	Johnson, Taylore	1892
299	Stream	Johnson, Vesta	253
1013	Brown	Johnson, William	743
790	Leara	Johnston, Alena	608
1362	Richardson	Johnston, Gordon	991
1676	Burns	Johonson, April	1129
1047	Berry	Jones, Abby	781
320	Anderson	Jones, Anthony Grey	267
542	Anderson	Jones, Anthony Grey	430
3150	Frederick	Jones, Arlynn	2442
1253	Austin	Jones, Ashley	957
1087	Bahr	Jones, Crosby	781
2217	Justus	Jones, Debra	1488
1834	Berry	Jones, Dylan Christian	1165
2078	Solon	Jones, Jeramiah	1374

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1180	Ross	Jones, Lynn	935
1619	Houghton	Jones, Madison	1129
2426	Houghton	Jones, Marvin	1575
2966	Rhoads	Jones, Morgan	1975
647	Riddle	Jones, Nita	496
21	Dugger	Jones, Randall	21
896	Jones(110)	Jones, Santara	651
2460	Justus	Jones, Shirley	1593
974	Lair	Jones, Wendell and Ellen	663
194	White	Joplin 3D4D Imaging	191
3010	Hansen	Jordan Buffalo Cemetery	2102
925	Ellinger	Jordan, Jamie	651
187	Dunn	Jordan, Pat	191
3057	Remole	Jorgenson, Evelyn	2302
1263	Zerr	Joseph, Belinda	957
1558	Zerr	Joslin, Casey Marie	1129
1625	Houghton	Juarez Ramirez, Brayan	1129
384	Rhoads	Judd, Katie	318
246	Sommer	Juengst, Ray	223
1799	Remole	Julius, John Randy	1165
3154	Zerr	Jumani, Mahnoor	2442
711	Rhoads	Junction Hill C-12 School District	516
1188	Diehl	Jung, Daniel	935
2364	Walker	Junior Girl Scout Troop 9186	1575
1278	Bernskoetter	Junkans, Rachel	957
816	Bernskoetter	Jury, Richard	626
869	Jones(110)	Kachar, Camilla	651
1383	Englund	Kadymova, Leyla	991
2447	Haefner	Kadymova, Vasilya	1575
368	Diehl	Kahn, Satchel Joseph	308
2631	McNeil	Kain, Linda	1892
48	Leara	Kaiser, Amy	85
1673	Burns	Kajtezovic, Rayn	1129
1088	Bahr	Kalist, Ethan	781
166	Houghton	Kallenbach, Glen Parnell	166
774	Burlison	Kampa, Logan Christopher	608
1698	Frederick	Kampeter, Doria Rose	1129

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1373	Lauer	Kanak, Tanner	991
366	Diehl	Kanakadandila, Ankita Lakshmi	308
2883	Scharnhorst	Kandadi, Trisha	1975
1643	Shull	Kandlbinder, Christopher	1129
427	Morgan	Kansas City Schools Repurposing Initiative	349
2087	Englund	Karic, Jasmin	1374
3136	Rehder	Karnes, Tyler	2359
521	Wieland	Karoly, Meghan	430
2613	Guernsey	Karr, Gene and Janice	1661
2862	Neth	Kasper, Danielle	1975
578	Lichtenegger	Kasten, Mary	451
3084	Wright	Katcher, Sophie	2302
2610	Guernsey	Kato, Ace Christopher	1661
3083	Wright	Kator, Autumn	2302
2988	Hansen	Kattelman, susan	2102
1675	Burns	Kaut, Karonda	1129
2292	Neely	Kauzlarich, Sue	1541
2411	Phillips	Kearney, Zac	1575
2959	Lair	Kearns, Francis and Doris	1975
1395	Solon	Keck, Audrey	991
608	Love	Kee, Gage Taylor	474
468	Love	Kee, Kendall Ryan	396
2395	Swan	Keele, Rachel	1575
1232	Hicks	Keeseey, Nicholas J	957
855	Zerr	Keeven, Megan	651
973	Lair	Keith, Raymond and Marilyn	663
2071	Solon	Keithley, Nolan	1374
2538	Johnson	Kelder, Cleo	1593
1240	Burns	Kelleher, Julie	957
3248	Shumake	Keller, Ann	2552
741	Houghton	Keller, Gabrielle	564
3313	Molendorp	Keller, Mallory Marie	2858
811	Swan	Kellerman, Bert and Mary	626
2879	Scharnhorst	Kellermann, Timothy	1975
1110	Neth	Kelley, Brittany	781
1039	Berry	Kelley, Colby	781
1523	Gosen	Kelly, Angelina	1129

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1351	Rowden	Kelly, Brayden	980
2630	Pfautsch	Kelly, Peg	1892
1833	Keeney	Kelly, Samantha	1165
2291	Neely	Kemna, Mary Jane	1541
2372	Bernskoetter	Kemp, Charles	1575
2185	Frederick	Kemp, Elizabeth	1391
3122	Shumake	Kemp, Sharri	2359
151	Muntzel	Kemper Redevelopment Project of Boonville	154
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3017	Cox	Kendrick, Keegan	2102
661	Hubbard	Kennedy, Michael	505
2329	Montecillo	Kenney, Jack	1575
2011	Fowler	Kennison, Haley Jade	1344
3278	Flanigan	Kensinger, Sierra	2858
1981	Solon	Kerr, Destinee	1344
738	Houghton	Kerr, Emeri	564
2793	Swan	Kerr, Juanita	1931
593	Neely	Kesler, Richard Griffith	451
2870	Scharnhorst	Kesselring, Julianna	1975
933	Remole	Kessler, Payton	651
500	Rowden	Ketchum, Hailey	421
840	Barnes	Keunsting, Gary	651
3041	Hicks	Key, Quentin Jaleel	2302
2362	Stream	Keysor Elementary School	1575
1391	Solon	Khakh, Sareen	991
1935	May	Khan, Chaka	1344
3326	Runions	Kice, James	2858
117	Neth	Kiefer, Elliot Michael	124
2888	Scharnhorst	Kientzel, Andrew	1975
1880	Frame	Kilb, Gary	1187
1048	Berry	Killbreth, Mackensi	781
2195	Frederick	Kim, Stephanie	1391
672	Austin	Kimberlin, Tracy	505
3098	Carpenter	Kimbrough, Catherine	2359
3254	Johnson	Kiner, Shirlee	2552
981	Phillips	King, Arvina Marie Eads	695
2207	Frederick	King, Dan	1391

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1494	Solon	King, Micah	1096
2401	Swan	King, Rian	1575
1466	Fraker	King, Shirley	1096
445	Hansen	Kingsley, Elizabeth	385
665	Guernsey	Kinnison, Tyler	505
3251	Cox	Kirchhoff, Calvin and Mary	2552
1862	Bernskoetter	Kirchner, Alexis	1187
625	Crawford	Kirk, Casteel	474
3184	Remole	Kirkpatrick, Samantha	2442
3181	Remole	Kirkpatrick, Victoria	2442
2363	Stream	Kirkwood High School Football Pioneers	1575
2805	Franklin	Kirtley, Gay	1931
1842	Guernsey	Kissinger, Zella	1165
1559	Zerr	Kitchen, Joseph Glenn	1129
1588	Houghton	Kitchen, Ryan	1129
1873	Bernskoetter	Kivett, Ethan	1187
2002	Sommer	Kleekamp, JoAnn	1344
2520	Curtman	Kleekamp, Mary	1593
986	Leara	Kleffner, Adam	695
1690	Allen	Kleine, Ryan	1129
3244	Hummel	Kleinow, Allison Marie	2552
240	Sommer	Kleinschmidt, Dave	223
789	Leara	Klevorn, Danielle	608
2685	Franklin	Klinefelter, Cheyeanne	1892
2408	Phillips	Kling, Sally	1575
3016	Johnson	Klingensmith, Donald and Naomi	2102
1560	Zerr	Klinghammer, Shelby Lynne	1129
3239	Schatz	Kloeppel, Dorothy F.	2552
3240	Schatz	Kloeppel, Norman and Mary	2552
3067	Funderburk	Kloepper, Ashley	2302
1670	Burns	Klokic, Arifa	1129
1776	Solon	Klosener, Francesca	1165
1081	Bahr	Kluba, Sophie	781
2887	Scharnhorst	Klump, Andrew	1975
799	Leara	Klutho, Hannah	608
1294	Frame	Knese, Brett	957

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1315	Haefner	Knickmeyer, David	957
2528	Phillips	Knight, Linda	1593
1140	Wood	Knipp, Elizabeth	781
1852	Jones(050)	Knipp, Rebecca	1187
2473	Cornejo	Knox, Kiara	1593
175	Montecillo	Knox, Larry and Pamela	166
2850	Solon	Knust, Maddie	1975
1892	Riddle	Koelling, Elle	1187
3205	Rowden	Koeneke, Barry	2442
2474	Cornejo	Koester, Bradley	1593
1822	Keeney	Kohl, Colin	1165
782	Leara	Kohlberg, Brian	608
3273	May	Kohlman, Thelma	2552
1020	Solon	Kolster, Hayden	743
1075	Berry	Koluch, Lauren	781
371	Kolkmeier	Kopp, Heather	308
2884	Scharnhorst	Koppel, Lillian	1975
1418	Lauer	Korn, Liz	991
1988	Keeney	Korokis, Jake	1344
2637	Smith(120)	Korte, Richard Carl and Marilyn Agnes	1892
2170	Frederick	Kossner, Blaize	1391
1733	Keeney	Koyle, Jessie	1165
2785	Fraker	Kraft, Susan	1931
2256	Leara	Kramer, Braden	1488
1157	Koenig	Kraus, Catherine	781
1525	Gosen	Kremer, Kelly	1129
3213	Shull	KRES Radio	2442
871	Jones(110)	Krone, Carson	651
2250	Leara	Krueger, Jena	1488
1918	Neth	Krueger, Ritter Makenzie	1344
2332	Montecillo	Krull, Erica	1575
755	Hicks	Krull, Kyle Lawrence	564
2942	McGaugh	Kruse, Suzanne	1975
249	Walker	Krusniak, Miles	223
1985	Keeney	Krutsinger, Audrey	1344
1527	Gosen	Kuc, Kiersten	1129
1772	Solon	Kucharski, Carrie	1165

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3375	Schupp	Kuehn, Ben	3127
841	Barnes	Kuensting, Joseph	651
2667	Muntzel	Kueny, Andrew	1892
1516	Lant	Kuhn, Hannah	1096
1323	Haefner	Kullmann, Kaitlin	957
2659	Schupp	Kweskin, Mia	1892
1484	Solon	Kwon, Samuel	1096
2531	Brattin	Kyle, Jeff	1593
1073	Neth	Kytasaari, Mackenzie	781
995	Leara	Laaker, Claire	695
353	Butler	Lab1500	308
2597	Wilson	LaBarr, Susan	1661
2176	Frederick	Labbe, Rutherford	1391
3048	Hicks	Ladig, Connor	2302
2516	Cornejo	Lafata, Layla	1593
2496	Cornejo	Lagana, Chadae	1593
2808	Franklin	Lair, Richard	1931
472	Shull	Laird, Molly Elizabeth	405
1204	Solon	Lake City 25 Year Club	935
2039	Kelly(045)	Lake, Adam	1374
895	Jones(110)	Lahey, Abigail	651
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1243	Austin	Lamore, Jocelyn	957
1187	Diehl	LaMore, Melinda	935
587	Montecillo	Lampe, Luke	451
2144	Lynch	Landreth, Maggie	1391
2561	Anders	Lanigan, Logan	1661
3255	Love	Lanser, Mallory	2552
2300	Lichtenegger	LaPierre, Susan	1541
407	Cox	Lapine, Carter Thomas	349
488	Rowden	LaRoe, Dallas	421
1090	Bahr	Larson, Jake	781
2744	Haefner	Larson, Joan	1931
3162	Zerr	Larson, Julia	2442
1796	Solon	Lashure, Ashlee	1165

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1561	Zerr	Lassanske, Benjamin Henry	1129
3045	Hicks	Laster, Noah	2302
666	Guernsey	Lathrum, Trey	505
1370	Lauer	Latshaw, Jonathan	991
1634	Remole	Laughlin, Aaron	1129
1681	Allen	Laughlin, Joseph	1129
3179	Remole	Laughlin, Kaylee	2442
2582	Anders	Laughlin, Tristan	1661
522	Wieland	Lauterwasser, Brennon	430
1965	Solon	LaVar, Brett	1344
2475	Cornejo	Lavy, Shawna	1593
162	Stream	Lawrence Fabric & Metal Structures	166
2663	Dugger	Lawson, Alfred	1892
1233	Schieffer	Lawson, Ethan Douglas	957
2707	Miller	Lawson, Ida	1931
3121	Schieffer	Lawson, Taylor	2359
565	Burns	Laxton, Willard	451
1980	Solon	Layland, John	1344
575	Webb	Layton, Aaron	451
3307	Reiboldt	La-Z-Boy Midwest	2858
2389	Swan	Le, Natalie	1575
17	Brown	Leaders of Boy Scout Troop 34	21
2404	Gannon	Lebel, Bridget	1575
1374	Lauer	Ledger, Jacob	991
1372	Lauer	Lee, Anna	991
1645	Wood	Lee, Dustin Theodore	1129
664	May	Lee, Essence	505
1247	Austin	Lee, Hannah	957
2369	Bernskoetter	Lee, Hughes	1575
509	Solon	Lee, Jane	430
1216	Swan	Lee, Minji	957
820	Gardner	Lee, Shemar Rashad	644
3335	Leara	Lee, Tiffany	3127
1163	Davis	Leece, Malachi	935
2287	Neely	Leeper, Carlana	1541
2000	Grisamore	Lees Summit West High School	1344
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3141	Swan	LeGrand, Chleo	2359
2982	Riddle	LeGrand, Peter	2102
113	McCann Beatty	Leimer, Joseph Grant	124
1388	Solon	Leith, Henry	991
2155	Keeney	Lemons, Wyatt	1391
3208	Jones(050)	Lenger, Scott	2442
2980	Riddle	Lenz, Kari	2102
1801	Remole	Lenzini, Rowena	1165
1709	Frederick	Lenzmeier, Danielle Elizabeth	1129
2146	Lynch	Leonard, Jerrica	1391
2648	Wood	Lepley, Colin	1892
453	Wilson	Lessenden, Alan Paul	396
1504	Fitzwater	Lester, Johnnie	1096
2670	Muntzel	Lester, Samantha	1892
3329	McNeil	Levin, Benjamin	2858
1984	Keeney	Lewis, Ahsley	1344
3190	Remole	Lewis, Anna	2442
271	Phillips	Lewis, Gary	239
3130	Wright	Lewis, John	2359
1228	Neth	Lewis, Trenton Dean	957
304	Bahr	Lewy Body Dementia Association	253
1330	Lichtenegger	L'Hote, Linda	980
512	Spencer	Liberty Christian Academy Boys Basketball Eagles	430
511	Spencer	Liberty Christian Academy Girls Basketball Eagles program	430
677	Neth	Liberty High School Dance Sapphires	505
676	Neth	Liberty High School Varsity Cheerleading Team	505
678	Neth	Liberty Lions Club	505
2325	Diehl	Liesman, Emma	1575
597	Butler	LifeSkills	451
718	Sommer	Linck, James	533
719	Sommer	Linck, John	533
1811	Keeney	Lincoln, Keighlyn	1165
72	Montecillo	Lindbergh Senior High School	94
1161	Marshall	Lindburg, Jacob	935
1640	Gatschenberger	Lindenwood University Shotgun Sports	1129
523	Wieland	Linderer, Alex	430
846	Zerr	Lindhorst, Kurt	651

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2464	Cornejo	Lindsey, Emily	1593
2476	Cornejo	Lindsey, Justin	1593
1767	Solon	Lindstrom, Kaytlyn	1165
473	Pfautsch	Link, Audrey	405
1342	Lair	Linn County Courthouse	980
19	Cox	Lions Club of St. Louis	21
767	Solon	Lipari, Mary	577
25	Haahr	Lippelman, Hayden Scott	60
2132	Burns	Little, Chandler	1391
1137	Cross	Little, Sam	781
2295	Fitzwater	Litton, Carmen	1541
2726	Muntzel	Litwiller, Steve	1931
35	Shumake	Livesay, Philip	60
1807	Keeney	Lix, Wyatt	1165
2135	Burns	Llewellyn, Aaron	1391
2527	Phillips	Lock, Joella	1593
2512	Cornejo	Locke, Mary	1593
2479	Cornejo	Locke, Stephanie	1593
2997	McDonald	Lockhart, Jacob Daniel	2102
551	Wieland	Loddeke, Kevin	430
498	Rowden	Loethen, Makinna	421
2692	Franklin	Logan, Kailab	1892
160	Kelly(045)	Logboat Brewing Company	166
2152	Keeney	Lombeida, Christopher	1391
1202	Cross	Londre, Tristan Graham	935
1735	Keeney	Long, Cheyenne	1165
1562	Zerr	Long, Cody Taber	1129
3220	Kelley(127)	Long, Molly	2442
3062	Harris	Long, Morris and Opal	2302
1462	Carpenter	Long, Taylor	1096
377	May	Long-Brown, Michael LaShawn	318
1096	Berry	Longley, Caleb	781
2733	Wood	Lor, Bao Nhia	1931
876	Jones(110)	Lord, Amber	651
2355	Lichtenegger	Lorenz, Carly Jo	1575
524	Wieland	Loucks, Samantha	430
2907	Rhoads	Lovan, Jack	1975

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2493	Cornejo	Lovelace, Camille	1593
148	Hoskins	Lowry, Blake	154
3217	White	Lowry, Joshua	2442
1009	Bernskoetter	Lowry, Susan	695
525	Wieland	Luaders, Bree	430
3374	Schupp	Luebbert, Tony	3127
1085	Bahr	Luechtefeld, Kyla	781
571	Burns	Luna, Emilio	451
1775	Solon	Lupercio, Sophia	1165
819	Cornejo	Lutheran High School of St. Charles County Lady Cougars Basketball	626
1333	Miller	Luttrell, Holden	980
2080	Solon	Luzynski, Sarah	1374
1704	Frederick	Lykins, Makenna Jarette	1129
1878	Torpey	Lynch, Catherine	1187
387	Berry	Lynch, Micaela	318
1682	Allen	Lyon, Jacob	1129
1310	McCaherty	Lyons, Tammy	957
135	Reiboldt	M and K Outdoor Products Shear Design	142
2446	Haefner	Maa, Savannah	1575
2960	Lair	Maberry, Tyler	1975
2504	Cornejo	Mabie, Evelyn	1593
2079	Solon	Macias, Gage	1374
1739	Berry	Madden, Anna	1165
2009	Fowler	Maddox, Jacqueline Joanna	1344
1174	Gosen	Maddox, Jason	935
2846	Solon	Mader, Michael	1975
507	Keeney	Madison county Extension Council	421
2568	Anders	Magel, Emily	1661
1961	Solon	Maggard, Izac	1344
1951	Solon	Maggard, Tatum	1344
171	Cross	Magic Touch Cleaning Company	166
533	Wieland	Magre, Holly	430
3236	Schieber	Mahan, Breanna	2552
692	Houghton	Mahaney, Keyon	516
740	Houghton	Mahaney, Tanaya	564
1867	Bernskoetter	Maharas, Collin	1187
55	Fraker	Maher, DeeEllen	85

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2772	Rowden	Maher, Porter	1931
2353	Lichtenegger	Mahnken, Eric Steven	1575
1304	McCaherty	Mahony, Shelby	957
2432	Remole	Main, Jerry and Joan	1575
1774	Solon	Main, Mandy	1165
1117	Richardson	Malden High School JROTC	781
720	Sommer	Malinee, Sean	533
2044	Kelly(045)	Mallory, Britney	1374
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835	Guernsey	Maloney, Emmaleigh Cathleen	651
1652	McGaugh	Malter, Julie	1129
2166	Rizzo	Mange, Michael	1391
1715	Reiboldt	Manley, Nikolas Nolan	1165
607	Fitzpatrick	Mann, Steve	474
3212	Flanigan	Manning, Christy	2442
996	Leara	Manuel, Kamryn	695
2196	Frederick	Mara, Kendall	1391
2198	Frederick	Mara, Kendall	1391
1150	Koenig	Marcallini, Angelo	781
759	Remole	Marceline High School Lady Tigers Basketball	564
1207	Curtis	Marciniak, Steven	935
1693	Allen	Marcolina, Robert	1129
3356	May	Mareschal, Melvin	3127
1209	Swan	Margrabe, Aaron	957
1213	Swan	Margrabe, Aaron	957
3107	Lichtenegger	Margrabe, Aaron Michael	2359
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159	Kelly(045)	Mark Hall Cabinetry	166
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2136	Hansen	Mark Twain Lake Sailing Association	1391
534	Wieland	Marks, Ashley	430
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2802	Franklin	Marlow, Thomas Eugene	1931
2847	Solon	Marquez, Michael	1975
2741	Wood	Marriott, Mancil	1931
1936	Spencer	Marschel, Alouise	1344
3234	Diehl	Marsh, James	2552

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2595	Conway(104)	Marshall, Michelle	1661
1319	Haefner	Martin, Allison	957
2747	Newman	Martin, Barb	1931
287	Solon	Martin, Ben	239
1098	Berry	Martin, Erin	781
932	Remole	Martin, Hunter	651
327	Schieffer	Martin, Joe and Margie	284
414	Haefner	Martin, Robert Joseph	349
902	Johnson	Martin, Russell and Jacquelyn	651
1456	Haefner	Martin, Zachery	1096
2323	Haefner	Martin, Zachery	1575
134	Schieber	Martinek, Stanley and Verla Mae	142
1749	Berry	Martinez, Natasha	1165
3256	Brattin	Mason, Jeffrey	2552
851	Zerr	Mason, Roy	651
1743	Berry	Masoner, Nicholas	1165
2803	Franklin	Massey, Judy	1931
1379	Hurst	Massman, Kate	991
1259	Zerr	Masterclock	957
2694	Franklin	Mathews, Evan	1892
106	Marshall	Matt, Benjamin Jackson	124
1103	Neth	Mattes, Bryn	781
97	Sommer	Matthews, Kendall Emmanuel	124
2068	Solon	Mattson, Tucker	1374
2809	Franklin	Matz, Gordon	1931
2827	Lichtenegger	Mauk, Allison	1975
826	Berry	Maupin, Brett Daniel	651
603	Colona	Mausshardt, Patrick Edward	474
2706	Miller	Mayer, Kathleen	1931
18	Sommer	Mayerhoefer, Luke David	21
3001	Entlicher	Mayfield, Samantha	2102
1917	Neth	Mays, Benjamin Cody	1344
1589	Houghton	Mays, Tyler	1129
2524	McCann Beatty	McAboy, Gregory	1593
1345	Johnson	McAfee, Leonard Gene and Helen	980

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3215	Haahr	McBride, Heather Rooney	2442
3178	Remole	McCall, Carley	2442
2898	Swan	McCann, Deborah	1975
2142	Lynch	McCart, McKayla	1391
1312	McCaherty	McCart, Megan	957
3046	Hicks	McCarter, Emily	2302
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2814	Reiboldt	McClintock, Yvonne	1975
1958	Solon	McCloud, Madison	1344
2795	Korman	McCluer, Sarah	1931
3349	Ross	McClure, Charles	3127
1264	Zerr	McCollom, Karen	957
1040	Neth	McCollum Harrold, Reagan	781
3139	Walker	McConnell, John and Eileen	2359
3306	Muntzel	McConnell, Kaderia	2858
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1582	Houghton	McCoskey, Christina	1129
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2605	Lichtenegger	McCoy, Kristen Kay	1661
1399	Solon	McCrary, Sage	991
1968	Solon	McCrary, Tate	1344
2967	Rhoads	McCrosky, Alexandra	1975
2534	Brattin	McCullough, Donna	1593
1653	Swearingen	McCune, Jay Joseph	1129
2191	Frederick	McCutcheon, Laura	1391
2880	Scharnhorst	McDuffie, Seth	1975
864	Jones(110)	McElroy, Marlo	651
1820	Keeney	McElvain, Julia	1165
584	Montecillo	McEntee, Conor	451
667	Guernsey	McFall, Kasey	505
3132	McCaherty	McGennis, Hannah	2359
808	Richardson	McGhee, Wiley	626
3285	Morris	McGill, Scott	2858
3078	White	McGowen, Kristi	2302
1092	Bahr	McGrail, Brenna	781

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2280	Newman	McGrath, Meredith	1488
2910	Anders	McGraw, Mallory	1975
2163	Keeney	McGregor, Morgan	1391
1734	Keeney	McGruder, Ellie	1165
1843	Guernsey	McHargue, Deva	1165
2311	Reiboldt	McInturff, Natalie	1541
1178	Gosen	McKanna, Brian	935
1072	Berry	McKinney, Elizabeth	781
2852	Solon	McKinney, Madelyn	1975
2799	Franklin	McKinney, Nancy	1931
3093	Walton Gray	McKissack, Fredrick	2302
1252	Austin	McLallen, Tyler	957
3274	May	McLaughlin, James	2552
3338	Houghton	McLeese, Joe	3127
901	Jones(110)	McIlimens, Jamie	651
1434	Hicks	McManus, Shaun Patrick	1017
1354	Roorda	McManus, Zella	991
1497	Solon	McMillian, JC	1096
3097	Carpenter	McMorris, Velda	2359
806	Fitzwater	McMurry, William	608
1182	Diehl	McNeill, Zane	935
354	Richardson	McNew, Kyle	308
2439	Haefner	McNulty, Daniel	1575
513	Black	McSpadden, Joshawa Alexander	430
3369	Schupp	McTigue, Adam	3127
2301	Lynch	McVay, Laura Hendley	1541
1159	Miller	Medical Transportation Management	935
3070	Guernsey	Meek, Kasey William	2302
2629	Hansen	Megl, William	1892
2084	Burns	Mehinovic, Elvisa	1374
360	Diehl	Meier, Allie Kathleen	308
1457	Haefner	Meier, Jaime	1096
57	Lair	Meinershagen, George	85
234	Sommer	Meiser, Karen	204
744	Houghton	Melton, Jared	564
3373	Schupp	Meluso, Tonia	3127
2470	Cornejo	Mense, Kelly	1593

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1530	Gosen	Meontmann, Audrey	1129
2779	Smith(085)	Meriwether, Ayesha Michele	1931
2532	Brattin	Merrell, James David	1593
3166	Torpey	Merriott, Stephanie	2442
594	Butler	MERS Goodwill	451
1661	Leara	Mertens, Bradley	1129
964	Leara	Merz, Logan	663
343	Solon	Mesecher, Rebecca	293
2769	Rowden	Mesmer, Kristin	1931
227	Lauer	Meyer, Betty	204
3372	Schupp	Meyer, Daniel	3127
959	Leara	Meyer, Dominic	663
261	Kelly(045)	Meyer, Elizabeth	231
994	Leara	Meyer, Mary Kate	695
1458	Haefner	Meyer, Mia	1096
3368	Schupp	Meyerhoff, David	3127
1563	Zerr	Meyerotto, Allison Nichole	1129
1203	Solon	Mickelson, Anthony	935
2529	Spencer	Mid America Teen CERT	1593
1702	Frederick	Middleton, Brennen Michael	1129
1701	Frederick	Middleton, Darren Barkley	1129
1696	Frederick	Middleton, Peyton Lane	1129
1707	Frederick	Middleton, Taylor Elizabeth	1129
2008	Fowler	Middleton, Tyler Drake	1344
1425	Lauer	Migliazzo, Joe	991
3333	Smith(085)	Milam, Terry	2858
158	Rizzo	Milbank Manufacturing Company	166
191	Miller	Miller County R-III School District Board of Education	191
1809	Keeney	Miller, Dylan	1165
294	Redmon	Miller, Jacobi Ryan	239
2116	Lynch	Miller, Janelle	1391
3345	Schatz	Miller, Karen	3127
2590	White	Miller, Kelly	1661
2130	Burns	Miller, Kyle	1391
2974	Rhoads	Miller, Logan	1975
402	Guernsey	Miller, Owen Michael	332
185	Houghton	Miller, Robby	191

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2232	Keeney	Miller, Shelbee	1488
1227	Mayfield	Mills, Hugh	957
1883	Lichtenegger	Mills, Susan	1187
1155	Koenig	Minie, Jaimey	781
1186	Diehl	Minkler, Katie	935
2150	Solon	Minnis, Jenn	1391
1861	Bernskoetter	Minor, Cory	1187
1841	Guernsey	Minor, Susie	1165
254	Keeney	Minx, Josh	231
3168	Fitzwater	Missionary Acres of Baptist Mid-Missions Retirement Village	2442
1033	Diehl	Missouri Alliance of Boys and Girls Clubs	743
948	Walker	Missouri Association of Osteopathic Physicians and Surgeons	663
71	Reiboldt	Missouri Department of Conservation	94
2839	Fitzwater	Missouri Department of Corrections	1975
321	Love	Missouri Farm Bureau	267
431	Lichtenegger	Missouri Farm Bureau Cape Girardeau County	349
3342	Otto	Missouri National Association for Amateur Radio	3127
459	Jones(110)	Missouri Press Association	396
1848	Funderburk	Missouri Public Service Commission	1165
399	Hampton	Missouri Rice Research and Merchandising Council	332
1899	Crawford	Missouri State Association of Free Will Baptists	1187
2450	Jones(110)	Missouri State Employee Recognition Week	1575
9	Webber	Missouri Youth Adult Alliance Youth Ambassador Program	21
237	Miller	Mitchell, Alexander Patrick	223
2052	Kelly(045)	Mitchell, Cora	1374
1934	May	Mize, Julia	1344
1448	Guernsey	MJA Incorporated	1017
307	Lynch	Moats, Jerry	253
2704	Miller	Moeller, David	1931
721	Sommer	Mohapp, Candice	533
1564	Zerr	Mohapp, Candice Nicole	1129
2619	Molendorp	Moitoza, Halie	1661
1684	Allen	Mollett, Allison	1129
2296	Fitzwater	Momot, Evelyn	1541
3250	Kelly(045)	Monarch Title Company	2552
650	McManus	Moncure, Alyssa	496
649	Fitzpatrick	Monett Area YMCA	496

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2875	Scharnhorst	Money, Daniel	1975
2628	Hansen	Monroe County Nursing Home District	1892
1371	Lauer	Montgomery, Brooke	991
865	Jones(110)	Montgomery, Gabe	651
1358	Englund	Montgomery, Susan	991
1394	Solon	Moon, Austin	991
1199	Cross	Moon, Jerry III	935
2036	Solon	Moon, Mason	1374
591	Montecillo	Moonier, Natalia	451
2148	Lynch	Moore, Ashley	1391
3319	Smith(085)	Moore, Jerrod	2858
2458	Solon	Moore, Kaysie	1575
2147	Lynch	Moore, Quinten	1391
3171	Webber	Moore, Rhonda Gail	2442
2113	Lynch	Moore, Timothy	1391
192	Butler	Moore, Willard	191
2062	Kelly(045)	Morales, Jose	1374
1753	Solon	Moran, Janis	1165
1754	Solon	Moran, Michael	1165
928	Fitzwater	Morelan, Harriet	651
1956	Solon	Morelli, Kaylee	1344
1071	Berry	Moreno, Marissa	781
1293	Frame	Morgan, Brittany	957
1270	Fitzwater	Morgan, David	957
1911	Lair	Morgan, Deanna	1344
423	Marshall	Morgan, Grace Elizabeth	349
2093	Burns	Morgan, Harley	1374
3249	Walton Gray	Morin, Tyler	2552
2219	Justus	Morrill, Connie Christine	1488
3068	Justus	Morris, Jim	2302
169	Remole	Morris, John and Joann	166
2327	Diehl	Morris, Koan	1575
2100	Jones(050)	Morris, Lindsey	1374
3314	Thomson	Morris, Madison	2858
936	Remole	Morris, Tristan	651
1299	Frame	Morris, Tyler	957
2708	Miller	Morse, Peggy Lea	1931

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2664	Dugger	Morton, Hannah	1892
2588	Diehl	Mosbacher, Merry	1661
1664	Burns	Mosby, Tatyana	1129
3126	Berry	Moss, Larry and Carol	2359
2634	Hubbard	Moss, Shamon	1892
3340	Smith(085)	Most Worshipful Prince Hall Grand Lodge of Missouri	3127
1604	Houghton	Motley, Claire	1129
3055	Engler	Motley, Marjorie	2302
2563	Anders	Mouser, Gabriel	1661
3030	Fitzwater	Mouser, Timon Odell	2102
1691	Allen	Muckerman, Madison	1129
2105	Hummel	Muckler, Robert	1391
679	Hurst	Mueller, Arline Anna Harfst	505
604	Bernskoetter	Mueller, Karl	474
1642	Shull	Mueller, William Jerry	1129
2609	Guernsey	Muff, Carter Wayne	1661
970	Leara	Muhr, Margaret	663
1725	Keeney	Mungle, Taylor	1165
888	Jones(110)	Murali, Adhitya	651
616	Jones(110)	Murphy, Antonio	474
1238	Burns	Murphy, Brian	957
2599	Burlison	Murphy, Dave	1661
1369	Lauer	Murphy, Jackson	991
2996	Smith(085)	Murphy, James	2102
2141	Lynch	Murphy, MacKensie	1391
2869	Scharnhorst	Murphy, Michaela	1975
1032	Solon	Murphy, Patience	743
2874	Scharnhorst	Murphy, Samuel	1975
1089	Bahr	Murray, Brynn	781
2513	Cornejo	Musgrove, Caleb	1593
601	Colona	Musick, Benjamin Joel	474
2388	Rowden	Mustain, William	1575
1825	Keeney	Myers, Alyssa	1165
1471	Frederick	Myers, Cody	1096
2583	Anders	Myers, Hunter	1661
773	Brown	Myers, John	608
3298	Muntzel	Myers, Maggie	2858

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2621	Fitzwater	Myers, Randell	1661
2758	Rizzo	Myers, Steven	1931
1823	Keeney	Myers, Taylor	1165
2046	Kelly(045)	Naeger, Lauren	1374
329	Wieland	Naert, Joseph and Thelma	284
1773	Solon	Nagel, Sophia	1165
1314	McCaherty	Nahlik, Ci Ci	957
776	McNeil	Nanney, Debra Jean	608
2278	Molendorp	National Day of Prayer-Belton, Missouri	1488
3035	Rizzo	National Society of Sons of the American Revolution	2302
146	Richardson	National TRIO Day-Three Rivers Community College	154
2871	Schamhorst	Natsch, Ilona	1975
1289	Frame	Nault, Savanna	957
3318	Cookson	Naylor High School Lady Eagles Softball Team	2858
3101	Carpenter	Naylor, Cynthia	2359
64	Crawford	Naylor, Pam	94
1641	Shull	Nazario, Jordan Paul	1129
2258	Leara	Neal, Cody	1488
2472	Cornejo	Neal, Trey	1593
1376	Lauer	Nebgen, Marissa	991
529	Wieland	Neels, Amanda	430
1579	Houghton	Nell, Robert	1129
2845	Higdon	Nelson, Rita J.	1975
2717	Miller	Nelson, Taylor	1931
3186	Remole	Nelson, Trace	2442
1447	Reiboldt	Neosho Wrestling Wildcats	1017
1761	Solon	Nesselhuf, Katlyn	1165
1082	Bahr	Nettler, Andrew	781
2543	Solon	Neufeld, Breanna	1593
2119	Lynch	Newcomb, Dylan	1391
3075	Guernsey	Newcomer, Jane	2302
2183	Frederick	Newkirk, Alexis	1391
1141	Wood	Newkirk, Rachel	781
172	Schupp	Newport, Nancy Jane	166
2551	Solon	Newton, Joshua	1593
2042	Kelly(045)	Ngao, Stacy	1374
1459	Haefner	Ngo, Jenny	1096

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969	Haefner	Nguyen, Michelle	663
1026	Solon	Nguyen, Sean	743
1944	Solon	Nicas, Elle	1344
1197	Schatz	Nichalos, Alan	935
1196	Schatz	Nicholas, Delores	935
768	Montecillo	Nicoletti, Mary and Ron	577
3039	Hicks	Niedbalski, Allison	2302
81	Dohrman	Nimmer, Michael Joseph	124
425	McNeil	Nimmons, Howard	349
1655	Elmer	Nixa High School	1129
370	Diehl	Noda, Samantha Yoshi	308
485	Sommer	Noelken, Ivy	421
1139	Wood	Noland, Lydia	781
1529	Gosen	Noll, Morgan	1129
2139	Lynch	Norman, Eric	1391
3114	Lynch	Norman, Eric Scott	2359
1790	Solon	Norman, Shelby	1165
3169	Lair	Norris, Susan	2442
976	Neth	North Kansas City School District	663
1255	Franklin	North, Gentry Dennis	957
392	Thomson	Northwest Missouri State Bearcats Cheerleading Squad	318
737	Houghton	Norton, James	564
887	Jones(110)	Nosal, Charles	651
1153	Koenig	Novak, Brandon	781
244	Sommer	Nowack, Daniel	223
1636	Remole	Noyes, Kevin	1129
528	Wieland	Nulsen, Kirsten	430
417	Neely	Nutter, Colt	349
3206	LaFaver	Nutter, James	2442
652	Lauer	Oak Grove High School Wrestling Panthers	505
319	Haefner	Oakville Elementary School	267
1496	Solon	Oates, Isabel	1096
3310	Hansen	Oberhaus, Jeremy	2858
2360	Lichtenegger	Obermann, Regan Michelle	1575
2682	Kirkton	Obermeyer, Samuel	1892
1246	Austin	Obert, Conner	957
2624	Pfausch	O'Brien, Jace	1661

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706	Anderson	OConnor, Dawn	516
491	Rowden	ODay, Mollie	421
1835	Berry	O'Dell, Brent Patrick	1165
226	Lauer	Office Products Alliance	204
1052	Berry	Offield, Sydney	781
2091	Burns	Ogent, Monica	1374
548	Wieland	Ogle, Matt	430
356	Diehl	O'Hara, Thomas James	308
2978	Kirkton	O'Laughlin, Emily	1975
1258	Zerr	Olde Town Spice Shoppe	957
999	Leara	O'Leary, Mindy	695
1565	Zerr	Olendorff, Autumn Kaylene	1129
702	Zerr	Olgundeney, Ertungrel Fahri and Tulin	516
1002	Leara	O'Malley, Marissa	695
1368	Lauer	O'Neill, Danielle	991
1325	Haefner	O'Neill, Mackenzie	957
312	Bernskoetter	Opies Transport	253
2742	Shull	Ording, William Charles	1931
2830	Lichtenegger	O'Rear, Ryan	1975
1598	Houghton	Orr, Jayson	1129
83	Dohrman	Orr, Ryan	124
2652	Haefner	Ortiz, Christie Ann	1892
456	Wilson	Osborn, Shilo	396
1789	Solon	O'Shaughnessy, Emma	1165
655	Hubbard	Ottley, Charlotte	505
527	Wieland	Ottoline, Alex	430
2632	Sommer	Outman, Irma Mathilda	1892
569	Burns	Overby, Abigail	451
874	Jones(110)	Overby, Kaleb	651
3343	Cross	Overlease, Kyle Samuel	3127
2161	Keeney	Overton, Erica	1391
3163	Zerr	Overton, Laney	2442
3165	Zerr	Overton, Laney	2442
2553	Fitzwater	Owens, Donna	1593
390	Johnson	Owens, Sidney Alexis	318
1755	Dugger	Owens, Vanessa	1165
1277	Bernskoetter	Oxley, Cole	957

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2246	Morris	Pace, Gordon	1488
2868	Scharnhorst	Pacino, Gabriela	1975
2774	Walker	Pagliai, Brian	1931
1615	Houghton	Paladin, Katie	1129
65	Neth	Palmer, Kyler	94
1998	Shumake	Palmyra Kiwanis	1344
2131	Burns	Pangelinan, Kala	1391
1898	Riddle	Pani, Kate	1187
1798	Remole	Pappenfoht, Gayla	1165
3115	Lynch	Pardo, Juan David	2359
825	Solon	Pardun Family Chiropractic	651
1680	McGaugh	Paris, Sharon	1129
766	Solon	Parker, Bryce	577
779	Butler	Parker, Denver	608
770	Solon	Parker, James	577
1605	Houghton	Parker, Zackary	1129
2245	Brown	Parks, Olin	1488
349	Berry	Parks, Samson Robert	308
1913	Franklin	Parman, Lilly	1344
2101	Hinson	Parnell, Charlotte	1374
660	Hubbard	Parr, Arika	505
1478	Frederick	Parrish, Lindsey	1096
136	Jones(050)	Parrott, Kelsey	142
1920	Neth	Parry, Davis William	1344
1996	Keeney	Parson, Karisa	1344
1135	Jones(110)	Patel, Hemal	781
2112	Lynch	Patel, Sachi	1391
1999	Wright	Patriot Guard Riders	1344
1397	Solon	Patterson, Miranda	991
707	Stream	Patton, Harriet	516
2697	Franklin	Patton, Sarah	1892
2297	Fitzwater	Paul, Barbara	1541
1912	Lair	Pauley, Mary	1344
2981	Riddle	Pauley, Sarah	2102
279	Sommer	Paulson, Richard	239
2757	Hampton	Pavy, Noah	1931
403	Guernsey	PDQ People Delivering Quality Cleaning	332

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2633	Conway(104)	Peace Officers Memorial Service Committee	1892
200	Phillips	Peace, Jack and Etta	191
1011	Hoskins	Pearce, Senator David	743
2909	Anders	Pearson, Grace	1975
406	Thomson	Pearson, Richard Verner	349
1045	Neth	Peck, Hope	781
435	Houghton	Pehle, Howard and Virginia	349
638	Schieber	Pehlman, Morgan	496
3131	Solon	Pelham, Todd	2359
123	Sommer	Pelikan, Daniel	142
1068	Berry	Pena-Marmolejo, Elias	781
2904	Swan	Pender, Barry	1975
1566	Zerr	Pendleton, Ryan Jarrett	1129
618	Jones(110)	Pener, Eric	474
3198	Englund	Pennant, Kyle	2442
2269	Norr	Pennel, Courtney	1488
1751	Berry	Pennington, Joselyn	1165
1059	Neth	Pennington, Spencer	781
562	Burns	Peoples, Quintard	451
1214	Swan	Perez, Michael	957
149	Muntzel	Perkins, Kenneth	154
2467	Cornejo	Perkins, Zack	1593
144	Fitzwater	Peroutka, Delphia Marie	154
2213	Barnes	Perrey, Marion	1391
2097	Gardner	Perry, Arthur	1374
1107	Berry	Perry, Emma	781
10	Webber	Pestle, Quinn	21
1086	Bahr	Peters, Lindsey	781
1244	Austin	Peterson, Julia	957
3302	Muntzel	Peterson, Paige	2858
1060	Neth	Petet, Tatem	781
2165	Jones(110)	Petrie, Jessica	1391
1401	Davis	Petry, Henry	991
2199	Frederick	Pettijohn, Julia	1391
1219	Swan	Petzoldt, Hannah	957
1577	Kelly(045)	Pfeffer, Walter	1129
2205	Frederick	Pfeifer, Erin	1391

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2673	Muntzel	Pfeiffer, Bailey	1892
2812	Hoskins	Pflughaupt, Nicholas	1975
1793	Solon	Phariss, Lauren	1165
1023	Solon	Phelps, Madison	743
1945	Solon	Phelps, Madison	1344
2208	Frederick	Phelps, Rachel	1391
2172	Frederick	Phenix, Carmen	1391
852	Zerr	Philipp, Alex	651
2906	Swan	Phillips, Debra	1975
1612	Houghton	Phillips, Ellen	1129
1436	Reiboldt	Phillips, Jeremy	1017
2607	Guernsey	Phipps, Jason Arthur Dean	1661
1357	Englund	Phoenix, Matt	991
1109	Berry	Pickens, Madison	781
2620	Fitzwater	Pickett, Brittney Shenae	1661
3027	Franklin	Pickford, Michael	2102
1307	McCaherty	Pille, Blake	957
900	Jones(110)	Pina White, Evan	651
455	Wilson	Pine, Jace Carl	396
2373	Bernskoetter	Pinkley, Evelyn	1575
581	Montecillo	Pinkston, Grant	451
1495	Solon	Pinnock, Elly	1096
96	Sommer	Pirtle Hall, Jackie	124
2525	McCann Beatty	Pitchford, Caroline	1593
283	Solon	Plaas, Jon	239
2602	Norr	Placzek, Jenifer	1661
863	Jones(110)	Plant, Kennedy	651
3156	Zerr	Plodzien, Taylor	2442
1528	Gosen	Ploeger, Samuel	1129
1568	Zerr	Plummer, Michaela Lauren Sees	1129
219	Kolkmeier	Plymell, Marley	204
1831	Keeney	Poe, Brooklynne	1165
1884	Ross	Pogue, Tonya	1187
2844	Higdon	Poindexter, Terry	1975
880	Jones(110)	Poisson, Abbie	651
693	Houghton	Polacek, Megan	516
1585	Houghton	Polacek, Rebekah	1129

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2502	Cornejo	Politte, Josh	1593
1396	Solon	Pollard, Sierra	991
1291	Frame	Pond, Brandon	957
330	Walker	Poole, Joshua	284
2536	Brattin	Poppe, Susan Frances	1593
550	Wieland	Portell, Aaron	430
1475	Frederick	Porter, Dillon	1096
1472	Frederick	Porter, Michaelyn	1096
1473	Frederick	Porter, Samantha	1096
1328	Haefner	Porterfield, Claire	957
1208	Lair	Posey, Michael	935
2924	Entlicher	Poterbin, Cheyanne	1975
2932	Entlicher	Poterbin, Cheyanne	1975
3077	Colona	Potter, Caitlynn	2302
2788	Fraker	Potter, Dennise	1931
1567	Zerr	Potter, Moira Jessica Marie	1129
1101	Neth	Powell, Bryleigh	781
2317	Diehl	Powell, Caroline	1575
2829	Lichtenegger	Powell, Jeanette	1975
2048	Kelly(045)	Powell, Makayla	1374
1828	Keeney	Powell, Nicholas	1165
1948	Solon	Powell, Triniti	1344
238	Love	Powers, Jordan Michael Edward	223
2428	Houghton	Powers, Joshua	1575
2248	Leara	Prabhu, Nivedita	1488
1623	Houghton	Price, Keerstin	1129
232	Sommer	Price, Paul	204
2103	Lant	Price, Roger	1391
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3053	White	Prisock, Ryan	2302
2203	Frederick	Pritchett, Loran	1391
1510	Fitzwater	Proffitt, Ellen	1096
2273	Pfautsch	Pryor, Tom and Carol	1488
1164	English	Przyzycki, Thomas	935
2964	Rhoads	Pshonyak, Solomiya	1975

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2488	Cornejo	Pudinitr, Harrison	1593
3018	Cox	Pugh, Mike	2102
2159	Keeney	Pullam, Jenny	1391
1957	Solon	Puls, Sydney	1344
2492	Cornejo	Pund, Kennedy	1593
2466	Cornejo	Pund, Morgan	1593
802	Leara	Puricellis Deli	608
145	Richardson	Qualls, Betty	154
2298	Ellington	Quarles, Derrius	1541
1012	Lauer	Quibell, Jeffrey-CPros Custom Software	743
2171	Frederick	Quick, Trey	1391
1148	Koenig	Quinlivan, Matthew	781
1745	Berry	Quinn, Kori	1165
2773	Rowden	Quintana, Chloe	1931
828	Bernskoetter	Rackers, Ron	651
404	Schieffer	Raczynski, Joseph William	332
916	Grisamore	Rader, Kay	651
2927	Entlicher	Radford, Clarissa	1975
95	Sommer	Radke, Dan	124
787	Leara	Raeber, Michael	608
848	Zerr	Rael, Benjamin	651
499	Rowden	Ragan, Hailey	421
2214	Richardson	Rahlmann, Susannah	1391
1657	Jones(110)	Raine, Phil	1129
1282	Bernskoetter	Rakow, Todd	957
886	Jones(110)	Ramalingam, Shruthi	651
2138	Lynch	Ramos, Paul	1391
2489	Cornejo	Ramsour, Laney	1593
2731	Wood	Randall, Cameron	1931
1522	Gosen	Rankin, John Calvin	1129
2334	Houghton	Ransom, Brooke	1575
1360	Englund	Rapp, Kimberly	991
3315	Cox	Rapp, Melissa	2858
2649	Wood	Rasco, Janey	1892
3063	Harris	Rasmussen, Bill	2302
516	Lair	Rasmussen, Eric Blake	430
1933	May	Ratcliffe, Kitty	1344

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2271	Fitzwater	Rauhut, Deborah	1488
1836	Guernsey	Ray, Denise	1165
2236	Davis	Rea, Charles Douglas	1488
1460	Haefner	Ream, Carolyn	1096
165	Hough	Reams, Perry Willard	166
2393	Swan	Reazer, Samuel	1575
112	McCann Beatty	Rebman, Blaise Chiado	124
1170	Gosen	Rector, Grace	935
862	Jones(110)	Rector, Julia	651
943	Remole	Redburn, Jalen	651
580	Montecillo	Reddick, Kristopher	451
2961	Torpey	Redding, Sharon	1975
1326	Haefner	Reed, Jacob	957
683	Hicks	Reed, Joshua	516
2001	Sommer	Reed, Liz	1344
2260	Leara	Reeve, Alena	1488
698	Hampton	Reeves, Emily	516
2386	Burns	Reeves, Susan	1575
1689	Allen	Regan, Sean	1129
1592	Houghton	Regot, Bethany	1129
993	Leara	Rehm, Ben	695
1978	Solon	Reichers, Abby	1344
2096	Grisamore	Reid, William	1374
1519	Cierpiot	Reilly, Sean Jacob	1129
2445	Haefner	Reinbold, Finn	1575
2593	White	Reineke, Sara	1661
1532	Gosen	Reineri, Jacqueline	1129
315	Schieffer	Reinker, Harold Leo and Evelyn Marie	267
2441	Haefner	Rekic, Samra	1575
1144	Wood	Renfro, Braydon	781
1703	Frederick	Renfro, Zachery Lee	1129
2410	Phillips	Renner, Jane Louise	1575
589	Montecillo	Renznicsek, Benjamin	451
1647	Messenger	Republic High School Tigers Basketball Team.	1129
643	McCann Beatty	Residents of the Waldo neighborhood	496
3008	Justus	Rettig, Martha	2102
2660	Brattin	Rew, Stephen	1892

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2569	Anders	Reyes Moreno, Stephanie	1661
1665	Burns	Reyes, Diana	1129
2490	Cornejo	Reynolds, Faith	1593
3164	Zerr	Reynolds, Tyler	2442
3376	Schupp	Reynoso, Luke	3127
3371	Schupp	Reznikov, Beka	3127
2625	Cross	Rhoades, Jessica	1892
2691	Franklin	Rhoads, Samantha	1892
1378	Lauer	Rhodelander, Tori	991
2718	Miller	Rhodes, Alexis	1931
673	Pfautsch	Rhodes, Bernadine	505
1816	Keeney	Rhodes, Brandon	1165
1814	Keeney	Rhodes, Makenzie	1165
628	Gosen	Rice, Daniel Richard	474
1744	Berry	Rice, Laura	1165
3123	Shumake	Rich, Mary Kay	2359
712	Rhoads	Richards R-V School District	516
669	Guernsey	Richardson, Brody	505
129	Cross	Richardson, Tim	142
2878	Scharnhorst	Richars, Mackenzie	1975
2790	Swan	Richmond, Pamela	1931
2965	Rhoads	Richter, Alexandra	1975
733	Haahr	Richter, Ashley Megan	533
1112	Berry	Rickard, Naomi	781
1465	Fraker	Ridenhour, Roger	1096
424	Marshall	Rider, Elazabeth Anne	349
2945	McManus	Riederer, Albert	1975
2905	Swan	Riehl, Susan	1975
1909	Lair	Riekema, Tami	1344
382	Lair	Riekema, Tim	318
1910	Lair	Riekema, Tim	1344
1366	Lauer	Riker, Brittany	991
2709	Miller	Riley, Dylan	1931
2555	Brattin	Riley, Elaine	1593
2111	Lynch	Riley, Heather	1391
696	Houghton	Riportella, Isabelle	516
1171	Gosen	Ripp, Joshua	935

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497	Rowden	Rippeto, Jeri	421
2797	Shumake	Rist, Lola	1931
50	Leara	Robb, Pat	85
2099	Jones(050)	Robbins, Katheryn	1374
2261	Leara	Robeck, Elora	1488
2899	Swan	Robert, Linda	1975
2240	Berry	Roberts, Charles	1488
633	Bernskoetter	Roberts, Eli	496
323	Ross	Roberts, Michael	267
155	Kolkmeier	Roberts, Rachel	166
727	Johnson	Roberts, Richard and Wilma	533
2765	Rowden	Roberts, Ryan	1931
2824	Lichtenegger	Robertson, Corey	1975
2911	Anders	Robertson, Grant	1975
3183	Remole	Robertson, Hannah	2442
2241	Fraker	Robertson, Vanetta	1488
350	Cookson	Robinson, Brett and Kathy	308
2153	Keeney	Robinson, Callie	1391
1840	Guernsey	Robinson, Duane	1165
1446	Butler	Robinson, Evan	1017
2154	Keeney	Robinson, Garret	1391
2140	Lynch	Robinson, Kassie	1391
1053	Neth	Robinson, Shiloh	781
1593	Houghton	Robinson, Tyler	1129
2984	Fitzwater	Robinson, Wiley William and Margie Lea	2102
2014	Fowler	Robison, Joshua Wayne	1344
1003	Leara	Robles, Briana	695
2519	Kirkton	Roche, Barbara	1593
899	Jones(110)	Rock, Taylor	651
182	Hough	Rockridge Group	191
2347	Houghton	Rodenbaugh, Kaylin	1575
3019	Cox	Rodewald, Joseph	2102
1942	Lichtenegger	Rodgers, Cindy	1344
3268	Ellington	Rodgers, Desiree	2552
687	Houghton	Rodgers, Haley	516
2671	Muntzel	Rodman, Kathryn	1892
1007	Leara	Rogan, Joseph	695

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2077	Solon	Rogers, Dylan	1374
2484	Cornejo	Rogers, Kai	1593
653	Lauer	Rogers, Raymond	505
2858	Solon	Roggue, Josh	1975
39	McManus	Roling, Steve	85
610	Richardson	Rolland, Jeff	474
1417	Lauer	Roller, Mikayla	991
298	Engler	Rollet Brothers Trucking Co	253
1067	Neth	Romang, Luke	781
2114	Lynch	Rosa, Caroline	1391
375	Spencer	Rose, Helen Eleanor	318
2483	Cornejo	Rose, Kirsten	1593
3143	Newman	Rose, Sheryl	2442
1251	Austin	Roseman, Meg	957
1486	Solon	Rosen, Braiden	1096
2951	McManus	Rosen, Sherrill	1975
2722	Miller	Ross, Alexis	1931
3051	Webb	Ross, Gelisa	2302
2098	Torpey	Ross, William	1374
2174	Frederick	Rossi, Anthony	1391
1603	Houghton	Rost, Avery	1129
743	Houghton	Rothermich, Bradley	564
2881	Scharnhorst	Rotter, Alexis	1975
1041	Neth	Routh, Jadya	781
1480	Frederick	Routh, Jonathon	1096
945	Molendorp	Routh, Mitchell	651
3005	Entlicher	Rovenstine, Justin	2102
3153	Zerr	Rowe, Brandan K C	2442
2562	Anders	Rowe, Zachariah	1661
2840	Rowland	Rowland, James Lester and Charlene Pearl	1975
1992	Keeney	Royer, Caleb	1344
1886	Riddle	Royer, Heidi	1187
2500	Cornejo	Ruckel, Harrison	1593
1138	Cross	Ruddell, Auston Thomas	781
2390	Swan	Rudrappa, Poulomi	1575
2955	Lair	Ruffcorn, Kenneth	1975
3290	Muntzel	Ruffolo, Zac	2858

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2209	Molendorp	Russell, Ian	1391
1845	Guernsey	Russell, John and Ruth	1165
3117	Carpenter	Russell, Robert	2359
2118	Lynch	Russell, Sara	1391
3227	Hummel	Russell, Sydney	2442
82	Hoskins	Russell, Tim	124
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585	Montecillo	Rutherford, Lindsey	451
2387	Burns	Ruzicka, Amy	1575
1298	Frame	Ruzzo, John	957
2125	Burns	Rych, Nicholas	1391
2030	Solon	Saban, Paige	1374
3096	McGaugh	Sabbagh, Ayah	2359
1061	Berry	Sachez, Bryan	781
2017	Fowler	Sadler, Logan James	1344
2838	Kelly(045)	Sadler, Norma Abernathy	1975
1714	Reiboldt	Sage, Kaitlyn	1165
2188	Frederick	Sagel, Ashley	1391
2089	Burns	Sailor, Luke	1374
1363	Butler	Saint Louis University Boys Basketball Billikens	991
285	Solon	Saint Lukes East Hospital	239
1668	Burns	Salaka, Adis	1129
2919	Anders	Salazar, Sydney	1975
1750	Berry	Sales, Cole	1165
765	McGaugh	Salisbury High School Boys Basketball Panthers	577
2288	Neely	Salmon, Kathleen	1541
1887	Riddle	Salmons, Jessica	1187
1686	Allen	Salzman, Olivia	1129
1906	Lair	Samm, Cecil	1344
2341	Houghton	Samm, Raegan	1575
1758	Butler	Sampson, Charles	1165

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2181	Frederick	San, Matthew	1391
2751	Fraker	Sandage, Barbara	1931
1123	Jones(110)	Sanden, Maddie	781
2807	Franklin	Sanders, Beverly	1931
2860	Kirkton	Sanders, Brandon	1975
2727	Swan	Sanders, Josh	1931
1476	Frederick	Sanders, Katie	1096
409	McGaugh	Sanders, Linda	349
2653	Haefner	Sanders, Susan	1892
157	Swan	Sandfort, Maurice	166
1352	Rowden	Sandker, Tanner	980
1977	Solon	Sandlin, Amber	1344
2826	Lichtenegger	Sandlin, Kacie	1975
2059	Kelly(045)	Sandoval, Joseph	1374
1752	Leara	Sappington Elementary School	1165
2061	Kelly(045)	Sattler, Kirsten	1374
3140	Hansen	Saucier, Talley	2359
336	Gatschenberger	Saunders, Kathleen	293
1817	Keeney	Sawyer, Cassidy	1165
1993	Keeney	Sawyer, Justin	1344
978	Pfautsch	Saylor, Dakota	663
1201	Cross	Sbisa, Blade	935
1509	Fitzwater	Scarbrough, Pam	1096
2415	Pfautsch	Scavuzzo, Tracy	1575
2425	Houghton	Schaefer, Samantha	1575
2578	Anders	Schaefer, Tim	1661
464	Solon	Schafer, Zeb	396
2901	Swan	Schaffner, Steven	1975
2983	Hurst	Schalk, Ella	2102
617	Jones(110)	Schepers, Celeste	474
963	Leara	Scherrer, Sarah	663
2255	Leara	Schertzer, Kennady	1488
3167	Torpey	Scheuler, Samantha	2442
3305	Muntzel	Schikles, Ivory	2858
1695	Cross	Schilling, Christopher John	1129
757	Kolkmeier	Schlatter, Dylan Cole	564
2418	Houghton	Schleiermacher, Kagan	1575

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2019	Kolkmeyer	Schlender, Jennifer	1374
1569	Zerr	Schlueter, Elizabeth Grace	1129
3380	Schupp	Schmeiderer, Josiah	3127
41	Leara	Schmid, Victoria	85
2057	Kelly(045)	Schmidt, Ellen	1374
2748	Newman	Schmidt, Jill	1931
1650	McGaugh	Schmidt, Nancy	1129
3109	Gannon	Schmidt, William and Carol	2359
3223	Kelley(127)	Schmiegelow, Brianne	2442
1292	Frame	Schmoll, Emily	957
1311	McCaherty	Schmoll, Jacob	957
2923	Entlicher	Schnapp, Phillip	1975
2477	Cornejo	Schneider, Amber	1593
170	Sommer	Schneider, Andrew & Rosalie	166
2775	Walker	Schneider, Gene and Ginny	1931
1149	Koenig	Schneider, Jacob	781
3142	Engler	Schneider, John	2442
3276	Sommer	Schneider, Matt	2858
3224	Kelley(127)	Schnelle, Erica	2442
1241	Austin	Schockley, Elizabeth	957
1856	Bernskoetter	Schollmeyer, Stacia	1187
691	Houghton	Schoneboom, Lacy	516
142	Miller	School of the Osage Board of Education	154
3095	Colona	Schramm, Elaine	2359
2728	Wood	Schroder, Amy	1931
966	Leara	Schryver, Sarah	663
2263	Torpey	Schubkegel, Becky	1488
2677	Muntzel	Schuh, Graham	1892
2321	Diehl	Schuler, Reese	1575
1406	Kirkton	Schultz, Allison	991
3295	Muntzel	Schupp, Grace	2858
3120	Schieffer	Schutz, Sue	2359
700	Lichtenegger	Schwab, Phyllis	516
3054	Engler	Schwaller, Jeanne	2302
2730	Wood	Schwartz, Chloe	1931
475	McKenna	Schweitzer, Ryan	405
253	Keeney	Schwent, Bob	231

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656	Hubbard	Scott, Johnny	505
210	Barnes	Scott, Laura	204
648	Fitzpatrick	Scott, Mary Kay	496
1343	Wood	Scott, Nolan	980
962	Haefner	Scott, Sydney	663
1810	Keeney	Seabaugh, Kim	1165
36	Richardson	Seal, Sue Ann	60
3081	Wright	Searcy, Destiny	2302
917	Grisamore	Searls, Melissa	651
942	Remole	Sears, Desarae	651
3331	Brattin	Seba, Linda	2858
2257	Leara	See, Micah	1488
1756	Dugger	Seely, Jeanne Marie	1165
1146	Koenig	Seib, Joseph	781
3089	Wright	Seidel, Emma	2302
1349	Rowden	Seidel, Ryan	980
2289	Neely	Seifert, Kristi	1541
2745	Haefner	Seim, Rick	1931
722	Guernsey	Selby, William Bill	533
2548	Solon	Self, Brandon	1593
3135	Franklin	Selinske, Michael	2359
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1746	Berry	Server, Sarah	1165
2572	Anders	Servi, Zach	1661
2239	Berry	Seward, Christopher Michael Scott	1488
94	Sommer	Sexton, Jason	124
2835	Lichtenegger	Seyer, Ethan	1975
2437	Haefner	Seyer, Noah	1575
3207	Lant	Shaddox, Clinton Tray	2442
726	Hansen	Shady Rest Campground and Cafe	533
1826	Keeney	Shaffer, Kiersten	1165
2400	Swan	Shaheen, Kareem	1575
3265	Redmon	Shalley, David	2552
2968	Rhoads	Shannon, Carson	1975
1035	Dugger	Shannon, Geraldine	781
3275	May	Shannon, Helen	2552
881	Jones(110)	Shao, Christine	651

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1185	Diehl	Shareshian, Robin	935
3104	Shumake	Sharkey, Ryan	2359
3092	Wright	Sharp, Lacie	2302
1347	Rowden	Sharp, Randi	980
2872	Scharnhorst	Shastri, Ravi	1975
1599	Houghton	Shaw, Lauren	1129
1617	Houghton	Shaw, Shelbi	1129
748	Houghton	Shaw, Victoria	564
1518	Cierpiot	Shay, Wyatt	1129
1420	Lauer	Sheehy, Tara	991
256	Keeney	Sheets Young Foundation	231
2162	Keeney	Shelby, Cole	1391
1812	Keeney	Shell, Lindsay	1165
1705	Frederick	Shelton, Brittany Ann	1129
2592	White	Shelton, Clarence	1661
2900	Swan	Shelton, Mary	1975
1711	Morris	Shepard, Cynthia	1165
2696	Franklin	Shepherd, Colton	1892
2693	Franklin	Shepherd, Hannah	1892
1245	Austin	Shepherd, Nick	957
481	Lynch	Shepp, Brandon	405
3238	Richardson	Sheppard, Dara	2552
641	Carpenter	Sheppard, Sierre	496
2640	Wood	Sheremeta, Daniel	1892
2639	Wood	Sherman, Madisen	1892
2798	Franklin	Sherrell, Beth Anne Cunningham	1931
1620	Houghton	Sherrow, Taylor	1129
3231	Phillips	Shields, Curtis	2442
3158	Zerr	Shipley, Charles	2442
2699	Neth	Shipley, Jacob	1892
1477	Frederick	Shockley, Adam	1096
2686	Franklin	Shockley, Kristin	1892
3209	Phillips	Shofner, Gordon	2442
579	Montecillo	Shorey, Mitchell	451
1327	Haefner	Shotton, Thomas	957
335	Burns	Showalter, Laura	293
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1885	Riddle	Shramek, Arika	1187
2252	Leara	Shrivastava, Aishni	1488
2343	Houghton	Shy, Ethan	1575
132	Stream	Sibbitts, Terry	142
2851	Solon	Sibert, Kendra	1975
2651	Wood	Sidebottom, Taylor	1892
717	Sommer	Sides, Joey	533
783	Leara	Siebert, Taylor	608
2127	Burns	Siebum, Allyson	1391
58	Schieffer	Silex R-I High School Lady Owls Softball Team	94
196	Remole	Silverlight Marketing Group	191
2051	Kelly(045)	Simkins, Madison	1374
2010	Fowler	Simmers, Aimie Renae	1344
2189	Frederick	Simmons, Joel	1391
758	Jones(050)	Simmons, William	564
2468	Cornejo	Simonsen, Mikayla	1593
605	Fitzwater	Simpson, James	474
2930	Entlicher	Simpson, Lindsay	1975
1624	Houghton	Sims, Chloe	1129
867	Jones(110)	Sims, Keiasia	651
243	Sommer	Sissom, Derek	223
1337	Runions	Sisson, Ian Tre	991
2156	Keeney	Sitze, Austin	1391
732	Jones(050)	Six and Twenty Distillery	533
2711	Miller	Skinner, Elijah	1931
2420	Houghton	Slaughter, Samuel	1575
93	Sommer	Slivinski, Mike	124
92	Sommer	Sloan, Chris	124
2614	Leara	Slyman, Mike	1661
141	Hoskins	Smart, Joab	154
2743	Ross	Smart, Matthew Aaron	1931
2391	Swan	Smith, Adam	1575
1183	Diehl	Smith, Alexander	935
2570	Anders	Smith, Alexandria	1661
756	Kolkmeyer	Smith, Andrew David	564
2085	Burns	Smith, Anthony	1374
2299	Smith(120)	Smith, Beau	1541

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1450	Lant	Smith, Bernice	1017
2285	Pfautsch	Smith, Brad	1541
183	Lynch	Smith, Brant	191
1858	Bernskoetter	Smith, Brianna	1187
1770	Solon	Smith, Carli	1165
3145	Schupp	Smith, Carson	2442
2243	Schupp	Smith, Dagmar	1488
3267	Haahr	Smith, Daniel	2552
1726	Keeney	Smith, Devan	1165
775	Elmer	Smith, Donald	608
2128	Burns	Smith, Emily	1391
1302	McCaherty	Smith, Erin	957
1051	Berry	Smith, Hailey	781
839	Guernsey	Smith, Helen	651
482	Dugger	Smith, Katelynn	405
2657	Mayfield	Smith, Kathleen	1892
2777	Smith(085)	Smith, Lamisha	1931
2571	Anders	Smith, Leilani	1661
2789	Swan	Smith, Lisa	1931
2738	Wood	Smith, Madalyn	1931
546	Wieland	Smith, Madeline	430
2421	Houghton	Smith, Mallory	1575
2264	Torpey	Smith, Michael	1488
911	Richardson	Smith, Parker Nathaniel Ramsey	651
938	Remole	Smith, Payton	651
1614	Houghton	Smith, Reghan	1129
1440	Ellington	Smith, Samuel	1017
1648	Burlison	Smith, Taylor Christian	1129
1404	Conway(010)	Smith, Tom	991
2550	Solon	Smith, William	1593
181	Fowler	Smiths Properties	191
877	Jones(110)	Smithson, Reid	651
1788	Solon	Snider, Brooke	1165
2564	Anders	Snider, Michaeala	1661
1225	Grisamore	Snyder, Tyler	957
611	Jones(110)	Soelle, Brittney	474
2587	Anders	Soendker, Stephanie	1661

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40	Leara	Sofia, Abigail	85
1973	Solon	Sorelli, Andrew	1344
619	Jones(110)	Sortor, Mitchell	474
1386	Lair	Souders, Clifford Dean and Wilma Sue	991
671	Guernsey	Souders, Jordan	505
957	Cierpiot	Soukup, Deanna	663
2918	Anders	Sours, Olivia	1975
1498	Hodges	Southeast Correctional Center	1096
681	Justus	Southwest Airlines and Branson Airport	516
2394	Swan	Sparks, Madelyn	1575
1502	Reiboldt	Spee Dee Lube	1096
3042	Hicks	Spewak, Anne	2302
2938	Meredith	Spewak, Annie	1975
586	Montecillo	Spiniks, Madeline	451
3013	Solon	Spinler, Christian	2102
2058	Kelly(045)	Splain, Jordan	1374
1656	Elmer	Spokane High School	1129
2970	Rhoads	Spoor, Amy	1975
2922	Black	Spradling, William Leroy	1975
2359	Lichtenegger	Sprandel, Logan Weber	1575
3034	Rehder	Spriggs, Alexis Jordan	2302
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2518	Hough	Springfield Greene County Park Board	1593
1407	Hough	Springfield Lodge No. 409 Elks	991
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2626	Fowler	Stafford, David Eldon	1892
1846	Guernsey	Stagg, Sutton	1165
1688	Allen	Stagoski, Natalie	1129
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2491	Cornejo	Staley, Sadie	1593
2598	Wilson	Stammers, Jennifer	1661
2740	Wood	Stamps, Brittany	1931
736	Houghton	Stamy, Richard	564
277	Sommer	Stanfill, Jeanne	239
1280	Bernskoetter	Stanford, Krista	957
1736	Keeney	Starkey, Ethan	1165
2427	Houghton	Starkey, Haley	1575
1672	Burns	Starns, Nicole	1129
1950	Solon	Starr, Lillian	1344
3241	Jones(050)	Starr, Naomi	2552
479	Fitzwater	Staten, Wyatt	405
1995	Keeney	Steele, D. J.	1344
1064	Berry	Steenstry, Jennifer	781
2133	Burns	Stefo, Elizabeth	1391
2247	Diehl	Stein, Ariana	1488
3060	Bahr	Steinbraeber, Shelby	2302
29	Solon	Steiner, Steve	60
553	Montecillo	Steinhoff, Brett	430
2776	Lant	Stelts, Beverly	1931
1286	Diehl	Stemme, Arland	957
2746	Newman	Stephens, Linda	1931
2328	Diehl	Stern, Dylan	1575
2060	Kelly(045)	Stevens, Haley	1374
1306	McCaherty	Stewart, Darion	957
1231	Schupp	Stewart, Diana	957
1795	Solon	Stewart, Emily	1165
73	McGaugh	Stewart, Jim	124
1982	Korman	Stille, Shelby	1344
854	Zerr	Stillman, Kiarra	651
2778	Smith(085)	Stinson, Darrion	1931
2977	Rhoads	Stirewalt, Breanna	1975
383	Newman	Stiritz, Mary	318
2457	Solon	Stirton, Jessica	1575
2623	Norr	Stith, Laura Denvir	1661
699	Hampton	Stoelting, Hannah	516
2755	Fraker	Stokes, Charles David	1931

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3354	May	Stokes, Rosie	3127
2754	Fraker	Stokes, Tom	1931
3113	Barnes	Stone, Charles	2359
941	Remole	Stone, Marie	651
771	Gosen	Stoos, Donald	577
1030	Solon	Storr, Noah	743
3073	Guernsey	Stover, Keith	2302
2216	Reiboldt	Stover, Millie	1488
2227	Keeney	Stoverink, Wesley	1488
1787	Solon	Stowe, Abbie	1165
3124	Anders	Stratesel, Daniel	2359
2794	Swan	Strattman, Lawrence	1931
723	Franklin	Straw, Tristan Michael	533
3303	Muntzel	Strawhun, Karlie	2858
1430	Sommer	Strege, Mark	1017
2616	Butler	Strickland, Arvah	1661
1416	Lauer	Strickland, Gunner	991
1445	Butler	Stringer, Ben	1017
1932	May	Stroble, Elizabeth	1344
2222	Keeney	Stroder, Kyle	1488
2819	Reiboldt	Strohl, Katie	1975
3287	Parkinson	Strunk, Becky	2858
51	Leara	Stryjewski, Megan	85
3085	Wright	Stuart, Mark	2302
3365	Lair	Stuart, Robert and Marjorie	3127
2286	Neely	Stuedle, Dawn	1541
2541	Solon	Stukey, Harrison	1593
1093	Rowden	Sturgeon High School Lady Bulldogs Basketball Team	781
1046	Berry	Sudmann, Ashley	781
1719	Gardner	Sugs, Elnora	1165
1234	Schieffer	Sullinger, Maude	957
1970	Solon	Sullins, Emily	1344
2268	Guernsey	Sullivan County Memorial Hospital	1488
3229	Hummel	Sullivan, Patrick	2442
3330	Hicks	Sullivan, Perry	2858
1206	Curtis	Sullivan, Sam	935
3355	May	Sullivan, W.L.	3127

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1949	Solon	Sulluvan, Sarah	1344
602	Colona	Sulz, Joshua Severin	474
2235	Frame	Summers, Grant Joseph	1488
2064	Kelly(045)	Sumner, Makenzie	1374
545	Wieland	Surdyke, Tori	430
396	Gatschenberger	Sutherlin, Sarah	332
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2	Diehl	Informs the Senate that the House of Representatives makes no motion to override certain of the Governor's vetoes	H35, S31 - 32

TRULY AGREED TO AND FINALLY PASSED LEGISLATION FIRST EXTRAORDINARY SESSION

LEGISLATION SIGNED BY THE GOVERNOR

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No.	Author	Subject
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 S Third Read & Passed - EC adopted S32-33

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JOURNAL OF THE SENATE
NINETY-SEVENTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 9, 2013

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

“I will walk with integrity of heart within my house;...” (Psalm 101)

Gracious God, we begin a new session and accept the privilege of participation as we share the responsibility “to walk with integrity, to initiate needed legislation, to invest ourselves in the work before us and support one another, in this body”. So we pray that You might guide and assist us as we begin the task given to us to complete and to be energized by our shared desire to be faithful to our mission of service to the people of Missouri. In Your Holy Name we pray. Amen.

Neosho High School Air Force Junior ROTC Cadets presented the Colors.

The Pledge of Allegiance to the Flag was recited.

The “Star-Spangled Banner” was performed by members of Royal Impressions, Duchesne High School.

The President of the Senate stated that the Rules of the Senate would be the Missouri Senate Rules of the 2nd Regular Session of the Ninety-sixth General Assembly until temporary or permanent rules are adopted.

Senator Richard announced that photographers from KOMU-TV, Gasconade County Republican, Associated Press, Slater Main Street News, News 20/Gateway Television Network, St. Louis, Jefferson City News Tribune, Missouri News Horizon, the Senate and family members had been given permission to take flash pictures and to video in the Senate Chamber and gallery.

Senator Richard submitted the following appointments of officers for the temporary organization, which were read:

President Pro Tem	Tom Dempsey
Secretary of Senate	Terry L. Spieler
Sergeant-at-Arms	Bill Smith

Senator Richard requested unanimous consent of the Senate that the above named officers stand as temporary officers until permanent officers are elected, which request was granted.

MESSAGES FROM THE SECRETARY OF STATE

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 97th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 97th General Assembly (First Regular Session) of the State of Missouri, elected at the November 2, 2010 General Election, and the November 6, 2012 General Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 8th day of January, 2013.

/s/ Robin Carnahan

(Seal)

SECRETARY OF STATE

MISSOURI STATE SENATORS

Elected November 2, 2010

District	Name
2nd	Scott T. Rupp
4th	Joseph P. Keaveny
6th	Mike Kehoe
8th	Will Kraus
10th	Jolie L. Justus
12th	Brad Lager
14th	Maria Chappelle-Nadal
16th	Dan W. Brown
18th	Brian Munzlinger
20th	Jay Wasson
22nd	Ryan G. McKenna
24th	John T. Lamping
26th	Brian Nieves
28th	Michael L. Parson
30th	Bob Dixon
32nd	Ronald F. (Ron) Richard
34th	Rob Schaaf

MISSOURI STATE SENATORS**Elected November 6, 2012**

District	Name
1st	Scott Sifton
3rd	Gary Romine
5th	Jamilah Nasheed
7th	Jason Holsman
9th	Shalonn (Kiki) Curls
11th	Paul LeVota
13th	Gina Walsh
15th	Eric Schmitt
17th	Ryan Silvey
19th	Kurt Schaefer
21st	David Pearce
23rd	Tom Dempsey
25th	Doug Libla
27th	Wayne Wallingford
29th	David Sater
31st	Ed Emery
33rd	Mike Cunningham

The newly elected Senators advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Judge Jack A.L. Goodman, 39th Circuit Court.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

The President declared the First Regular Session of the 97th General Assembly convened.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED, by the Senate of the Ninety-seventh General Assembly of the State of Missouri, First Regular Session, that the rules adopted by the Ninety-sixth General Assembly, Second Regular Session, as amended, insofar as they are applicable, be adopted as the temporary rules for the control of the deliberations of the Senate of the Ninety-seventh General Assembly, First Regular Session, until permanent rules are adopted.

Senator Richard moved that the Senate proceed to perfect its organization, which motion prevailed.

Senator Richard nominated Senator Tom Dempsey for President Pro Tem. Senator Dempsey's nomination was seconded by Senator Justus.

No further nominations being made, Senator Dempsey was elected President Pro Tem by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

Senator Dempsey assumed the dais and subscribed to the oath of office of President Pro Tem, administered by the Honorable Judge Jack A.L. Goodman, 39th Circuit Court.

President Pro Tem Dempsey assumed the dais and delivered the following address:

Opening Address

Senator Tom Dempsey, President Pro Tem

First Regular Session, 97th General Assembly

January 9, 2013

Lt. Governor Kinder, members of the Missouri Senate, our families, friends, and fellow Missourians:

It is a privilege for me to address you today and I am honored by the trust you have placed in me by electing me to be the Pro Tem of the Missouri Senate. I am humbled to be entrusted by you with this position.

Before I begin, I want to recognize a few very important people. First, of course, is my wife Molly. As a wife and mother, you have made so many sacrifices to support our family during the past 15 years of my public service. I love you! Please stand and be recognized.

My oldest daughter Meaghan is currently in South Africa on a service project, but I am pleased to have my children, Abby and Jack, here with me today. Jack was 1, when I was first sworn into the Legislature. My mother Peggy is unable to be with us today, but my father, Ernest, and Molly's parents, Pat and Ned Talbott, are present. I would ask all of you to please stand and be recognized.

Missouri is a remarkable state and for so many families throughout our nearly 200 years of history, it has truly been the land of opportunity. In my own family, this has certainly been the case.

I am proud to have come from a line of hard-working family members who immigrated to this country in the hope of starting fresh and building a new and better life. My great-grandparents came to the New World from Italy - bringing little with them except a desire to succeed and dreams of a brighter future.

In 1954, after moving from Illinois to Missouri due to a job transfer, my grandfather, Pio Pedrucci, opened a restaurant, the Continental Café, in half of a first floor building in St. Charles. It was such a success that grandpa eventually quit his other job. In 1958, he purchased the entire building, expanded, and renamed the restaurant, Pio's Restaurant and Cocktail Lounge.

Using the knowledge of Italian cooking passed on to him by his mother, my grandmother Mary, and recipes of his own developed through countless hours of practice spent in the kitchen, grandpa made a living for his family.

Pio and Mary had two daughters. The younger, my mother Peggy, married my father in 1966 and he joined as partner in the business in 1970. And that's how an Irishman gets into the Italian restaurant business.

After semi-retiring in 1975, grandpa still came in almost every day to tinker around and make sure things were prepared to his high standards.

I said earlier that grandpa made a living for his family at the restaurant, but that is only half of the story. The truth is that grandpa made not just a living but a life for his family there in that restaurant. I guess you could say, "He built that."

This special place we call Missouri provided a setting where personal responsibility, a tireless work ethic, a useful skill, and that precious element called opportunity combined to give our family the dignity of being able to provide for ourselves and to give something back to our community.

I am proud of my family heritage and owe more than you can imagine to the lessons learned working around my grandfather and father in the kitchen, washing dishes, making pizzas, stocking shelves, and performing a thousand other tasks that I can tell you I didn't always appreciate at the time.

I believe other Missouri families are not so different from my own. They desire to succeed, to use their talents to provide for themselves and for their children. They want to do more than eke out a living – they want to make a life.

The Roman poet Virgil once said, "Fortune sides with him who dares." In this 21st Century, Missouri is poised for greatness and good fortune. If we dare to dream, to lead, to act, and to build on our remarkable uniqueness and strengths, we will move our great state forward.

Missouri is blessed with tremendous resources, a strategic location, and a population full of ability and desire to succeed.

During the 2013 Legislative session, we must focus on solutions that will promote greater economic vitality, spur employment, and grow personal incomes. Our job, our vision, our challenge, is to create B.I.G. solutions – the acronym (B-I-G) to Build our infrastructure; to Invest in education and to Grow our economy.

Geographically, Missouri is surrounded by eight neighboring states. We must realize that we are competing with our neighbors to keep, foster, and attract businesses and entrepreneurs right here in the Show-Me State. In order to grow our economy, it will be necessary to enact meaningful reforms in economic development, tax policy, and legal climate.

After four years of hard work and with little to show for it, it's time to pass a far-reaching economic development bill this year. Responsible economic development tools that respond to today's marketplace are needed. Current incentives need to be reviewed and designed to maximize their return for the state in terms of jobs, and to prevent exploitation, like the failure of Mamtek in Moberly.

We award hundreds of millions of dollars in tax credits to select groups, annually. While other areas of the budget have been pared over the past several years, these numerous programs have remained largely untouched. So, while we need new tools, we need to reduce our allocation of tax credits, as well. Let's demand that government be smaller and that we be smarter in these efforts.

Failure to do so jeopardizes our commitment to K-12 education, a first-rate higher education system, and infrastructure that prepares our state for greater economic growth.

In an age of modern technology and mobility, where companies and individuals can easily cross state boundaries, we must have a tax code

that encourages investment right here at home if we are to grow.

We must work to remove barriers in order to give business owners the tools they need to succeed and make Missouri hospitable for those who wish to take the risk and start a business.

That is why one of our top priorities this year is lowering the income tax burden on hard-working Missourians.

Missouri loses around \$400 million each year from sales that take place online. These taxes are collected by our “brick and mortar” businesses but not by businesses that operate over the Internet.

The time has come for Congress to pass the Marketplace Fairness Act and provide a uniform, national policy that will allow states to collect sales and use taxes on items sold to purchasers within their borders by out-of-state sellers. The removal of this exemption and others narrow in scope, will allow us to pursue broad-based tax relief.

While cutting income taxes is an important step, our legal climate also needs to be fair and structured to attract, rather than discourage investment in our state. So, another area that needs our immediate attention is the worker’s compensation system.

Last year, we made important reforms and helped make the system fairer but more needs to be accomplished. The worker’s compensation system, which was created in cooperation with business and labor interests, should return to being the sole remedy for workplace injuries.

In addition, Missouri’s Second Injury Fund is woefully underfunded. Many employees who were injured on the job, and are dependent on this system to help them meet their daily needs, have found that, even with a valid, legal judgment, the funds do not exist to pay their claims. Missouri workers deserve to know that if they are injured on the job, the resources will be in place to help provide for them. By working together, we can address these problems. I appreciate that the Senator from the 2nd, has filed this legislation as SB 1, so we can move on this quickly.

Over the last decade, we have demonstrated, year after year, in good times and in bad, that education is our #1 priority. More than ever, to prepare for today’s competitive job market and to meet employer needs for a skilled workforce, we must renew our commitment to invest in K-12 and higher education.

Tax credit reform and continued emphasis on operating more efficiently throughout state government will help us meet this objective. I appreciate the Governor’s willingness to stand with us in these endeavors. And to ensure that tax dollars are being spent wisely and equitably, we will consider the creation of a performance-based comprehensive funding formula for our state’s higher education institutions.

I support moving forward on new capital investment for research, classrooms, and vocational technology using existing state revenue, but we must first identify the savings that will provide a dedicated revenue stream for this effort and also, prioritize projects through careful analysis.

When it comes to economic growth, there is no silver bullet. The changes I have outlined thus far are part of a greater effort.

As the Gateway to the West, Missouri enjoyed a global status as a trade and cultural center in the 20th Century. We have seen a decline since then. If we are to reverse this trend, we must build and maintain our vital infrastructure.

Missouri has the seventh largest road system in the nation, larger than any of our neighboring states. A modern, well-maintained highway system is critical to our economic growth.

The worthy, federal goal of greater fuel economy, the continued development of alternative fuel vehicles, and changing driving habits are all driving down consumption and negatively impacting our ability to maintain the backbone of our economy.

Over the past decade the Missouri Department of Transportation has improved to the point that I can finally say, it’s time to develop a comprehensive, long-term plan that provides for Missouri’s transportation needs and enlist the public’s support for a new transportation funding package.

Our geographic location uniquely positions Missouri to be a hub for the movement of goods and services. We need to build and maintain our infrastructure to capitalize on this potential.

As we prepare for new investment in our transportation system and the possibility of greater funding for higher education facility improvements, it is important that we remain good stewards of public money.

This is why we need to change Missouri’s prevailing wage law. There are different costs of living, throughout the state and our policies should reflect those differences. It’s important to fix the problems which result in an artificially inflated price for taxpayer funded, construction projects.

Our task during the next 28 weeks in Jefferson City will be to focus on B.I.G. ideas for Missouri – innovative ideas and solutions that build

our infrastructure; invest in our educational system and grow our state's economy - ultimately setting us apart and placing us on a path of large-scale investment and job growth across all sectors of our economy.

Today, most people refer to the restaurant, simply as "Pio's". Though my grandfather has passed way, his great grandchildren work there. Many things have changed since 1954, but what was true then, is true today.

If we capitalize on our strengths, if we work hard, together, and take this opportunity that we have been given as Senators, we can move forward to bring about a brighter, better, more prosperous future for the citizens of Missouri.

Thank you!

President Kinder assumed the Chair.

Senator Dempsey nominated Terry L. Spieler for Secretary of Senate.

No further nominations being made, Ms. Spieler was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

Senator Dempsey nominated Bill Smith for Sergeant-at-Arms.

No other nominations being made, Mr. Smith was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

Terry L. Spieler and Bill Smith advanced to the bar and subscribed to the oath of office, which was

administered by the Honorable Judge Jack A.L. Goodman, 39th Circuit Court.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-seventh General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem	Tom Dempsey
Secretary of Senate	Terry L. Spieler
Sergeant-at-Arms	Bill Smith

CONCURRENT RESOLUTIONS

Senator Dempsey offered the following concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 14, 2013; and

BE IT FURTHER RESOLVED that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

Senator Dempsey requested unanimous consent of the Senate to suspend the rules for the purpose of taking up **SCR 1** for adoption, which request was granted.

On motion of Senator Dempsey, **SCR 1** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

In accordance with Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Richard, the Senate recessed until 1:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

FIRST READING OF PRE-FILED SENATE BILLS

As provided in Chapter 21, RSMo 2000, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 1—By Rupp.

An Act to repeal sections 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with an emergency clause for certain sections.

SB 2—By Rupp.

An Act to repeal section 116.332, RSMo, and to enact in lieu thereof one new section relating to the initiative and referendum process.

SB 3—By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

SB 4—By Lager.

An Act to repeal section 105.450, RSMo, and to enact in lieu thereof two new sections relating to prohibited acts by members of the general assembly.

SB 5—By Lager.

An Act to repeal sections 32.115, 100.286, 100.297, 135.090, 135.155, 135.313, 135.327, 135.350, 135.352, 135.460, 135.484, 135.562, 135.600, 135.630, 135.647, 135.679, 135.700, 143.071, 208.770, 253.550, 253.557, 253.559, 348.430, 348.432, 348.436, 348.505, 447.708, 620.495, and 660.055, RSMo, and to enact in lieu thereof twenty-eight new sections relating to taxation, with an emergency clause for certain sections.

SB 6—By Lager.

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to broadband.

SB 7—By Pearce.

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

SB 8—By Pearce.

An Act to repeal sections 172.800, 172.805, 173.239, 173.240, 173.612, 174.020, 174.042, 174.323, and 176.010, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

SB 9—By Pearce.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of

Missouri extension districts.

SB 10—By Schmitt and Richard.

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

SB 11—By Schmitt.

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof two new sections relating to the taxation of business income.

SB 12—By Schaefer.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to civil liability immunity for court appointed attorneys, with an emergency clause.

SB 13—By Schaefer.

An Act to repeal sections 260.300, 260.302, 260.305, 260.310, 260.315, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof two new sections relating to solid waste management.

SB 14—By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to Medicaid eligibility.

SB 15—By Richard.

An Act to repeal sections 135.090, 135.327, 135.562, 135.630, and 135.647, RSMo, and to enact in lieu thereof five new sections relating to certain benevolent tax credits, with an emergency clause.

SB 16—By Munzlinger.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to children performing agriculture work.

SB 17—By Munzlinger and Romine.

An Act to repeal sections 178.540, 178.550, 178.560, and 178.585, RSMo, and to enact in lieu thereof four new sections relating to career and technical education.

SB 18—By Munzlinger.

An Act to repeal sections 33.300 and 37.850, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

SB 19—By Wasson.

An Act to repeal sections 135.535 and 135.562, RSMo, and to enact in lieu thereof two new sections relating to tax credits for renovations for disability access.

SB 20—By Dixon.

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof seven new sections relating to certain benevolent tax credits, with an emergency clause.

SB 21—By Dixon.

An Act to repeal sections 478.320, 478.370, 478.375, 478.385, 478.387, 478.437, 478.463, 478.513, 478.527, 478.550, 478.570, 478.600, 478.610, 478.625, 478.630, 478.690, 478.700, 478.705, 478.710, 478.715, 478.730, and 478.750, RSMo, and to enact in lieu thereof twenty-three new sections relating to the transfer of judicial positions by the supreme court.

SB 22—By Dixon.

An Act to repeal sections 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, and 487.010, RSMo, and to enact in lieu thereof two new sections relating to the alteration of judicial boundaries by the supreme court, with an effective date for certain sections.

SB 23—By Parson.

An Act to repeal section 67.1010, RSMo, and to enact in lieu thereof one new section relating to the Pettis county transient guest tax.

SB 24—By Parson.

An Act to repeal sections 64.170 and 64.205, RSMo, and to enact in lieu thereof one new section relating to county building codes.

SB 25—By Parson.

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to tax incentives to attract sporting events to Missouri.

SB 26—By Kraus.

An Act to repeal sections 143.011 and 143.071, RSMo, and to enact in lieu thereof three new sections relating to taxation, with an effective date for a certain section.

SB 27—By Kraus.

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to voter photo identification, with a contingent effective date.

SB 28—By Kraus.

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

SB 29—By Brown.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

SB 30—By Brown.

An Act to repeal sections 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, and

290.340, RSMo, relating to public contracts.

SB 31—By Lamping.

An Act to repeal sections 30.605, 143.011, 143.021, 144.020, 144.021, 144.440, 144.700, and 149.015, RSMo, and to enact in lieu thereof nine new sections relating to taxation, with an effective date.

SB 32—By Lamping.

An Act to repeal sections 135.352, 143.011, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof five new sections relating to taxation.

SB 33—By Lamping.

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons with mental disabilities.

SB 34—By Cunningham.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims.

SB 35—By Wallingford.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to the designation of tax refunds to certain funds.

SB 36—By Wallingford and Sifton.

An Act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to Jonathan's Law.

SB 37—By Wallingford and Sater.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of medical radiation safety awareness day.

SB 38—By Sifton.

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to banning lobbyist gifts.

SB 39—By Sifton.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

SB 40—By Sifton.

An Act to repeal section 376.1210, RSMo, and to enact in lieu thereof one new section relating to

maternity health insurance coverage.

SB 41—By Munzlinger.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

SB 42—By Munzlinger.

An Act to repeal sections 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof five new sections relating to delinquent debts for the cost of imprisonment in a county jail.

SB 43—By Munzlinger.

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to compliance with federal law regarding the weight allowance for idle reduction technology.

SB 44—By Dixon.

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to a surcharge on civil court cases.

SB 45—By Dixon.

An Act to repeal section 487.020, RSMo, and to enact in lieu thereof one new section relating to family court commissioners.

SB 46—By Parson.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage centers.

SB 47—By Lamping.

An Act to repeal section 210.565, RSMo, and to enact in lieu thereof one new section relating to the placement of children with relatives.

SB 48—By Lamping.

An Act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

SB 49—By Lamping.

An Act to repeal section 135.326, RSMo, and to enact in lieu thereof one new section relating to eligibility for the special needs adoption tax credit.

SB 50—By Wallingford, Cunningham and Romine.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to alternatives-to-abortion agencies.

SB 51—By Munzlinger.

An Act to repeal section 307.400, RSMo, and to enact in lieu thereof one new section relating to compliance with federal law regarding the equipment and operation of farm vehicles, with existing penalty provisions.

SB 52—By Munzlinger and Romine.

An Act to repeal section 488.5320, RSMo, and to enact in lieu thereof one new section relating to charges in criminal cases for law enforcement services.

SB 53—By Lamping.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

SB 54—By Lamping.

An Act to repeal sections 26.220, 26.225, 115.237, 115.239, 115.307, 115.515, and 115.517, RSMo, and to enact in lieu thereof ten new sections relating to the joint election of governor and lieutenant governor, with a contingent effective date.

SB 55—By Lamping.

An Act to repeal sections 408.500 and 408.505, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with existing penalty provisions.

SB 56—By Munzlinger.

An Act to repeal section 196.055, RSMo, and to enact in lieu thereof two new sections relating to inspection of meat processors.

SB 57—By Romine.

An Act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to the removal of weeds or trash in certain cities.

SB 58—By Romine.

An Act to amend chapter 77, RSMo, by adding thereto one new section relating to the passage of ordinances in the city of Farmington.

SB 59—By Rupp.

An Act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to the regulation of insurance guaranty associations.

SB 60—By Rupp.

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

SB 61—By Keaveny.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to requiring the state auditor to report on the costs of administering the death penalty.

SB 62—By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

SB 63—By Schmitt.

An Act to repeal section 135.800, RSMo, and to enact in lieu thereof one new section relating to taxation.

SB 64—By Dixon.

An Act to repeal section 538.210, RSMo, and to enact in lieu thereof one new section relating to the evidentiary standard for proving noneconomic damages in medical malpractice cases.

SB 65—By Dixon.

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.1030, 56.809, 70.605, 103.025, 104.190, 104.480, and 169.020, RSMo, and to enact in lieu thereof nineteen new sections relating to the state auditor's office responsibilities, duties, and enforcement, with penalty provisions.

SB 66—By Dixon.

An Act to repeal sections 21.800, 21.830, 21.910, 301.129, 620.602, and 630.461, RSMo, relating to the repeal of certain committees.

SB 67—By Dixon.

An Act repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, and 174.770, RSMo, and to enact in lieu thereof ten new sections relating to references to higher education statutes that were previously repealed.

SB 68—By Parson.

An Act to repeal sections 290.210 and 290.262, RSMo, and to enact in lieu thereof two new sections relating to prevailing wage determinations for third class counties.

SB 69—By Keaveny.

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

SB 70—By Munzlinger.

An Act to repeal sections 105.487, RSMo, sections 105.955, 105.957, 105.959, 105.961, 105.963, and 105.966 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, sections 105.955 and 105.966 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 105.961 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 16, ninety-first general assembly, first regular session, and sections 105.957, 105.959, and 105.963 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof seven new sections relating to Missouri ethics commission operations and procedures.

SB 71—By Parson.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

SB 72—By Schaefer.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of motorcycle awareness month.

SB 73—By Schaefer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

SB 74—By Richard.

An Act to repeal sections 99.805, 99.810, 99.835, 99.845, 99.865, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, and 184.865, RSMo, and to enact in lieu thereof eighteen new sections relating to disaster areas, with an emergency clause.

SB 75—By Brown.

An Act to amend chapters 170 and 171, RSMo, by adding thereto two new sections relating to safety in public elementary and secondary schools.

SB 76—By Brown.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 77—By Lamping.

An Act to repeal section 210.278, RSMo, and to enact in lieu thereof one new section relating to neighborhood youth development programs.

SB 78—By Lamping.

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to a waiting period for general assembly members seeking to become lobbyists.

SB 79—By Lamping.

An Act to repeal sections 115.121 and 115.341, RSMo, and to enact in lieu thereof two new sections relating to changing the primary election date.

SB 80—By Romine.

An Act to repeal section 344.040, RSMo, and to enact in lieu thereof one new section relating to the notification of license renewal for nursing home administrators.

SB 81—By Schaefer.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to the recovery of attorney's fees in civil actions for the deprivation of rights.

SB 82—By Schaefer.

An Act to amend chapter 26, RSMo, by adding thereto one new section relating to the lieutenant

governor, with an emergency clause.

SB 83—By Parson.

An Act to repeal sections 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.300, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof fifteen new sections relating to delinquent property taxes.

SB 84—By Rupp.

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the conscience rights of all individuals who provide medical services.

SB 85—By McKenna.

An Act to amend chapter 77, RSMo, by adding thereto one new section relating to utilities in third class cities.

SB 86—By Keaveny.

An Act to repeal section 105.684, RSMo, and to enact in lieu thereof one new section relating to benefit changes to retirement plans, with an emergency clause.

SB 87—By Schaaf.

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

SB 88—By Schaaf.

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

SB 89—By Munzlinger.

An Act to repeal section 198.345, RSMo, and to enact in lieu thereof one new section relating to nursing home districts.

SB 90—By McKenna.

An Act to repeal section 77.030, RSMo, and to enact in lieu thereof one new section relating to terms for councilmen in third class cities.

SB 91—By Justus.

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof three new sections relating to tax credits for investors.

SB 92—By Justus.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to limiting financial contributions to support campaigns for certain public offices.

SB 93—By Justus.

An Act to repeal section 348.280, RSMo, relating to encouraging investment in science and technology.

SB 94—By Justus.

An Act to repeal sections 115.275 and 115.289, RSMo, and to enact in lieu thereof three new sections relating to voting in advance of an election.

SB 95—By Justus.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to voluntary prekindergarten.

SB 96—By Justus.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

SB 97—By Schaefer.

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with an emergency clause.

SB 98—By Schaefer.

An Act to repeal section 273.327, RSMo, and to enact in lieu thereof one new section relating to animal shelter fees.

SB 99—By Keaveny.

An Act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof three new sections relating to public administrators.

SB 100—By Keaveny.

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of a person's interest in inherited retirement accounts and health savings plans.

SB 101—By Wasson.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to florists.

SB 102—By Kraus.

An Act to repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to catalytic converters, with existing penalty provisions.

SB 103—By Kraus.

An Act to repeal section 135.710, RSMo, and to enact in lieu thereof one new section relating to alternative fuels tax credits.

SB 104—By Kraus.

An Act to repeal sections 301.064, 301.120, 301.130, and 301.144, RSMo, and to enact in lieu thereof four new sections relating to the issuance of state license plates.

SB 105—By Brown.

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections

relating to a statutory cause of action against healthcare providers.

SB 106—By Brown.

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

SB 107—By Lamping.

An Act to repeal sections 87.120, 87.130, 87.135, 87.170, 87.175, 87.177, 87.182, 87.190, 87.200, 87.205, 87.207, 87.215, 87.220, 87.325, 87.330, 87.335, 87.340, 87.345, and 87.371, RSMo, and to enact in lieu thereof nineteen new sections relating to the firemen's retirement system of St. Louis.

SB 108—By Kraus.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems.

SB 109—By Brown.

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

SB 110—By Brown.

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

SB 111—By Emery.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

SB 112—By Rupp and Richard.

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof one new section relating to the new markets tax credit, with an emergency clause.

SB 113—By Schmitt.

An Act to repeal section 210.115, RSMo, and to enact in lieu thereof one new section relating to persons required to report child abuse and neglect.

SB 114—By Schmitt.

An Act to repeal section 311.055, RSMo, and to enact in lieu thereof one new section relating to intoxicating liquor manufactured for personal or family use.

SB 115—By Schmitt.

An Act to repeal sections 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, and 287.920, RSMo, and to enact in lieu thereof one new section relating to the Missouri employers mutual insurance company, with an effective date for certain sections.

SB 116—By Kraus.

An Act to repeal sections 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, and 115.292, RSMo, and to enact in lieu thereof twenty-six new sections relating to uniformed military voters, with penalty provisions.

SB 117—By Kraus.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to residency at public institutions of higher education.

SB 118—By Kraus.

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

SB 119—By Emery.

An Act to amend chapter 27, RSMo, by adding thereto one new section relating to the state sovereignty commission.

SB 120—By Schmitt.

An Act to amend chapter 135, RSMo, by adding thereto six new sections relating to an air export incentive, with an emergency clause.

SB 121—By Schaefer.

An Act to repeal sections 311.070, 311.071, 311.195, 311.205, 311.260, 311.332, and 311.490, RSMo, and to enact in lieu thereof six new sections relating to liquor control.

SB 122—By Schaefer.

An Act to repeal sections 610.010, 610.020, 610.021, 610.022, 610.023, 610.027, and 610.100, RSMo, and to enact in lieu thereof seven new sections relating to public records and meetings, with existing penalty provisions and an emergency clause for a certain section.

SB 123—By Chappelle-Nadal.

An Act to repeal section 94.270, RSMo, and to enact in lieu thereof one new section relating to municipal hotel and motel taxes.

SB 124—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to firearms, with penalty provisions.

SB 125—By Nasheed.

An Act to repeal sections 168.221 and 168.291, RSMo, and to enact in lieu thereof one new section relating to employment of school personnel.

SJR 1—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 22(a) of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to noneconomic damage awards in civil cases.

SJR 2—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

SJR 3—By Schaefer.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the

Constitution of Missouri, and adopting one new section relating to the fifth state building fund.

SJR 4—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to elective state officers.

SJR 5—By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, 25, and 32 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the adjournment of the legislative session.

SJR 6—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

SJR 7—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, and 7, of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

SJR 8—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4 of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the appointment of judges to the reapportionment commission.

SJR 9—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

Senator Pearce assumed the Chair.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 3, regarding the Sixtieth Anniversary of the Missouri League for Nursing, which was adopted.

Senator Kehoe offered Senate Resolution No. 4, regarding the 2012 Class 2 State Champion Osage R-III School District's Fatima High School volleyball team, which was adopted.

Senator McKenna offered Senate Resolution No. 5, regarding Betty Stackley, Crystal City, which was adopted.

Senator Wallingford offered Senate Resolution No. 6, regarding McDonald's Restaurant, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 7, regarding Strickland Engineering, LC, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 8, regarding Associated Sheet Metal, Inc., Jackson,

which was adopted.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 9

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Twenty-third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that Senate Rules 25, 28, and 60, be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, 7 members.
3. Committee on Appropriations, [9] 10 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, [9] 10 members.
5. Committee on Education, [9] 10 members.
6. Committee on Financial and Governmental Organizations and Elections, [9] 10 members.
7. Committee on General Laws, [9] 7 members.
8. Committee on Governmental Accountability **and Fiscal Oversight**, [5] 7 members.
9. Committee on Gubernatorial Appointments, [9] 10 members.
10. [Committee on Health, Mental Health, Seniors and Families, 7 members.
- 11.] Committee on Jobs, Economic Development and Local Government, [9] 10 members.
- [12.] 11. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
- [13.] 12. Committee on Progress and Development, 5 members.
- [14.] 13. Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.
- 14. Committee on Seniors, Families and Pensions, 7 members.**
15. Committee on Small Business, Insurance and Industry, 7 members.
16. Committee on Transportation **and Infrastructure**, [9] 7 members.
17. Committee on Veterans' Affairs[, Emerging Issues, Pensions and Urban Affairs] **and Health**, [7] 10 members.
18. Committee on Ways and Means [and Fiscal Oversight], [5] 10 members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and

exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Agriculture, Food Production and Outdoor Resources shall consider and report upon bills and matters referred to it relating to animals, animal disease, pest control, agriculture, food production, the state park system, conservation of the state's natural resources, soil and water, wildlife and game refuges.

3. The Committee on Appropriations shall consider and report upon all bills and matters referred to it pertaining to general appropriations and disbursement of public money.

4. The Committee on Commerce, Consumer Protection, Energy and the Environment shall consider and report upon bills and matters referred to it relating to the development of state commerce, the commercial sector, consumer protection, telecommunications and cable issues, the development and conservation of energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental preservation.

5. The Committee on Education shall consider and report upon bills and matters referred to it relating to education in the state, including the public schools, libraries, programs and institutions of higher learning.

6. The Committee on Financial and Governmental Organizations and Elections shall consider and report upon bills and matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency. The committee shall consider and report upon bills and matters referred to it relating to election law.

7. The Committee on General Laws shall consider and report upon bills and matters referred to it relating to general topics.

8. The Committee on Governmental Accountability **and Fiscal Oversight** shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management. **The Committee on Governmental Accountability and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Governmental Accountability and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Governmental Accountability and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Governmental Accountability and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Governmental Accountability and Fiscal Oversight.**

9. The Committee on Gubernatorial Appointments shall consider and report upon gubernatorial appointments referred to it.

10. [The Committee on Health, Mental Health, Seniors and Families shall consider and report upon bills and matters referred to it concerning health, MO HealthNet, alternative health care delivery system proposals, mental health, developmental disabilities, and substance abuse and addiction. It shall also consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning income maintenance, social services, child support enforcement, public health, disease control, and hospital operations.

11.] The Committee on Jobs, Economic Development and Local Government shall consider and report upon bills and matters referred

to it relating to the promotion of economic development, the creation and retention of jobs, tourism and the promotion of tourism as a state industry, community and business development, county government, township organizations and political subdivisions.

[12.] **11.** The Committee on the Judiciary and Civil and Criminal Jurisprudence shall consider and report upon bills and matters relating to the judicial department of the state including the practice of the courts of this state, civil procedure and criminal laws, criminal costs and all related matters. The Committee shall also consider and report upon bills and matters referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

[13.] **12.** The Committee on Progress and Development shall consider and report upon bills and matters referred to it concerning the changing or maintenance of issues relating to human welfare.

[14.] **13.** The Committee on Rules, Joint Rules, Resolutions and Ethics shall consider and report on rules for the government of the senate and joint rules when requested by the senate, shall consider, examine and report upon bills and matters referred to it relating to ethics and the conduct of public officials and employees, shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report.

The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

14. The Committee on Seniors, Families and Pensions shall consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning retirement and pensions and pension plans, income maintenance, social services, and child support enforcement.

15. The Committee on Small Business, Insurance and Industry shall consider and report upon bills and matters referred to it relating to the ownership and operation of small businesses; and life, accident, indemnity and other forms of insurance. The committee shall also take into consideration and report on bills relating to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine bills referred to it relating to industrial development.

16. The Committee on Transportation **and Infrastructure** shall consider and report upon bills and matters referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating to motor vehicles, motor vehicle registration and drivers' licenses.

17. The Committee on Veterans' Affairs[, Emerging Issues, Pensions and Urban Affairs] **and Health** shall consider and report upon bills and matters concerning veterans' affairs. The committee shall also consider and report upon bills and matters referred to it concerning [issues of statewide or immediate concern, retirement, pensions and pension plans; and urban renewal, housing and other matters relating to urban areas] **health, MO HealthNet, alternative health care delivery system proposals, public health, disease control, hospital operations, mental health, developmental disabilities, and substance abuse and addiction.**

18. The Committee on Ways and Means [and Fiscal Oversight] shall consider and report upon bills and matters referred to it concerning the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming. [The Committee on Ways and Means and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Ways and Means and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Ways and Means and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Ways and Means and Fiscal Oversight. The author or first-named sponsor

of a bill referred to the Committee on Ways and Means and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Ways and Means and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the committee on Ways and Means and Fiscal Oversight.]

Rule 60. An amendment shall not go beyond the second degree to an original bill. All amendments adopted by either house to a bill pending and originating in the same shall be incorporated in the bill, and the bill as perfected shall before the third reading and final passage, be printed for the use of the members. The printing of bills ordered to third reading and final passage shall be under the supervision of the Committee on Rules, Joint Rules [and], Resolutions **and Ethics**, whose report shall set forth that they find the printed copy of such bills as theretofore agreed and furnished for the use of the members is correct. A correct record of each day's proceedings in each house shall be furnished for the use of the members of the general assembly before the record is approved and no bill shall be signed by the presiding officer of either house until such printed copy thereof shall have been furnished for the use of the members of the general assembly and the record of the previous day shall have been approved. When agreed to by both houses, the bill as finally passed shall be typed or printed and signed by the presiding officer of each house and transmitted to the governor.”; and

BE IT FURTHER RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that the temporary rules adopted on January 9, 2013, as amended, hereby be adopted as the permanent rules of the Missouri Senate of the Ninety-seventh General Assembly.

Senator Walsh offered Senate Resolution No. 10, regarding Timothy P. Green, Spanish Lake, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Dean Aye, 4191 County Road 2030, Mountain View, Howell County, Missouri 65548, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2012, while the Senate was not in session.

Alana M. Barragan-Scott, 5747 E. Sing Drive, Columbia, Boone County, Missouri 65202, as a member of the Administrative Hearing Commission, for a term ending December 12, 2018, and until her successor is duly appointed and qualified; vice, RSMo 261.015.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 17, 2012, while the Senate was not in session.

Donna L. Birks, Democrat, 4710 Eastern Avenue, Kansas City, Jackson County, Missouri 64129, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2018, when her successor is duly elected or appointed and qualified; vice, Susan Pentlin, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 7, 2012, while the Senate was not in session.

Martha Black, 739 East 210th Road, Charleston, Mississippi County, Missouri 63834, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2014, and until her successor is duly appointed and qualified; vice, Martha Black, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

November 28, 2012, while the Senate was not in session.

Nanci Bobrow, 50 Kingsbury Place, Saint Louis City, Missouri 63112, as a member of the Children's Trust Fund Board, for a term ending September 15, 2013 and until her successor is duly appointed and qualified; vice, Dena Ladd, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

David L. Bonner, Democrat, 730 Academy Avenue, Matteson, Cook County, Illinois 60443, as a member of the Truman State University Board of Governors, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, John C. Hilton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 7, 2012, while the Senate was not in session.

Stephen R. Bough, Democrat, 1025 Arno Road, Kansas City, Jackson County, Missouri 64113, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Jose B. Lopez, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

November 28, 2012, while the Senate was not in session.

Lori A. Bruce, 709 Luper Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Advisory Commission for Dental Hygienists, for a term ending March 22, 2017, and until her successor is duly appointed and qualified; vice, Lori A. Bruce, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 31, 2012, while the Senate was not in session.

Victor E. Callahan, Democrat, 132 East Short, Independence, Jackson County, Missouri 64050, as a member of the State Tax Commission, for a term ending January 23, 2018, and until his successor is duly appointed and qualified; vice, Jeff Schaeperkoetter, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

Lloyd Joseph Carmichael, Democrat, 908 Augusta Drive, Springfield, Greene County, Missouri, 65809, as a member of the Missouri State University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Elizabeth H. Bradbury, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

January 8, 2013, while the Senate was not in session.

Carrie Carroll, Republican, 916 Topaz Court, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2015, when her successor is duly elected or appointed and qualified; vice, John Winston, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Harold L. Caskey, RR 1 Box 172, Butler, Bates County, Missouri 64730, as a member of the Missouri State Capitol Commission, for a term ending April 18, 2016, and until his successor is duly appointed and qualified; vice, Peter Wayne Goode, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

J. Scott Christianson, Democrat, 300 South Garth Avenue, Columbia, Boone County, Missouri 65203, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2015, and until his successor is duly appointed and qualified; vice, Norma Clayton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

John Allen Collier, Republican, 608 Fifth Street, Weston, Platte County, Missouri, 64098, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Edward L. Baker, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 19, 2012, while the Senate was not in session.

Janet Crafton, Democrat, 17851 State Route BB, Saint James, Phelps County, Missouri 65559, as a member of the State Fair Commission, for a term ending December 29, 2015, and until her successor is duly appointed and qualified; vice, Steve W. Luecker, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Kelley Cramm, 1331 West 50th Terrace, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2012, and until her successor is duly appointed and qualified; vice, Charles Royce Fugate, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

September 19, 2012, while the Senate was not in session.

Cynthia S. Curnutte, 12400 West Michele Street, Rocheport, Boone County, Missouri 65279, as a member of the Interior Design Council, for a term ending April 6, 2016, and until her successor is duly appointed and qualified; vice, Elizabeth Harmon-Vaughan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2012, while the Senate was not in session.

Matthew L. Dameron, Democrat, 11518 Wornall Road, Kansas City, Jackson County, Missouri 64114, as a member of the Missouri Development Finance Board, for a term ending September 14, 2015, and until his successor is duly appointed and qualified; vice, John Starr, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Reginald D. Dickson, Democrat, 4301 Roland Boulevard, Normandy, St. Louis County, Missouri 63121, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2016, and until his successor is duly appointed and qualified; vice, William Gillespie, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 7, 2012, while the Senate was not in session.

Francis Dorrel, Republican, 215 West Edwards, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Francis Dorrel, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Melissa Joy Edwards, 4304 Kensington Drive, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending May 31, 2016, and until her successor is duly appointed and qualified; vice, RSMo. 327.031.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Kelly L. Floyd, 7442 Foxfield Drive, Hazelwood, Saint Louis County, Missouri 63042, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until her successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2012, while the Senate was not in session.

Collin L. Follis, Democrat, 208 Thost Street, Fredericktown, Madison County, Missouri 63645, as a member of the State Board of

Embalmers and Funeral Directors, for a term April 1, 2017, ending when his successor is duly elected or appointed and qualified; vice, Daniel T. Mahn, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Suzette Forbis, 4187 West Harper Road, Clark, Boone County, Missouri 65243, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until her successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 26, 2012, while the Senate was not in session.

Alan O. Freeman, 550 Skyview Drive, Ellington, Reynolds County, Missouri 63638, as Director of the Department of Social Services, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Margaret Freihaut, 347 Marden Lane, Robertsville, Franklin County, Missouri 63072, as a member of the Missouri State Board of

Chiropractic Examiners, for a term ending June 1, 2015, and until her successor is duly appointed and qualified; vice, William F. Madosky, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2013, while the Senate was not in session.

Harry Ralph Gaw, Democrat, 31311 Highway 5, Tipton, Moniteau County, Missouri 65081, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2013, and until his successor is duly appointed and qualified; vice, Kathryn Braden, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your August 27, 2012, while the Senate was not in session.

Lisa A. Green, 12100 Aragan, Saint Louis, Saint Louis County, Missouri 63138, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2016, and until her successor is duly appointed and qualified; vice, Lisa A. Green, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Michael D. Hall, 230 Virginia, Hannibal, Marion County, Missouri 63401, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2015, and until his successor is duly appointed and qualified; vice, Michael D. Hall, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Christopher G. Halliday, 306 Cape Coral Circle, Kirksville, Adair County, Missouri 63501, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2013, and until his successor is duly appointed and qualified; vice, Willis Jackson Magruder, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

Patrick B. Harr, Republican, 319 Eagles Point Road, Shell Knob, Stone County, Missouri 65747, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, Douglas L. Sutton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Mark S. Hasheider, 1712 Fremont, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2014, and until his successor is duly appointed and qualified; vice, Russell K. Mason, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 23, 2012, while the Senate was not in session.

Diane Campbell Howard, Democrat, 1600 Themis Street, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Gaming Commission, for a term ending April 29, 2015, and until her successor is duly appointed and qualified; vice, James Mathewson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Michael T. Jinks, 513 Cottage Place, Republic, Greene County, Missouri 65738, as a member of the Missouri Propane Gas Commission, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, Karlton B. Nash, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2013, while the Senate was not in session.

Nancy Johnston, 7276 Meriwether Court, Barnhart, Jefferson County, Missouri 63012, as Director of the Division of Personnel for the

Office of Administration, for a term ending June 30, 2013, and until her successor is duly appointed and qualified; vice, William Miller, Jr, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 9, 2013, while the Senate was not in session.

William P. Kenney, 3416 Southwest Lois Lane, Lee's Summit, Jackson County, Missouri 64082, as a member of the Public Service Commission, for a term ending January 9, 2019, and until his successor is duly appointed and qualified; vice, Jeffrey Davis, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Stephen M. Kenny, 1717 Ankney Place, Neosho, Newton County, Missouri 64850, as a member of the Missouri Real Estate Commission, for a term ending October 16, 2013, and until his successor is duly appointed and qualified; vice, Janet Hunt, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Paula D. Knight, 1119 North 11th Street, Saint Louis City, Missouri 63101, as a member of the Coordinating Board for Early Childhood,

for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified, vice, Sharon E. Rohrbach.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2013, while the Senate was not in session.

Jay Bradley Knudtson, Republican, 815 Pheasant Cove Drive, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, James P. Limbaugh, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Jamie S. Koehler, 1931 College Street, Cape Girardeau, Cape Girardeau County, Missouri 63703, as a member of the Seismic Safety Commission, for a term ending July 1, 2014, and until her successor is duly appointed and qualified; vice, Donald Landon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2013, while the Senate was not in session.

Michael J. LaBeth, Republican, 868 College Park Place, Kirksville, Adair County, Missouri 63501, as a member of the Truman State

University Board of Governors, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, Kenneth L. Read, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 13, 2012, while the Senate was not in session.

Brian K. Long, 2129 Green Meadow Drive, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Revenue, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 20, 2012, while the Senate was not in session.

Carolyn R. Mahoney, Democrat, 1901 Andrea Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, when her successor is duly elected or appointed and qualified; vice, Mary Beth Luna Wolf, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2012, while the Senate was not in session.

Gregory D. Mason, Democrat, 2621 Southwest Kristin Drive, Lee's Summit, Jackson County, Missouri 64082, as a member of the Missouri Western State University Board of Governors, for a term October 29, 2018, ending when his successor is duly elected or appointed and qualified; vice, Tommy A. Quilty, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 20, 2012, while the Senate was not in session.

John McGuire, Democrat, 368 Carson Ridge Road, Glasgow, Howard County, Missouri 65254, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Rodney Boyd, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Kerry Messer, 6336 State Route DD, Festus, Sainte Genevieve County, Missouri 63028, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Kerry Messer, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Gregory Mills, 2512 Northeast 78th Street, Kansas City, Clay County, Missouri 64118, as a member of the Peace Officer Standards and Training Commission, for a term ending October 3, 2013, and until his successor is duly appointed and qualified; vice, James Corwin, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

William S. Moriarty, Independent, 1 Burke Ridge Road, Van Buren, Carter County, Missouri 63965, as a member of the Missouri Emergency Response Commission, for a term ending December 15, 2012, and until his successor is duly appointed and qualified; vice, Marie L. Payne, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2012, while the Senate was not in session.

Dushyanthi A. Mullegama, 4455 Madison Avenue #203S, Kansas City, Jackson County, Missouri 64111, as a member of the State Committee for Social Workers, for a term October 23, 2014, ending when her successor is duly elected or appointed and qualified; vice, Catherine L. Pasierb, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

December 19, 2012, while the Senate was not in session.

Douglas E. Nelson, 5108 Sockeye Ct., Columbia, Boone County, Missouri 65203, as Commissioner of Administration, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Melinda Nicholson, 828 South Gold Rush Avenue, Nixa, Christian County, Missouri 65714, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until her successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2013, while the Senate was not in session.

John R. Phillips, Democrat, 635 West 67th Street, Kansas City, Jackson County, Missouri 64113, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Warren K. Erdman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1,

2012, while the Senate was not in session.

Eric Pilson, 10532 East State Highway 86, Blue Eye, Stone County, Missouri 65611, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 7, 2012, while the Senate was not in session.

T. Eric Pitman, Republican, 3540 Big Bear Court, Wentzville, Saint Charles County, Missouri 63385, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2015, and until his successor is duly appointed and qualified; vice, Martin Vernon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 4, 2013, while the Senate was not in session.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Judith G. Haggard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

September 19, 2012, while the Senate was not in session.

Nathan D. Preston, 1402 Golf Club Drive, Richmond, Ray County, Missouri 64085, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2016, and until his successor is duly appointed and qualified; vice, Peggy D. Hulett formally known as Peggy D. Loman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 12, 2012, while the Senate was not in session.

Alfred Purcell, Republican, 9803 Southeast State Route T, Easton, Buchanan County, Missouri 64443, as a member of the Missouri Western State University Board of Governors, for a term October 29, 2018, ending when his successor is duly elected or appointed and qualified; vice, Thaddus S. Danford, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Michael C. Rader, 1004 West 125th Terrace, Kansas City, Jackson County, Missouri 64145, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2015, and until his successor is duly appointed and qualified; vice, Charity F. Shelton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

December 20, 2012, while the Senate was not in session.

Lori Rasmussen, 1034 Savonne Court, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Missouri State Board of Chiropractic Examiners, for a term January 1, 2014, ending when her successor is duly elected or appointed and qualified; vice, Paul G. Nahon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Janet E. Richardson, 19809 East 14th Street North, Independence, Jackson County, Missouri 64056, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until her successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

John W. Richmond, Democrat, 5656 Highway 136, Albany, Gentry County, Missouri 64402, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, Lydia Hurst, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

November 28, 2012, while the Senate was not in session.

Nicole N. Roach, Democrat, 4710 Anderson Avenue, Saint Louis City, Missouri 63115, as a member of the Missouri Community Service Commission, for a term ending March 26, 2015, and until her successor is duly appointed and qualified; vice, Lori Rasmussen, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 27, 2012, while the Senate was not in session.

Greg L. Roberts, Democrat, 9 Chesterfield Lakes Road, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2015, and until his successor is duly appointed and qualified; vice, John Stanfield, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Brent Rosenblad, 3105 Meghann Drive, Columbia, Boone County, Missouri 65203, as a member of the Seismic Safety Commission, for a term ending July 1, 2014, and until his successor is duly appointed and qualified; vice, Daniel J. Abbott, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

September 19, 2012, while the Senate was not in session.

Danny R. Rowden, 542 Indian Lake Drive, Wright City, Warren County, Missouri 63390, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2016, and until his successor is duly appointed and qualified; vice, Becky Jungmann, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2012, while the Senate was not in session.

Don T. Ruzicka, Republican, 1328 Deer Lane, Mount Vernon, Lawrence County, Missouri 65712, as a member of the Board of Probation and Parole, for a term ending December 20, 2018, and until his successor is duly appointed and qualified; vice, Section 217.665, RSMo.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1, 2012, while the Senate was not in session.

Kelly J. Scott, 101 Lexibelle Drive, Columbia, Boone County, Missouri 65201, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2014, and until her successor is duly appointed and qualified; vice, Deborah Wagner, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2012, while the Senate was not in session.

Charles W. Shields, Republican, 47 Southeast Erin Court, Saint Joseph, Buchanan County, Missouri 64507, as a member of the State Board of Education, for a term ending July 1, 2020, and until his successor is duly appointed and qualified; vice, Derio L. Gambaro, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Rhonda Shimmens, 1630 Paddlewheel Circle, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2016, and until her successor is duly appointed and qualified; vice, Rhonda Shimmens, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 28, 2012, while the Senate was not in session.

Traron L. Shivers, 711 Lee Drive, Jefferson City, Cole County, Missouri 65101, as the student representative of the Lincoln University Board of Curators, for a term ending December 31, 2013, and until his successor is duly appointed and qualified; vice, Tiffany L. Carter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 19, 2012, while the Senate was not in session.

John W. Sisco, III, Republican, 4804 Marchwood Drive, St. Louis, St. Louis County, Missouri 63128, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2013, and until his successor is duly appointed and qualified; vice, Anita T. Yeckel, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

William Skains, 805 Mockingbird Lane, Branson, Taney County, Missouri 65616, as as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2014, and until his successor is duly appointed and qualified; vice, Gary M. Little, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

Bruce Thomas Sommer, Democrat, 1275 Brownell Avenue, Glendale, St Louis County, Missouri 63122, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2018, and until his successor is duly appointed and qualified; vice, Thomas Irwin, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1,

2012, while the Senate was not in session.

Stephen Stoll, 716 Richard Avenue, Festus, Jefferson County, Missouri 63028, as a member of the Public Service Commission, for a term ending December 13, 2017, and until his successor is duly appointed and qualified; vice, Stephen Stoll, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2012, while the Senate was not in session.

Erwin Switzer, 6379 Devonshire Avenue, Saint Louis City, Missouri 63109, as a member of the Saint Louis City Board of Police Commissioners, for a term ending January 31, 2016, and until his successor is duly appointed and qualified; vice, Jerome Lee, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 8, 2013, while the Senate was not in session.

Edward J. Tabash, Republican, 400 South 14th Unit 1017, Saint Louis City, Missouri 63103, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2018, and until his successor is duly appointed and qualified; vice, Judith K. Doss, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1,

2012, while the Senate was not in session.

Brian D. Vesely, 2800 West Garton Road, Ozark, Christian County, Missouri 65721, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists, for a term ending January 11, 2016, and until his successor is duly appointed and qualified; vice, Linda R. Curbow, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 19, 2012, while the Senate was not in session.

Randy D. Warner, 1685 Northwest 615th Road, Kingsville, Johnson County, Missouri 64061, as a member of the Missouri Propane Gas Commission, for a term ending June 30, 2016, and until his successor is duly appointed and qualified; vice, Dennis L. Carroll, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 19, 2012, while the Senate was not in session.

Charles E. Weedman Jr., Republican, 155 North Price, Harrisonville, Cass County, Missouri 64701, as a member of the Missouri Ethics Commission, for a term ending March 15, 2016, and until his successor is duly appointed and qualified; vice, Jeffrey B. Davison, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 1,

2012, while the Senate was not in session.

Derek E. Williams, 1105 South Walnut, Cameron, Clinton County, Missouri 64429, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, RSMo. 210.617.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2012, while the Senate was not in session.

Cathee Wolford, 710 Northeast 85th Terrace Apartment 101, Kansas City, Jackson County, Missouri 64155, as a member of the Board of Certification of Interpreters, for a term ending June 27, 2015, and until her successor is duly appointed and qualified; vice, Meriam Williams, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2012, while the Senate was not in session.

Rhonda J. Wood, 6420 Southwest Way, Columbia, Boone County, Missouri 65203, as a member of the Committee for Professional Counselors, for a term ending August 28, 2013, and until her successor is duly appointed and qualified; vice, Verl T. Pope, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 1, 2012, while the Senate was not in session.

Charles R. Wooten, 1354 North Sandycreek Circle Unit 2, Nixa, Christian County, Missouri 65714, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2015, and until his successor is duly appointed and qualified; vice, John D. Comerford, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 9, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 7, 2012, while the Senate was not in session.

John Young, Route 1, Box 34 B, Princeton, Mercer County, Missouri 64673, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Charles McKenzie, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 3**.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker	Timothy W. Jones
Speaker Pro Tem	Jason Smith
Chief Clerk	D. Adam Crumbliss
Doorkeeper	Don Knollmeyer
Sergeant-at-Arms	Ralph Robinett
Chaplain	Reverend Monsignor Robert Kurwicki

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 4**.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief

Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Monday, January 28, 2013, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-seventh General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 23, 2013, to receive a message from the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the Ninety-seventh General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following committee appointments:

Administration

Senator Tom Dempsey, Chair
Senator Ron Richard, Vice-chair
Senator Ryan McKenna
Senator Jolie Justus
Senator Mike Kehoe

Gubernatorial Appointments

Senator Tom Dempsey, Chair
Senator Ron Richard, Vice-chair
Senator Brad Lager
Senator John Lamping
Senator Brian Munzlinger
Senator Rob Schaaf
Senator Ryan McKenna
Senator Paul LeVota
Senator Jamilah Nasheed

Rules, Joint Rules, Resolutions and Ethics

Senator Ron Richard, Chair
Senator Tom Dempsey, Vice-chair
Senator Brad Lager
Senator Doug Libla
Senator Brian Nieves
Senator Paul LeVota
Senator Gina Walsh

President Pro Tem Dempsey referred the Gubernatorial Appointments appearing on pages 25 to 53 to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 11, regarding the Blue Springs High School boys cross country program, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, his wife, Patty, Joplin; and Keegan Tinney.

Senator McKenna introduced to the Senate, former State Senator and Mrs. Jack Gannon, Jefferson County.

Senator Pearce introduced to the Senate, his wife, Teresa, Warrensburg; and Betty Jo Schubert, Jefferson City.

Senator Schmitt introduced to the Senate, his wife, Jaime and their children, Stephen II, Sophia and Olivia, Glendale; and his parents, Stephen F. and Kathleen M. Schmitt, Bridgeton.

Senator Sater introduced to the Senate, his wife, Sharon, Cassville.

Senator Romine introduced to the Senate, his wife, Kathy, Farmington; their son, Jason and his wife, Erika and their children, Jayson, Jaxson and Braxton Romine, Liberty.

Senator Holsman introduced to the Senate, his wife, Robyn, their children, Savannah and Grant; his mother, Judy Giannini; his father, Gale Holsman; his grandparents, Harold and Lillie Myers; and his sister, Shannon Lock, Kansas City; and Savannah and Grant were made honorary pages.

Senator Curls introduced to the Senate, Shyree Holmes-Leverett, San Antonio, Texas.

Senator Nasheed introduced to the Senate, her husband, Fahim; Sable Campbell-Jones; Tiffany and Gloria McConnell; and Eric Vickers and students from Storman Academy, St. Louis.

Senator LeVota introduced to the Senate, his wife, Nancy and their daughters, Meghan and Madeline; his mother, Linda and stepfather, Ray Halvorson; his father, Sam; and his brothers, Phil and Steve LeVota; and Chris Whiting, Independence.

Senator Walsh introduced to the Senate, her mother, Maureen Rone; her daughters, Michaela Friederich and Sarah and Kathleen (Casey) Walsh, St. Louis; her sisters, Lisa Leake and her husband, Bob, Palmyra; Mary Alice (Mimi) Mensio; her brothers, Philip Rone; Joseph (Joe) Rone and his wife, Tracy; Tim Rone and his wife, Mary and their children, Liam, Kathleen, Margaret and Molly; her aunts, Sheila Cova, Kathleen Hanrahan; her cousin, Meghan Hanrahan; and Sally Wahlbrink, Valerie Whitney, Karen Imperiale, and Richard Kellett, St. Louis area; and Liam, Kathleen, Margaret and Molly were made honorary pages.

Senator Wallingford introduced to the Senate, his wife, Suzy and Doug and Fran Austin, Cape Girardeau; and his sister, Shiela Smilgis, Bloomington, Illinois.

Senator Silvey introduced to the Senate, his wife, Angela, and Sammy Panethiere, Kansas City; his parents, David and Debbie Silvey, Gladstone; Mark Coulter, Plattsburg; and Mike Talboy, Johnson County, Kansas.

Senator Cunningham introduced to the Senate, Marsha Allen and her son, Nick, Thayer; and Barbara Tomblinson and Joan Branson, Jefferson City.

Senator Sifton introduced to the Senate, his wife, Stacey and their children, Stephen and Madelyn, St. Louis; his mother, Barbara, Bisbee, Arizona; his father, Richard, Roanoke, Virginia and his brother, Brian, Kansas City.

Senator Libla introduced to the Senate, his wife, Elaine and their daughter, Cassie, Poplar Bluff; his mother, Marglie; brothers, David and his wife, Mary; Jeff and his wife, Marsha; and his sister, Joyce Robinson and her husband, David, Butler County.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Sam Page, Creve Coeur.

Senator Emery introduced to the Senate, Gail Alston, Cass County; Ron and Ann Calzone and family, Dixon; Paul Jones, Raymore; John Shomin, Liberal; and Shannon and Morgan Briscoe, Archie.

Senator Rupp introduced to the Senate, former State Senator Judge Jack Goodman, Lawrence County.

Senator Dempsey introduced to the Senate, Andy, Ted, Tony and Robbie Gutierrez, Salisbury, Maryland; Ethan and Michael Gentry, Topeka, Kansas; B.J. and Kelli Buehler and their children, Brooklyn, Bailey, Kelby and Kasch, Cimarron, Kansas; and Ethan, Michael, Brooklyn, Bailey, Kelby and Kasch were made honorary pages.

Senator Dixon introduced to the Senate, his wife, Amanda, Springfield.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY—THURSDAY, JANUARY 10, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Rupp	SB 35-Wallingford
SB 2-Rupp	SB 36-Wallingford and Sifton
SB 3-Rupp	SB 37-Wallingford and Sater
SB 4-Lager	SB 38-Sifton
SB 5-Lager	SB 39-Sifton
SB 6-Lager	SB 40-Sifton
SB 7-Pearce	SB 41-Munzlinger
SB 8-Pearce	SB 42-Munzlinger
SB 9-Pearce	SB 43-Munzlinger
SB 10-Schmitt and Richard	SB 44-Dixon
SB 11-Schmitt	SB 45-Dixon
SB 12-Schaefer	SB 46-Parson
SB 13-Schaefer	SB 47-Lamping
SB 14-Schaaf	SB 48-Lamping
SB 15-Richard	SB 49-Lamping
SB 16-Munzlinger	SB 50-Wallingford, et al
SB 17-Munzlinger and Romine	SB 51-Munzlinger
SB 18-Munzlinger	SB 52-Munzlinger and Romine
SB 19-Wasson	SB 53-Lamping
SB 20-Dixon	SB 54-Lamping
SB 21-Dixon	SB 55-Lamping
SB 22-Dixon	SB 56-Munzlinger
SB 23-Parson	SB 57-Romine
SB 24-Parson	SB 58-Romine
SB 25-Parson	SB 59-Rupp
SB 26-Kraus	SB 60-Rupp
SB 27-Kraus	SB 61-Keaveny
SB 28-Kraus	SB 62-Keaveny
SB 29-Brown	SB 63-Schmitt
SB 30-Brown	SB 64-Dixon
SB 31-Lamping	SB 65-Dixon
SB 32-Lamping	SB 66-Dixon
SB 33-Lamping	SB 67-Dixon
SB 34-Cunningham	SB 68-Parson

SB 69-Keaveny	SB 102-Kraus
SB 70-Munzlinger	SB 103-Kraus
SB 71-Parson	SB 104-Kraus
SB 72-Schaefer	SB 105-Brown
SB 73-Schaefer	SB 106-Brown
SB 74-Richard	SB 107-Lamping
SB 75-Brown	SB 108-Kraus
SB 76-Brown	SB 109-Brown
SB 77-Lamping	SB 110-Brown
SB 78-Lamping	SB 111-Emery
SB 79-Lamping	SB 112-Rupp and Richard
SB 80-Romine	SB 113-Schmitt
SB 81-Schaefer	SB 114-Schmitt
SB 82-Schaefer	SB 115-Schmitt
SB 83-Parson	SB 116-Kraus
SB 84-Rupp	SB 117-Kraus
SB 85-McKenna	SB 118-Kraus
SB 86-Keaveny	SB 119-Emery
SB 87-Schaaf	SB 120-Schmitt
SB 88-Schaaf	SB 121-Schaefer
SB 89-Munzlinger	SB 122-Schaefer
SB 90-McKenna	SB 123-Chappelle-Nadal
SB 91-Justus	SB 124-Chappelle-Nadal
SB 92-Justus	SB 125-Nasheed
SB 93-Justus	SJR 1-Lager
SB 94-Justus	SJR 2-Lager
SB 95-Justus	SJR 3-Schaefer
SB 96-Justus	SJR 4-Lamping
SB 97-Schaefer	SJR 5-Lamping
SB 98-Schaefer	SJR 6-Kraus
SB 99-Keaveny	SJR 7-Dixon
SB 100-Keaveny	SJR 8-Dixon
SB 101-Wasson	SJR 9-Emery

INFORMAL CALENDAR

RESOLUTIONS

SR 9-Dempsey
HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

Journal of the Senate

FIRST REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 10, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Thus says the Lord...let everyone return home, for this thing is from me.” (2 Chronicles 11:4)

God Our Father, we pray for safe travel as we return to loved ones after an exciting but shortened week. Guide us and make our ways safe protected by Your presence. Make our homecoming joyful and our time in Your house enriching and meaningful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 12, regarding Philip W. “Phil” Livesay, Hannibal, which was adopted.

Senator Dixon offered Senate Resolution No. 13, regarding Certified Public Managers® program, which was adopted.

Senator Parson offered Senate Resolution No. 14, regarding Blake Andrew Brodersen, which was adopted.

Senator Parson offered Senate Resolution No. 15, regarding Pam Naylor, Buffalo, which was adopted.

Senators Dempsey, Richard and Justus, joined by the entire membership, offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 16

Whereas, the members of the Missouri Senate feel it is altogether right and proper to pause from time to time to observe milestones in the lives of Missouri citizens who have distinguished themselves by their exemplary service to this legislative body; and

Whereas, the members now pause to recognize Ken Holman of Jefferson City, Missouri, who stepped from his post as Head Senate Doorkeeper, an elected position, at the end of 2012, after twenty-two years of loyal and dedicated service; and

Whereas, born in Kansas City, Missouri, Ken Holman is a decorated veteran of World War II, during which he served courageously in Italy from 1944 to 1946 as a proud member of the United States Army, 92nd Division, 370th Infantry Regiment, Company A; and

Whereas, a brave and valiant soldier, Ken Holman earned many military honors, including the Combat Infantry Badge, Purple Heart, Bronze Star, African European Theater Ribbon, American Theater Ribbon, Good Conduct Medal, and World War II Victory Medal; and

Whereas, following his honorable discharge from the United States Army, Ken Holman embarked upon a number of successful careers related to selling cars, working for the Union Pacific Railroad, and serving as Manager of General Services for the Missouri Department of Revenue for ten years; and

Whereas, Ken Holman secured a position as Assistant Doorkeeper for the Missouri Senate in 1991 and rose to the position of Head Doorkeeper in 1998, while Bill McKenna served as the President Pro Tem of the Missouri Senate; and

Whereas, widely respected for his community involvement, Ken Holman is an active member of the Ancient Free & Accepted Masons and Shriners International; and

Whereas, Ken Holman has achieved his many successes with the love and support of an exceptional family whose members include his wife, Ann, his son, Keith Holman, his daughter, Penny Holman, and his two grandchildren:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-seventh General Assembly, join unanimously to celebrate the life accomplishments of Ken Holman, to express our most sincere gratitude for his exemplary service to the members, staff, and guests of the Missouri Senate, and to extend our very best wishes for continued health and happiness as he embarks on the next chapter in his full, rich, and eventful life; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to Ken Holman as a mark of our affection and regard.

Senator Kraus offered Senate Resolution No. 17, regarding Tim Richardson, which was adopted.

Senator Kraus offered Senate Resolution No. 18, regarding Christopher J. Thibault, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 19, regarding the city of Lee’s Summit, which was adopted.

Senator Kehoe assumed the Chair.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 126—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

SB 127—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet dental benefits.

SB 128—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to electronic benefits transfer cards.

SB 129—By Sater.

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

SB 130—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

SB 131—By Nasheed.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 132—By Keaveny.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for pre-kindergarten programs.

SB 133—By Keaveny.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for pre-kindergarten programs.

SJR 10—By Nasheed.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

RESOLUTIONS

Senator Dempsey moved that **SR 9** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 9** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following committee appointments:

Gubernatorial Appointments

Senator Schmitt

Agriculture, Food Production and Outdoor Resources

Munzlinger, Chair

Libla, Vice-Chair

Brown

Curls

McKenna

Parson

Pearce

Appropriations

Schaefer, Chair

Rupp, Vice-Chair

Brown

Curls

Kehoe

Pearce

Schaaf

Sifton

Silvey

Walsh

Commerce, Consumer Protection, Energy and the Environment

Lager, Chair

Kehoe, Vice-Chair

Kraus
Cunningham
Emery
Holsman
Keaveny
Schaefer
Wallingford
Walsh

Education

Pearce, Chair
Romine, Vice-Chair
Brown
Chappelle-Nadal
Curls
Emery
Holsman
Libla
Nieves
Rupp

Financial and Governmental Organizations and Elections

Wasson, Chair
Cunningham, Vice-Chair
Dixon
Keaveny
Kraus
LeVota
Pearce
Sater
Sifton
Wallingford

General Laws

Nieves, Chair
Schaaf, Vice-Chair
Holsman
Libla
Nasheed
Romine
Silvey

Governmental Accountability and Fiscal Oversight

Parson, Chair

Silvey, Vice-Chair

Cunningham

Kehoe

LeVota

Nasheed

Wasson

Jobs, Economic Development and Local Government

Schmitt, Chair

Dixon, Vice-Chair

Justus

Kraus

Lamping

McKenna

Nasheed

Romine

Sater

Wasson

Judiciary and Civil and Criminal Jurisprudence

Dixon, Chair

Emery, Vice-Chair

Justus

Keaveny

Schaaf

Schaefer

Schmitt

Progress and Development

Justus, Chair

Curls, Vice-Chair

Silvey

Wallingford

Walsh

Seniors, Families and Pensions

Lamping, Chair

Sater, Vice-Chair

Chappelle-Nadal

Keaveny

Kraus

Libla

Romine

Small Business, Insurance and Industry

Rupp, Chair
Parson, Vice-Chair
Curls
Munzlinger
Wallingford
Walsh
Wasson

Transportation and Infrastructure

Kehoe, Chair
Lamping, Vice-Chair
Dixon
Holsman
McKenna
Munzlinger
Wasson

Veterans' Affairs and Health

Brown, Chair
Schaaf, Vice-Chair
Chappelle-Nadal
Cunningham
Holsman
Nieves
Sater
Schmitt
Sifton
Silvey

Ways and Means

Kraus, Chair
Wallingford, Vice-Chair
Chappelle-Nadal
Emery
Lager
Lamping
LeVota
Parson
Schmitt
Sifton

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

SENATE HEARING SCHEDULE
97th GENERAL ASSEMBLY
FIRST REGULAR SESSION
JANUARY 10, 2013

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation and Infrastructure SCR 1 (Kehoe)	
8:15 a.m.		Seniors, Families, and Pensions SCR 1 (Lamping)		
8:30 a.m.			Gubernatorial Appointments SL (Dempsey)	Ways and Means SCR 1 (Kraus) Veterans' Affairs and Health SL (Brown)
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Rupp) Rules, Joint Rules, Resolutions and Ethics SL (Richard)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.			Progress and Development SCR 2 (Justus)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager) General Laws SCR 1 (Nieves)	Governmental Accountability and Fiscal Oversight SCR 1 (Parson) Education SL (Pearce)	
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Dixon)			

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

- SB 1**—Small Business, Insurance and Industry.
- SB 2**—Financial and Governmental Organizations and Elections.
- SB 3**—Education.
- SB 4**—Rules, Joint Rules, Resolutions and Ethics.
- SB 5**—Jobs, Economic Development and Local Government.
- SB 6**—Commerce, Consumer Protection, Energy and the Environment.
- SB 7**—Education.
- SB 8**—Education.
- SB 9**—Education.
- SB 10**—Jobs, Economic Development and Local Government.
- SB 11**—Ways and Means.
- SB 12**—Judiciary and Civil and Criminal Jurisprudence.
- SB 13**—Commerce, Consumer Protection, Energy and the Environment.
- SB 14**—Veterans’ Affairs and Health.
- SB 15**—Jobs, Economic Development and Local Government.
- SB 16**—Agriculture, Food Production and Outdoor Resources.
- SB 17**—Financial and Governmental Organizations and Elections.
- SB 18**—Governmental Accountability and Fiscal Oversight.
- SB 19**—Jobs, Economic Development and Local Government.
- SB 20**—Jobs, Economic Development and Local Government.
- SB 21**—Judiciary and Civil and Criminal Jurisprudence.
- SB 22**—Judiciary and Civil and Criminal Jurisprudence.
- SB 23**—Jobs, Economic Development and Local Government.
- SB 24**—Jobs, Economic Development and Local Government.
- SB 25**—Jobs, Economic Development and Local Government.
- SB 26**—Ways and Means.
- SB 27**—Financial and Governmental Organizations and Elections.
- SB 28**—Small Business, Insurance and Industry.
- SB 29**—Small Business, Insurance and Industry.

- SB 30**—Small Business, Insurance and Industry.
- SB 31**—Ways and Means.
- SB 32**—Jobs, Economic Development and Local Government.
- SB 33**—Seniors, Families and Pensions.
- SB 34**—Small Business, Insurance and Industry.
- SB 35**—Ways and Means.
- SB 36**—Judiciary and Civil and Criminal Jurisprudence.
- SB 37**—General Laws.
- SB 38**—Rules, Joint Rules, Resolutions and Ethics.
- SB 39**—Ways and Means.
- SB 40**—Small Business, Insurance and Industry.
- SB 41**—Commerce, Consumer Protection, Energy and the Environment.
- SB 42**—Ways and Means.
- SB 43**—Transportation and Infrastructure.
- SB 44**—Judiciary and Civil and Criminal Jurisprudence.
- SB 45**—Judiciary and Civil and Criminal Jurisprudence.
- SB 46**—Jobs, Economic Development and Local Government.
- SB 47**—Seniors, Families and Pensions.
- SB 48**—Seniors, Families and Pensions.
- SB 49**—Seniors, Families and Pensions.
- SB 50**—Judiciary and Civil and Criminal Jurisprudence.
- SB 51**—Transportation and Infrastructure.
- SB 52**—Judiciary and Civil and Criminal Jurisprudence.
- SB 53**—Financial and Governmental Organizations and Elections.
- SB 54**—Financial and Governmental Organizations and Elections.
- SB 55**—Financial and Governmental Organizations and Elections.
- SJR 1**—Judiciary and Civil and Criminal Jurisprudence.
- SJR 2**—Ways and Means.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 1**.

Also, I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Representatives to act with a like committee from the Senate pursuant to **SCR 1**.

Representatives: Gannon, Gatschenberger, Haahr, Haefner, Lant, Rehder, Rowden, Torpey, Walker, Burns, Butler, McCann-Beatty, McKenna, Montecillo, Pace, Rizzo, Schupp and Webb.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following committee, pursuant to **SCR 1**: Senators Curls, Dempsey, Holsman, Justus, Keaveny, Kehoe, LeVota, McKenna, Nasheed, Nieves, Richard, Rupp, Schaaf, Schaefer, Schmitt, Sifton, Walsh and Wasson.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 20, regarding Theodore J. “Tad” Heitzler, Florissant, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, faculty and student athletes representing Osage R-III, Fatima High School, Westphalia: Superintendent Joe Scott, Principal Chuck Woody and Assistant Principal/Athletic Director Jeff Buthod; the 2012 Volleyball State Champions: Bailey Berhorst, Brooke Berhorst, JoAnna Muenks, Angela Keilholz, Anna Bonnot, Morgan Bax, Kayla Nilges, Shelby Thoenen, Chelsea Skidmore, Jordyn Williams, Brianna Kempker, Ashlynn Harmon, Kenadi Huhn, and Coaches: Mark Bockstruck, Ed Thoenen, and Krista Verhoff; Coaches Marc Bridges, Nicole Cassmeyer, Stacy Kempker and members of the Boys Track and Field team; members of the Boys Cross Country team; and Girls Track State Champion, Lauren Allen.

Senator Dixon introduced to the Senate, Scott Scobee, Springfield.

Senator Dempsey introduced to the Senate, Ken Holman and his wife, Ann; daughter, Penny; granddaughter, Alexis Kinney; nephew, Clarence Maurice White and his wife, Donna; great-nephew, Vincent Westley; Shaqil Scott; Latrice Stringer; and Reid Millard.

On motion of Senator Richard, the Senate adjourned until 10:30 a.m., Monday, January 14, 2013.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 14, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger

SB 57-Romine

SB 58-Romine

SB 59-Rupp

SB 60-Rupp

SB 61-Keaveny

SB 62-Keaveny	SB 102-Kraus
SB 63-Schmitt	SB 103-Kraus
SB 64-Dixon	SB 104-Kraus
SB 65-Dixon	SB 105-Brown
SB 66-Dixon	SB 106-Brown
SB 67-Dixon	SB 107-Lamping
SB 68-Parson	SB 108-Kraus
SB 69-Keaveny	SB 109-Brown
SB 70-Munzlinger	SB 110-Brown
SB 71-Parson	SB 111-Emery
SB 72-Schaefer	SB 112-Rupp and Richard
SB 73-Schaefer	SB 113-Schmitt
SB 74-Richard	SB 114-Schmitt
SB 75-Brown	SB 115-Schmitt
SB 76-Brown	SB 116-Kraus
SB 77-Lamping	SB 117-Kraus
SB 78-Lamping	SB 118-Kraus
SB 79-Lamping	SB 119-Emery
SB 80-Romine	SB 120-Schmitt
SB 81-Schaefer	SB 121-Schaefer
SB 82-Schaefer	SB 122-Schaefer
SB 83-Parson	SB 123-Chappelle-Nadal
SB 84-Rupp	SB 124-Chappelle-Nadal
SB 85-McKenna	SB 125-Nasheed
SB 86-Keaveny	SB 126-Sater
SB 87-Schaaf	SB 127-Sater
SB 88-Schaaf	SB 128-Sater
SB 89-Munzlinger	SB 129-Sater
SB 90-McKenna	SB 130-Schaefer
SB 91-Justus	SB 131-Nasheed
SB 92-Justus	SB 132-Keaveny
SB 93-Justus	SB 133-Keaveny
SB 94-Justus	SJR 3-Schaefer
SB 95-Justus	SJR 4-Lamping
SB 96-Justus	SJR 5-Lamping
SB 97-Schaefer	SJR 6-Kraus
SB 98-Schaefer	SJR 7-Dixon
SB 99-Keaveny	SJR 8-Dixon
SB 100-Keaveny	SJR 9-Emery
SB 101-Wasson	SJR 10-Nasheed

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 14, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Gracious God, we gather once again to pray that You will provide us a reverent sense of Your presence that we may be at peace with the various things that confront us this week. As we enjoy the various activities which come with the responsibilities of our office may we embrace them with joy and delight. But we are also mindful of the need of Your healing presence for Senator Libla's granddaughter, Elizabeth. We pray O God, to let Your healing power flow through every cell of her body bringing her to health and wholeness once again. We ask this in Your Holy Name. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Sifton—1

Vacancies—None

The Lieutenant Governor was present.

Senator Richard moved that the Senate recess until 1:15 p.m. and the Senators repair to the South steps of the Capitol where they will meet the House of Representatives in Joint Session to witness the Inauguration of the newly elected Governor, Jay Nixon, and receive his message, which motion prevailed.

JOINT SESSION

The Senate and the House of Representatives met in Joint Assembly on the steps of the Capitol where President Pro Tem Dempsey called the Joint Assembly to order.

Governor Jay Nixon and First Lady Georganne Nixon were escorted to their places on the Inaugural Platform by the Legislative Inaugural Committees of the 97th General Assembly.

Welcome was extended by the Honorable Tom Dempsey, President Pro Tem of the Missouri Senate.

The Colors were presented by the Joint Service Color Guard.

Cathy Cartier, 2012-2013 Missouri Teacher of the Year, Affton High School, Saint Louis, lead the audience in the Pledge of Allegiance to the Flag.

Lieutenant Colonel Regina Kilmer, Missouri National Guard sang the National Anthem.

The Invocation was offered by Rabbi Amy Feder, Temple Israel, Saint Louis.

United States Senator Claire McCaskill was introduced.

Chief Justice Richard B. Teitelman, Judge Mary R. Russell, Judge Zel M. Fischer, Judge Laura Denvir Stith, Judge George W. Draper III, and Judge Paul C. Wilson, Missouri Supreme Court; Judge Rex M. Burlison, 22nd Judicial Circuit Court and Judge James F. Kanatzar, 16th Judicial Circuit Court, were introduced.

State Auditor Thomas A. Schweich was introduced.

Former Senator and Former Governor Christopher S. Bond was introduced.

Former Governor Bob Holden and Former First Lady Lori Hauser-Holden were introduced.

Judge Mary R. Russell of the Missouri Supreme Court, administered the oath of office to Attorney General Christopher A. Koster.

Judge Laura Denvir Stith of the Missouri Supreme Court, administered the oath of office to State Treasurer Clint Zweifel.

Judge James F. Kanatzar of the 16th Judicial Circuit Court, administered the oath of office to Secretary of State Jason Kander.

Judge Zel M. Fischer of the Missouri Supreme Court, administered the oath of office to Lieutenant Governor Peter D. Kinder.

The oath of office was administered to Governor Jeremiah W. (Jay) Nixon by Judge Rex M. Burlison, 22nd Judicial Circuit Court. Immediately after administration of the oath, military honors were rendered to Governor Nixon with the firing of a nineteen gun salute by the BTRY D, 1st Battalion, 129th Field Artillery Regiment (Truman's Own) Missouri Army National Guard, Independence.

Governor Nixon delivered his Inaugural Address:

Inaugural Address of Governor Jeremiah W. (Jay) Nixon

55th Governor of Missouri

January 14, 2013

Thank you, Judge Burlison. Thank you, President Pro Tem Dempsey and Speaker Jones.

Let me begin by thanking the people of Missouri for the privilege of serving a second term as your Governor. I am grateful and humbled that once again, you have given me the opportunity to lead our state forward.

I will honor the trust and confidence you have placed in me each and every day.

I'm joined today by Missouri's First Lady – my lovely wife, Georganne – our sons, Jeremiah and Will, and the rest of our family.

I'd like to welcome Missouri's former governors, our statewide office holders, members of the Missouri Supreme Court, legislators and the people of Missouri.

When I first came to the Capitol as a freshman senator from my hometown of De Soto, I was just 30 years old – the youngest person in the Senate.

I had the good fortune to serve with many thoughtful, dedicated and capable legislators on both sides of the aisle.

Then, as now, Republicans and Democrats were deeply committed to their beliefs.

Then, as now, we had a divided state government, with a governor of one party, and the other party holding a majority in the legislature.

Disagreement and debate were daily fare.

But it was possible to disagree, while continuing to advance the public good. Cooperation wasn't considered a sign of weakness, but rather a prerequisite for progress.

And progress is not partisan.

We understood that first and foremost, we were all Missourians.

So no matter which way the pendulum of power might swing, or which way the political winds blew, our bedrock Missouri values of hard work, optimism, faith and compassion never wavered.

Those steadfast values have served the people of our state well for generations, and will serve us well for generations to come.

Now, some pundits like to say that politics in the Show-Me State has never been more partisan, more difficult than it is today.

But as history tells us, that's simply not true.

One hundred and fifty years ago, Missouri was bitterly divided in the struggle for our nation's survival – and its soul.

For a time, Missouri had two state governments, two state capitals and two governors.

Two state flags fluttered above the boys in blue and gray, the sons of farmers and cobblers, tinkers and slaves. They fought and died on blood-soaked ground from the Bootheel to the Iowa border.

They rose with valor and fell with honor at Liberty and Lexington, Carthage and Wilson's Creek, Boonville and Fredericktown.

Our newest state park commemorates the Battle of Island Mound, where the first African-American troops shed their blood for the Union in 1862.

Centralia was the site of an infamous massacre, when confederate guerrillas bushwhacked more than 100 Union soldiers and hacked them to ribbons. Taking part in the killing spree were two young brothers from Clay County: 20-year-old Frank and 16-year-old Jesse James.

Twelve of Missouri's governors served in the military during the Civil War.

That's right: twelve.

And for years after the war's official end, the suffering, retaliation and political struggles dragged on – crippling our economy, testing our resolve.

That my friends? That was hard politics.

But from that time forward the arc of Missouri history shows us that even the deepest divisions can be healed.

The people of Missouri are tough and resilient.

And generation after generation, a bold vision for the future and a passion for progress spur us forward.

We pushed back the wilderness, tilled the prairie and opened the western frontier.

We built railroads and highways, founded great universities and hospitals, tamed mighty rivers and even conquered space.

In good times and bad, through hellish drought and high water, the people of Missouri have proved their mettle. And, as we've seen these past

few years, when our backs are against the wall, we come together.

When the American auto industry was on the ropes in 2009, we pulled together and got it back on its feet. More vehicles made in Missouri means thousands of jobs for hardworking folks in every corner of our state.

In a competitive and volatile global marketplace, we stepped up our game to set all-time records for exports in agriculture, biotech and defense – deals worth billions, creating prosperity at home.

When Mother Nature hit our neighbors with ice storms, floods, drought and the most devastating tornado in our history, we rallied to their side. We were there at every step – from rescue to rebuilding. And the strength and resilience of Missourians inspired the world.

History has left its indelible mark on our landscape and our character.

But history is not destiny.

We do not inherit the future. We must build the future.

A future without limits:

Where all our children get an education that prepares them to compete for the best jobs in the global economy;

Where the brightest minds in science and technology advance the frontiers of human knowledge;

Where business and the arts flourish;

Where the bounty of Missouri's farms and fields will feed, clothe and power the planet;

And where the natural beauty of our state is preserved and cherished for all time.

I am more optimistic than ever about our future.

We will put our shared principles ahead of our small differences, and work together for the common good.

The people of Missouri deserve – and expect – no less.

And that is how I intend to lead.

Throughout my quarter century of public service, I've had the opportunity to visit with thousands of Missourians from all walks of life, in every corner of this great state.

Year after year, I've met them in the halls of this historic Capitol, exercising their First Amendment rights: midwives and math teachers; farmers and firefighters; Muslims and Mennonites; soldiers and Scouts.

They may not – and in fact do not – always agree.

But they are a vivid reminder that democracy is a chorus of many voices.

And our democracy and our state are stronger for it.

On days like this one, I can look out the windows of my office and see the flags of our state and our nation, their colors bright against the winter sky, the wide Missouri River in the distance.

It's a beautiful sight.

It is a reminder of the bold pioneers who walked this land before us, who explored the wilderness, who dedicated their lives to the creation of a more perfect union, who fought and died so that we might one day enjoy peace and prosperity.

I think, too, of the bold pioneers who someday will explore new frontiers beyond our imagining.

Today, I took a solemn oath to serve all the people of Missouri, to do everything in my power to make your lives better, and to make life better for our children and grandchildren.

I pledge my oath to the waitress pulling double shifts just to feed and clothe her kids, praying that nobody gets hurt or sick – because she can't afford a doctor's bill.

I pledge my oath to the battle-weary veteran, home from Afghanistan, who deserves a job worthy of his skills and sacrifice.

I pledge my oath to the farmer who plows and plants through flood and drought, year in and year out.

Hard working, God-fearing, decent folk.

I carry them in my heart.

Their strength gives me strength.

Their courage gives me courage.

And to live a life of service to the people of Missouri is my greatest honor.

Our time here is fleeting.

But the work we do will endure.

Together we can – and we will – build a bright future for the great state of Missouri in the greatest nation on earth.

May God almighty guide us in our work.

Thank you and God bless.

The 135th Army Band, Missouri Army National Guard, Springfield, performed “America the Beautiful”.

The Benediction was pronounced by Reverend Daniel Hilty, Senior Pastor, First United Methodist Church, Jefferson City.

The Colors were retired by the Joint Service Color Guard.

The audience remained standing and Governor Nixon and Mrs. Nixon were escorted from the platform by the Legislative Inaugural Committee.

The Joint Session of the 97th General Assembly was adjourned by President Pro Tem Dempsey. The Senators returned to the Chamber, where they were called to order by President Kinder.

The Journal for Thursday, January 10, 2013 was read and approved.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 21, regarding Quentin Elliott James, Lee’s Summit, which was adopted.

Senator Dempsey offered Senate Resolution No. 22, regarding John Anthony Dosland, St. Charles, which was adopted.

Senator Parson offered Senate Resolution No. 23, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Skidmore, Buffalo, which was adopted.

Senator Cunningham offered Senate Resolution No. 24, regarding DeeEllen Maher, Eldon, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 134—By Sater.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 135—By Sater.

An Act to repeal sections 116.025, 116.160, and 116.334, RSMo, and to enact in lieu thereof four new sections relating to ballot language.

SB 136—By Sater.

An Act to repeal sections 136.055, 301.130, 301.3142, 301.3150, 301.3154, 307.350, 307.353, 307.355, and 643.315, RSMo, section 301.147 as enacted by conference committee substitute for house committee substitute for senate substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, section 301.147 as enacted by senate bill no. 54, ninety-second regular session, first regular session, and to enact in lieu thereof ten new sections relating to the registration of motor vehicles, with an effective date.

SB 137—By Sater.

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for counties to decrease their budgets.

SB 138—By Kraus.

An Act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Donna L. Birks to the Missouri Commission on Human Rights, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending April 1, 2018, and until her successor is duly appointed and qualified; vice,

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of David L. Bonner to the Truman State University Board of Governors, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending January 1, 2019, and until his successor is duly appointed and qualified;

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lloyd Joseph Carmichael to the Missouri State University Board of Governors, submitted to you on January 9, 2013. Line 2 should be amended to read:

Missouri 65809, as a member of the Missouri State University Board of Governors, for a

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Carrie Carroll to the Missouri State University Board of Governors, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending January 1, 2015, and until her successor is duly appointed and qualified;

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Collin L. Follis to the State Board of Embalmers and Funeral Directors, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending April 1, 2017, and until his successor is duly appointed and qualified; vice,

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lisa A. Green to the Missouri State Board of Nursing, submitted to you on

January 9, 2013. Paragraph 1 should be amended to read:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2012, while the Senate was not in session.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Michael J. LaBeth to the Truman State University Board of Governors, submitted to you on January 9, 2013. Line 3 should be amended to read:

term ending January 1, 2019, and until his successor is duly appointed and

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Carolyn R. Mahoney to the Coordinating Board for Higher Education, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending June 27, 2018, and until her successor is duly appointed and qualified;

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Gregory D. Mason to the Missouri Western State University Board of Governors, submitted to you on January 9, 2013. Line 3 should be amended to read:

Governors, for a term ending October 29, 2018, and until his successor is duly

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Dushyanthi A. Mullegama to the State Committee for Social Workers, submitted to you on January 9, 2013. Line 3 should be amended to read:

ending October 23, 2014, and until her successor is duly appointed and qualified;

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Nathan D. Preston to the Advisory Committee for 911 Service Oversight, submitted to you on January 9, 2013. Lines 3 and 4 should be amended to read:

2016, and until his successor is duly appointed and qualified; vice, Peggy D. (Loman) Hulett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Alfred Purcell to the Missouri Western State University Board of Governors, submitted to you on January 9, 2013. Line 3 should be amended to read:

Governors, for a term ending October 29, 2018, and until his successor is duly

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Lori Rasmussen to the Missouri State Board of Chiropractic Examiners, submitted to you on January 9, 2013. Lines 2 and 3 should be amended to read:

as a member of the Missouri State Board of Chiropractic Examiners, for a term ending January 1, 2014, and until her successor is duly appointed and qualified; vice, Paul

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of John W. Richmond to the Northwest Missouri State University Board of Regents, submitted to you on January 9, 2013. Line 3 should be amended to read:

term ending January 1, 2019, and until his successor is duly appointed and

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 11, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Don T. Ruzicka to the Board of Probation and Parole, submitted to you on January 9, 2013. Lines 3 and 4 should be amended to read:

December 20, 2018, and until his successor is duly appointed and qualified; vice, RSMo 217.665.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 11, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senators John Lamping and Joe Keaveny to the following board:

- Missouri State Employees' Retirement System (MOSERS)

Please feel free to contact me should you have any questions.

Sincerely,

/s/ Tom Dempsey

Tom Dempsey

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Walsh introduced to the Senate, Mary Lou Elfen, Paduka, Kentucky; Jane White, Nancy Wiess, Sally Whalbrink and Judge Mary Elizabeth Dorsey, St. Louis County.

The President introduced to the Senate, his brother, Lt. Col. Mark H. Kinder, United States Air Force, his wife, Barbara and their son Hunter; and his nieces Molly and Mia Kinder, Cape Girardeau; and Dawn Schaeffer, Springfield.

Senator Cunningham introduced to the Senate, Bob Pollard, Willow Springs.

Senator Emery introduced to the Senate, his wife, Rebecca and their son, Paul, Lamar; his mother,

Helen, Nevada; his sister, Leesa Drury and her daughters, Caroline and Molly, Minnesota; Susan Cass and Gail Alston, Cass County; Nancy Malsack, Chicago, Illinois; and Jeff Mullen and his daughter, Mikala, Windsor.

Senator Pearce introduced to the Senate, Liz Uptegrove and Taylor Elwell, Leeton.

Senator Silvey introduced to the Senate, his wife, Angela and their daughters, Taylor and Kally, Kansas City; and Taylor and Kally were made honorary pages.

Senator Lager introduced to the Senate, his parents, Ron and Maureen; his daughter, Addison; and his sister, Ashley and her friend, Dan, Maryville; and niece, Sabryan Lager.

Senator Rupp introduced to the Senate, his brother-in-law, Aaron Schaper and his wife, Shannon, Wentzville.

Senator Kraus introduced to the Senate, Roger Davenport, Lee's Summit.

Senator Brown introduced to the Senate, his wife, Kathy, and his daughter, Danette Sherrill and her husband, Brad, Rolla.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 15, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger
SB 57-Romine
SB 58-Romine
SB 59-Rupp
SB 60-Rupp
SB 61-Keaveny
SB 62-Keaveny
SB 63-Schmitt
SB 64-Dixon
SB 65-Dixon
SB 66-Dixon
SB 67-Dixon
SB 68-Parson
SB 69-Keaveny
SB 70-Munzlinger

SB 71-Parson
SB 72-Schaefer
SB 73-Schaefer
SB 74-Richard
SB 75-Brown
SB 76-Brown
SB 77-Lamping
SB 78-Lamping
SB 79-Lamping
SB 80-Romine
SB 81-Schaefer
SB 82-Schaefer
SB 83-Parson
SB 84-Rupp
SB 85-McKenna

SB 86-Keaveny	SB 117-Kraus
SB 87-Schaaf	SB 118-Kraus
SB 88-Schaaf	SB 119-Emery
SB 89-Munzlinger	SB 120-Schmitt
SB 90-McKenna	SB 121-Schaefer
SB 91-Justus	SB 122-Schaefer
SB 92-Justus	SB 123-Chappelle-Nadal
SB 93-Justus	SB 124-Chappelle-Nadal
SB 94-Justus	SB 125-Nasheed
SB 95-Justus	SB 126-Sater
SB 96-Justus	SB 127-Sater
SB 97-Schaefer	SB 128-Sater
SB 98-Schaefer	SB 129-Sater
SB 99-Keaveny	SB 130-Schaefer
SB 100-Keaveny	SB 131-Nasheed
SB 101-Wasson	SB 132-Keaveny
SB 102-Kraus	SB 133-Keaveny
SB 103-Kraus	SB 134-Sater
SB 104-Kraus	SB 135-Sater
SB 105-Brown	SB 136-Sater
SB 106-Brown	SB 137-Sater
SB 107-Lamping	SB 138-Kraus
SB 108-Kraus	SJR 3-Schaefer
SB 109-Brown	SJR 4-Lamping
SB 110-Brown	SJR 5-Lamping
SB 111-Emery	SJR 6-Kraus
SB 112-Rupp and Richard	SJR 7-Dixon
SB 113-Schmitt	SJR 8-Dixon
SB 114-Schmitt	SJR 9-Emery
SB 115-Schmitt	SJR 10-Nasheed
SB 116-Kraus	

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Diehl (Richard)

HCR 2-Diehl (Richard)

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Journal of the Senate

FIRST REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 15, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The man who makes no mistakes does not usually make anything.” (Edward John Phelps)

Heavenly Father, we recognize that much is expected of us and in our work we will make mistakes, probably many times before we are successful. So we thank You that You are available to us and with us each day to help and guide us through the maze of demands and bills that come before us that what we decide is in keeping with Your will. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from The St. Louis American were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 25, regarding James Glenn “James” Wade, Columbia, which was adopted.

Senator Richard offered Senate Resolution No. 26, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Julius Rosewicz, Joplin, which was adopted.

Senator Brown offered Senate Resolution No. 27, regarding Nate Potrafka, Rolla, which was adopted.

Senator Schaefer offered Senate Resolution No. 28, regarding Tyler James Brush, Columbia, which was adopted.

Senator Schaaf offered Senate Resolution No. 29, regarding Collins Alan Beatty, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 30, regarding Chase Beeler, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 31, regarding James Allen Bibens, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 32, regarding Jackson A. Carrizzo, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 33, regarding Connor James Derry, Weatherby Lake, which was adopted.

Senator Schaaf offered Senate Resolution No. 34, regarding Spencer Granger, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 35, regarding Benjamin Jackson Matt, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 36, regarding Nathan Stahl, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 37, regarding Tyler Wheeler, Parkville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 1** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None**Absent—Senators**

Curls	Nasheed	Nieves—3
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Absent with leave—Senators—None

Vacancies—None

Senator Richard moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Curls Nieves—2

Absent with leave—Senators—None

Vacancies—None

Senator Pearce assumed the Chair.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 1**: Senators Curls, Dempsey, Justus, Keaveny, Kehoe, McKenna, Nieves, Richard, Walsh and Wasson.

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 2**: Senators Curls, Dixon, Emery, Justus, Keaveny, McKenna, Schaaf, Schaefer, Schmitt and Sifton.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 139—By Kehoe.

An Act to repeal section 610.021, RSMo, and to enact in lieu thereof one new section relating to the closure of certain public records, meetings, and votes, with an emergency clause.

SB 140—By Brown.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to water quality standards for Missouri beaches.

SB 141—By Dempsey.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues collected from traffic violations.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Martha Cameron and students Victoria Stroup, Lea Gardiner,

Sarah Keller, Calvin Evans, Ryan Malone, Abbey Ehrenreich, Matt Latham and Shawn Thomas, St. James High School.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 16, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger	SB 85-McKenna
SB 57-Romine	SB 86-Keaveny
SB 58-Romine	SB 87-Schaaf
SB 59-Rupp	SB 88-Schaaf
SB 60-Rupp	SB 89-Munzlinger
SB 61-Keaveny	SB 90-McKenna
SB 62-Keaveny	SB 91-Justus
SB 63-Schmitt	SB 92-Justus
SB 64-Dixon	SB 93-Justus
SB 65-Dixon	SB 94-Justus
SB 66-Dixon	SB 95-Justus
SB 67-Dixon	SB 96-Justus
SB 68-Parson	SB 97-Schaefer
SB 69-Keaveny	SB 98-Schaefer
SB 70-Munzlinger	SB 99-Keaveny
SB 71-Parson	SB 100-Keaveny
SB 72-Schaefer	SB 101-Wasson
SB 73-Schaefer	SB 102-Kraus
SB 74-Richard	SB 103-Kraus
SB 75-Brown	SB 104-Kraus
SB 76-Brown	SB 105-Brown
SB 77-Lamping	SB 106-Brown
SB 78-Lamping	SB 107-Lamping
SB 79-Lamping	SB 108-Kraus
SB 80-Romine	SB 109-Brown
SB 81-Schaefer	SB 110-Brown
SB 82-Schaefer	SB 111-Emery
SB 83-Parson	SB 112-Rupp and Richard
SB 84-Rupp	SB 113-Schmitt

SB 114-Schmitt	SB 132-Keaveny
SB 115-Schmitt	SB 133-Keaveny
SB 116-Kraus	SB 134-Sater
SB 117-Kraus	SB 135-Sater
SB 118-Kraus	SB 136-Sater
SB 119-Emery	SB 137-Sater
SB 120-Schmitt	SB 138-Kraus
SB 121-Schaefer	SB 139-Kehoe
SB 122-Schaefer	SB 140-Brown
SB 123-Chappelle-Nadal	SB 141-Dempsey
SB 124-Chappelle-Nadal	SJR 3-Schaefer
SB 125-Nasheed	SJR 4-Lamping
SB 126-Sater	SJR 5-Lamping
SB 127-Sater	SJR 6-Kraus
SB 128-Sater	SJR 7-Dixon
SB 129-Sater	SJR 8-Dixon
SB 130-Schaefer	SJR 9-Emery
SB 131-Nasheed	SJR 10-Nasheed

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Journal of the Senate

FIRST REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 16, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk in wisdom towards them that are without...let your speech be always with grace.” (Colossians 4:5-6)

Almighty God, help us do our best at all times, to behave as You would have Your children “walk in wisdom”. Help us that we might use our intelligence wisely, at every opportunity to effectively help those who are hurting and provide direction for those who are lost. May our daily behavior express warm hearts, kindly voices and an open hand for those in need and may our speech be endowed with grace for others to see and know You through us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 38, regarding the late Senator J. Bernard “Jet” Banks, which was adopted.

Senator Dempsey offered Senate Resolution No. 39, regarding Keith Schneider, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 40, regarding Denice McKeown, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 41, regarding Jerry E. Scheidegger, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 42, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Andrew Schneider, St. Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 43, regarding Joan Koechig, St. Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 44, regarding Timothy Weinmann, Arnold, which was adopted.

Senator Sifton offered Senate Resolution No. 45, regarding Larry R. and Pamela M. Knox, Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 46, regarding the Fortieth Anniversary of Webster Child Care Center, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 47, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Michael Dalton, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 48, regarding Jaden Blaze Pankratz, which was adopted.

Senator LeVota offered Senate Resolution No. 49, regarding Stan Shurmantine, Independence, which was adopted.

Senator Richard offered Senate Resolution No. 50, regarding Andy Thomas, Carthage, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 51, regarding Reverend Everett R. Thomas, Sr., Northwoods, which was adopted.

Senators Silvey and Schaaf offered Senate Resolution No. 52, regarding Spencer D. Fields, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, the State of Missouri has a rich and complex history; and

WHEREAS, the lives of Missourians are enriched by a broad and deep understanding of that history; and

WHEREAS, the State of Missouri was formally admitted into the Union of the United States of America on August 10, 1821; and

WHEREAS, the year 2021 marks the bicentennial of the State of Missouri’s admission into the Union; and

WHEREAS, commemorative events drawing attention to the passage of historical milestones offer significant opportunities for generating interest in documenting and celebrating the exceptionalism of a state's history; and

WHEREAS, the Missouri General Assembly by statute (Chapter 183) authorized the State Historical Society of Missouri to act as a "trustee" of the state's history; and

WHEREAS, the State Historical Society of Missouri is responsible for collecting, preserving, and sharing the materials for the study of the history of Missouri and the heritage of Missourians; and

WHEREAS, since its creation in 1898, the State Historical Society of Missouri has become the premier institution for the study and celebration of Missouri state and local history and aspires to build the Center for Missouri Studies; and

WHEREAS, statewide commemorations require significant preparation and planning over multiple years:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the State Historical Society of Missouri to develop plans, ideas, and proposals to commemorate and celebrate the State of Missouri's bicentennial; and

BE IT FURTHER RESOLVED that the State Historical Society of Missouri ready itself to provide guidance and direction to a statewide effort to promote and celebrate the State of Missouri's rich and complex history through and beyond a bicentennial celebration in the year 2021; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the director of the State Historical Society of Missouri.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 142—By Sifton.

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

SB 143—By Walsh.

An Act to repeal sections 352.070, 352.090, and 355.020, RSMo, and to enact in lieu thereof three new sections relating to religious and charitable associations.

SB 144—By Walsh.

An Act to repeal section 575.021, RSMo, and to enact in lieu thereof one new section relating to obstruction of an ethics investigation, with existing penalty provisions.

SB 145—By Walsh.

An Act to repeal sections 115.275 and 115.289, RSMo, and to enact in lieu thereof three new sections relating to voting in advance of an election.

SB 146—By Schaaf.

An Act to amend chapter 195, RSMo, by adding thereto nine new sections relating to a prescription drug monitoring program, with penalty provisions and a referendum clause.

SB 147—By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

SB 148—By Wasson.

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of salvage certificate of titles or junking certificates to insurance companies.

SB 149—By Keaveny.

An Act to repeal sections 578.600, 578.602, 578.604, 578.606, 578.610, 578.612, 578.614, 578.620, and 578.622, RSMo, and to enact in lieu thereof twenty-seven new sections relating to possession of exotic animals, with penalty provisions.

SB 150—By Munzlinger, Brown, Libla, Romine, Sater, Emery, Wasson, Cunningham, Dixon and Kraus.

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to certain federal laws regarding firearms, with a penalty provision and an emergency clause.

SB 151—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 152—By Curls.

An Act to repeal section 211.073, RSMo, and to enact in lieu thereof one new section relating to sentences under dual jurisdiction.

SB 153—By Curls.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

SB 154—By Richard.

An Act to repeal section 379.140, RSMo, and to enact in lieu thereof one new section relating to insurance payments for covered loss or damage.

SB 155—By Nasheed.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the labeling of genetically modified food, with a penalty provision.

SB 156—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the implementation of the Patient Protection and Affordable Care Act.

SB 157—By Sater.

An Act to repeal sections 407.300 and 407.303, RSMo, and to enact in lieu thereof two new sections relating to scrap metal, with existing penalty provisions.

SB 158—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to enabling health insurers authorized to sell health insurance coverage in selected states to engage in the business of health insurance in Missouri.

SB 159—By Schmitt, Schaefer and Walsh.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

SJR 11—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the budget reserve fund.

SJR 12—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a)

of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Alana M. Barragan-Scott to the Administrative Hearing Commission, submitted to you on January 9, 2013. Lines 3 and 4 should be amended to read:

December 12, 2018, and until her successor is duly appointed and qualified; vice, Joseph Bindbeutel, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Patrick B. Harr to the Northwest Missouri State University Board of Regents, submitted to you on January 9, 2013. Lines 1, 2 and 3 should be amended to read:

Patrick B. Harr, Republican, 9A Faustiana Place, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2019, and until his successor is duly appointed and

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Student Representative to the University of Missouri Board of Curators, Amy Johnson and her father, David, Kansas City.

Senator Schmitt introduced to the Senate, Christine Jacobs, M.D., Sean Ragain, M.D., Ginger Fewell, M.D., and Megan Stock, M.D., representatives of Saint Louis University Family Medicine.

Senator Schmitt introduced to the Senate, the Physician of the Day, Dr. John Hagen, Ballwin.

On behalf of Senator Wallingford and himself, the President introduced to the Senate, Madison County Commissioner, Bob Mooney, Fredericktown.

Senator Rupp introduced to the Senate, his parents, Chester and Eleanor, St. Charles.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—THURSDAY, JANUARY 17, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 56-Munzlinger	SB 86-Keaveny
SB 57-Romine	SB 87-Schaaf
SB 58-Romine	SB 88-Schaaf
SB 59-Rupp	SB 89-Munzlinger
SB 60-Rupp	SB 90-McKenna
SB 61-Keaveny	SB 91-Justus
SB 62-Keaveny	SB 92-Justus
SB 63-Schmitt	SB 93-Justus
SB 64-Dixon	SB 94-Justus
SB 65-Dixon	SB 95-Justus
SB 66-Dixon	SB 96-Justus
SB 67-Dixon	SB 97-Schaefer
SB 68-Parson	SB 98-Schaefer
SB 69-Keaveny	SB 99-Keaveny
SB 70-Munzlinger	SB 100-Keaveny
SB 71-Parson	SB 101-Wasson
SB 72-Schaefer	SB 102-Kraus
SB 73-Schaefer	SB 103-Kraus
SB 74-Richard	SB 104-Kraus
SB 75-Brown	SB 105-Brown
SB 76-Brown	SB 106-Brown
SB 77-Lamping	SB 107-Lamping
SB 78-Lamping	SB 108-Kraus
SB 79-Lamping	SB 109-Brown
SB 80-Romine	SB 110-Brown
SB 81-Schaefer	SB 111-Emery
SB 82-Schaefer	SB 112-Rupp and Richard
SB 83-Parson	SB 113-Schmitt
SB 84-Rupp	SB 114-Schmitt
SB 85-McKenna	SB 115-Schmitt

SB 116-Kraus	SB 143-Walsh
SB 117-Kraus	SB 144-Walsh
SB 118-Kraus	SB 145-Walsh
SB 119-Emery	SB 146-Schaaf
SB 120-Schmitt	SB 147-Wasson
SB 121-Schaefer	SB 148-Wasson
SB 122-Schaefer	SB 149-Keaveny
SB 123-Chappelle-Nadal	SB 150-Munzlinger, et al
SB 124-Chappelle-Nadal	SB 151-Curls
SB 125-Nasheed	SB 152-Curls
SB 126-Sater	SB 153-Curls
SB 127-Sater	SB 154-Richard
SB 128-Sater	SB 155-Nasheed
SB 129-Sater	SB 156-Sater
SB 130-Schaefer	SB 157-Sater
SB 131-Nasheed	SB 158-Sater
SB 132-Keaveny	SB 159-Schmitt, et al
SB 133-Keaveny	SJR 3-Schaefer
SB 134-Sater	SJR 4-Lamping
SB 135-Sater	SJR 5-Lamping
SB 136-Sater	SJR 6-Kraus
SB 137-Sater	SJR 7-Dixon
SB 138-Kraus	SJR 8-Dixon
SB 139-Kehoe	SJR 9-Emery
SB 140-Brown	SJR 10-Nasheed
SB 141-Dempsey	SJR 11-Curls
SB 142-Sifton	SJR 12-Sater

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 2-Richard

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Journal of the Senate

FIRST REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 17, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Lord...Thou art my God. My times are in thy hand.” (Psalm 31: 17-18)

Wondrous God, You have given us the gift of time so teach us to use it wisely. And as we look at the months ahead help us to set aside a generous portion of each week for our families, our deeds of service and especially time with You our God. Teach us to budget each day so that it may be used efficiently and be fruitful and to this end live life as You desire it for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Justus—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 53, regarding the 2012 Kansas City Mixed Martial Arts

Fighter of the Year, Danny Klick, which was adopted.

Senator Munzlinger offered Senate Resolution No. 54, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Grover A. Gamm, Ewing, which was adopted.

Senator Holsman offered Senate Resolution No. 55, regarding Odell Eugene Bynum, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 56, regarding Nicholas Paul “Nick” Cianciolo, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 57, regarding Brendan Guy Beebe, Kansas City, which was adopted.

Senator Richard offered Senate Resolution No. 58, regarding Anum Ahmed, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 59, regarding Taylor Vaughn, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 60, regarding Libby Shannon, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 61, regarding Elizabeth Burken, Carthage, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 62

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2013, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, hereby grant the adult leaders and participants of the Seventy-second Session of the Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 26, 2013, from 9:00 a.m. to 12:30 p.m.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 62** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 62** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 63

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of

the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, September 28, 2013 for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 63** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 63** was adopted.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 64

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that Senate Rule 44 be amended to read as follows:

“Rule 44. Beginning on July first of each year, members and members-elect may deposit bills and joint resolutions for the next regular session with the secretary of the senate at any time. The secretary shall hold the bills and joint resolutions so deposited in the order filed. After the close of business on December first, the secretary shall assign numbers to bills and joint resolutions deposited in that office by seniority of the member first signing the measure, with a limit of three bills or joint resolutions per rotation of the seniority list from the total number of measures deposited. All measures deposited through December first shall stand as pre-filed without further action by the member or member-elect. At the close of business on each day thereafter until the opening day of the session, bills and joint resolutions received during the day shall be assigned numbers in the [same manner, that is, by seniority from the total number of measures filed each day, with a limit of three bills or joint resolutions per rotation of the seniority list] **order in which the bill or joint resolution is filed with the secretary.**

Once filed, bills and joint resolutions shall not be changed except to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitutions be made therefor. Any bill may be withdrawn but the number shall not be reassigned once a number has been given.

Seniority for the purposes of this rule shall be determined as follows:

- (1) Continuous senate service;
- (2) In the case of equal continuous senate service, majority party members shall have seniority over minority party members;
- (3) In the case of equal continuous senate service by members of the same party, prior non-continuous senate service;
- (4) In the case of equal continuous and prior non-continuous senate service by members of the same party, prior house service;
- (5) In the case of equal continuous and equal prior non-continuous senate service and equal prior house service by members of the same party, seniority shall be determined by the caucus of that party.”.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 65

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that Senate Rule 82 be amended to read as follows:

“Rule 82. If the question in debate contains several points, any senator may have it divided if it comprehends propositions in substance so distinct that by one being taken away a substantive proposition remains for the decision of the senate. On motion to strike out and insert, it shall not be in order to move for a division of the question, but a rejection of the motion to strike out and insert a different proposition shall not prevent a subsequent motion simply to strike out, nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert. **If the question in debate is a bill or a substitute thereof, a request to divide the bill or substitute shall not be in order.**”.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 66

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that Senate Rule 80 be amended to

read as follows:

“Rule 80. No senator shall speak more than once on the same question without leave of the senate, unless he or she is the mover, proposer or introducer of the matter pending, in which case he or she shall be permitted to speak or reply, but not until every senator choosing to speak has spoken. After a senator has been recognized to close, no other senator is permitted to speak on the pending matter, except that in the case of a proposed amendment to a bill or resolution, the proponent of the amendment and the author of the bill or resolution to be amended may be interrogated, but, in the case of a bill or resolution, only the author of the bill or resolution may be interrogated. **If a senator fails to exercise his or her right to close, the motion and subject matter of said motion before the body are deemed to be withdrawn.**”

Senator Lager assumed the Chair.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 160—By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

SB 161—By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders.

SB 162—By Keaveny.

An Act to repeal sections 547.035, 547.037, 590.700, and 650.056, RSMo, and to enact in lieu thereof nine new sections relating to criminal procedure.

SB 163—By Kraus.

An Act to repeal sections 135.090, 135.155, 135.313, 135.327, 135.350, 135.352, 135.484, 135.535, 135.562, 135.630, 135.647, 135.679, 135.700, 135.750, 135.800, 135.967, 135.1150, 135.1180, 137.1018, 253.550, 253.557, 253.559, 348.430, 348.432, 348.505, 447.708, and 620.1910, RSMo, and to enact in lieu thereof twenty-six new sections relating to tax credits, with an emergency clause for certain sections.

SB 164—By Walsh.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection, with penalty provisions.

SB 165—By Walsh.

An Act to amend chapter 389, RSMo, by adding thereto twelve new sections relating to regulation of contract carriers that transport railroad employees, with penalty provisions and an emergency clause.

SB 166—By Schaaf.

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

SB 167—By Sater and Wallingford.

An Act to repeal sections 195.070, 195.100, 208.152, 334.104, 335.016, 335.019, 335.046, 335.056, 335.066, 335.076, 335.086, and 338.198, RSMo, and to enact in lieu thereof twelve new sections relating

to nursing scope of practice.

SB 168—By Chappelle-Nadal.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to the use of student assessment data.

SB 169—By Chappelle-Nadal.

An Act to repeal section 164.151, RSMo, and to enact in lieu thereof two new sections relating to school district bond issuances, with an emergency clause.

SB 170—By Chappelle-Nadal.

An Act to repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to participation by members of public governmental bodies in roll call votes.

SB 171—By Chappelle-Nadal.

An Act to repeal section 160.400, RSMo, and to enact in lieu thereof one new section relating to charter school sponsors.

SB 172—By Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

SB 173—By Nasheed.

An Act to repeal sections 162.621 and 162.1100, RSMo, and to enact in lieu thereof two new sections relating to the board of education of the metropolitan school district.

SB 174—By Parson.

An Act to repeal sections 144.010, 144.030, and 144.605, RSMo, and to enact in lieu thereof three new sections relating to the determination of what are business activities within this state.

SB 175—By Wallingford.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to administration of abortion-inducing drugs.

SJR 13—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

SJR 14—By Schaefer, Munzlinger and Kehoe.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

REFERRALS

President Pro Tem Dempsey referred **SCR 2** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 56—Agriculture, Food Production and Outdoor Resources.

SB 57—Agriculture, Food Production and Outdoor Resources.

SB 58—Financial and Governmental Organizations and Elections.

SB 59—Small Business, Insurance and Industry.

SB 60—Small Business, Insurance and Industry.

SB 61—Governmental Accountability and Fiscal Oversight.

SB 62—Transportation and Infrastructure.

SB 63—Jobs, Economic Development and Local Government.

SB 64—Judiciary and Civil and Criminal Jurisprudence.

SB 65—Financial and Governmental Organizations and Elections.

SB 66—Governmental Accountability and Fiscal Oversight.

SB 67—Education.

SB 68—Small Business, Insurance and Industry.

SB 69—Seniors, Families and Pensions.

SB 70—Rules, Joint Rules, Resolutions and Ethics.

SB 71—Governmental Accountability and Fiscal Oversight.

SB 72—General Laws.

SB 73—Transportation and Infrastructure.

SB 74—Jobs, Economic Development and Local Government.

SB 75—General Laws.

SB 76—Small Business, Insurance and Industry.

SB 77—Seniors, Families and Pensions.

SB 78—Rules, Joint Rules, Resolutions and Ethics.

SB 79—Financial and Governmental Organizations and Elections.

SB 80—Financial and Governmental Organizations and Elections.

SB 81—Judiciary and Civil and Criminal Jurisprudence.

SB 82—Financial and Governmental Organizations and Elections.

SB 83—Jobs, Economic Development and Local Government.

SB 84—Judiciary and Civil and Criminal Jurisprudence.

SB 85—Commerce, Consumer Protection, Energy and the Environment.

SB 86—Seniors, Families and Pensions.

SB 87—Veterans' Affairs and Health.

SB 88—Veterans' Affairs and Health.

SB 89—Seniors, Families and Pensions.

SB 90—Jobs, Economic Development and Local Government.

SB 91—Jobs, Economic Development and Local Government.

SB 92—Rules, Joint Rules, Resolutions and Ethics.

SB 93—Jobs, Economic Development and Local Government.

SB 94—Financial and Governmental Organizations and Elections.

SB 95—Education.

SB 96—Judiciary and Civil and Criminal Jurisprudence.

SB 97—General Laws.

SB 98—Agriculture, Food Production and Outdoor Resources.

SB 99—Jobs, Economic Development and Local Government.

SB 100—Veterans' Affairs and Health.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 16, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Gary Romine to the Joint Committee on Education to replace Senator Jane Cunningham.

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 16, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following senators to the Joint Committee on Administrative Rules (JCAR):

- Senator Bob Dixon
- Senator Wayne Wallingford

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Drew Mreen, Kansas City.

The President introduced to the Senate, Sandy Patel, Marshall; and Brian Bunten, St. Charles.

Senator Keaveny introduced to the Senate, Carla Mash-Duncan and thirty-seven fourth grade students from New City School, St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, January 22, 2013.

SENATE CALENDAR

SEVENTH DAY—TUESDAY, JANUARY 22, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 101-Wasson	SB 118-Kraus
SB 102-Kraus	SB 119-Emery
SB 103-Kraus	SB 120-Schmitt
SB 104-Kraus	SB 121-Schaefer
SB 105-Brown	SB 122-Schaefer
SB 106-Brown	SB 123-Chappelle-Nadal
SB 107-Lamping	SB 124-Chappelle-Nadal
SB 108-Kraus	SB 125-Nasheed
SB 109-Brown	SB 126-Sater
SB 110-Brown	SB 127-Sater
SB 111-Emery	SB 128-Sater
SB 112-Rupp and Richard	SB 129-Sater
SB 113-Schmitt	SB 130-Schaefer
SB 114-Schmitt	SB 131-Nasheed
SB 115-Schmitt	SB 132-Keaveny
SB 116-Kraus	SB 133-Keaveny
SB 117-Kraus	SB 134-Sater

SB 135-Sater	SB 162-Keaveny
SB 136-Sater	SB 163-Kraus
SB 137-Sater	SB 164-Walsh
SB 138-Kraus	SB 165-Walsh
SB 139-Kehoe	SB 166-Schaaf
SB 140-Brown	SB 167-Sater and Wallingford
SB 141-Dempsey	SB 168-Chappelle-Nadal
SB 142-Sifton	SB 169-Chappelle-Nadal
SB 143-Walsh	SB 170-Chappelle-Nadal
SB 144-Walsh	SB 171-Chappelle-Nadal
SB 145-Walsh	SB 172-Chappelle-Nadal
SB 146-Schaaf	SB 173-Nasheed
SB 147-Wasson	SB 174-Parson
SB 148-Wasson	SB 175-Wallingford
SB 149-Keaveny	SJR 3-Schaefer
SB 150-Munzlinger, et al	SJR 4-Lamping
SB 151-Curls	SJR 5-Lamping
SB 152-Curls	SJR 6-Kraus
SB 153-Curls	SJR 7-Dixon
SB 154-Richard	SJR 8-Dixon
SB 155-Nasheed	SJR 9-Emery
SB 156-Sater	SJR 10-Nasheed
SB 157-Sater	SJR 11-Curls
SB 158-Sater	SJR 12-Sater
SB 159-Schmitt, et al	SJR 13-Chappelle-Nadal
SB 160-Pearce	SJR 14-Schaefer, et al
SB 161-Pearce	

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 64-Dempsey	SR 66-Dempsey
SR 65-Dempsey	

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 22, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I have taught you the way of wisdom. I have led you in the paths of uprightness. When you walk your step will not be hampered and if you run you will not stumble.” (Proverbs 4:11-12)

Gracious God, we remember Your servant, Martin Luther King, who walked in the path You led him to take to teach us to love one another and not let race or color or labels get in the way of doing what is right. Help each of us to continue along this path so our work here may help and direct all men and women to the path of righteousness and courage. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 17, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of former St. Louis Cardinal and Hall of Famer Stanley Frank “Stan the Man” Musial.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 67, regarding the Springfield chapter of the National Association for the Advancement of Colored People (NAACP), which was adopted.

Senator Kehoe offered Senate Resolution No. 68, regarding the late Oscar Darnell Dunbar, Jefferson City, which was adopted.

Senator Dempsey offered Senate Resolution No. 69, regarding Larry Jacobs, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 70, regarding the Fiftieth Anniversary of the University of Missouri-St. Louis, which was adopted.

Senator Holsman offered Senate Resolution No. 71, regarding Henry R. Bloch, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 72, regarding Pat Jordan, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 73, regarding Lynda Johnson, Lexington, which was adopted.

Senator Munzlinger offered Senate Resolution No. 74, regarding Mark Twain Cave, Incorporated, Hannibal, which was adopted.

Senator Holsman offered Senate Resolution No. 75, regarding Hufft Projects, LLC, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 76, regarding Prier Products, Inc., Grandview, which was adopted.

Senator Munzlinger offered Senate Resolution No. 77, regarding Silverlight Marketing Group, LLC, Moberly, which was adopted.

Senators Parson and LeVota offered Senate Resolution No. 78, regarding the late Herbert Eldon Zucca, Independence, which was adopted.

Senator Sater offered Senate Resolution No. 79, regarding Orlin Browning, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 80, regarding Hal VanDaGriff, Verona, which was adopted.

Senator Nasheed offered Senate Resolution No. 81, regarding Habitata Building Products, LLC, St. Louis, which was adopted.

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 82

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Twenty-third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that Senate Rule 25, be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, 7 members.
3. Committee on Appropriations, [10] 11 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, 10 members.
5. Committee on Education, 10 members.
6. Committee on Financial and Governmental Organizations and Elections, 10 members.
7. Committee on General Laws, 7 members.
8. Committee on Governmental Accountability and Fiscal Oversight, 7 members.
9. Committee on Gubernatorial Appointments, 10 members.
10. Committee on Jobs, Economic Development and Local Government, 10 members.
11. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
12. Committee on Progress and Development, 5 members.
13. Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.
14. Committee on Seniors, Families and Pensions, 7 members.
15. Committee on Small Business, Insurance and Industry, 7 members.
16. Committee on Transportation and Infrastructure, 7 members.
17. Committee on Veterans' Affairs and Health, 10 members.
18. Committee on Ways and Means, 10 members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Senator Pearce offered Senate Resolution No. 83, regarding Tristan Wendel, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 84, regarding Linda Ording, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 85, regarding Billie Winter, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 86, regarding Butterfield Youth Services, Marshall, which was adopted.

CONCURRENT RESOLUTIONS

Senator Walsh offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 3

Relating to recognition of September 26th as Mesothelioma Awareness Day
in Missouri

WHEREAS, mesothelioma is a rare form of cancer of the smooth lining of the chest, lungs, heart, and abdomen that is difficult to detect in its early stages and may be associated with many other conditions; however, when vital organs are involved or disease is identified outside of the operative field, surgery is no longer an option and patients are referred to chemotherapy or clinical trials; and

WHEREAS, approximately 2,500 to 3,000 cases of mesothelioma are reported annually in the United States, and because it occurs in such a small number of patients, mesothelioma is often referred to as an orphan disease, but the number of affected persons is steadily rising every year in North America, Europe, Australia, and Asia; and

WHEREAS, according to the American Cancer Society, mesothelioma is caused by exposure to asbestos fibers and characterized by a latency period that usually lasts for decades, although the exact method by which asbestos causes the disease is not known; and

WHEREAS, the American Cancer Society indicates that “most people who develop mesothelioma have worked on jobs where they inhaled asbestos particles, or have been exposed to asbestos dust and fibers in other ways, such as by washing the clothes of a family member who worked with asbestos, or by home renovation using asbestos products”; and

WHEREAS, due to the long period between exposure and diagnosis, mesothelioma results in a life expectancy of four to eighteen months after onset, and nearly 3,000 persons succumb to the disease each year; and

WHEREAS, to promote public awareness of the dangers of this deadly cancer and of asbestos exposure, the need for treatment protocols, and funding for research, Mesothelioma Awareness Day was started by Meso Foundation volunteers in 2004, and September 26th was designated as the day to (i) remember the victims of mesothelioma, (ii) publicize the dangers of asbestos exposure, (iii) offer hope for those who suffer with the disease today, and (iv) focus on and highlight the need for research support and a cure for mesothelioma; and

WHEREAS, on September 26th each year, citizens across the nation are encouraged to participate in CURE MESOTHELIOMA public awareness programs and events, and to sponsor or organize fundraising campaigns in the name of MESOTHELIOMA AWARENESS; and

WHEREAS, Mesothelioma Awareness Day provides an appropriate venue to communicate an important message to the public about this deadly cancer to ensure affected persons are accurately diagnosed and treated and connected to a support system:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate September 26th of every year as Mesothelioma Awareness Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 176—By Schmitt, Lamping, Walsh, McKenna, Rupp, Dempsey, Richard and Emery.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge, with a contingent effective date.

SB 177—By Schmitt.

An Act to repeal sections 115.123 and 115.755, RSMo, and to enact in lieu thereof two new sections relating to the date of the presidential primary.

SB 178—By Schaaf.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

SB 179—By Parson, McKenna and Richard.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for job creation for new home purchasers.

SB 180—By Kraus.

An Act to repeal section 34.074, RSMo, and to enact in lieu thereof one new section relating to service-disabled veteran business contracts.

SB 181—By Kraus.

An Act to repeal section 105.450, RSMo, section 105.456 as truly agreed to and finally passed by

conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof six new sections relating to ethics, with penalty provisions.

SB 182—By Kehoe, Wasson, Richard, Silvey, Lager, Dempsey and McKenna.

An Act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof two new sections relating to local taxes on motor vehicle sales, with an emergency clause.

SB 183—By Sater.

An Act to amend chapter 576, RSMo, by adding thereto one new section relating to the offense of unlawful search, with a penalty provision.

SB 184—By Sater.

An Act to repeal sections 452.075 and 452.370, RSMo, and to enact in lieu thereof two new sections relating to alimony and maintenance.

SB 185—By Sater.

An Act to repeal sections 210.125, 568.050, and 568.060, RSMo, and to enact in lieu thereof three new sections relating to substance abuse during pregnancy, with penalty provisions.

SB 186—By Brown.

An Act to repeal section 194.360, RSMo, and to enact in lieu thereof one new section relating to unclaimed veterans' remains.

SB 187—By Brown.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to protective headgear for operation of motorcycles or motortricycles, with existing penalty provisions.

SB 188—By Romine.

An Act to repeal section 632.498, RSMo, and to enact in lieu thereof one new section relating to petitions for conditional release of sexually violent predators.

SB 189—By Romine.

An Act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the failure to vacate leased premises in a rent and possession case, with penalty provisions.

SB 190—By Walsh.

An Act to amend chapter 290, RSMo, by adding thereto two new sections relating to mandatory wage reporting for the purposes of determining the prevailing wage.

SB 191—By Lamping.

An Act to repeal sections 386.170 and 386.180, RSMo, and to enact in lieu thereof two new sections

relating to the public service commission.

SB 192—By Lamping, Keaveny, Dempsey, Nieves, Rupp, Walsh and Kehoe.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge, with a contingent effective date.

SB 193—By Schaefer.

An Act to amend chapter 161, RSMo, by adding thereto two new sections relating to the education of gifted and talented children.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 17, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ann K. Covington, Independent, 1401 Torrey Pines Drive, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until her successor is duly appointed and qualified; vice, Craig Van Matre, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointment to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Dempsey referred **SR 64**, **SR 65** and **SR 66** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 22, 2013

Senator Tom Dempsey
President Pro Tem
Missouri State Capitol Building
201 W Capitol Ave., Room 326
Jefferson City, MO 65101

Senator Dempsey,

I respectfully request to be removed as a member of the Midwest Interstate Passenger Rail Commission.

I sincerely enjoyed my time on the Commission as it was a wonderful opportunity for me to learn more about passenger rail. I deeply value the knowledge I gained and look forward to following the Commission's future activities.

I highly recommend Senator David Pearce to serve as my replacement. During my time on the Commission, Senator Pearce served as an

alternate member. He was very engaged in the Commission's activities and I believe he would make an excellent representative on behalf of the Missouri Senate.

Please feel free to contact me should you have any questions.

Very Sincerely,
/s/ John Lamping
John Lamping

Also,

January 22, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator David Pearce to the following board:

- Midwest Interstate Passenger Rail Commission

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Senator Justus submitted the following:

January 22, 2013

Terry Spieler – Secretary of the Senate
Missouri State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Terry:

Under the provisions of section 42.007 RSMo, authority rests with me as Senate Minority Floor Leader to appoint a member of the Missouri Veterans Commission. Please let this correspondence serve as my appointment of Senator Scott Sifton to this Commission.

Sincerely,
/s/ Jolie Justus
Jolie Justus

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Duane and Pat Sterling, Warrensburg; and Gianinna Caceres, Panama.

Senator Libla introduced to the Senate, Avery Bourne, Pawnee, Illinois.

Senator Kraus introduced to the Senate, Kelsey Sullivan, Lee's Summit; and Rick Skubinna, Chicago, Illinois.

The President introduced to the Senate, former State Senator Charlie Shields, St. Joseph.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 23, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 101-Wasson	SB 131-Nasheed
SB 102-Kraus	SB 132-Keaveny and Holsman
SB 103-Kraus	SB 133-Keaveny and Holsman
SB 104-Kraus	SB 134-Sater
SB 105-Brown	SB 135-Sater
SB 106-Brown	SB 136-Sater
SB 107-Lamping	SB 137-Sater
SB 108-Kraus	SB 138-Kraus
SB 109-Brown	SB 139-Kehoe
SB 110-Brown	SB 140-Brown
SB 111-Emery	SB 141-Dempsey
SB 112-Rupp and Richard	SB 142-Sifton
SB 113-Schmitt	SB 143-Walsh
SB 114-Schmitt	SB 144-Walsh
SB 115-Schmitt	SB 145-Walsh
SB 116-Kraus	SB 146-Schaaf
SB 117-Kraus	SB 147-Wasson
SB 118-Kraus	SB 148-Wasson
SB 119-Emery	SB 149-Keaveny
SB 120-Schmitt	SB 150-Munzlinger, et al
SB 121-Schaefer	SB 151-Curls
SB 122-Schaefer	SB 152-Curls
SB 123-Chappelle-Nadal	SB 153-Curls
SB 124-Chappelle-Nadal	SB 154-Richard
SB 125-Nasheed	SB 155-Nasheed
SB 126-Sater	SB 156-Sater
SB 127-Sater	SB 157-Sater
SB 128-Sater	SB 158-Sater
SB 129-Sater	SB 159-Schmitt, et al
SB 130-Schaefer	SB 160-Pearce

SB 161-Pearce	SB 184-Sater
SB 162-Keaveny	SB 185-Sater
SB 163-Kraus	SB 186-Brown
SB 164-Walsh	SB 187-Brown
SB 165-Walsh	SB 188-Romine
SB 166-Schaaf	SB 189-Romine
SB 167-Sater and Wallingford	SB 190-Walsh
SB 168-Chappelle-Nadal	SB 191-Lamping
SB 169-Chappelle-Nadal	SB 192-Lamping, et al
SB 170-Chappelle-Nadal	SB 193-Schaefer
SB 171-Chappelle-Nadal	SJR 3-Schaefer
SB 172-Chappelle-Nadal	SJR 4-Lamping
SB 173-Nasheed	SJR 5-Lamping
SB 174-Parson	SJR 6-Kraus
SB 175-Wallingford	SJR 7-Dixon
SB 176-Schmitt, et al	SJR 8-Dixon
SB 177-Schmitt	SJR 9-Emery
SB 178-Schaaf	SJR 10-Nasheed and Walsh
SB 179-Parson, et al	SJR 11-Curls
SB 180-Kraus	SJR 12-Sater
SB 181-Kraus	SJR 13-Chappelle-Nadal
SB 182-Kehoe, et al	SJR 14-Schaefer, et al
SB 183-Sater	

INFORMAL CALENDAR

RESOLUTIONS

SR 82-Dempsey

To be Referred

SCR 3-Walsh

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Journal of the Senate

FIRST REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 23, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If any of you is lacking wisdom, ask God, who gives to all generously and ungrudgingly, and it will be given to you.” (James 1:5)

Heavenly Father, we pray that You speak through us every day so we let Your words speak volumes to those who depend on us to meet the various needs within this state. Grant to us wisdom to follow You faithfully and use this wisdom to help those we meet each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 87, regarding Kenneth Perkins, Boonville, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Representatives to act with a like committee from the Senate pursuant to **HCR 2**. Representatives: Elmer, Cornejo, McGaugh, Lichtenegger, Marshall, Gardner, Colona, Ellinger, Smith (85) and Englund.

On motion of Senator Richard, the Senate recessed to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Richard B. Teitelman, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Kinder.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford

Walsh—33

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

On roll call the following Representatives were present:

Present—Representatives

Allen	Anders	Anderson	Austin	Bahr	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Franklin	Frederick	Funderburk	Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer	Lichtenegger	Love	Lynch

Marshall	May	Mayfield	McCaherty	McCann Beatty McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely	Neth	Newman
Norr	Otto	Pace	Parkinson	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85	Smith 120	Solon
Spencer	Stream	Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr
						Mr. Speaker—152

Absent and Absent with Leave— Representatives

Barnes	Cross	Fraker	Frame	Hubbard	Jones (50)	Leara	Pfautsch
Webb—9							

Vacancies—2

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Richard B. Teitelman, escorted the Chief Justice to the dais where he delivered the State of the Judiciary Address to the Joint Assembly:

2013 State of the Judiciary

Chief Justice Richard B. Teitelman

Mr. Speaker, Mr. President, Mr. President Pro Tem, members of the General Assembly: Thank you for welcoming me here again this morning. I am humbled to stand before you today to deliver this 40th state of the judiciary address.

Before I begin, let's take a moment of silence to remember the great Stan "the Man" Musial, who not only was a great baseball player but also a humanitarian who treated everyone with graciousness and dignity.

I congratulate all of you – and especially the new legislators coming to Jefferson City for their first session – for your commitment to serving your fellow citizens. I want to offer particular congratulations to your new leaders: in the House, Speaker Tim Jones; Speaker Pro Tem Jason Smith; and Majority Floor Leader John Diehl; and in the Senate, President Pro Tem Tom Dempsey; and Majority Floor Leader Ron Richard.

I was struck by something President Pro Tem Dempsey said on the opening day of the legislative session. He observed that this remarkable state truly has been "the land of opportunity for so many." Like Sen. Dempsey, I too see Missouri as a land of opportunity, where people reach out to others and help them succeed.

I know my colleagues on the Supreme Court share my sentiments. Let me introduce success stories in their own right: Judges Mary Russell, Patty Breckenridge and Zel Fischer, all of whom practiced law in small firms in rural Missouri communities; Judge George Draper III, whose father – while serving as an assistant attorney general in the 1960s under Tom Eagleton – was refused service at restaurants here in Jefferson City; and Judge Laura Denvir Stith and our newest addition, Jefferson City native Judge Paul Wilson, both of whom learned the importance of public service at an early age from parents who were community leaders.

I remain grateful to have the opportunity to serve with such wonderful people who are so dedicated to serving the constitution and the people of Missouri.

Monday, as we celebrated the birth of Dr. Martin Luther King Jr., I thought of success stories here in Missouri. Stories like those beginning in 1920 with the election of Republican Rep. Walthall Moore and continuing through the 1960s with Sen. Theodore McNeal, Rep. DeVerne Calloway, Rep. Leon Jordan and Rep. Harold Holiday Sr.; through the 1970s with Rep. Orchid Jordan and Sen. Gwen Giles; and into the 1980s with Sen. Lee Vertis Swinton – men and women who, across generations, cast their votes in this great institution as Missouri's first black

legislators.

I also thought about Lloyd Gaines and Lucile Bluford, both of whom sought in the 1930s to become students at the University of Missouri. Their struggles helped lead to opportunities. In just the past decade, the university's enrollment of African-Americans alone has increased by more than 80 percent, and now, nearly 20 percent of the university's freshmen are minorities.

Truly, opportunities for success abound in Missouri. One more recent success story is that of Alice Conway, assistant general counsel at Monsanto.

She is remarkable for her educational achievements – she earned her Ph.D. in comparative literature at the same time as she earned her law degree from Washington University in St. Louis, she is a mezzosoprano who has studied at Julliard; and she has studied not only English but also French, German, Latin and Spanish literature.

She is all the more remarkable because she did all this reading in Braille, as she has been blind since infancy. Her mother translated many of her reading materials into Braille by hand. Alice now manages commercial and employment law issues for Monsanto.

We in the judiciary are doing what we can to create more opportunities for people in Missouri to gain access to our courts. Thanks largely to grant funding, we are providing interpreters as needed in all criminal, family, domestic and juvenile cases, and we now have a dedicated language-access point of contact for every county in the state.

At the Supreme Court, we are working to provide closed-captioning services for the oral arguments we stream online, and we will be providing informational brochures in Braille and audio files for the blind.

The judiciary's educational efforts are expanding statewide. We continue to welcome thousands of your constituents as visitors touring our beautiful Supreme Court Building. And we now have more than 125 individuals – business and civic leaders, teachers, lawyers, court staff, judges and others – volunteering their time to help educate our citizens about the role Missouri's courts serve in our outstanding system of government as well as the importance of the constitution and the laws.

One example of a local community coming together to get young people excited about these important issues is Houston, Texas – Missouri, that is. Former legislator and now Associate Circuit Judge Doug Gaston has engaged local leaders and high school students together in a "Constitution Project."

Much like we all have to work together, he has worked with the local police department, sheriff's office, newspapers, radio stations, lawyers, and, of course, school administrators and teachers to provide legal experience.

During this constitution project, students from four Texas County high schools spent part of their fall semester participating in a mock criminal case. Some students investigated the crime scene and analyzed the evidence, others reported in the local newspaper and radio stations about the progress of the investigation and case, and the rest served as prosecution and defense attorneys. The project helped them see first-hand how so many facets of our constitutional system of government work together.

Winners were chosen at the school and county level and awarded scholarships. Along with Judge Gaston and some of the local leaders who made the constitution project possible, we have several of the winners here with us today: county winners Brittany Scott and Nathan Poynter, both of Houston High School; and Houston High School winner Dusti Turner. Let's recognize them for their wonderful efforts.

This constitution project has been such a success that the members of the Supreme Court Committee on Civic Education – in partnership with the Missouri Highway Patrol, the Missouri Press Association, the Missouri Broadcasters Association and The Missouri Bar – hope to bring it to other local communities, eventually having a statewide competition.

As another statewide effort, the courts continue to try to make it easier and more affordable for people to file cases. The Supreme Court, all three districts of the court of appeals, and the circuit courts in Callaway and St. Charles counties are up and running in the Missouri eFiling System, and an additional 25 county circuit courts plan to join the eFiling System this year.

Although Judge Ray Price Jr. left the Court last summer to return to private practice, his legacy remains. Thanks largely to his commitment to being "smart," and not just "tough," about the way we deal with those in the criminal justice system, we now have treatment court divisions serving all but two of our 45 judicial circuits.

With a graduation rate exceeding 50 percent, Missouri now has more than 12,000 graduates who successfully have completed treatment court programs. In addition, nearly 600 drug-free babies have been born to treatment court participants.

One drug court graduate has received national recognition: Josh Palmer of Malden was featured in a nationwide meth-prevention media campaign sponsored by the Office of National Drug Control Policy. Josh's first encounter with meth at 17 spiraled into a full-blown addiction that eventually cost him his job, his house and the trust of his family. Through the drug court program in Dunklin County, Josh was able to beat his addiction and turn his life around. He now lives with his wife and children and works as a substance abuse counselor for youth in Hayti. Josh, will you please stand and be recognized?

Missouri's treatment courts are celebrating their 20th anniversary this year. One of the reasons we have drug courts in Missouri is because of the leadership of Albert Riederer – a former court of appeals judge and three-term Jackson County prosecutor – who died Dec. 27 after a courageous battle with cancer. While he was prosecutor, Albert spearheaded the effort to fund a drug court in Kansas City that was just the second in the country. One of his partners in this effort – Jim Nunnally, former administrator of the Jackson County “COMBAT” program to help fight drug abuse and drug-related crime – was honored earlier this month for his contribution to the development of the Jackson County drug court.

We appreciate everything that people like Albert and Jim have done for their community, their state and, indeed, the nation – as Missouri has become a national leader in drug courts. It has three “mentor courts” established as educational training sites for other drug courts throughout the country. And last fall, Jackson County's family drug court received a national award of excellence for being one of just five peer learning courts.

Because it brings positive change to Missourians and their communities, this model of providing treatment to certain nonviolent criminal offenders has moved beyond just drug courts. In 2010, your legislation made Missouri one of the first states in the nation to establish DWI courts.

And we now have three regional treatment courts serving the unique needs of our military veterans. One success story is Kennedy, who served in the Army in the 1980s and who, a decade later, fell into drug and alcohol abuse, leading to multiple arrests. Kennedy graduated from the St. Louis veterans treatment court this past September and now coordinates a computer clinic to help others in that program learn basic computer skills. The treatment court was his key to freedom from addiction and crime. Let's salute Kennedy, who is here with us today.

We also want to thank you in the legislative branch and those in the executive branch for working with the judiciary during the last year to implement meaningful reforms that make sentencing for nonviolent offenders more effective and our state safer.

We too can create amazing opportunities when we strive to follow the example of cooperation among the branches of government set by civic leaders such as Albert Riederer and our own longtime Supreme Court clerk, Tom Simon, who also died late last year.

These leaders, and so many more like them in Missouri, embody Dr. Martin Luther King's belief, drawn from the words of the prophet Amos, that we should not be satisfied until “justice rolls down like water and righteousness like a mighty stream.” And with students like those in Texas County embracing the ideals of justice laid out in our constitution, Missouri will be in good hands in the years to come.

I know all of us on the Court – and all of you here today – firmly believe in our state's motto – carved into the dais in this beautiful chamber – “Let the welfare of the people be the supreme law.” I am humbled to serve with you.

I know you all are very busy, but if you have the opportunity, please join us now for lunch, graciously provided by The Missouri Bar, downstairs in Hearing Room 3. For those who enjoyed the knishes last year, we are bringing more this year, and it also will give you a great opportunity to meet the Bar's new executive director, Sebrina Barrett.

Thank you. And God Bless America!

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Lager.

RESOLUTIONS

Senator Dempsey moved that **SR 82** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 82** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Rupp Sifton—2

Absent with leave—Senators—None

Vacancies—None

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 194—By Schaaf.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.315, 197.318, 197.325, 197.326, 197.330, 197.335, 197.340, 197.345, 197.355, 197.357, 197.366, and 197.367, RSMo, and to enact in lieu thereof fifteen new sections relating to certificate of need for long-term care facilities, with existing penalty provisions.

SB 195—By Keaveny.

An Act to repeal section 168.400, RSMo, and to enact in lieu thereof one new section relating to professional development programs for public schools.

SB 196—By Keaveny.

An Act to repeal section 361.160, RSMo, and to enact in lieu thereof two new sections relating to the examination of private trust companies and alternative dispute resolution for trust agreements.

SB 197—By Sater, Schaaf, Lamping and Brown.

An Act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and 199.270, RSMo, and to enact in lieu thereof twelve new sections relating to tuberculosis testing, with penalty provisions.

SB 198—By Chappelle-Nadal.

An Act to repeal section 191.807, RSMo, and to enact in lieu thereof one new section relating to the women, infants and children special supplemental food program.

SB 199—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SB 200—By Chappelle-Nadal.

An Act to amend chapter 170, RSMo, by adding thereto four new sections relating to violence prevention education in elementary and secondary schools.

SB 201—By Chappelle-Nadal.

An Act to repeal sections 191.765, 191.767, 191.769, 191.771, 191.775, and 191.776, RSMo, and to enact in lieu thereof six new sections relating to the Missouri indoor clean air act.

SB 202—By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence, with a penalty provision.

SB 203—By Chappelle-Nadal.

An Act to repeal sections 43.032, 67.307, 208.009, 285.309, 285.500, 285.503, 285.506, 285.512, 285.515, 285.525, 285.530, 285.535, 285.540, 285.543, 285.550, 285.555, 302.063, 302.720, 544.470, 577.675, 577.680, 578.570, and 650.475, RSMo, and to enact in lieu thereof two new sections relating to unauthorized and unlawfully present aliens.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Representatives to act with a like committee from the Senate pursuant to **HCR 1**. Representatives: Swan, Pfautsch, Hansen, Burlison, Gosen, McKenna, Frame, Morgan, Newman and Runions.

**SECOND READING OF
CONCURRENT RESOLUTIONS**

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 3—Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 88, regarding Mark Hall Cabinetry, Inc., Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 89, regarding Logboat Brewing Company, LLC, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 90, regarding Kemper Redevelopment Project, Boonville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, Brett and Jackie Euritt and their children, Ashley and Abbey, Lee's Summit; and Ashley and Abbey were made honorary pages.

Senator Sater introduced to the Senate, representatives of Missouri Nurses Association from around the state.

Senator Richard introduced to the Senate, Kathy Meyer, Overland; Janice Klimek, Warrensburg; Laura Osborn, St. Joseph; Sondra De Priest, Savannah; John Everst, Springfield; Bob Letterman, Lee's Summit; Nick Myers, Joplin; Linus Barnfield, Farmington; Christy Cabbage, Kansas City; and Jay Decker, Poplar Bluff, representatives of the Missouri Society of Certified Public Accountants.

Senator Dixon introduced to the Senate, Mary Byrne, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

NINTH DAY—THURSDAY, JANUARY 24, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 101-Wasson	SB 130-Schaefer
SB 102-Kraus	SB 131-Nasheed
SB 103-Kraus	SB 132-Keaveny and Holsman
SB 104-Kraus	SB 133-Keaveny and Holsman
SB 105-Brown	SB 134-Sater
SB 106-Brown	SB 135-Sater
SB 107-Lamping	SB 136-Sater
SB 108-Kraus	SB 137-Sater
SB 109-Brown	SB 138-Kraus
SB 110-Brown	SB 139-Kehoe
SB 111-Emery	SB 140-Brown
SB 112-Rupp and Richard	SB 141-Dempsey
SB 113-Schmitt	SB 142-Sifton
SB 114-Schmitt	SB 143-Walsh
SB 115-Schmitt	SB 144-Walsh
SB 116-Kraus	SB 145-Walsh
SB 117-Kraus	SB 146-Schaaf
SB 118-Kraus	SB 147-Wasson
SB 119-Emery	SB 148-Wasson
SB 120-Schmitt	SB 149-Keaveny
SB 121-Schaefer	SB 150-Munzlinger, et al
SB 122-Schaefer	SB 151-Curls
SB 123-Chappelle-Nadal	SB 152-Curls
SB 124-Chappelle-Nadal	SB 153-Curls
SB 125-Nasheed	SB 154-Richard
SB 126-Sater	SB 155-Nasheed
SB 127-Sater	SB 156-Sater
SB 128-Sater	SB 157-Sater
SB 129-Sater	SB 158-Sater

SB 159-Schmitt, et al	SB 188-Romine
SB 160-Pearce	SB 189-Romine
SB 161-Pearce	SB 190-Walsh
SB 162-Keaveny	SB 191-Lamping
SB 163-Kraus	SB 192-Lamping, et al
SB 164-Walsh	SB 193-Schaefer
SB 165-Walsh	SB 194-Schaaf
SB 166-Schaaf	SB 195-Keaveny
SB 167-Sater and Wallingford	SB 196-Keaveny
SB 168-Chappelle-Nadal	SB 197-Sater, et al
SB 169-Chappelle-Nadal	SB 198-Chappelle-Nadal
SB 170-Chappelle-Nadal	SB 199-Chappelle-Nadal
SB 171-Chappelle-Nadal	SB 200-Chappelle-Nadal
SB 172-Chappelle-Nadal	SB 201-Chappelle-Nadal
SB 173-Nasheed	SB 202-Chappelle-Nadal
SB 174-Parson	SB 203-Chappelle-Nadal
SB 175-Wallingford	SJR 3-Schaefer
SB 176-Schmitt, et al	SJR 4-Lamping
SB 177-Schmitt	SJR 5-Lamping
SB 178-Schaaf	SJR 6-Kraus
SB 179-Parson, et al	SJR 7-Dixon
SB 180-Kraus	SJR 8-Dixon
SB 181-Kraus	SJR 9-Emery
SB 182-Kehoe, et al	SJR 10-Nasheed and Walsh
SB 183-Sater	SJR 11-Curls
SB 184-Sater	SJR 12-Sater
SB 185-Sater	SJR 13-Chappelle-Nadal
SB 186-Brown	SJR 14-Schaefer, et al
SB 187-Brown	

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Journal of the Senate

FIRST REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 24, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The family fireside is the best of schools.” (Arnold Glassgow)

Heavenly Father, we complete another shortened week and are grateful for Your guidance during our time here. After we complete our work watch “our going out and our coming in” so we arrive safely home. And let us return home to our families and find time to share and make use of teachable moments so that each of us may learn from You through the gift of others in our lives. Bless our time there and help us make the best use of it. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 91, regarding Maxwell Thomas “Max” Burson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 92, regarding Green Field Energy Group, Incorporated, Lone Jack, which was adopted.

Senator Pearce offered Senate Resolution No. 93, regarding Alexander Joseph Burson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 94, regarding Douglas Wilkins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 95, regarding Ryan Orr, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 96, regarding Michael Joseph Nimmer, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 97, regarding Riley Jacob Stevenson Cox, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 98, regarding Joab M. Smart, Osceola, which was adopted.

Senator Pearce offered Senate Resolution No. 99, regarding Tim Russell, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 100, regarding Mason C. Barry, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 101, regarding Blake D. Lowry, which was adopted.

Senator Libla offered Senate Resolution No. 102, regarding Jana Flannigan, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 103, regarding Brown Construction Company, Incorporated, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 104, regarding Smith’s Properties, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 105, regarding Kenady-Hanks American Legion Post #59, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 106, regarding Gateway Shoes, LLC, Dexter, which was adopted.

Senator Kraus offered Senate Resolution No. 107, regarding Stonehaus Farms Vineyard and Winery, Lee’s Summit, which was adopted.

Senator Sifton offered Senate Resolution No. 108, regarding the city of Webster Groves, which was adopted.

Senator Lager offered Senate Resolution No. 109, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Wilson, Chillicothe, which was adopted.

Senator Wallingford offered Senate Resolution No. 110, regarding The Printing Company, which was adopted.

Senator Wallingford offered Senate Resolution No. 111, regarding Hendrickson Business Advisors, LLC, which was adopted.

Senator Wallingford offered Senate Resolution No. 112, regarding Maurice R. Sandfort, Cape Girardeau, which was adopted.

Senator Cunningham offered Senate Resolution No. 113, regarding C & M Contractors, Incorporated, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 114, regarding Henson Enterprises, Inc., West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 115, regarding Eco-Recovery, LLC, West Plains, which was adopted.

Senator Kraus offered Senate Resolution No. 116, regarding Lee's Summit North High School Air Force Junior Reserve Officer Training Corps Armed Color Guard team, which was adopted.

Senator Kraus offered Senate Resolution No. 117, regarding Randy Dowell, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 118, regarding James F. Freeman, III, which was adopted.

Senator LeVota offered Senate Resolution No. 119, regarding Milbank Manufacturing Co., Kansas City, which was adopted.

Senator Lager offered Senate Resolution No. 120, regarding the 2012-2013 Northwest Missouri State University Bearcat Cheer Squad, which was adopted.

Senator Lager offered Senate Resolution No. 121, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerry Dice, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 122, regarding the Fiftieth Wedding Anniversary of Dr. and Mrs. Gary Powell, Rock Port, which was adopted.

Senator Lager offered Senate Resolution No. 123, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Wheeler, Climax Springs, which was adopted.

Senator Lager offered Senate Resolution No. 124, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Stevens, New Hampton, which was adopted.

Senator Lager offered Senate Resolution No. 125, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lewis George Messner, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 126, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dean Johnson, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 127, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. George Ohlberg, Hamilton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 128, regarding the One Hundredth Birthday of Lenore Darr, Memphis, which was adopted.

Senator Kehoe offered Senate Resolution No. 129, regarding the One Hundredth Birthday of Alma Selma Goldammer Sommerer, Jefferson City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 204—By Brown.

An Act to repeal section 135.305, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wood energy procedures.

SB 205—By Sater.

An Act to amend chapter 453, RSMo, by adding thereto one new section relating to foster children.

SB 206—By Schaaf.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state exercise.

SB 207—By Kehoe, Richard, Dempsey, Cunningham, Munzlinger, Schaefer, Walsh, Lager, Sater, McKenna, Schaaf, Sifton, Dixon, Emery, Curls, Wasson and Chappelle-Nadal.

An Act to amend chapter 393, RSMo, by adding thereto two new sections relating to ratemaking for public utilities.

SB 208—By Justus and McKenna.

An Act to repeal section 211.036, RSMo, and to enact in lieu thereof one new section relating to reentry into the custody of the children's division.

SB 209—By Justus.

An Act to amend chapter 174, RSMo, by adding thereto one new section relating to higher education tuition policy, with an emergency clause.

SB 210—By Lamping and Nieves.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the Common Core Standards Initiative.

SB 211—By Rupp.

An Act to amend chapter 167, RSMo, by adding thereto nine new sections relating to the management of diabetes in elementary and secondary schools.

CONCURRENT RESOLUTIONS

Senators Schmitt, Lamping and Chappelle-Nadal offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 4

WHEREAS, the elementary and secondary education foundation formula has not been fully funded since fiscal year 2009 and school districts have not received the amount of funding to which they are entitled, leading to inequities of funding amongst districts; and

WHEREAS, the lack of full funding has resulted in all districts receiving a cut in state funding; and

WHEREAS, the lack of full funding has resulted in hold harmless districts receiving a cut in their state funding even though statute provides that their state funding not fall below a specified level; and

WHEREAS, it is essential that the General Assembly reexamine the existing formula for funding elementary and secondary education to ensure that the state's resources are being put to the use that best benefits the citizens of Missouri and all school districts:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish a Joint Interim Committee on Funding for Elementary and Secondary Education; and

BE IT FURTHER RESOLVED that the Committee shall be charged with the following:

1. Examining the current elementary and secondary education foundation formula; and
2. Studying the impact of cuts to the foundation formula on hold harmless school districts; and
3. Studying how other states fund elementary and secondary education and how they have addressed elementary and secondary education budgets during difficult fiscal times; and
4. Identifying ways in which the foundation formula might be improved; and
5. Reporting its recommendations to the President Pro Tempore of the Senate and the Speaker of the House of Representatives by January 8, 2014; and
6. Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Committee shall be composed of ten members, three majority party members, and two minority party members of the Senate, to be appointed by the President Pro Tempore of the Senate, and three majority party members and two minority party members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the First and Second Regular Sessions of the Ninety-seventh General Assembly; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, political subdivisions of this state, and the general public; and

BE IT FURTHER RESOLVED that the staffs of Senate Appropriations, Senate Research, House Appropriations, House Research, the Joint Committee on Education and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

Senator Lamping offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, under federal Medicaid law, states are required to make disproportionate share hospital (DSH) payments to hospitals for providing health care to a vast number of low-income patients in an attempt to make up for financial losses by hospitals that do not receive payment for services rendered to uninsured patients and because Medicaid provider payment rates are far lower than those payments received by private insurance; and

WHEREAS, also under federal Medicaid law, the federal government reimburses states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage and each state receives an annual DSH allotment; and

WHEREAS, Missouri hospitals reported providing \$1.1 billion in uncompensated care to Missourians in 2011; and

WHEREAS, under the Affordable Care Act (ACA) of 2010, states are mandated to expand Medicaid eligibility for persons with incomes up to 133% of the federal poverty level; however, in June 2012, the United States Supreme Court found such mandate impermissible and now allows each state to decide whether to implement such a Medicaid expansion; and

WHEREAS, under the ACA, under the assumption at the time the law passed that all states were to implement the Medicaid expansion, the federal government is required to reduce more than \$22 billion in DSH payments from 2014 to 2022; and

WHEREAS, Missouri is expected to suffer cuts to DSH hospital payments in the amount of \$3.3 billion from 2013 to 2020; and

WHEREAS, the federal cuts to DSH hospital payments are set to occur regardless of whether a state has elected to implement the Medicaid expansion under the ACA - a decision the United States Supreme Court found each state has a right to pursue; and

WHEREAS, Missouri hospitals have reported that it will be an “unsustainable situation for hospitals” to absorb more than \$1 billion annually in uncompensated care while facing \$3.3 billion in cuts:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the federal government to continue to reimburse states for a portion of the state’s Medicaid DSH expenditures based on each state’s federal medical assistance percentage for those states that have chosen not to implement the Medicaid expansion; and

BE IT FURTHER RESOLVED that Governor Nixon work with the federal government to ensure that the reduction to such DSH payments do not occur; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the federal Department of Health and Human Services, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

Senator Justus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 6

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women’s Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

William P. Kenney and Stephen Stoll, as members of the Public Service Commission;

Also,

Stephen M. Kenny, as a member of the Missouri Real Estate Commission;

Also,

Charles R. Wooten, as a member of the Missouri Veterans' Commission;

Also,

Dushyanthi A. Mullegama, as a member of the State Committee for Social Workers;

Also,

Charles W. Shields, Republican, as a member of the State Board of Education;

Also,

Victor E. Callahan, Democrat, as a member of the State Tax Commission;

Also,

Christopher G. Halliday, as a member of the Higher Education Loan Authority of the State of Missouri;

Also,

Rhonda J. Wood, as a member of the Committee for Professional Counselors;

Also,

J. Scott Christianson, Democrat, as a member of the Linn State Technical College Board of Regents;
and

Suzette Forbis, as a member of the Missouri State Foster Care and Adoption Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Also,

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Douglas E. Nelson, as Commissioner of Administration, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Schaefer moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment.

At the request of Senator Schaefer, the above motion was withdrawn.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which were referred **SB 20**, **SB 15** and **SB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 10** and **SB 25**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 47**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 48**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe assumed the Chair.

RE-REFERRALS

President Pro Tem Dempsey re-referred **SB 100** to the Committee on Seniors, Families and Pensions.

President Pro Tem Dempsey re-referred **SB 29** to the Committee on Governmental Accountability and Fiscal Oversight.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 101—General Laws.

SB 102—Commerce, Consumer Protection, Energy and the Environment.

SB 103—Jobs, Economic Development and Local Government.

SB 104—Transportation and Infrastructure.

SB 105—Judiciary and Civil and Criminal Jurisprudence.

SB 106—Veterans' Affairs and Health.

SB 107—Seniors, Families and Pensions.

SB 108—Transportation and Infrastructure.

SB 109—Veterans' Affairs and Health.

SB 110—Veterans’ Affairs and Health.

SB 111—Judiciary and Civil and Criminal Jurisprudence.

SB 112—Jobs, Economic Development and Local Government.

SB 113—Judiciary and Civil and Criminal Jurisprudence.

SB 114—General Laws.

SB 115—Small Business, Insurance and Industry.

SB 116—Financial and Governmental Organizations and Elections.

SB 117—Veterans’ Affairs and Health.

SB 118—Judiciary and Civil and Criminal Jurisprudence.

SB 119—Financial and Governmental Organizations and Elections.

SB 120—Jobs, Economic Development and Local Government.

SB 121—Commerce, Consumer Protection, Energy and the Environment.

SB 122—Judiciary and Civil and Criminal Jurisprudence.

SB 123—Jobs, Economic Development and Local Government.

SB 124—General Laws.

SB 125—Education.

SJR 3—Appropriations.

SJR 4—Financial and Governmental Organizations and Elections.

SJR 5—Governmental Accountability and Fiscal Oversight.

SJR 6—Financial and Governmental Organizations and Elections.

SJR 7—Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 110**, entitled:

An Act to repeal sections 21.110, 28.190, 29.280, 30.030, 30.060, 30.070, 30.080, 78.090, 105.030, 105.040, 105.050, 115.123, 115.365, 115.601, and 115.755, RSMo, and to enact in lieu thereof sixteen new sections relating to vacancies and time limits for certain offices, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 11:30 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SR 64**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 65**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 66**, begs leave to report that it has considered the same and recommends that the resolution do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Resolution No. 66, as it appears on Page 99 of the Senate Journal for Thursday, January 17, 2013, Line 6 of said journal page, by striking the word “fails” and inserting in lieu thereof the following: **“refuses”**.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 130, regarding Rockridge Group, LLC, Springfield, which was adopted.

Senator Holsman offered Senate Resolution No. 131, regarding Farmland Foods-Martin City Sustainability Team, which was adopted.

COMMUNICATIONS

Senator Justus submitted the following:

January 23, 2013

Terry Spieler – Secretary of the Senate
Missouri State Capitol, Room 325
Jefferson City, Missouri 65101

Pursuant to the provisions of section 287.610.9(2), I am vested with the authority to appoint one member of the Administrative Law Judge Review Committee. Please let this correspondence serve as my appointment of the following individual to that committee.

Mike Louis
227 Jefferson Street
Jefferson City, Missouri 65101

If there are any questions, please do not hesitate to contact my office.

Sincerely,
/s/ Jolie Justus
Jolie Justus

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Sarah Pauley, Trenton.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 28, 2013

SENATE CALENDAR

TENTH DAY—MONDAY, JANUARY 28, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 126-Sater	SB 152-Curls
SB 127-Sater	SB 153-Curls
SB 128-Sater	SB 154-Richard
SB 129-Sater	SB 155-Nasheed
SB 130-Schaefer	SB 156-Sater
SB 131-Nasheed	SB 157-Sater
SB 132-Keaveny and Holsman	SB 158-Sater
SB 133-Keaveny and Holsman	SB 159-Schmitt, et al
SB 134-Sater	SB 160-Pearce
SB 135-Sater	SB 161-Pearce
SB 136-Sater	SB 162-Keaveny
SB 137-Sater	SB 163-Kraus
SB 138-Kraus	SB 164-Walsh
SB 139-Kehoe	SB 165-Walsh
SB 140-Brown	SB 166-Schaaf
SB 141-Dempsey	SB 167-Sater and Wallingford
SB 142-Sifton	SB 168-Chappelle-Nadal
SB 143-Walsh	SB 169-Chappelle-Nadal
SB 144-Walsh	SB 170-Chappelle-Nadal
SB 145-Walsh	SB 171-Chappelle-Nadal
SB 146-Schaaf	SB 172-Chappelle-Nadal
SB 147-Wasson	SB 173-Nasheed
SB 148-Wasson	SB 174-Parson
SB 149-Keaveny	SB 175-Wallingford
SB 150-Munzlinger, et al	SB 176-Schmitt, et al
SB 151-Curls	SB 177-Schmitt

SB 178-Schaaf	SB 199-Chappelle-Nadal
SB 179-Parson, et al	SB 200-Chappelle-Nadal
SB 180-Kraus	SB 201-Chappelle-Nadal
SB 181-Kraus	SB 202-Chappelle-Nadal
SB 182-Kehoe, et al	SB 203-Chappelle-Nadal
SB 183-Sater	SB 204-Brown
SB 184-Sater	SB 205-Sater
SB 185-Sater	SB 206-Schaaf
SB 186-Brown	SB 207-Kehoe, et al
SB 187-Brown	SB 208-Justus and McKenna
SB 188-Romine	SB 209-Justus
SB 189-Romine	SB 210-Lamping and Nieves
SB 190-Walsh	SB 211-Rupp
SB 191-Lamping	SJR 8-Dixon
SB 192-Lamping, et al	SJR 9-Emery
SB 193-Schaefer	SJR 10-Nasheed and Walsh
SB 194-Schaaf	SJR 11-Curls
SB 195-Keaveny	SJR 12-Sater
SB 196-Keaveny	SJR 13-Chappelle-Nadal
SB 197-Sater, et al	SJR 14-Schaefer, et al
SB 198-Chappelle-Nadal	

HOUSE BILLS ON SECOND READING

HCS for HB 110

SENATE BILLS FOR PERFECTION

SBs 20, 15 & 19-Dixon, et al, with SCS	SB 47-Lamping, with SCS
SBs 10 & 25-Schmitt and Richard, with SCS	SB 48-Lamping

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SR 64-Dempsey	SR 66-Dempsey, with SCA 1
SR 65-Dempsey	

To be Referred

SCR 4-Schmitt, et al
SCR 5-Lamping

SCR 6-Justus

✓

Journal of the Senate

FIRST REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 28, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Human beings yearn for a world that reflects God’s will in many cases as strongly as they yearn for money or success.” (David Brooks)

Gracious God, we recognize that if we do not have a meaningful purpose for our lives, life will not have much zest and we will not be the people You intend for us to be. So we pray that we may see a Godly purpose in the work that we do here and we may have strength and joy to complete our work. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 24, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 132, regarding Allyson Doman, Kirksville, which

was adopted.

Senator Lager offered Senate Resolution No. 133, regarding Craig Scott Griswold, which was adopted.

Senator Kraus offered Senate Resolution No. 134, regarding The Wilson Group, Greenwood, which was adopted.

Senator Kraus offered Senate Resolution No. 135, regarding Magic Touch Cleaning, Inc., Lee's Summit, which was adopted.

Senator Silvey offered Senate Resolution No. 136, regarding Haley Brown, Liberty, which was adopted.

Senator Curls offered Senate Resolution No. 137, regarding the late Keith Lamar Williams, Kansas City, which was adopted.

Senator Schmitt offered Senate Resolution No. 138, regarding Robert Croghan, Sr., which was adopted.

Senator Schmitt offered Senate Resolution No. 139, regarding Vesta Johnson, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 140, regarding Sandy Washington, which was adopted.

Senator Schmitt offered Senate Resolution No. 141, regarding Terry Sibbitts, which was adopted.

Senator Schmitt offered Senate Resolution No. 142, regarding former State Senator Michael Gibbons, which was adopted.

Senator Wallingford offered Senate Resolution No. 143, regarding Fumatore di Sigaro, Cape Girardeau, which was adopted.

Senator Dempsey offered Senate Resolution No. 144, regarding the Honorable Len Pagano, Mayor of the City of St. Peters, which was adopted.

Senator Wallingford offered Senate Resolution No. 145, regarding Wyatt Blattel, which was adopted.

Senator Justus offered Senate Resolution No. 146, regarding Robby Miller, Mexico, which was adopted.

Senator Justus offered Senate Resolution No. 147, regarding Sherry Jenkins, Callaway County, which was adopted.

Senator Schaefer offered Senate Resolution No. 148, regarding Casey Hulshof, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 149, regarding Elizabeth Meyer, Columbia, which was adopted.

Senator Lager offered Senate Resolution No. 150, regarding Giant Model Products, Lathrop, which was adopted.

Senator Sifton offered Senate Resolution No. 151, regarding Lawrence Fabric & Metal Structures, Inc., St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 152, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Louie Diebold, Clinton, which was adopted.

Senator Kraus offered Senate Resolution No. 153, regarding Travis Theron Pratt, Blue Springs, which was adopted.

Senator Walsh offered Senate Resolution No. 154, regarding former State Senator Timothy P. Green, Spanish Lake, which was adopted.

Senator Walsh offered Senate Resolution No. 155, regarding the American Heart Association Midwest Affiliate, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 212—By Cunningham.

An Act to repeal section 331.100, RSMo, and to enact in lieu thereof one new section relating to the state board of chiropractic examiners.

SB 213—By Kraus.

An Act to repeal sections 99.810, 99.848, and 99.1042, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing.

SB 214—By Silvey.

An Act to repeal sections 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 339.100, 375.1312, 556.036, 556.037, 556.061, 558.018, 558.026, 559.115, 559.117, 566.020, 566.030, 566.040, 566.060, 566.070, 566.090, 566.093, 566.095, 566.100, 566.224, 566.226, 589.015, 590.700, 595.220, and 632.480, RSMo, and to enact in lieu thereof thirty-two new sections relating to crime, with penalty provisions.

SB 215—By Silvey.

An Act to repeal sections 86.900, 86.1000, 86.1010, 86.1030, 86.1100, 86.1110, 86.1150, 86.1180, 86.1210, 86.1220, 86.1230, 86.1240, 86.1250, 86.1270, 86.1310, 86.1420, 86.1500, 86.1530, 86.1540, 86.1580, 86.1590, 86.1610, and 86.1630, RSMo, and to enact in lieu thereof twenty-five new sections relating to Kansas City police retirement systems.

SB 216—By Silvey.

An Act to repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity.

SB 217—By LeVota.

An Act to repeal section 301.301, RSMo, and to enact in lieu thereof one new section relating to the replacement of stolen license plate tabs.

SB 218—By LeVota.

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof two new sections relating to the display of the Honor and Remember flag at state buildings and state parks.

SB 219—By Sater.

An Act to repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to the scope of practice for physician assistants.

SB 220—By Lamping.

An Act to repeal sections 143.011, 143.021, and 149.015, RSMo, and to enact in lieu thereof three new

sections relating to taxation, with a referendum clause.

SB 221—By Lamping.

An Act to repeal sections 169.030, 169.070, 169.620, and 169.670, RSMo, and to enact in lieu thereof four new sections relating to teacher and school employee retirement systems, with existing penalty provisions and an emergency clause.

SB 222—By Lamping.

An Act to repeal sections 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, and 527.290, RSMo, and to enact in lieu thereof nineteen new sections relating to domestic violence, with existing penalty provisions.

SB 223—By Curls.

An Act to repeal sections 169.270, 169.291, 169.301, 169.324, and 169.350, RSMo, and to enact in lieu thereof five new sections relating to the public school retirement system of Kansas City.

SB 224—By Curls, Justus and Holsman.

An Act to repeal sections 84.480, 84.490, and 84.510, RSMo, and to enact in lieu thereof three new sections relating to the Kansas City police department.

SB 225—By Curls.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof two new sections relating to child support.

SB 226—By Schaefer.

An Act to repeal sections 631.005, 632.005, 632.150, 632.155, 632.300, 632.305, 632.325, 632.330, 632.335, 632.337, 632.340, 632.350, 632.355, 632.375, 632.380, 632.390, and 632.430, RSMo, and to enact in lieu thereof seventeen new sections relating to mental health services.

RESOLUTIONS

Senator Dempsey moved that **SR 64** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Dempsey, **SR 64** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

Senator Dempsey moved that **SR 65** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 65** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Chappelle-Nadal Schaaf—2

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

Senator Dempsey moved that **SR 66**, with **SCA 1**, be taken up for adoption, which motion prevailed. **SCA 1** was taken up.

Senator Dempsey moved that the above committee amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 66, as it appears on Page 99 of the Senate Journal for Thursday, January 17, 2013, Line 7 of said journal page, by inserting after the word “withdrawn.” the following: “**The preceding sentence of this rule shall be known as the Crowell Rule.**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 66, as it appears on Page 99 of the Senate Journal for Thursday, January 17, 2013, Line 7 of said journal page, by inserting after the word “withdrawn.” the following: “**The preceding sentence of this rule shall be known as the Jason Crowell Rule.**”.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Resolution No. 66, as

it appears on Page 1 of the Senate Journal for Thursday, January 17, 2013, Line 3 of said amendment, by inserting after the word “the” the following: “**Senator.**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf was recognized to close but refused.

Senator Schaefer raised the point of order under the provisions of Senate Rule 76, Senator Schaaf was no longer engaged in debate and therefore had relinquished the floor.

The point of order was referred to the President Pro Tem who ruled it well taken.

The motion to adopt **SA 1** was put by the Chair and was defeated.

SSA 1 for **SA 1** was again taken up.

At the request of Senator Schaaf, **SSA 1** for **SA 1** was withdrawn.

SA 1 was again taken up.

Senator Schaaf moved that **SA 1** be adopted, which motion failed on a standing division vote.

At the request of Senator Dempsey, his motion to adopt **SR 66**, as amended, was withdrawn.

Senator Dempsey moved that **SR 66**, as amended, be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 66**, as amended, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Chappelle-Nadal	Keaveny	Schaaf—3
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 20**, **SB 15** and **SB 19**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 20, 15** and **19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 20, 15 and 19

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof seven new sections relating to certain benevolent tax credits, with an emergency clause.

Was taken up.

Senator Dixon moved that **SCS** for **SBs 20, 15 and 19** be adopted.

Senator Dixon offered **SS** for **SCS** for **SBs 20, 15 and 19**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 20, 15 and 19

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof eight new sections relating to certain benevolent tax credits, with an emergency clause.

Senator Dixon moved that **SS** for **SCS** for **SBs 20, 15 and 19** be adopted.

Senator Silvey assumed the Chair.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 5, Section 135.327, Lines 11-12 of said page, by striking the following: “or after July 1, 2004, two million dollars of ” and inserting in lieu thereof the following: “**the effective date of this act**,”; and further amend line 12 of said page, by striking the word “allowed”; and further amend said line, by inserting immediately after the word “shall” the following: “**only**”;

Further amend said bill and section, page 6, line 7 of said page, by striking the word “three” and inserting in lieu thereof the following: “**two**”; and further amend line 9 of said page, by inserting immediately after “2004” an opening bracket “[”]; and further amend line 10 of said page, by striking the opening bracket “[”, the closing bracket “]” and the underlined language from said line; and further amend line 16 of said page, by inserting immediately after the word “initiated” a closing bracket “]”; and further amend line 21 of said page, by striking the following: “For all fiscal”; and further amend lines 22-26 of said page, by striking all of said lines; and

Further amend bill and section, page 7, line 4 of said page, by striking the following: “] 5.”; and further amend line 14 of said page, by striking the opening bracket “[”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 3, Section 135.090, Line 24 of said page, by inserting immediately after said line the following:

“135.326. As used in sections 135.325 to 135.339, the following terms shall mean:

(1) “Business entity”, person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this

state pursuant to chapter 153;

(2) “Handicap”, a mental, physical, or emotional impairment that substantially limits one or more major life activities, whether the impairment is congenital or acquired by accident, injury or disease, and where the impairment is verified by medical findings;

(3) “Nonrecurring adoption expenses”, reasonable and necessary adoption fees, court costs, attorney fees, and other expenses which are directly related to the legal adoption of a special needs child and which are not incurred in violation of federal, state, or local law;

(4) “Special needs child”, a child for whom it has been determined by the division of family services, or by a child-placing agency licensed by the state, or by a court of competent jurisdiction to be a child:

(a) That cannot or should not be returned to the home of his or her parents; and

(b) Who has a specific factor or condition such as [ethnic background,] age, membership in a [minority or] sibling group, medical condition, or handicap because of which it is reasonable to conclude that such child cannot be easily placed with adoptive parents, **except that ethnic background or membership in a minority group shall not be the sole factor for determining that a child who meets the requirement of paragraph (a) of this subdivision meets the requirements of this subdivision;**

(5) “State tax liability”, any liability incurred by a taxpayer under the provisions of chapter 143, chapter 147, chapter 148, and chapter 153, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265 and related provisions.”; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 20, SB 15 and SB 19**, with **SCS, SS** for **SCS** and **SA 2** (pending), were placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed to repair to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jay Nixon.

JOINT SESSION

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

On roll call the following Representatives were present:

Present—Representatives

Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn	Elmer	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr. Speaker—149			

Absent and Absent with Leave— Representatives

Allen	Diehl	Ellinger	Ellington	Engler	Gardner	Hubbard	Kirkton
Lichtenegger	Mims	Montecillo	Smith 85—12				

Vacancies—2

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

2013 STATE OF THE STATE ADDRESS
GOVERNOR JEREMIAH W. (JAY) NIXON
JANUARY 28, 2013

Thank you, President Pro Tem Dempsey, Speaker Jones, judges of the Missouri Supreme Court, Lieutenant Governor Kinder, state officials, members of the legislature, members of my cabinet, and my fellow Missourians.

This evening it is my pleasure to be joined by Missouri’s outstanding First Lady, Georganne Nixon, and our son Jeremiah.

Before I begin to lay out our state’s agenda for the year, I would like to thank the people of Missouri for the privilege of serving a second term as Governor. I am grateful for your continued trust and support, and the opportunity to lead our great state forward.

Looking around this chamber tonight, I see folks with different backgrounds, different ideologies, and different interests.

But whatever our small differences may be, we are united in a common purpose: to serve all the people of Missouri.

To make their lives better, and to make life better for our children and grandchildren.

These past four years, Missouri has weathered historic challenges – from nearly double-digit unemployment to the tornado in Joplin.

But together, we met each challenge with courage and conviction, and moved our state forward.

That makes me proud to be a Missourian. That makes me more optimistic than ever about our future.

Because the people of the Show-Me State know how to work together.

And once our minds are made up, nothing can stop us.

That's who we are. That's what we do.

Some who answer the call of service put their lives at risk to protect the lives of others.

They serve here at home whenever danger and disaster threaten. They serve in perilous outposts in every corner of the globe, to defend our freedom and liberty.

We call them heroes. They make us proud.

Last December, I again had the opportunity to visit our troops in Afghanistan and Kuwait.

One of them is with us tonight.

Sergeant Joseph Schicker served with the Guard's Agribusiness Development Team in Afghanistan. Just hours after his team arrived at their base, Taliban insurgents attacked.

In successfully repelling the attack, several Missouri Guardsmen, including Sergeant Schicker, were wounded. For his part in the battle, Sergeant Schicker received the Combat Infantry Badge and the Army Commendation Medal with Valor.

I personally had the honor of pinning Sergeant Schicker with the Purple Heart during the ADT's welcome home ceremony in September.

Sergeant Schicker, you represent every man and every woman who has ever fought to defend our great nation, in every era and on every field of battle.

Will you please stand, with all the members of our military past and present, and accept the heartfelt gratitude of your state.

In the last four years, we've overcome our share of challenges.

Missouri was hit by unprecedented natural disasters.

We came together to help our neighbors hit hard by twisters and ice storms, floods and drought.

In the grip of an historic recession, we did what every family in Missouri did: we tightened our belts and cut spending.

Together, we balanced the budget while holding the line on taxes.

We dramatically reduced the size of state government, while making it more efficient.

We protected our spotless Triple-A credit rating.

And unlike most states, we did it without reaching into taxpayers' wallets, or putting it on the credit card.

And you know what?

It worked.

And as a result, our economy is moving forward.

Last year, Missouri employers added more than 40,000 new jobs.

We're exporting more goods than ever before...Training more workers than ever before...And bringing Missouri's auto industry back to life.

Two weeks ago – on the day after my inauguration – I went back to Detroit to meet with auto suppliers and manufacturers.

We got our first good look at the Ford Transit, one of the fantastic new vehicles we're going to build right here in the Show-Me State.

A top Ford exec said that if we hadn't come together during that special session two years ago, the Claycomo plant would have closed.

That would have put those 4,000 workers out of a job, and pushed Missouri's auto industry to the brink.

Instead?

Automakers are investing more than \$1.5 billion in Missouri, creating thousands of jobs at the Ford plant in Claycomo, the GM plant in Wentzville, and suppliers in every corner of our state.

By coming together in that special session, we saved Missouri's auto industry.

So when the skeptics say that nothing gets done in this building, or when the press writes that the two parties can't come together, think of those workers and their families.

And remember that what we do here really matters.

And that same spirit is needed now more than ever, to keep Missouri moving forward.

Together, we've kept our fiscal discipline, and our economy is gaining ground.

We now have a unique opportunity to build a better future for our children.

We must seize it.

And nothing will have a greater impact on our children's future than the commitment we make now to their education.

So in my budget, we increase funding for education.

And we increase it by \$150 million.

- That's \$17 million more for early childhood education.
- That's \$34 million more for higher education;
- And that's \$100 million more for our K-12 classrooms.

Our children are our first priority.

They are Missouri's future.

Of course, with increased funding, come higher expectations.

We expect better test scores, better graduation rates, more college degrees and more Missourians ready to compete for the best jobs in a global economy.

We've all got to do better, and that means everybody: students and teachers; parents and principals; coaches and college presidents.

Increased funding means increased accountability.

We know the early years of a child's life are critical.

Over the past few weeks I've visited preschool classrooms in Greenville, Nixa, Parkway and St. Joseph – local communities committed to giving their kids a strong foundation for lifelong learning.

And the first official business of my second term was to meet with leaders in preschool education. We discussed ways to ensure that every young child comes to school ready to learn, and ready to succeed.

The clear consensus: early childhood education is a smart investment, with a big return.

We want every child, in every Missouri community – no matter their family's circumstances – to get the best possible start.

That is why, with an increase of \$17 million, we'll more than double funding for our Missouri Preschool Program, and put more money into programs like Early Head Start.

Tonight, we are fortunate to be joined by the St. Louis Pre-School Teacher of the Year, Linda Smith, of Dewey International School.

Joining her is St. Louis Public Schools Superintendent, Dr. Kelvin Adams.

Under Dr. Adams' strong leadership, the St. Louis schools have made steady progress over the past five years, as they work to earn full accreditation.

That kind of progress is only possible when everyone pulls together toward a shared goal.

Mrs. Smith and Dr. Adams, please stand. Thank you for the lifelong commitment you've made to our children.

In the past four years, our schools have made steady gains.

Math scores are up.

Reading scores are up.

And I'm proud to report that Missouri's high school graduation rate is now the seventh-highest in the nation.

But we must commit to even higher goals.

That's why my budget includes \$100 million in new funding for our K-12 classrooms.

We'll use it to train more teachers, modernize equipment, and lengthen the school year.

Right now, Missouri has the fourth-shortest school year in the nation.

Adding six more days to the next school year will give teachers more time to work with their students, and give kids more time to learn.

But we won't stop at K-12.

This year, we'll help even more Missouri families afford college.

That's been a top priority of mine since Day One.

On my watch, we led the nation in holding down the cost of tuition.

But the cost of college is still out of reach for too many Missouri families. And too many students who do attend college graduate with crushing debt.

That's why my budget includes more than \$75 million for our Access and Bright Flight scholarships.

And it increases funding for our A+ scholarships, which cover tuition and fees at all our public community colleges.

To qualify for an A+ scholarship, high school students must keep their grades up, have excellent attendance, and stay out of trouble.

Since I've been Governor, we've expanded the A+ program to 150 more schools.

But there are still schools that aren't part of the A+ program, so their students can't even apply for A+ scholarships.

That's unfair to these kids, and we're going to fix it.

This is the year we will expand our A+ scholarship program to every public high school in the state, so that every qualified student in this state has the opportunity to go to community college – tuition free.

The dream of a college education should be within reach for all Missouri families.

Because education is the best economic development tool there is.

While our colleges and universities are doing a great job, and graduating more students than ever before, we're also holding these schools to higher standards than ever before.

Two years ago, I convened a summit to lay out my agenda for higher education.

I challenged the leaders of all our public two- and four-year institutions to develop a new funding model – based on performance.

And that's what we did.

My budget includes an increase of \$34 million for higher education.

But instead of funding schools based merely on what they've received in the past, we'll tie new funding to specific performance goals – like increased student retention, higher graduation rates and improved learning.

We will achieve higher academic goals – with greater accountability.

Now, we've made it our mission to help more high school students graduate, go to college, complete their degrees and enter the workforce.

That's the traditional path. And I'm glad more students are taking it.

But there are nearly 750,000 Missourians who started college but never completed their degrees. They left school, got jobs, started families, moved on with their lives.

At this point, some of these folks may feel that going back to college is too expensive, or too hard to juggle with work and raising kids.

I want to change that and help these adult students finish the degrees they started years ago, so they can get better jobs and meet their full earning potential.

This year, we'll do more to help these adult students finish their degrees online, from an accredited university that's putting down new roots in Missouri.

Let me tell you about its history.

In 1995, 19 governors came together to provide a realistic option to help adult students complete their degrees at an affordable price.

They founded Western Governors University, a nonprofit institution that offers bachelors and masters degrees in four areas Missouri's employers are looking for: business, health care, teacher preparation and information technology.

It's designed to meet the needs of real people with real lives. You can take your tests after work, on weekends or at night, after the kids are asleep.

Instead of paying tuition by the credit hour, students can take as much coursework as they want for a flat rate. And how quickly you earn your degree depends on how quickly you master the subject matter: you advance at your own pace.

The point is that with today's technology, we can make it easier than ever for folks to finish their degrees without disrupting their lives, and help them move up the economic ladder.

In the past three years, Indiana Governor Mitch Daniels, and the states of Texas and Washington have established WGU in their states.

And starting this year, we will begin enrolling students at WGU-Missouri.

We'll be helping Missourians who never finished college, who are underemployed and who need degrees to move up, reach their full potential.

Now that's a mission we can all get behind.

Throughout state government, we've applied business principles to make the most efficient use of taxpayer dollars.

Cutting waste. Doing more with less. Making better use of technology.

And as a result, the state workforce is now the smallest it has been in 19 years.

From the time I became Governor to the end of Fiscal Year 2014, we will have reduced the size of state government by 4,500 positions, and cut \$1.8 billion in state spending.

We've sharply cut energy use, sold off surplus property and reduced leased space.

We've put more state services online – from license plates to child support.

And in addition to applying business principles to make state government more efficient, we must use those same principles to make government more business friendly.

Now, Missouri's already rated one of the Top-Ten best states to do business, because of things like our low tax rates, low workers comp rates, low energy costs and strong workforce.

But talk to small business owners and they'll tell you: there's still too much red tape. Too many bureaucratic hurdles.

We hear those concerns, and we're doing something about it.

First, we need to streamline Missouri's economic incentive programs – and there are a lot of them – so that they're easier to use and understand.

Second, we need to simplify our convoluted environmental permitting process.

Currently, business owners have to go to as many as six commissions at the Department of Natural Resources to get permits. And that's before they turn the first shovel of dirt.

We need to consolidate those commissions into one, to help businesses grow and create jobs.

And while we're at it, I propose that we eliminate another ten commissions at DNR that are redundant and unnecessary.

We can take common-sense steps to cut red tape for businesses – without backing off our commitment to protecting our air, land and water.

We also must address the Second Injury Fund.

This year, let's work together and solve this issue for the benefit of Missouri workers and employers.

In a highly competitive global economy, employers need access to a highly skilled, well-trained workforce.

That's why I've made it a top priority to give Missouri workers the skills they need to compete for the jobs of tomorrow.

Since I've been in office, we've dramatically increased our investment in worker training, helping 150,000 Missouri workers sharpen their skills and get better jobs in their field.

So once again, my budget increases funding for workforce training that's custom-tailored to the needs of Missouri employers.

Investing in Missouri workers' skills – that's real economic development.

But job training doesn't just happen in the classroom or on the work site.

Some of Missouri's best workers got their training serving us in the armed forces.

Helping our veterans get work when they come home is not only honorable and patriotic, it's good for Missouri businesses.

If you're looking for an employee who shows up early, stays late, works hard all day and knows how to overcome adversity – hire a veteran.

In 2010, we launched Show-Me Heroes. We've asked every employer in the state to reach out, recruit and interview veterans first for new job openings.

I'd like to thank all the legislators in this room who helped us strengthen this program by adding job training, so our veterans can re-enter the civilian workforce quickly and be even more successful on the job.

More than 2,700 employers have signed the Show-Me Heroes pledge, putting more than 4,000 of our proud Missouri veterans to work.

And tonight, again, I call on every Missouri business to go to our website – MO.gov – and take the Show-Me Heroes pledge.

Because it's not enough to honor and support our service members abroad.

We must honor and support them at home, with jobs that are worthy of their skills and work ethic.

For the third straight year, I am proud to report that we are shipping more Missouri goods around the world than ever before.

Missouri exports hit record levels in 2010, and topped the \$14 billion mark with double-digit growth in 2011.

And we're on track to break records again.

That's because we're taking a pro-active approach.

In October of 2011, I led a group of Missouri business leaders on a highly successful trade mission to China. We secured agreements to sell \$4.6 billion in Missouri goods.

In April of 2012, we went to Brazil, and signed our first-ever trade agreement with the state of Sao Paulo, the financial capital of one of the world's fastest-growing economies.

And this coming March, I will lead a trade mission to South Korea and Taiwan.

We're making this a priority because it's critical for every business in the state – no matter how small – to think globally.

Because companies that once only did business with customers around the corner are finding new customers around the world.

And when we sell more Missouri products overseas, we're creating more jobs here at home.

That's why my budget includes \$2.3 million to enter new markets, expand foreign trade, and help Missouri businesses develop a world-wide customer base.

One of our export superstars comes from one of Missouri's oldest family-owned businesses, Volpi Foods in St. Louis. Next time you are in

St. Louis, stop by their shop on The Hill.

Volpi is a prime example of a traditional business that with visionary new leadership has broken the mold. With the help of our departments of Agriculture and Economic Development, Volpi has doubled its exports in growing markets like Japan, South Korea, Taiwan and Costa Rica. Please welcome the CEO of Volpi Foods, Lorenza Pasetti.

There's no doubt that Missouri is ready to meet the challenges of a global economy.

But quite frankly, the biggest economic decision facing our state right now is how to move forward on health care.

This isn't the time to re-open the debate or reargue the merits of the President's health care plan. I had some problems with it, and I know many of you did as well.

But Congress passed it – the President signed it – and the Supreme Court upheld it.

It's the law of the land. And it's not within our power to rewrite federal laws, even if we wanted to.

It is within our power – it's our responsibility – to now do what's right for Missouri.

And the question before us is a narrow one.

Will we bring the tax-dollars that Missourians send to Washington back home to strengthen our Medicaid system here in Missouri?

Or will we let the tax dollars that Missourians send to Washington be spent in other states instead?

Other states would get the benefits, and we'd get the bill.

The answer is clear: the people of Missouri deserve to see their tax-dollars come back to their communities.

Friends, let's put the politics of health care aside for just a moment and look at this as a business decision for the state of Missouri.

The Missouri Chamber of Commerce supports the Medicaid expansion – not because they're big supporters of this President and his agenda – but because it's the smart thing to do.

They know that bringing billions of dollars back to Missouri is good for our state's economy.

The Kansas City Chamber of Commerce has endorsed the Medicaid expansion. So have the chambers in Independence, Springfield, Lee's Summit and St. Louis.

So have the Civic Council of Greater Kansas City, Kirksville REDI, and our friends at the Associated Industries of Missouri.

Would the leaders from these business organizations who have joined us tonight because of the importance of this issue please stand?

Thank you for your leadership on this critical issue.

For these business leaders, this is not a political decision. It's an economic one. And we shouldn't let last year's politics get in the way of next year's economic growth.

Moving forward with this plan will bring a total of \$5.7 billion to Missouri for the first three calendar years – at no additional cost to the state.

The University of Missouri estimates this will generate an additional 24,000 jobs – and that's just in 2014.

We're talking about good jobs – for nurses, doctors, pharmacists, therapists and medical technicians.

Strengthening Medicaid will strengthen our economy.

Without question, it's the smart thing to do.

Now I know there are some who have voiced concern that Washington will not live up to its commitment.

Let me address that directly: I support including a provision that rolls back the Medicaid expansion if Washington doesn't honor its financial commitment.

If Washington drops the ball, we'll do what's right for Missouri.

We'll always do what's right for Missouri.

And there's a human element to this that can't be ignored.

A stronger Medicaid system will make health care available to 300,000 of our friends and neighbors.

Let's be clear about who these people are.

They're working Missourians – folks who work day and night, but simply can't afford health coverage.

These are not people who aren't trying, or hoping to game the system.

They're folks we see every day – some holding down two jobs just to make ends meet.

We're talking about a family of four, with a household income of roughly \$32,000 a year.

They wait tables and clean office buildings. They cut hair and trim trees. They work in factories, and repair cars and trucks.

Making it easier for these hardworking Missourians to get basic health insurance is the right thing to do.

And because these folks can't afford doctors' bills or insurance, they often end up in our hospital emergency rooms, because it's the only option for their family.

In their shoes, you'd probably do the same thing.

It's a terrible way to deliver health care.

It drives up premiums for people who do have health insurance.

That must change.

I'm well aware this is a tough issue politically.

But across the country, we're seeing Governors and state legislators put politics aside to do what's undeniably best for their states.

Republican Governors in places like Arizona, North Dakota, New Mexico and Nevada are using federal funds to strengthen their Medicaid systems.

Not because it's the easy thing for them to do politically, but because it's the right thing to do.

Here in Missouri, we must make the smart business decision.

The right human decision.

And bring the tax dollars we send to Washington back to work here in Missouri.

On another health care front, in recent years we have seen the tragic consequences when people with serious mental illness don't get the help they need.

Right now, many people with severe mental illness only get treatment when they reach a crisis point. That's too late.

My budget includes \$10 million to help those with mental illness get timely, effective treatment in their own communities.

That money will be used to:

- Provide more services in our community mental health centers;
- Increase mental health first-aid training for professionals so they can recognize the early warning signs of mental illness.
- Train law enforcement in mental health crisis-intervention;
- And teach families how to care for loved ones who suffer from severe mental illness.

We must do everything in our power to get folks the treatment they need, before it's too late.

Each day in our state and across the country, tragedies occur that don't make headlines, and often don't get reported at all. I am talking about domestic violence.

Last year, our network of shelters for victims of domestic violence provided safe haven for thousands of women and children. But thousands of others were turned away because the shelters were full.

We know that battered women are at greatest risk when they make the courageous decision to leave an abusive partner. Finding shelter can literally make the difference between life and death for these women and for their children.

That is why my budget includes a 29 percent increase in funds to provide more beds, more treatment, more safety at domestic violence shelters throughout our state.

No child – no mother – who has been the victim of domestic violence should ever be turned away and left to fend for themselves during these moments of crisis.

These past four years, we have opened new doors for thousands of Missourians with disabilities.

I'm passionate about this work, as I know many of you in this room are as well.

Together, we passed landmark legislation in 2010 to ensure that children with autism get the medical care they need.

Issues like this transcend politics.

And now thousands of youngsters are getting the therapy that, just a couple years ago, their families couldn't afford.

We will keep moving forward by funding training for more therapists to help even more children with autism lead happier, healthier lives.

In October of 2010, we started the Partnership for Hope.

And it's already helped thousands of people with developmental disabilities live fuller lives.

My budget includes funds to expand this vital program to 1,000 more Missourians, some of whom have spent years waiting for services.

By the end of 2014, we'll be serving more than 3,500 people with developmental disabilities.

Missourians like Vishal Patel. Vishal is 23. He has a rare form of cerebral palsy, and gets around in a motorized wheelchair.

For years Vishal had to crawl, or have his parents carry him upstairs in their home, to take a shower.

The Partnership for Hope provided Vishal with a stair lift, a roll-in shower, a permanent ramp and the physical therapy he needs.

But as he told me in a letter, his real dream was to get a real job – with a real paycheck.

The Partnership arranged for him to volunteer every Friday at a movie theater in St. Peters. And Vishal did so well, that just before Christmas they offered him that real job, with a real paycheck. His first day was January 4th.

Vishal represents the many Missourians with disabilities who are now entering the workforce, thanks to the Partnership for Hope and the enlightened business owners who recognize the value of these outstanding workers.

Vishal is here tonight with his job coach, Pam Westhoff, and Peg Capo, who runs the program in St. Charles County.

Please welcome the newest member of Missouri's workforce, Vishal Patel.

At the start of my speech, I spoke about unique opportunities, and the importance of seizing them.

With our perfect Triple-A credit rating intact and interest rates at all-time lows, we now have a unique opportunity to move forward with a bond issuance.

It would allow us to modernize our K-12 classrooms and college research labs, mental hospitals and state parks. Some of our state's most important buildings need long-overdue improvements, including this one.

Interest rates today are about half of what they were in 1995 when Governor Carnahan issued bonds, and about a third of what they were when Governor Bond did the same in 1983, when interest rates were more than 8 percent.

But the bond issue must be focused on our state's most pressing needs. And we must have a way to pay for it.

When we talk about our state's long-term needs, nothing is more important than our schools.

A bond issuance will allow the state to establish a permanent, low-interest loan fund dedicated to improving our local schools.

Which is why I am proposing the creation of the BOOST Fund. BOOST stands for Building Opportunities in Our Schools Today.

Because, folks, let's not kid ourselves. If we want our children to get a first-rate education and compete in a 21st Century global economy, they'll need first-rate, 21st Century facilities: state-of-the-art computers and science labs, libraries and wired classrooms.

The BOOST Fund will go to work in your communities, in schools in every corner of Missouri.

In addition, a targeted bond issuance will provide funds for cutting-edge university research facilities in areas critical to our competitiveness, such as engineering, math, and science.

Bond proceeds will also allow us to build a new and improved Fulton State Mental Hospital. We have a moral responsibility to these patients and their caregivers to provide the best possible environment: one that is safe, secure and conducive to healing.

Bonds will also pay to upgrade accommodations in our state parks. It's an investment that will have a big impact on tourism.

And tourism is big business in Missouri.

Last year, Missouri welcomed 36 million visitors, pumping nearly \$11 billion into our state's economy. But we can even do better.

Updating our cabins and lodges, and building brand-new, top-of-the-line facilities at our most popular parks will create jobs, help our economy, and make our parks an even bigger draw.

Our 87 state parks and historic sites are a priceless legacy that belongs to all of us. Hunting, fishing, hiking and camping are part of our Missouri way of life.

Investing in Missouri's state parks today will help preserve our outdoor heritage for our grandchildren, and their grandchildren.

As I said before, we can only move forward with a bond issuance if we have a way to pay for it.

Saying "we'll figure it out later" won't work. That's not how we became a Triple-A state.

The way to pay for the bond issuance is to finally get our tax credit system under control.

We've worked on reining in tax credits for years. In 2010, I appointed a statewide, bipartisan, tax credit commission to study the issue.

That commission tapped the expertise of Missouri leaders in business, education, labor and government.

They recommended a series of pragmatic, fiscally responsible reforms to rein in tax credit expenditures and ensure these programs provide a strong return on taxpayers' investment.

But two years later, these reforms have yet to pass, and the costs of inaction continue to grow.

Last year tax credit redemptions grew to a staggering \$629 million – one-twelfth of our entire general revenue budget. That's not fiscally responsible.

This is the year to get comprehensive, fiscally responsible tax credit reform legislation to my desk, and get smart, strategic investments in our state moving forward.

But all of the ideas and proposals I outlined tonight mean very little if the people of Missouri lose faith in the system.

Missouri's ethics laws are among the weakest in the nation.

Every year as Governor, I've put forward my agenda for ethics reform, and I know many of you have made genuine efforts to pass legislation. The list of reforms we must implement is long.

Everything from curbing committee-to-committee transfers to banning office holders from doubling as paid political consultants to finally closing the revolving door between the legislature and lobbyists. All things we must do.

But above all, the single most destructive force to our system is the unlimited sums of money pouring into the campaign accounts of candidates seeking public office.

We must institute – we must re-institute – strict campaign contribution limits.

Each time a wealthy individual or business or special interest sends a check for \$20,000 or \$50,000 or \$100,000 to a candidate, the public's trust erodes a little bit more. And eventually, if we continue on this path, there will be no trust left at all.

I've led the fight for campaign contribution limits for many years.

As Attorney General, I stood before the U.S. Supreme Court and successfully argued in support of Missouri's contribution limits. And as Governor, I stood before you every year and made the case for them.

This year, if the Legislature does not send a campaign contribution limit bill to my desk, I will do everything in my power to get it on the ballot and make sure it passes.

The people of Missouri have voiced their opinion on this matter already at the ballot box and their support for contribution limits was overwhelming. We all know it would pass once again.

Let's work together and get it done this session. The era of unlimited contributions to candidates must end.

These past four years, we've been faced with some historic challenges.

And by working together, we've tackled them head-on ...and made great strides in the Show-Me State.

We've kept our fiscal discipline, balanced the budget and put strict cost controls in place throughout state government.

And as a result, our economy is making solid, steady progress. The signs are everywhere.

Businesses large and small are hiring again.

Missouri's unemployment rate has been lower than the national average for 40 consecutive months.

New building permits are up. Personal income is up, and wages are up.

And now we are in a position to make smart, long-term investments that will boost our children's academic achievement, protect Missourians' health, strengthen our workforce, improve our quality of life and create prosperity for generations to come.

We have unique opportunities before us. Now is the time to seize them.

Just two weeks ago, I stood at the steps of this Capitol, and spoke of my vision for the future of our beloved state:

A future where all our children get an education that prepares them to compete for the best jobs in the global economy;

Where the brightest minds in science and technology advance the frontiers of human knowledge;

Where business and the arts flourish;

Where the bounty of Missouri's farms and fields will feed, clothe and power the planet;

And where the natural beauty of our state is preserved and cherished for all time.

That future is ours to build. And we can only do it by working together.

When I first came to the Capitol in 1987, I was the youngest person in the Senate.

I had a lot to learn. And I was fortunate to serve with many dedicated and capable legislators on both sides of the aisle. They showed me what public service is and what it requires of each of us.

Republicans and Democrats didn't agree on everything back then, just like they don't now.

We had a divided state government, with a Governor of one party, and the other party holding a large majority in the legislature – just like we do now.

But we worked together to get things done for the good of the people.

I've been in public service for a long time. More than a quarter of a century.

And in those many years, my faith in the people of Missouri has never faltered.

My faith in our bedrock values has never wavered.

And I have always been mindful of, and inspired by, the words inscribed on the Great Seal of Missouri, on our flag and in these marble halls:

“Let the Good of the People Be the Supreme Law.”

This is our call to action, our common oath and rallying cry.

This is our sworn duty.

Ours is a sacred calling.

Our time is short.

Let every action we take in these halls and in the offices of government be guided by that supreme law: the good of the people.

Now let us seek God’s everlasting grace and protection to finish the good works He has entrusted to our care.

God bless Missouri.

And God bless the United States of America.

Thank you.

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Kehoe.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 20, SB 15 and SB 19**, with **SCS, SS for SCS and SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Keaveny offered **SA 1 to SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 2, Line 12 of said amendment, by striking the opening bracket “[” and the closing bracket “]” as it appears the second time on said line.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 3, Section 135.090, Line 7 of said page, by inserting immediately after “5.” the following: **“Beginning as of the effective date of this act, the department shall not authorize tax credits under this section in excess of fifty thousand dollars per fiscal year.**

6.”; and

Further amend said bill, page 12, section 135.341, line 7, by striking the words “one million” and inserting in lieu thereof the following: **“seven hundred fifty thousand”**; and

Further amend said bill, page 28, section 135.647, line 8, by striking the word “two million” and inserting in lieu thereof the following: **“one million two hundred fifty thousand”**.

Senator Lager moved that the above amendment be adopted.

Senator Keaveny requested a roll call vote be taken on the adoption of **SA 3** and was joined in his

request by Senators Chappelle-Nadal, Justus, McKenna and Walsh.

Senator Justus offered **SA 1** to **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 1, Lines 7-9, by striking all of said lines from the amendment.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

SA 3, as amended, was again taken up.

At the request of Senator Lager, **SA 3**, as amended, was withdrawn.

Senator Lager offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 and 19, Page 28, Section 135.647, Line 8, by striking the words “two million” and inserting in lieu thereof the following: **“one million two hundred fifty thousand”**.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **SBs 20, 15 and 19**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **SBs 20, 15 and 19**, as amended, was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Mandy Latty, Columbia.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY–TUESDAY, JANUARY 29, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 126-Sater	SB 132-Keaveny and Holsman
SB 127-Sater	SB 133-Keaveny and Holsman
SB 128-Sater	SB 134-Sater
SB 129-Sater	SB 135-Sater
SB 130-Schaefer	SB 136-Sater
SB 131-Nasheed	SB 137-Sater

SB 138-Kraus	SB 178-Schaaf
SB 139-Kehoe	SB 179-Parson, et al
SB 140-Brown	SB 180-Kraus
SB 141-Dempsey	SB 181-Kraus
SB 142-Sifton	SB 182-Kehoe, et al
SB 143-Walsh	SB 183-Sater
SB 144-Walsh	SB 184-Sater
SB 145-Walsh	SB 185-Sater
SB 146-Schaaf	SB 186-Brown
SB 147-Wasson	SB 187-Brown
SB 148-Wasson	SB 188-Romine
SB 149-Keaveny	SB 189-Romine
SB 150-Munzlinger, et al	SB 190-Walsh
SB 151-Curls	SB 191-Lamping
SB 152-Curls	SB 192-Lamping, et al
SB 153-Curls	SB 193-Schaefer
SB 154-Richard	SB 194-Schaaf
SB 155-Nasheed	SB 195-Keaveny
SB 156-Sater	SB 196-Keaveny
SB 157-Sater	SB 197-Sater, et al
SB 158-Sater	SB 198-Chappelle-Nadal
SB 159-Schmitt, et al	SB 199-Chappelle-Nadal
SB 160-Pearce	SB 200-Chappelle-Nadal
SB 161-Pearce	SB 201-Chappelle-Nadal
SB 162-Keaveny	SB 202-Chappelle-Nadal
SB 163-Kraus	SB 203-Chappelle-Nadal
SB 164-Walsh	SB 204-Brown
SB 165-Walsh	SB 205-Sater
SB 166-Schaaf	SB 206-Schaaf
SB 167-Sater and Wallingford	SB 207-Kehoe, et al
SB 168-Chappelle-Nadal	SB 208-Justus and McKenna
SB 169-Chappelle-Nadal	SB 209-Justus
SB 170-Chappelle-Nadal	SB 210-Lamping and Nieves
SB 171-Chappelle-Nadal	SB 211-Rupp
SB 172-Chappelle-Nadal	SB 212-Cunningham
SB 173-Nasheed	SB 213-Kraus
SB 174-Parson	SB 214-Silvey
SB 175-Wallingford	SB 215-Silvey
SB 176-Schmitt, et al	SB 216-Silvey
SB 177-Schmitt	SB 217-LeVota

SB 218-LeVota
SB 219-Sater
SB 220-Lamping
SB 221-Lamping
SB 222-Lamping
SB 223-Curls
SB 224-Curls, et al
SB 225-Curls

SB 226-Schaefer
SJR 8-Dixon
SJR 9-Emery
SJR 10-Nasheed and Walsh
SJR 11-Curls
SJR 12-Sater
SJR 13-Chappelle-Nadal
SJR 14-Schaefer, et al

HOUSE BILLS ON SECOND READING

HCS for HB 110

SENATE BILLS FOR PERFECTION

SBs 10 & 25-Schmitt and Richard, with SCS
SB 47-Lamping, with SCS

SB 48-Lamping

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 4-Schmitt, et al
SCR 5-Lamping

SCR 6-Justus

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Journal of the Senate

FIRST REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 29, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...the joy of the Lord is our strength.” (Nehemiah 8:10b)

Gracious God, continue to help us to have a life driven by Your teachings and guided by Your will. Help us be about what may help our world reflect You by the laws we pass and the way we live out each day. And may we be filled with purpose and a life filled with zest, and joy of living that strengthens us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 156, regarding Deborah J. Wisdom, Hartville, which was adopted.

Senator Schaefer offered Senate Resolution No. 157, regarding the Missouri's Youth/Adult Alliance's Youth Ambassador Program, which was adopted.

Senator Kehoe offered Senate Resolution No. 158, regarding Twehous Excavating, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 159, regarding Opies Transport, Incorporated, Eldon, which was adopted.

Senator Kehoe offered Senate Resolution No. 160, regarding Mary Jane Henke, Taos, which was adopted.

Senator Kehoe offered Senate Resolution No. 161, regarding Janis Marie Hamilton, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 162, regarding Laura J. Scott, Jefferson City, which was adopted.

Senators Munzlinger and Justus offered Senate Resolution No. 163, regarding Joe May, Mexico, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 227—By LeVota.

An Act to repeal sections 104.460, 105.262, 105.450, 105.467, 105.472, 105.477, 105.483, 105.489, 105.491, 105.492, 105.956, 105.958, 105.962, 105.964, 105.973, 105.975, 105.977, 115.013, 130.016, 130.042, 130.049, 130.050, 130.054, 130.056, 130.081, 130.086, 130.150, 443.817, and 575.021, RSMo, section 105.473 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.485 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.485 as enacted by senate substitute for senate committee substitute for house bill no. 2058, ninety-fourth general assembly, second regular session, section 105.955 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.955 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 105.957 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.957 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.959 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general

assembly, second regular session, section 105.959 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.961 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.961 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 16, ninety-first general assembly, first regular session, section 105.963 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.963 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 105.966 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, section 105.966 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.041 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.057 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.057 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 676 merged with conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof forty-four new sections relating to ethics, with existing penalty provisions.

SB 228—By Holsman.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to urban agricultural

zones.

SB 229—By Brown.

An Act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the mental health employment disqualification registry.

SB 230—By Brown.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to newborn screenings.

SB 231—By Munzlinger.

An Act to repeal section 143.790, RSMo, and to enact in lieu thereof two new sections relating to debt setoffs for unpaid healthcare expenses.

SB 232—By Wallingford.

An Act to repeal section 169.070 and 169.670, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement.

SB 233—By Sater.

An Act to repeal section 195.015, RSMo, and to enact in lieu thereof ten new sections relating to a prescription drug monitoring program, with penalty provisions.

SB 234—By Wasson.

An Act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

SB 235—By Cunningham.

An Act to repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan reporting.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following committee appointment:

Appropriations—Senator Parson.

REFERRALS

President Pro Tem Dempsey referred **SCR 4** and **SCR 5** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 6—Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 10** and **SB 25**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 10** and **25**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 10 and 25**

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt moved that **SCS** for **SBs 10** and **25** be adopted, which motion prevailed.

At the request of Senator Schmitt, **SCS** for **SBs 10** and **25** was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SBs 20, 15** and **19**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SBs 20, 15** and **19** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SCS** for **SBs 10** and **25** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Schmitt moved that the vote by which Senate Committee Substitute for Senate Bills Nos. 10 and 25 was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna

Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Rupp Schaefer—2

Absent with leave—Senators—None

Vacancies—None

SCS for SBs 10 and 25 was again taken up.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 10 and 25, Page 5, Section 67.3000, Line 139, by inserting immediately after “2012.” the following: “**No support contract shall be certified unless the site selection organization has chosen to use a location in this state from competitive bids, at least one of which was a bid for a location outside of this state.**”; and

Further amend said bill and page, Section 67.3005, Line 11, by striking the word “four” and inserting in lieu thereof the following: “**two**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Lager offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 10 and 25, Page 4, Section 67.3000, Line 125, by striking the word “three” and inserting in lieu thereof the word “**two**”.

Senator Lager moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schmitt moved that **SCS for SBs 10 and 25**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS for SBs 10 and 25**, as amended, was declared perfected and ordered printed.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 28, 2013

Senator Tom Dempsey

Senate Pro Tem

Missouri State Senate

Jefferson City, MO 65101

Dear Senator Dempsey:

I respectfully resign from the **Joint Committee on Corrections**.

Thank you for your consideration.

Sincerely,

/s/ Maria Chappelle-Nadal

MARIA CHAPPELLE-NADAL

District 14

Also,

January 28, 2013

Senator Tom Dempsey

Senate Pro Tem

Missouri State Senate

Jefferson City, MO 65101

Dear Senator Dempsey:

I respectfully resign from the **Joint Committee on Education**.

Thank you for your consideration.

Sincerely,

/s/ Maria Chappelle-Nadal

MARIA CHAPPELLE-NADAL

District 14

Also,

January 29, 2013

Ms. Terry Spieler

Secretary of the Missouri Senate

State Capitol, Room 325

Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following senators to the Joint Committee on Education:

- Senator Jamilah Nasheed
- Senator Jason Holsman

Please feel free to contact me should you have any questions.

Sincerely,

/s/ Tom Dempsey

Tom Dempsey

President Pro Tem

RESOLUTIONS

Senator Parson offered Senate Resolution No. 164, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Tait, Lebanon, which was adopted.

Senator Parson offered Senate Resolution No. 165, regarding Ursula M. Mathis, Buffalo, which was adopted.

Senator Pearce offered Senate Resolution No. 166, regarding Chance J. Volesky, Warrensburg, which was adopted.

Senator Schaaf offered Senate Resolution No. 167, regarding Vazquez Commercial Contracting, LLC, Kansas City, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Wallingford and himself, the President introduced to the Senate, Tom Mogelnicki, Cape Girardeau.

Senator Pearce introduced to the Senate, President Chuck Ambrose and Hank Setser, University of Central Missouri, Warrensburg.

Senator Kraus introduced to the Senate, Superintendent Dr. Allan Markley, Raytown C-II School District.

Senator Pearce introduced to the Senate, Cait Kerber, Warrensburg.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWELFTH DAY–WEDNESDAY, JANUARY 30, 2013

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 126-Sater	SB 148-Wasson
SB 127-Sater	SB 149-Keaveny
SB 128-Sater	SB 150-Munzlinger, et al
SB 129-Sater	SB 151-Curls
SB 130-Schaefer	SB 152-Curls
SB 131-Nasheed	SB 153-Curls
SB 132-Keaveny and Holsman	SB 154-Richard
SB 133-Keaveny and Holsman	SB 155-Nasheed
SB 134-Sater	SB 156-Sater
SB 135-Sater	SB 157-Sater
SB 136-Sater	SB 158-Sater
SB 137-Sater	SB 159-Schmitt, et al
SB 138-Kraus	SB 160-Pearce
SB 139-Kehoe	SB 161-Pearce
SB 140-Brown	SB 162-Keaveny
SB 141-Dempsey	SB 163-Kraus
SB 142-Sifton	SB 164-Walsh
SB 143-Walsh	SB 165-Walsh
SB 144-Walsh	SB 166-Schaaf
SB 145-Walsh	SB 167-Sater and Wallingford
SB 146-Schaaf	SB 168-Chappelle-Nadal
SB 147-Wasson	SB 169-Chappelle-Nadal

SB 170-Chappelle-Nadal	SB 207-Kehoe, et al
SB 171-Chappelle-Nadal	SB 208-Justus and McKenna
SB 172-Chappelle-Nadal	SB 209-Justus
SB 173-Nasheed	SB 210-Lamping and Nieves
SB 174-Parson	SB 211-Rupp
SB 175-Wallingford	SB 212-Cunningham
SB 176-Schmitt, et al	SB 213-Kraus
SB 177-Schmitt	SB 214-Silvey
SB 178-Schaaf	SB 215-Silvey
SB 179-Parson, et al	SB 216-Silvey
SB 180-Kraus	SB 217-LeVota
SB 181-Kraus	SB 218-LeVota
SB 182-Kehoe, et al	SB 219-Sater
SB 183-Sater	SB 220-Lamping
SB 184-Sater	SB 221-Lamping
SB 185-Sater	SB 222-Lamping
SB 186-Brown	SB 223-Curls
SB 187-Brown	SB 224-Curls, et al
SB 188-Romine	SB 225-Curls
SB 189-Romine	SB 226-Schaefer
SB 190-Walsh	SB 227-LeVota
SB 191-Lamping	SB 228-Holsman
SB 192-Lamping, et al	SB 229-Brown
SB 193-Schaefer	SB 230-Brown
SB 194-Schaaf	SB 231-Munzlinger
SB 195-Keaveny	SB 232-Wallingford
SB 196-Keaveny	SB 233-Sater
SB 197-Sater, et al	SB 234-Wasson
SB 198-Chappelle-Nadal	SB 235-Cunningham
SB 199-Chappelle-Nadal	SJR 8-Dixon
SB 200-Chappelle-Nadal	SJR 9-Emery
SB 201-Chappelle-Nadal	SJR 10-Nasheed and Walsh
SB 202-Chappelle-Nadal	SJR 11-Curls
SB 203-Chappelle-Nadal	SJR 12-Sater
SB 204-Brown	SJR 13-Chappelle-Nadal
SB 205-Sater	SJR 14-Schaefer, et al
SB 206-Schaaf	

HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SS for SCS for SBs 20, 15 & 19-Dixon
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 47-Lamping, with SCS
SB 48-Lamping

SB 1-Rupp, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 30, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore, my beloved, be steadfast, immovable, always excelling in the work of the Lord, because you know that in the Lord your labor is not in vain.” (I Corinthians 15:57-58)

Gracious Lord, we are thankful for Your presence in our lives and the strength You give us to fulfill our daily task and for providing for our earthly needs. Help us to stay focused on You as we do our work and live through each day as Your own. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 168, regarding Officer Paul Price, which was adopted.

Senator Dempsey offered Senate Resolution No. 169, regarding Detective Doug Endsley, which was adopted.

Senator Dempsey offered Senate Resolution No. 170, regarding Officer Karen Meiser, which was adopted.

Senator Dempsey offered Senate Resolution No. 171, regarding Officer Phil Erdmann, which was adopted.

Senator Dempsey offered Senate Resolution No. 172, regarding Terry A. Zeisler, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 173, regarding Jeanne Stanfill, which was adopted.

Senator Dempsey offered Senate Resolution No. 174, regarding Loria L. James, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 175, regarding Rich Paulson, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 176, regarding Todd Barrow, Saint Louis, which was adopted.

Senator Dempsey offered Senate Resolution No. 177, regarding William Fry, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 178, regarding Courtney Baltzell, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 179, regarding Derek Sissom, which was adopted.

Senator Dempsey offered Senate Resolution No. 180, regarding Julie Jackson, which was adopted.

Senator Dempsey offered Senate Resolution No. 181, regarding Daniel Nowack, which was adopted.

Senator Dempsey offered Senate Resolution No. 182, regarding Sergeant Ray Juengst, which was adopted.

Senator Dempsey offered Senate Resolution No. 183, regarding Detective Dave Kleinschmidt, which was adopted.

Senator Dempsey offered Senate Resolution No. 184, regarding James “Jim” Brooks, which was adopted.

Senator Dempsey offered Senate Resolution No. 185, regarding Jim Thro’s Automotive, which was adopted.

Senator Richard offered Senate Resolution No. 186, regarding Furniture Rescue, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 187, regarding Joplin 3D4D Imaging Center, LLC, which was adopted.

Senator Sater offered Senate Resolution No. 188, regarding Mount Vernon Regional Arts Council, which was adopted.

Senator LeVota offered Senate Resolution No. 189, regarding the Fiftieth Anniversary of Blackburn Elementary School, Independence, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 236—By Parson.

An Act to repeal section 43.265, RSMo, and to enact in lieu thereof one new section relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

SB 237—By Emery.

An Act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

SB 238—By Emery.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 239—By Emery.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to elementary and secondary education.

SB 240—By Lager.

An Act to repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations, with an emergency clause for a certain section.

SB 241—By Lager.

An Act to repeal sections 386.020, 392.415, and 392.461, RSMo, and to enact in lieu thereof twelve new sections relating to broadband.

SB 242—By Kehoe.

An Act to repeal section 171.181, RSMo, and to enact in lieu thereof one new section relating to the sale or provision of certain commodities to seven director school districts, with existing penalty provisions.

SB 243—By Brown.

An Act to repeal section 566.093, RSMo, and to enact in lieu thereof one new section relating to the crime of sexual misconduct in the second degree, with a penalty provision.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred SCS for **SBs 10** and **25**, begs leave to report that it has examined the same and finds that the bill has been

truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SBs 10** and **25** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Schmitt assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 47**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 47**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 47

An Act to repeal section 453.072, RSMo, and to enact in lieu thereof one new section relating to subsidized legal guardianship of a child.

Was taken up.

Senator Lamping moved that **SCS** for **SB 47** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 47** was declared perfected and ordered printed.

Senator Lamping moved that **SB 48** be taken up for perfection, which motion prevailed.

On motion of Senator Lamping, **SB 48** was placed on the Informal Calendar.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 28, 2013

Senator Dempsey
President Pro Tem
Rm 326, State Capitol,
Jefferson City, MO 65101

Dear Senator Dempsey,

I write to you requesting my resignation from the Joint Committee on Education. Please contact my office if you have any questions or concerns.

Thank You,

/s/ Joe Keaveny

Senator Joe Keaveny

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Jay and Cindy Knudtson, Cape Girardeau.

On behalf of Senator Schaefer, Senator Kehoe introduced to the Senate, Director Mona Lara and representatives of Missouri Youth Ambassadors from around the state.

Senator Emery introduced to the Senate, State Vice President Janet Akers, Missouri Cattlemen's Association, Clinton.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTEENTH DAY—THURSDAY, JANUARY 31, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 126-Sater	SB 156-Sater
SB 127-Sater	SB 157-Sater
SB 128-Sater	SB 158-Sater
SB 129-Sater	SB 159-Schmitt, et al
SB 130-Schaefer	SB 160-Pearce
SB 131-Nasheed	SB 161-Pearce
SB 132-Keaveny and Holsman	SB 162-Keaveny
SB 133-Keaveny and Holsman	SB 163-Kraus
SB 134-Sater	SB 164-Walsh
SB 135-Sater	SB 165-Walsh
SB 136-Sater	SB 166-Schaaf
SB 137-Sater	SB 167-Sater and Wallingford
SB 138-Kraus	SB 168-Chappelle-Nadal
SB 139-Kehoe	SB 169-Chappelle-Nadal
SB 140-Brown	SB 170-Chappelle-Nadal
SB 141-Dempsey	SB 171-Chappelle-Nadal
SB 142-Sifton	SB 172-Chappelle-Nadal
SB 143-Walsh	SB 173-Nasheed
SB 144-Walsh	SB 174-Parson
SB 145-Walsh	SB 175-Wallingford
SB 146-Schaaf	SB 176-Schmitt, et al
SB 147-Wasson	SB 177-Schmitt
SB 148-Wasson	SB 178-Schaaf
SB 149-Keaveny	SB 179-Parson, et al
SB 150-Munzlinger, et al	SB 180-Kraus
SB 151-Curls	SB 181-Kraus
SB 152-Curls	SB 182-Kehoe, et al
SB 153-Curls	SB 183-Sater
SB 154-Richard	SB 184-Sater
SB 155-Nasheed	SB 185-Sater

SB 186-Brown	SB 219-Sater
SB 187-Brown	SB 220-Lamping
SB 188-Romine	SB 221-Lamping
SB 189-Romine	SB 222-Lamping
SB 190-Walsh	SB 223-Curls
SB 191-Lamping	SB 224-Curls, et al
SB 192-Lamping, et al	SB 225-Curls
SB 193-Schaefer	SB 226-Schaefer
SB 194-Schaaf	SB 227-LeVota
SB 195-Keaveny	SB 228-Holsman
SB 196-Keaveny	SB 229-Brown
SB 197-Sater, et al	SB 230-Brown
SB 198-Chappelle-Nadal	SB 231-Munzlinger
SB 199-Chappelle-Nadal	SB 232-Wallingford
SB 200-Chappelle-Nadal	SB 233-Sater, et al
SB 201-Chappelle-Nadal	SB 234-Wasson
SB 202-Chappelle-Nadal	SB 235-Cunningham
SB 203-Chappelle-Nadal	SB 236-Parson
SB 204-Brown	SB 237-Emery
SB 205-Sater	SB 238-Emery
SB 206-Schaaf	SB 239-Emery
SB 207-Kehoe, et al	SB 240-Lager
SB 208-Justus and McKenna	SB 241-Lager
SB 209-Justus	SB 242-Kehoe
SB 210-Lamping and Nieves	SB 243-Brown
SB 211-Rupp	SJR 8-Dixon
SB 212-Cunningham	SJR 9-Emery
SB 213-Kraus	SJR 10-Nasheed and Walsh
SB 214-Silvey	SJR 11-Curls
SB 215-Silvey	SJR 12-Sater
SB 216-Silvey	SJR 13-Chappelle-Nadal
SB 217-LeVota	SJR 14-Schaefer, et al
SB 218-LeVota	

HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SS for SCS for SBs 20, 15 & 19-Dixon
(In Fiscal Oversight)

SCS for SBs 10 & 25-Schmitt and
Richard (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 48-Lamping

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Journal of the Senate

FIRST REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 31, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord waits to be gracious to you.” (Isaiah 3:18)

Heavenly Father, even when our minds stray from You, You are willing to be an ever present help. So we ask that You help us complete this day faithful to what You have for us to do. We would also ask that You help us return to those You have given us to love and be supportive of what they are required to do during our absence and their need of us when we are present. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators

Lager Sater—2

Vacancies—None

The Lieutenant Governor was present.

Senator Kehoe assumed the Chair.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 190, regarding Lisa Twidwell, Fredericktown, which was adopted.

Senator Wallingford offered Senate Resolution No. 191, regarding Crystal Huebschen, Fredericktown, which was adopted.

Senator Wallingford offered Senate Resolution No. 192, regarding Bob Schwent, Fredericktown, which was adopted.

Senator Wallingford offered Senate Resolution No. 193, regarding Follis and Sons Funeral Home, Fredericktown, which was adopted.

Senator Wallingford offered Senate Resolution No. 194, regarding Josh Minx, which was adopted.

Senator Wallingford offered Senate Resolution No. 195, regarding Sheets/Young Foundation, Fredericktown, which was adopted.

Senator Wallingford offered Senate Resolution No. 196, regarding Dr. Kelly Burlison, Fredericktown, which was adopted.

Senator Dempsey offered Senate Resolution No. 197, regarding Cathy Raftery, which was adopted.

Senator Dempsey offered Senate Resolution No. 198, regarding Albert Chase, which was adopted.

Senator Dempsey offered Senate Resolution No. 199, regarding Michael J. Turner, Sr., which was adopted.

Senator Dempsey offered Senate Resolution No. 200, regarding Steve Goettel, which was adopted.

Senator Dempsey offered Senate Resolution No. 201, regarding Denny Rottger, which was adopted.

Senator Dempsey offered Senate Resolution No. 202, regarding William “Bill” Schnarre, which was adopted.

Senator Dempsey offered Senate Resolution No. 203, regarding Samuel Coldren, which was adopted.

Senator Dempsey offered Senate Resolution No. 204, regarding John J. “Bill” Orf, which was adopted.

Senator Nasheed offered Senate Resolution No. 205, regarding St. Louis ArtWorks, which was adopted.

Senator Wallingford offered Senate Resolution No. 206, regarding Russell B. Welty, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 207, regarding Buchheit Trucking Service, Scott City, which was adopted.

Senator Wallingford offered Senate Resolution No. 208, regarding Rollet Brothers Trucking Company, Incorporated, Perryville, which was adopted.

Senator Wallingford offered Senate Resolution No. 209, regarding Hull Trucking, Old Appleton, which was adopted.

Senator Pearce offered Senate Resolution No. 210, regarding Dylan Scott Conner, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 211, regarding James Bodine, Warrensburg, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 244—By Schaefer.

An Act to repeal section 193.145, RSMo, and to enact in lieu thereof one new section relating to death certificates.

SB 245—By Justus.

An Act to repeal section 514.040, RSMo, and to enact in lieu thereof one new section relating to waiver of court costs and expenses in civil cases.

SB 246—By Walsh.

An Act to repeal sections 9.161 and 143.183, RSMo, and to enact in lieu thereof two new sections relating to the Missouri juneteenth heritage and jazz festival and memorial.

SB 247—By Walsh.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030, 565.032, 565.035, and 565.040, RSMo, and to enact in lieu thereof four new sections relating to repealing the death penalty, with penalty provisions.

SB 248—By Wasson.

An Act to repeal section 67.457, RSMo, and to enact in lieu thereof one new section relating to notice of neighborhood improvement districts.

SB 249—By Nasheed.

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance.

SB 250—By Schaaf.

An Act to repeal section 573.037, RSMo, and to enact in lieu thereof one new section relating to possession of child pornography, with penalty provisions.

SB 251—By Kraus and Chappelle-Nadal.

An Act to repeal sections 578.375, 578.377, 578.379, 578.381, 578.383, 578.389, and 578.390, RSMo, and to enact in lieu thereof nine new sections relating to public assistance fraud and abuse, with penalty provisions.

SB 252—By Kraus.

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to the copying and retention of source documents used to obtain driver's licenses and nondriver's licenses.

SJR 15—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

Senator Walsh requested unanimous consent of the Senate to withdraw **SB 190**, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Randy D. Warner and Michael T. Jinks, as members of the Missouri Propane Gas Commission;

Also,

Margaret Freihaut, as a member of the Missouri State Board of Chiropractic Examiners;

Also,

Harold L. Caskey, as a member of the Missouri State Capitol Commission;

Also,

Nanci Bobrow, as a member of the Children's Trust Fund Board;

Also,

Erwin Switzer, as a member of the Saint Louis City Board of Police Commissioners;

Also,

John R. Phillips, Democrat, and Ann K. Covington, Independent, as members of the University of Missouri Board of Curators;

Also,

Melissa Joy Edwards, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

T. Eric Pitman, Republican, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Michael J. LaBeth, Republican, as a member of the Truman State University Board of Governors;

Also,

Brian D. Vesely, as a member of the Missouri Board of Examiners for Hearing Instrument Specialists;

Also,

Melinda Nicholson, as a member of the Missouri State Foster Care and Adoption Board;

Also,

Jay Bradley Knudtson, Republican, as a member of the Southeast Missouri State University Board of Regents;

Also,

Danny R. Rowden and Michael D. Hall, as members of the Advisory Committee for 911 Service Oversight;

Also,

John Young and Kerry Messer, as members of the Child Abuse and Neglect Review Board;

Also,

Edward J. Tabash, Republican, as a member of the Regional Convention and Sports Complex Authority;

Also,

Gregory Mills, as a member of the Peace Officer Standards and Training Commission;

Also,

Kelly J. Scott, Lisa A. Green and Rhonda Shimmens, as members of the Missouri State Board of Nursing;

Also,

Cynthia S. Curnutte, as a member of the Interior Design Council;

Also,

Brent Rosenblad, as a member of the Seismic Safety Commission;

Also,

Nancy Johnston, as Director of the Division of Personnel for the Office of Administration;

Also,

Brian K. Long, as Director of the Department of Revenue; and

Lori A. Bruce, as a member of the Advisory Commission for Dental Hygienists.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SBs 10** and **25** and **SS** for **SCS** for **SBs 20, 15** and **19**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for SCS for SBs 20, 15 and 19, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 20, 15 and 19

An Act to repeal sections 135.090, 135.326, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof nine new sections relating to certain benevolent tax credits, with an emergency clause.

Was taken up.

On motion of Senator Dixon, **SS for SCS for SBs 20, 15 and 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Lager Sater—2

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Lager Sater—2

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SBs 10** and **25**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 10 and 25

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SBs 10** and **25** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Chappelle-Nadal	Emery	Kraus	Schaaf—4
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Absent—Senators—None

Absent with leave—Senators

Lager	Sater—2
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Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 47**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 16**, begs leave to report that it has considered the same and recommends that the bill do pass, and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 21**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 22**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 33**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 126—Judiciary and Civil and Criminal Jurisprudence.

SB 127—Veterans' Affairs and Health.

SB 128—Governmental Accountability and Fiscal Oversight.

SB 129—Financial and Governmental Organizations and Elections.

SB 130—Transportation and Infrastructure.

SB 131—Veterans' Affairs and Health.

SB 132—Education.

SB 133—Education.

SB 134—Small Business, Insurance and Industry.

SB 135—Financial and Governmental Organizations and Elections.

- SB 136**—Transportation and Infrastructure.
- SB 137**—Jobs, Economic Development and Local Government.
- SB 138**—Ways and Means.
- SB 139**—Judiciary and Civil and Criminal Jurisprudence.
- SB 140**—Commerce, Consumer Protection, Energy and the Environment.
- SB 141**—Transportation and Infrastructure.
- SB 142**—Judiciary and Civil and Criminal Jurisprudence.
- SB 143**—Judiciary and Civil and Criminal Jurisprudence.
- SB 144**—Rules, Joint Rules, Resolutions and Ethics.
- SB 145**—Financial and Governmental Organizations and Elections.
- SB 146**—Veterans’ Affairs and Health.
- SB 147**—Small Business, Insurance and Industry.
- SB 148**—Transportation and Infrastructure.
- SB 149**—Agriculture, Food Production and Outdoor Resources.
- SB 150**—General Laws.
- SB 151**—Judiciary and Civil and Criminal Jurisprudence.
- SB 152**—Judiciary and Civil and Criminal Jurisprudence.
- SB 153**—Seniors, Families and Pensions.
- SB 154**—Small Business, Insurance and Industry.
- SB 155**—Agriculture, Food Production and Outdoor Resources.
- SB 156**—Small Business, Insurance and Industry.
- SB 157**—Commerce, Consumer Protection, Energy and the Environment.
- SB 158**—Small Business, Insurance and Industry.
- SB 159**—Small Business, Insurance and Industry.
- SB 160**—Small Business, Insurance and Industry.
- SB 161**—Small Business, Insurance and Industry.
- SB 162**—Judiciary and Civil and Criminal Jurisprudence.
- SB 163**—Jobs, Economic Development and Local Government.
- SB 164**—General Laws.
- SB 165**—Transportation and Infrastructure.
- SB 166**—Ways and Means.
- SB 167**—Financial and Governmental Organizations and Elections.

- SB 168**—Education.
- SB 169**—Education.
- SB 170**—Financial and Governmental Organizations and Elections.
- SB 171**—Education.
- SB 172**—Jobs, Economic Development and Local Government.
- SB 173**—Education.
- SB 174**—Ways and Means.
- SB 175**—Judiciary and Civil and Criminal Jurisprudence.
- SB 176**—Transportation and Infrastructure.
- SB 177**—Financial and Governmental Organizations and Elections.
- SB 178**—Veterans’ Affairs and Health.
- SB 179**—Ways and Means.
- SB 180**—Veterans’ Affairs and Health.
- SB 181**—Rules, Joint Rules, Resolutions and Ethics.
- SB 182**—Transportation and Infrastructure.
- SB 183**—Judiciary and Civil and Criminal Jurisprudence.
- SB 184**—Judiciary and Civil and Criminal Jurisprudence.
- SB 185**—Judiciary and Civil and Criminal Jurisprudence.
- SB 186**—Veterans’ Affairs and Health.
- SB 187**—Transportation and Infrastructure.
- SB 188**—Judiciary and Civil and Criminal Jurisprudence.
- SB 189**—Judiciary and Civil and Criminal Jurisprudence.
- SB 191**—Governmental Accountability and Fiscal Oversight.
- SB 192**—Transportation and Infrastructure.
- SB 193**—Education.
- SB 194**—Veterans’ Affairs and Health.
- SB 195**—Education.
- SB 196**—Judiciary and Civil and Criminal Jurisprudence.
- SB 197**—Veterans’ Affairs and Health.
- SB 198**—Agriculture, Food Production and Outdoor Resources.
- SB 199**—Seniors, Families and Pensions.
- SB 200**—Education.

SB 201—Veterans' Affairs and Health.

SB 202—Judiciary and Civil and Criminal Jurisprudence.

SB 203—Seniors, Families and Pensions.

SB 204—Jobs, Economic Development and Local Government.

SB 205—Seniors, Families and Pensions.

SB 206—General Laws.

SB 207—Commerce, Consumer Protection, Energy and the Environment.

SB 208—Seniors, Families and Pensions.

SB 209—Education.

SB 210—Education.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 212, regarding D&D Sexton, Incorporated, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 213, regarding Frontier Leasing, Incorporated, Joplin, which was adopted.

Senator Schaefer offered Senate Resolution No. 214, regarding Dr. M. Frederick Hawthorne, which was adopted.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 16, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following senators to the Joint Committee on Corrections:

- Senator Jamilah Nasheed
- Senator Paul LeVota

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 30, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Mike Kehoe to the following board:

- Joint Committee on Public Employee Retirement

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 30, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following senator to the Joint Committee on Tax Policy:

- Senator Maria Chappelle-Nadal

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Senator Justus submitted the following:

January 31, 2013

Terry Spieler – Secretary of the Senate
Missouri State Capitol, Room 325
Jefferson City, Missouri 65101

Pursuant to the provisions of section 21.795 RSMo, I am vested with the authority to appoint two current vacancies on the Joint Committee on Transportation Oversight. Please let this correspondence serve as my appointment of the following members of the minority caucus to that committee.

Senator Jamilah Nasheed

Senator Jason Holsman

If there are any questions, please do not hesitate to contact my office.

Sincerely,
/s/ Jolie Justus
Jolie Justus

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, representatives of CLIMB High, Warrensburg.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Ted Groshong, Columbia.

Senator Wallingford introduced to the Senate, Scott Pietreface, Cape Girardeau; and Lauren Cole and Richard Proffor, Jackson.

Senator Emery introduced to the Senate, Rachel and Beth Blunk, Raymore; Phoebe Grubbs, Kansas City; Tyler Bowdish, Grandview; Ian Maupin, St. Louis; and Cassia Brown, Licking, representatives of Missouri Teen Pact Leadership School.

On behalf of Senator Kehoe, the President introduced to the Senate, Amy Brauner, Phyllis Struempfl,

Cathy Bertolotti and seventh grade students from St. Peter Interparish School, Jefferson City.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 4, 2013.

SENATE CALENDAR

FOURTEENTH DAY—MONDAY, FEBRUARY 4, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp	SB 236-Parson
SB 212-Cunningham	SB 237-Emery
SB 213-Kraus	SB 238-Emery
SB 214-Silvey	SB 239-Emery
SB 215-Silvey	SB 240-Lager
SB 216-Silvey	SB 241-Lager
SB 217-LeVota	SB 242-Kehoe
SB 218-LeVota	SB 243-Brown
SB 219-Sater	SB 244-Schaefer
SB 220-Lamping	SB 245-Justus
SB 221-Lamping	SB 246-Walsh
SB 222-Lamping	SB 247-Walsh
SB 223-Curls	SB 248-Wasson
SB 224-Curls, et al	SB 249-Nasheed
SB 225-Curls	SB 250-Schaaf
SB 226-Schaefer	SB 251-Kraus and Chappelle-Nadal
SB 227-LeVota	SB 252-Kraus
SB 228-Holsman	SJR 8-Dixon
SB 229-Brown	SJR 9-Emery
SB 230-Brown	SJR 10-Nasheed and Walsh
SB 231-Munzlinger	SJR 11-Curls
SB 232-Wallingford	SJR 12-Sater
SB 233-Sater, et al	SJR 13-Chappelle-Nadal
SB 234-Wasson	SJR 14-Schaefer, et al
SB 235-Cunningham	SJR 15-Schaaf

HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SCS for SB 47-Lamping

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS

SB 7-Pearce, with SCS

SB 3-Rupp

SB 21-Dixon

SB 22-Dixon

SB 33-Lamping, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 1/31

SB 16-Munzlinger

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Journal of the Senate

FIRST REGULAR SESSION

FOURTEENTH DAY—MONDAY, FEBRUARY 4, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Those who counsel peace know joy.” (Proverbs 12:20)

Almighty God, on such a beautiful day, it is hard to look about us and not see Your presence and You provide us guidance so that we might know the joy that comes from knowing You. May we this week be about those things that lead us to You and do the things You require so we live and speak and act as we should with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 31, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 215, regarding Kenneth Bassett, which was adopted.

Senator Cunningham offered Senate Resolution No. 216, regarding Robert Kline, Gainesville, which was adopted.

Senator Cunningham offered Senate Resolution No. 217, regarding Rick Mosher, which was adopted.

Senator Parson offered Senate Resolution No. 218, regarding Tim MacLean State Farm Insurance Agency, Sedalia, which was adopted.

Senator Richard offered Senate Resolution No. 219, regarding the Fiftieth Anniversary of Crowder College, Neosho, which was adopted.

Senator Nasheed offered Senate Resolution No. 220, regarding the Arts and Education Council of Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 221, regarding Andrew Grey Jones, which was adopted.

Senator Wasson offered Senate Resolution No. 222, regarding Adam Nicholas DeGood, which was adopted.

Senator Wasson offered Senate Resolution No. 223, regarding James Luke Thomas, which was adopted.

Senator Wasson offered Senate Resolution No. 224, regarding Daniel Steven Akesson, which was adopted.

Senator Wasson offered Senate Resolution No. 225, regarding Michael Steven Akesson, which was adopted.

Senator Holsman offered Senate Resolution No. 226, regarding Gerry Marlin, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 253—By Justus.

An Act to repeal sections 32.057, 105.478, 115.631, 130.028, 130.031, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.165, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 260.207, 260.208, 260.211, 260.212, 260.379, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.321, 302.500, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096,

338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, 527.290, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.026, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.105, 559.106, 559.107, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.086, 566.090, 566.093, 566.095, 566.100, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054,

577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.425, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof seven hundred twenty-three new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date for a certain section and an expiration date for a certain section.

SB 254—By Pearce.

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to loan fees.

SB 255—By Schmitt and Schaefer.

An Act to repeal section 287.610, RSMo, and to enact in lieu thereof one new section relating to the administrative law judge review committee.

SB 256—By Silvey.

An Act to repeal sections 210.950 and 211.447, RSMo, and to enact in lieu thereof two new sections relating to the safe place for newborns act.

SB 257—By Silvey.

An Act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

SB 258—By LeVota.

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof four new

sections relating to the board of directors of the Kansas City school district.

SB 259—By Schaaf.

An Act to repeal sections 192.020 and 192.131, RSMo, and to enact in lieu thereof two new sections relating to reportable infectious diseases.

SB 260—By Brown.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to reimbursement of nonparticipating facility-based providers.

Senator Richard requested unanimous consent of the Senate to suspend Senate Rule 49 for the purpose of printing **SB 253**, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Schaefer moved that the committee report be adopted and the Senate do give its advice and consent to the appointment of Douglas E. Nelson, as Commissioner of Administration, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1

An Act to repeal sections 287.067, 287.120, 287.140, 287.210, 287.220, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof nine new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Was taken up.

Senator Rupp moved that **SCS** for **SB 1** be adopted.

Senator Kehoe assumed the Chair.

Senator Silvey assumed the Chair.

Senator Rupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 1, Page 15, Section 287.220, Lines 116-117, by striking “and with the express authorization of the majority of the second injury fund commission” and inserting in lieu thereof the following: “, **president pro tempore of the senate, and the speaker of the house of representatives**”; and further amend lines 120-121, by striking “and with the express authorization of a majority of the second injury fund commission” and inserting in lieu thereof the following: “, **president pro tempore of the senate, and the speaker of the house of representatives**”; and

Further amend said bill, page 23, section 287.715, lines 107-126, by striking all of said lines.

Senator Rupp moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 1, Page 20, Section 287.715, Line 20, by striking “2006” and inserting in lieu thereof the following: “**2014**”; and further amend line 21, by striking the word “three” and inserting in lieu thereof the following: “**four and one-half**”; and

Further amend said bill and section, page 22, lines 83-99, by striking all of said lines; and further renumber the remaining subsections accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Holsman offered **SA 1** to **SA 2**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2**

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 1, Page 1, Section 287.715, Lines 4-5, by striking “four and one-half” and inserting in lieu thereof the following: “**seven**”; and

Further amend said amendment, line 8, by inserting immediately after all of said line the following: “And further amend page 23 of said bill, section 287.715, lines 105-106 by striking all of said lines and renumbering subsequent subsections accordingly.”

Senator Holsman moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Silvey assumed the Chair.

At the request of Senator Rupp, **SB 1**, with **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 4, 2013

REORGANIZATION PLAN NO. 1

2013

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2013, by Executive Order 13-01, to transfer the Center for Emergency Response and Terrorism from the Department of Health and Senior Services and assign it, and all of its responsibilities and functions, to the Department of Public Safety. The Center for Emergency Response and Terrorism will retain all functions

and authority as provided by law. The Department of Public Safety shall furnish administrative support and staff as is necessary for the effective operation of the Center for Emergency Response and Terrorism.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-01

WHEREAS, the Department of Public Safety, created pursuant to Article IV, Section 48 of the Missouri Constitution and Chapter 650, RSMo, is responsible for providing coordination between local, state, and federal agencies in regard to public safety and law enforcement programs; and

WHEREAS, the State Emergency Management Agency (SEMA), established pursuant to Section 44.020, RSMo, is a division of the Department of Public Safety and responsible for assisting federal, state, local and faith-based activities related to emergency functions by coordinating response, recovery, planning and mitigation; and

WHEREAS, the Office of Homeland Security, established within the Department of Public Safety, is responsible for coordinating activities to promote unity of effort among federal, state, local, private sector, and citizen activities related to emergency preparedness and homeland security; and

WHEREAS, the Department of Public Safety oversees the coordinated emergency response to natural and man-made disasters on behalf of the State of Missouri and coordinates emergency response planning and preparedness through SEMA and the Office of Homeland Security using an all-hazard approach; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Chapter 192, RSMo, is responsible for public health and aging issues; and

WHEREAS, the Center for Emergency Response and Terrorism is located within the Department of Health and Senior Services to coordinate emergency response and preparedness among public health agencies relating to terrorism, natural disasters, and pandemic; and

WHEREAS, transferring the Center for Emergency Response and Terrorism's response, planning, and preparedness responsibilities to the Department of Public Safety will promote coordination and consistency among emergency response agencies; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Department of Health and Senior Services and the Department of Public Safety to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all emergency response, planning, and preparedness responsibilities within the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Public Safety; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and
caused to be affixed the Great Seal of the State of Missouri, in
the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

February 4, 2013

REORGANIZATION PLAN NO. 2**2013**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE
OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2013, by Executive Order 13-02, to transfer post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development and assign those responsibilities and functions to the Department of Revenue. The Department of Revenue shall furnish administrative support and staff as is necessary for the effective operation of the post-issuance compliance functions for tax credit and job incentive programs administered by the Department of Economic Development.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-02

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, the Missouri Department of Revenue is created pursuant to Article IV, Section 22, of the Missouri Constitution and Chapter 32, RSMo; and

WHEREAS, the Missouri Department of Economic Development's mission is to promote economic growth and job creation; and

WHEREAS, the Missouri Department of Revenue is a regulatory agency charged with collecting revenue and ensuring compliance with Missouri's tax laws; and

WHEREAS, the Missouri Department of Economic Development administers tax credit and job incentive programs; and

WHEREAS, the Missouri Department of Revenue currently performs various functions related to tax credit and job incentive programs, including those associated with the redemption of tax credits issued through the programs administered by the Missouri Department of Economic Development; and

WHEREAS, the Missouri Department of Revenue is positioned to perform post-issuance compliance functions related to such tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will provide greater efficiency and accountability in the state's tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will enable the Missouri Department of Economic Development to provide greater focus on its core mission of expanding the state's economy; and

WHEREAS, I am committed to integrating and consolidating government operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of these post-issuance compliance functions from the Missouri Department of Economic Development to the Missouri Department of Revenue will make state government more efficient and effective.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Economic Development and the Missouri Department of Revenue to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer the above-referenced functions to the Missouri Department of Revenue; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

February 4, 2013

REORGANIZATION PLAN NO. 3

2013

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2013, by Executive Order 13-03, to

transfer the Division of Energy from the Department of Natural Resources and assign it, and all of its responsibilities and functions, to the Department of Economic Development. The Division of Energy will retain all functions and authority as provided by law. The Department of Economic Development shall furnish administrative support and staff as is necessary for the effective operation of the Division of Energy.

Respectfully submitted,
/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

13-03

WHEREAS, the Missouri Department of Natural Resources is created pursuant Article IV, Section 47 of the Missouri Constitution and Chapter 640, RSMo; and

WHEREAS, the Division of Energy, located within the Missouri Department of Natural Resources, is responsible for promoting energy efficiency and security through policy development, research, and educational outreach; and

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo, and is charged with promoting economic growth and job creation; and

WHEREAS, energy production and efficiency are crucial to moving Missouri's economy forward; and

WHEREAS, I am committed to integrating and consolidating governmental operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development will benefit the State of Missouri by creating efficiencies through a better alignment of goals which will help promote the development, security, and affordability of diverse energy sources essential to the future of Missouri's economy.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Natural Resources and the Missouri Department of Economic Development to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop the mechanisms and processes necessary to effectively transfer the Division of Energy to the Missouri Department of Economic Development; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

JEREMIAH W. (JAY) NIXON
GOVERNOR

ATTEST:

JASON KANDER
SECRETARY OF STATE

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Wayne Wallingford to the Joint Committee on Legislative Research.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brian Munzlinger to the Joint Committee on Transportation Oversight.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Will Kraus to the Joint Committee on Tax Policy.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ed Emery to the Joint Committee on Government Accountability.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the Joint Committee on Court Automation.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

January 31, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Dan Brown to the Joint Committee on MO HealthNet.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTEENTH DAY—TUESDAY, FEBRUARY 5, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp	SB 240-Lager
SB 212-Cunningham	SB 241-Lager
SB 213-Kraus	SB 242-Kehoe
SB 214-Silvey	SB 243-Brown
SB 215-Silvey	SB 244-Schaefer
SB 216-Silvey	SB 245-Justus
SB 217-LeVota	SB 246-Walsh
SB 218-LeVota	SB 247-Walsh
SB 219-Sater	SB 248-Wasson
SB 220-Lamping	SB 249-Nasheed
SB 221-Lamping	SB 250-Schaaf
SB 222-Lamping	SB 251-Kraus and Chappelle-Nadal
SB 223-Curls	SB 252-Kraus
SB 224-Curls, et al	SB 253-Justus
SB 225-Curls	SB 254-Pearce
SB 226-Schaefer	SB 255-Schmitt and Schaefer
SB 227-LeVota	SB 256-Silvey
SB 228-Holsman	SB 257-Silvey
SB 229-Brown	SB 258-LeVota
SB 230-Brown	SB 259-Schaaf
SB 231-Munzlinger	SB 260-Brown
SB 232-Wallingford	SJR 8-Dixon
SB 233-Sater, et al	SJR 9-Emery
SB 234-Wasson	SJR 10-Nasheed and Walsh
SB 235-Cunningham	SJR 11-Curls
SB 236-Parson	SJR 12-Sater
SB 237-Emery	SJR 13-Chappelle-Nadal
SB 238-Emery	SJR 14-Schaefer, et al
SB 239-Emery	SJR 15-Schaaf

HOUSE BILLS ON SECOND READING

HCS for HB 110

THIRD READING OF SENATE BILLS

SCS for SB 47-Lamping

SENATE BILLS FOR PERFECTION

SB 7-Pearce, with SCS
SB 3-Rupp
SB 21-Dixon

SB 22-Dixon
SB 33-Lamping, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SA 2 & SA 1 to SA 2
(pending)

SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 1/31

SB 16-Munzlinger

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTEENTH DAY—TUESDAY, FEBRUARY 5, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom consists in doing the next thing you have to do; doing it with your whole heart and finding delight in doing it.” (Meister Eckart)

Gracious God, as we rush through this day, may we put our total selves into what must be done so it may not have to be redone. Help us, therefore, to be mindful of the small things, such as small acts of kindness and courtesy, caring and shared joy. Help us embrace all that is about us completely being present with all we encounter. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from Missouri News Horizon, Missouri Lawyers Media and KCTV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 227, regarding Fred L. Wilson, Warrensburg, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 261—By Rupp.

An Act to repeal section 138.431, RSMo, and to enact in lieu thereof one new section relating to the assignment of hearing officers by the state tax commission.

SB 262—By Curls.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the reimbursement of covered health care services provided through telemedicine, with an effective date.

SB 263—By Curls.

An Act to amend chapter 565, RSMo, by adding thereto three new sections relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties, with penalty provisions.

SB 264—By Dempsey.

An Act to repeal section 321.310, RSMo, and to enact in lieu thereof one new section relating to petitions to exclude property from a fire protection district.

SJR 16—By Kehoe and McKenna.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

Senator Lager assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, **SA 2** and **SA 1** to **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Rupp, **SA 2** was withdrawn, rendering **SA 1** to **SA 2** moot.

Senator Rupp offered **SS** for **SCS** for **SB 1**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1

An Act to repeal sections 287.067, 287.120, 287.140, 287.210, 287.220, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof nine new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Senator Rupp moved that **SS** for **SCS** for **SB 1** be adopted.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 1, Page 31, Section 287.715, Line 28, by striking “three” and inserting in lieu thereof “**seven**”.

Senator Holsman moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Sifton offered **SA 1** to **SA 1**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 1, Page 1, Section 287.715, Line 2, by striking “seven” and inserting in lieu thereof “**four**”.

Senator Sifton moved that the above amendment be adopted, which motion failed.

SA 1 was again taken up.

At the request of Senator Holsman, **SA 1** was withdrawn.

Senator Pearce assumed the Chair.

Senator Walsh offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 1, Pages 1-3, Section 287.067, by striking all of said section from the bill; and

Further amend said bill, pages 3-7, section 287.120, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted.

At the request of Senator Rupp, **SB 1**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for **HB 110**—Financial and Governmental Organizations and Elections.

On motion of Senator Richard, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator LeVota offered Senate Resolution No. 228, regarding Ashton James “A.J.” Harris, Independence, which was adopted.

Senator Parson offered Senate Resolution No. 229, regarding Jordan Michael Edward Powers, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Kehoe assumed the Chair.

Senator Walsh moved that **SA 2** be adopted, which motion failed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 1, Page 3, Section 287.067, Line 25, by inserting at the end of said line the following: “**Diseases associated with or caused by asbestos exposure, which shall include malignant mesothelioma, asbestosis, and asbestos related cancers of the lung, colon, and other organs shall not be occupational diseases for the purposes of the chapter. Compensation for such diseases shall not be recoverable nor provided for under this chapter.**”.

Senator Walsh moved that the above amendment be adopted.

At the request of Senator Rupp, **SB 1**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

Senator Pearce moved that **SB 7**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 7

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof three new sections relating to school accreditation, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SB 7** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 7** was declared perfected and ordered printed.

COMMUNICATIONS

Senator Justus submitted the following:

February 5, 2013

Terry Spieler – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Terry:

Pursuant to the provisions of section 41.1010, I am granted with the authority as Minority Floor Leader to appoint a member of the Senate to

the Missouri Military Preparedness and Enhancement Commission. I hereby appoint Senator Jason Holsman to this commission.

Sincerely,
/s/ Jolie Justus
Jolie Justus

President Pro Tem Dempsey submitted the following:

February 5, 2013

Senator Tom Dempsey – President Pro-Tem
State Capitol, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey:

With this correspondence I hereby resign from the Joint Committee on Capitol Improvements and Leases Oversight. I recommend that you appoint Senator Gina Walsh as my replacement.

Sincerely,
/s/ Jolie Justus
Jolie Justus

Also,

February 5, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Gina Walsh to the Joint Committee on Capitol Improvements and Leases Oversight. Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Jacob Scott and Mary Beth Rosenauer, Savannah; Brian Shewell, Excelsior Springs; Monterio Seewood, Kansas City; Ahmat Shah Salimee, St. Joseph, students from Missouri Western State University.

Senator LeVota introduced to the Senate, Rory Rowland, Independence.

Senator Lamping introduced to the Senate, Julie Blatz, Clayton.

Senator Lager introduced to the Senate, representatives of Great Northwest Days.

On behalf of Senators Kehoe, Parson and himself, Senator Pearce introduced to the Senate, Josh Thompson, Morgan Simpson and John Donnell, representatives of Missouri Athletic Trainers' Association.

Senator Romine introduced to the Senate, Dr. Ray Comiskey, President, Jefferson College, Hillsboro.

Senator Dixon introduced to the Senate, Andy Pruett, Jason Dunn, Jon Howerton and students from the Division of Youth Services Community Learning Center, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 6, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp	SB 241-Lager
SB 212-Cunningham	SB 242-Kehoe
SB 213-Kraus	SB 243-Brown
SB 214-Silvey	SB 244-Schaefer
SB 215-Silvey	SB 245-Justus
SB 216-Silvey	SB 246-Walsh
SB 217-LeVota	SB 247-Walsh
SB 218-LeVota	SB 248-Wasson
SB 219-Sater	SB 249-Nasheed
SB 220-Lamping	SB 250-Schaaf
SB 221-Lamping	SB 251-Kraus and Chappelle-Nadal
SB 222-Lamping	SB 252-Kraus
SB 223-Curls	SB 253-Justus
SB 224-Curls, et al	SB 254-Pearce
SB 225-Curls	SB 255-Schmitt and Schaefer
SB 226-Schaefer	SB 256-Silvey
SB 227-LeVota	SB 257-Silvey
SB 228-Holsman	SB 258-LeVota
SB 229-Brown	SB 259-Schaaf
SB 230-Brown	SB 260-Brown
SB 231-Munzlinger	SB 261-Rupp
SB 232-Wallingford	SB 262-Curls
SB 233-Sater, et al	SB 263-Curls
SB 234-Wasson	SB 264-Dempsey
SB 235-Cunningham	SJR 8-Dixon
SB 236-Parson	SJR 9-Emery
SB 237-Emery	SJR 10-Nasheed and Walsh
SB 238-Emery	SJR 11-Curls
SB 239-Emery	SJR 12-Sater
SB 240-Lager	SJR 13-Chappelle-Nadal

SJR 14-Schaefer, et al
SJR 15-Schaaf

SJR 16-Kehoe and McKenna

THIRD READING OF SENATE BILLS

SCS for SB 47-Lamping

SENATE BILLS FOR PERFECTION

SB 3-Rupp
SB 21-Dixon

SB 22-Dixon
SB 33-Lamping, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SS for SCS &
SA 3 (pending)

SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 1/31

SB 16-Munzlinger

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 6, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Satisfy us in the morning with your steadfast love, so that we may rejoice and be glad all our days.” (Psalm 90:14)

Loving Father, we began this morning in prayer and appreciated that time with You in quiet and with each other learning of Your word and about each other. We pray that throughout this day we may find our hearts full of peace and joy and give thanks for Your many blessings as we do our work and share our time with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 230, regarding Nathan Joseph Van Devender, Nixa,

which was adopted.

Senator Wasson offered Senate Resolution No. 231, regarding Tyler Allen Green, Ozark, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 265—By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibition on certain policies that infringe on private property rights.

SB 266—By Nieves.

An Act to amend chapters 191 and 571, RSMo, by adding thereto two new sections relating to privacy concerning firearms.

SB 267—By Nieves.

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

SB 268—By Nieves.

An Act to repeal section 21.750, RSMo, and to enact in lieu thereof one new section relating to ordinances adopted by political subdivisions regulating firearms.

SB 269—By Nieves.

An Act to repeal sections 8.172 and 8.460, RSMo, and to enact in lieu thereof two new sections relating to the preferential use of the capitol complex by private entities.

SB 270—By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to state enforcement of certain federal laws, with penalty provisions.

SB 271—By Nieves.

An Act to repeal sections 190.307 and 650.340, RSMo, and to enact in lieu thereof two new sections relating to emergency dispatch operator training.

SB 272—By Nieves.

An Act to amend chapter 320, RSMo, by adding thereto eight new sections relating to fire sprinkler contractors.

SB 273—By Wallingford.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to the release of crime scene materials under the state open records law.

SB 274—By Walsh.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to mandatory wage reporting for the purposes of determining the prevailing wage, with an effective date.

SB 275—By Walsh.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utility regulation, with existing penalty provisions.

SB 276—By Emery and Nieves.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual schools.

SJR 17—By Nieves.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to state sovereignty.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

SB 3 was placed on the Informal Calendar.

Senator Dixon moved that **SB 21** be taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

At the request of Senator Dixon, **SB 21** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 22** was placed on the Informal Calendar.

Senator Lamping moved that **SB 33**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 33**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 33

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons with mental disabilities.

Was taken up.

Senator Lamping moved that **SCS** for **SB 33** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 33, Page 1, Section 209.150, Line 2, by inserting immediately after the word “disability” the following: “**including diabetes**”; and further amend line 6, by inserting immediately after the word “disability” the following: “**including diabetes**”; and further amend line 14, by inserting immediately after the word “disability” the following: “**including diabetes**”; and

Further amend said bill, page 2, section 209.200, line 4, by inserting immediately after “213.010” the following: “**including diabetes**”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SCS** for **SB 33**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 33**, as amended, was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 7**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 58**, begs leave to report that it has considered the same and recommends that the bill do pass, and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 80**, begs leave to report that it has considered the same and recommends that the bill do pass, and be placed on the Consent Calendar.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 41**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 139**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 12**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 42**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 106**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 43**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 51**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 77**, begs leave to report that it has considered the same and recommends that the bill do pass, and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 86**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 16**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

On motion of Senator Richard, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 277, regarding Elizabeth Burken, Carthage, which was adopted.

Senator Schmitt offered Senate Resolution No. 278, regarding John Lawrence Kenney, Kansas City,

which was adopted.

Senator Schmitt offered Senate Resolution No. 279, regarding Patrick Stephen Kirk, Kansas City, which was adopted.

Senator Schmitt offered Senate Resolution No. 280, regarding Nicholas James Hochstatter, Parkville, which was adopted.

Senator Walsh offered Senate Resolution No. 281, regarding Kendall Maurice Wallace, Black Jack, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 33**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Rupp, **SB 1**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Cathee Wolford, as a member of the Board of Certification of Interpreters;

Also,

Jamie S. Koehler, as a member of the Seismic Safety Commission;

Also,

Collin L. Follis, Democrat, as a member of the State Board of Embalmers and Funeral Directors;

Also,

Diane Campbell Howard, Democrat, as a member of the Missouri Gaming Commission;

Also,

Mark S. Hasheider and Nathan D. Preston, as members of the Advisory Committee for 911 Service Oversight;

Also,

Lloyd Joseph Carmichael, Democrat, and Carrie Carroll, Republican, as members of the Missouri State University Board of Governors;

Also,

David L. Bonner, Democrat, as a member of the Truman State University Board of Governors;

Also,

Janet Crafton, Democrat, as a member of the State Fair Commission;

Also,

Janet E. Richardson, Dean Aye, Kelly L. Floyd and Eric Pilson, as members of the Missouri State Foster Care and Adoption Board;

Also,

Nicole N. Roach, Democrat, as a member of the Missouri Community Service Commission;

Also,

Paula D. Knight, as a member of the Coordinating Board for Early Childhood;

Also,

Charles E. Weedman Jr., Republican, as a member of the Missouri Ethics Commission;

Also,

Kelley Cramm, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects;

Also,

Matthew L. Dameron, Democrat, as a member of the Missouri Development Finance Board;

Also,

Michael C. Rader, as a member of the Missouri Brain Injury Advisory Council;

Also,

Gregory D. Mason, Democrat, and Alfred Purcell, Republican, as members of the Missouri Western State University Board of Governors;

Also,

Francis Dorrel and Patrick B. Haar, Republicans, and John W. Richmond, Democrat, as members of the Northwest Missouri State University Board of Regents;

Also,

William S. Moriarty, Independent, as a member of the Missouri Emergency Response Commission;

Also,

Reginald D. Dickson, Democrat, as a member of the Harris-Stowe State University Board of Regents;

Also,

Bruce Thomas Sommer, Democrat, as a member of the Regional Convention and Sports Complex Authority;

Also,

Greg L. Roberts, Democrat, as a member of the Missouri Housing Development Commission;

Also,

Alana M. Barragan-Scott, as a member of the Administrative Hearing Commission;

Also,

Alan O. Freeman, as Director of the Department of Social Services;

Also,

Harry Ralph Gaw, Democrat, as a member of the State Soil and Water Districts Commission;

Also,

Traron L. Shivers, as the student representative of the Lincoln University Board of Curators;

Also,

William Skains and Martha Black, as members of the Missouri Workforce Investment Board; and

Don T. Ruzicka, Republican, as a member of the Board of Probation and Parole.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 6, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 9, 2013, for your advice and consent:

Stephen R. Bough, Democrat, 1025 Arno Road, Kansas City, Jackson County, Missouri 64113, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Jose Lopez, term expired.

John McGuire, Democrat, 368 Carson Ridge Road, Glasgow, Howard County, Missouri 65254, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Rodney Boyd, term expired.

Lori Rasmussen, 1034 Savonne Court, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending January 1, 2014, and until her successor is duly appointed and qualified; vice, Paul Nahon, term expired.

John W. Siscel, III, Republican, 4804 Marchwood Drive, St. Louis, St. Louis County, Missouri 63128, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2013, and until his successor is duly appointed and qualified; vice, Anita T. Yeckel, term expired.

Carolyn R. Mahoney, Democrat, 1901 Andrea Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, and until her successor is duly appointed and qualified; vice, Mary Beth Luna Wolf, term expired.

Derek E. Williams, 1105 South Walnut, Cameron, Clinton County, Missouri 64429, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, RSMo. 210.617.

John Allen Collier, Republican, 608 Fifth Street, Weston, Platte County, Missouri, 64098, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Edward L. Baker, term expired.

Donna L. Birks, Democrat, 4710 Eastern Avenue, Kansas City, Jackson County, Missouri 64129, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2018, and until her successor is duly appointed and qualified; vice, Susan Pentlin, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 6, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 9, 2013, for your advice and consent:

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, Judith G. Haggard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the above appointments be returned to the Governor per his request, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Nieves introduced to the Senate, Vicki Coopmans, CRNA, Wildwood; Leslie Jacobs, CRNA, Washington; Abby Hughes-Strange, Ellisville; Caroline Phillips and Tom Marose, St. Louis; Aaron Frazer, Webster Groves; Rick Spangler and Stan Foster, Fenton; Rose Fontana, Des Peres; and Tina Azzam, Wentzville, representatives of Missouri Association of Nurse Anesthetists.

Senator Dixon introduced to the Senate, Jennifer Alsup, Heather Phillips, Farris Robertson, former State Representative Roy Holand, Melissa Millsap and Michelle Miller, representatives of Missouri Foundation for Health.

On behalf of Senators Richard, Munzlinger, Silvey, Lager and himself, Senator Schaefer introduced to

the Senate, Haley Brown, Liberty; Libby Shannon, Elizabeth Burken and Taylor Vaughn, Carthage; Allyson Doman and Miles Krusniak, Kirksville; Emily Schwenneker and Renae Cramer, Princeton; Anum Ahmed, Joplin; and Elizabeth Meyer and Casey Hulshof, Columbia.

Senator Richard introduced to the Senate, Kim Gray, Joplin.

The President introduced to the Senate, members of the Arts Council from around the state.

Senator Cunningham introduced to the Senate, Dean Aye, Howell County.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Han Paik, St. Louis.

Senator Nasheed introduced to the Senate, Representative Rochelle Walton Gray and Representative Karla May, St. Louis; and Representative Sharon Pace, St. Louis County.

Senator Sifton introduced to the Senate, Kelsey Meline, Kirksville; and Blake Lawrence, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY—THURSDAY, FEBRUARY 7, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp	SB 230-Brown, et al
SB 212-Cunningham	SB 231-Munzlinger
SB 213-Kraus	SB 232-Wallingford
SB 214-Silvey	SB 233-Sater, et al
SB 215-Silvey	SB 234-Wasson
SB 216-Silvey	SB 235-Cunningham
SB 217-LeVota	SB 236-Parson
SB 218-LeVota	SB 237-Emery
SB 219-Sater	SB 238-Emery
SB 220-Lamping	SB 239-Emery
SB 221-Lamping	SB 240-Lager
SB 222-Lamping	SB 241-Lager
SB 223-Curls	SB 242-Kehoe
SB 224-Curls, et al	SB 243-Brown
SB 225-Curls	SB 244-Schaefer
SB 226-Schaefer	SB 245-Justus
SB 227-LeVota	SB 246-Walsh and Silvey
SB 228-Holsman	SB 247-Walsh
SB 229-Brown	SB 248-Wasson

SB 249-Nasheed	SB 268-Nieves
SB 250-Schaaf	SB 269-Nieves
SB 251-Kraus and Chappelle-Nadal	SB 270-Nieves
SB 252-Kraus	SB 271-Nieves
SB 253-Justus	SB 272-Nieves
SB 254-Pearce	SB 273-Wallingford
SB 255-Schmitt and Schaefer	SB 274-Walsh
SB 256-Silvey	SB 275-Walsh
SB 257-Silvey	SB 276-Emery and Nieves
SB 258-LeVota	SJR 8-Dixon
SB 259-Schaaf	SJR 9-Emery
SB 260-Brown	SJR 10-Nasheed and Walsh
SB 261-Rupp	SJR 11-Curls
SB 262-Curls	SJR 12-Sater
SB 263-Curls	SJR 13-Chappelle-Nadal
SB 264-Dempsey	SJR 14-Schaefer, et al
SB 265-Nieves	SJR 15-Schaaf
SB 266-Nieves	SJR 16-Kehoe and McKenna
SB 267-Nieves	SJR 17-Nieves

THIRD READING OF SENATE BILLS

SCS for SB 47-Lamping	SCS for SB 33-Lamping
SCS for SB 7-Pearce	

SENATE BILLS FOR PERFECTION

SB 41-Munzlinger	SB 117-Kraus, with SCS
SB 139-Kehoe	SB 43-Munzlinger
SB 12-Schaefer	SB 51-Munzlinger
SB 42-Munzlinger, with SCS	SB 86-Keaveny, with SCS
SB 106-Brown, with SCS	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SS for SCS & SA 3 (pending)	SB 21-Dixon
SB 3-Rupp	SB 22-Dixon
	SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine
SB 80-Romine

SB 77-Lamping

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTEENTH DAY—THURSDAY, FEBRUARY 7, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Saying ‘yes’ to God’s gift of love and life primarily and above all else means choosing love as a life principle.” (John Powell)

Lord of Love, as we complete this day and journey home we are thankful for Your teaching us to love one another and especially those You have given us to love. Help us to make loving others our “life principle” and find ways to express it in varied ways and in the varied relationships we have. And may we express it fully with those we experience Your presence with this weekend in Your house of prayer. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

Senator Silvey assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard offered the following resolution:

SENATE RESOLUTION NO. 237

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and eight division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
5	Staff Attorney II	3,546 - 5,238
1	Senior Staff Attorney	4,011 - 5,833
1	Research Analyst IV	3,546 - 5,238
1	Assistant Director General Research	4,722 - 6,644
1	Investigator	3,290 - 4,818
4	Research Staff Secretary	2,742 - 3,909
1	Budget Research Analyst II	3,290 - 4,818
3	Budget Research Analyst III	3,909 - 5,702
1	Assistant Director Budget Research	4,722 - 6,644
1	Budget Staff Secretary	2,742 - 3,909
3	Assistant Secretary of Senate	3,056 - 4,348
1	Enrolling & Engrossing Supervisor	3,056 - 4,348
3	Enrolling & Engrossing Clerk	2,431 - 3,418
1	Billroom Supervisor	2,431 - 3,418
1	Billroom Clerk	2,089 - 2,885
5	Public Information Specialist	2,431 - 3,418
1	Photographer	2,742 - 3,909
1	Administrative Assistant	3,194 - 6,425
1	Telecommunications Coordinator	3,056 - 4,348
1.5	Accounting Specialist	2,841 - 4,011
1	Human Resources Specialist	2,841 - 4,011
9.0	Administrative/Office Support	2,841 - 4,011
1	Computer Info. Technology Spec. I	3,546 - 5,238
3	Computer Info. Technology Spec. II	3,909 - 5,702
1	Computer Info. Technology Spec III	4,722 - 6,644
2	Computer Info. Technologist I	2,431 - 3,418
3	Computer Info. Technologist II	3,170 - 4,530

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
1	Network/Communications Specialist	3,909 - 5,702
1	Composing Equipment Operator III	2,277 - 3,170
1	Mailroom Supervisor	2,431 - 3,418
1	Mailroom Technician II	2,089 - 2,885
1	Printing Services Technician II	2,089 - 2,885
1	Printing Services Technician III	2,277 - 3,170
2	Printing Services Technician IV	2,558 - 3,546
1	Maintenance Supervisor	2,558 - 3,546
1	Carpenter II	2,558 - 3,546
1	Maintenance Worker II	2,277 - 3,170
0.5	Sergeant at Arms (Elected)	2,558 - 3,546
4.0	Assistant Doorkeeper	1,712 - 2,227
0.5	Reading Clerk	1,712 - 2,227
0.5	Chaplain	908 - 1,212
0.5	Security Guard	1,712 - 2,227

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges in July to reflect implementation of the state pay plan for FY 2014.

Senator Lager offered Senate Resolution No. 238, regarding Emily Schwenneker, Princeton, which was adopted.

Senator Kehoe offered Senate Resolution No. 239, regarding Todd Bogatzke, Owensville, which was adopted.

Senator Kehoe offered Senate Resolution No. 240, regarding Kelsey Parrott, Jamestown, which was adopted.

Senator Cunningham offered Senate Resolution No. 241, regarding the Seventy-first Wedding Anniversary of Mr. and Mrs. Albert Yearman, Willow Springs, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 277—By Holsman.

An Act to amend chapter 393, RSMo, by adding thereto seven new sections relating to the Missouri energy efficiency performance standard.

SB 278—By Kehoe.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 279—By Kehoe.

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, and 476.515, RSMo, and to enact in lieu thereof twenty-five new sections relating to the administration of state employee benefits.

SB 280—By Wasson.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a bridge.

SB 281—By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for dental services.

SB 282—By Wasson.

An Act to repeal section 302.302, RSMo, and to enact in lieu thereof four new sections relating to the endangerment of emergency workers, with penalty provisions.

SB 283—By Parson.

An Act to repeal sections 52.010, 54.040, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to candidacy qualifications for certain county offices.

SB 284—By Sifton, Justus, Keaveny, Walsh, Chappelle-Nadal and Nasheed.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

SB 285—By Romine.

An Act to repeal section 632.505, RSMo, and to enact in lieu thereof one new section relating to access to certain electronic monitoring information by local law enforcement agencies.

SB 286—By Romine, Schmitt and Lamping.

An Act to repeal section 227.303, RSMo, and to enact in lieu thereof one new section relating to the designation of memorial highways.

SB 287—By Rupp.

An Act to repeal sections 379.1300, 379.1306, 379.1310, 379.1312, and 379.1326, RSMo, and to enact in lieu thereof six new sections relating to captive insurance companies.

SB 288—By Lamping.

An Act to repeal sections 104.1205 and 104.1215, RSMo, and to enact in lieu thereof two new sections relating to retirement of higher education employees.

The Senate observed a moment of silence in memory of Kirkwood Police Sergeant William Biggs, Officer Tom Ballman, council members Connie Carr and Michael Lynch, Public Works Director Ken Yost and Mayor Mike Swoboda.

THIRD READING OF SENATE BILLS

SCS for **SB 47**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 47

An Act to repeal section 453.072, RSMo, and to enact in lieu thereof one new section relating to subsidized legal guardianship of a child.

Was taken up by Senator Lamping.

On motion of Senator Lamping, **SCS** for **SB 47** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 7

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof three new sections relating to school accreditation, with an emergency clause.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater

Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Holsman—1

Absent—Senators—None

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 33**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 33

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons with mental disabilities.

Was taken up by Senator Lamping.

On motion of Senator Lamping, **SCS** for **SB 33** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Jeff Copeland, St. Peters.

Senator Pearce introduced to the Senate, Presiding Commissioner Nelson Heil, Associate Commissioners Bill Berlsen and David Martin, Carroll County; and Presiding Commissioner Tom Stallings and Associate Commissioner Charles Guthrie, Saline County.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 11, 2013.

SENATE CALENDAR

EIGHTEENTH DAY—MONDAY, FEBRUARY 11, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp
SB 212-Cunningham
SB 213-Kraus
SB 214-Silvey
SB 215-Silvey
SB 216-Silvey
SB 217-LeVota
SB 218-LeVota
SB 219-Sater
SB 220-Lamping
SB 221-Lamping

SB 222-Lamping
SB 223-Curls
SB 224-Curls, et al
SB 225-Curls
SB 226-Schaefer
SB 227-LeVota
SB 228-Holsman
SB 229-Brown
SB 230-Brown, et al
SB 231-Munzlinger
SB 232-Wallingford

SB 233-Sater, et al	SB 266-Nieves
SB 234-Wasson	SB 267-Nieves
SB 235-Cunningham	SB 268-Nieves
SB 236-Parson	SB 269-Nieves
SB 237-Emery	SB 270-Nieves
SB 238-Emery	SB 271-Nieves
SB 239-Emery	SB 272-Nieves
SB 240-Lager	SB 273-Wallingford
SB 241-Lager	SB 274-Walsh
SB 242-Kehoe	SB 275-Walsh
SB 243-Brown	SB 276-Emery and Nieves
SB 244-Schaefer	SB 277-Holsman
SB 245-Justus	SB 278-Kehoe
SB 246-Walsh and Silvey	SB 279-Kehoe
SB 247-Walsh	SB 280-Wasson
SB 248-Wasson	SB 281-Wasson
SB 249-Nasheed	SB 282-Wasson
SB 250-Schaaf	SB 283-Parson
SB 251-Kraus and Chappelle-Nadal	SB 284-Sifton, et al
SB 252-Kraus	SB 285-Romine
SB 253-Justus	SB 286-Romine, et al
SB 254-Pearce	SB 287-Rupp
SB 255-Schmitt and Schaefer	SB 288-Lamping
SB 256-Silvey	SJR 8-Dixon
SB 257-Silvey	SJR 9-Emery
SB 258-LeVota	SJR 10-Nasheed and Walsh
SB 259-Schaaf	SJR 11-Curls
SB 260-Brown	SJR 12-Sater
SB 261-Rupp	SJR 13-Chappelle-Nadal
SB 262-Curls	SJR 14-Schaefer, et al
SB 263-Curls	SJR 15-Schaaf
SB 264-Dempsey	SJR 16-Kehoe and McKenna
SB 265-Nieves	SJR 17-Nieves

SENATE BILLS FOR PERFECTION

SB 41-Munzlinger	SB 117-Kraus, with SCS
SB 139-Kehoe	SB 43-Munzlinger
SB 12-Schaefer	SB 51-Munzlinger
SB 42-Munzlinger, with SCS	SB 86-Keaveny, with SCS
SB 106-Brown, with SCS	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SS for SCS & SA 3
(pending)
SB 3-Rupp

SB 21-Dixon
SB 22-Dixon
SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine
SB 80-Romine

SB 77-Lamping

RESOLUTIONS

SR 237-Richard

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Journal of the Senate

FIRST REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 11, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Wisdom states: “Whoever finds me finds life and obtains favor from the Lord;” (Proverbs 8:35)

Gracious God, grant us wisdom to love, desire, seek and serve You with our full hearts. Provide us hope and trust that knows with You there is knowledge about living that the world cannot give. Provide us intelligence about our world that we may serve effectively and graciously as we are able. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 7, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard moved that **SR 237** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SR 237** was adopted.

Senator Wasson offered Senate Resolution No. 242, regarding Dorothy K. Knowles, Springfield, which was adopted.

Senator LeVota offered Senate Resolution No. 243, regarding William Chrisman High School, which was adopted.

Senator LeVota offered Senate Resolution No. 244, regarding Christian Ott Elementary School, which was adopted.

Senator Schaefer offered Senate Resolution No. 245, regarding Ethan Michael Stevenson, Ashland, which was adopted.

Senator Wasson offered Senate Resolution No. 246, regarding Rick Busse, Willard, which was adopted.

Senator Wasson offered Senate Resolution No. 247, regarding Donald Smith, Willard, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 248, regarding the Chinese New Year, which was adopted.

Senator Munzlinger offered Senate Resolution No. 249, regarding the former First Presbyterian Church, La Grange, which was adopted.

Senator Holsman offered Senate Resolution No. 250, regarding the Todd Bolender Center for Dance and Creativity, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 251, regarding Kansas City Missouri Public Schools, which was adopted.

Senator Pearce offered Senate Resolution No. 252, regarding Vincent Theus, which was adopted.

Senator Pearce offered Senate Resolution No. 253, regarding Jordan Alexander Helmig, which was adopted.

Senator Pearce offered Senate Resolution No. 254, regarding Jackson Couch, which was adopted.

Senator Pearce offered Senate Resolution No. 255, regarding Jacob Adam Mertes, which was adopted.

Senator Justus offered Senate Resolution No. 256, regarding the One Hundredth Birthday of Perry Willard Reams, Mexico, which was adopted.

Senator Nasheed offered Senate Resolution No. 257, regarding Willard Moore, III, which was adopted.

Senator Sifton offered Senate Resolution No. 258, regarding Matthew Gregory Joseph “Matt” Henson, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 259, regarding Donna Riggs, Rolla, which was adopted.

CONCURRENT RESOLUTIONS

Senator Pearce offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 7

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States accounts for 20 percent of world energy consumption and is the world's largest petroleum consumer. The U.S. consumes more than 15 million barrels of oil each day-forecasts suggest this will not change for decades. Current imports amount to over eight million barrels each day, approximately 50 percent of the United States' requirements; and

WHEREAS, even with new technology, oil discoveries, alternative fuels and conservation efforts, the U.S. will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food and drive their vehicles, but to allow the U.S. economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

WHEREAS, the growing production of conflict-free oil from Canada's oil sands and the Bakken formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values, additional pipeline capacity to refineries in the U.S. Midwest and Gulf Coast is required; and

WHEREAS, increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the U.S., and some of the most stringent human rights and worker protection legislation in the world; and

WHEREAS, improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26% on a per barrel basis since 1990. Oil sands production accounts for 6.9% of Canada's greenhouse gas (GHG) emissions and 0.1% (1/1000th) of global GHG emissions. Total emissions from Canada's oil sands sector was 48 megatons in 2010, equivalent to 0.5% of U.S. GHG emissions. Oil sands crude has similar CO₂ emissions to other heavy oils and is 6% more carbon-intensive than the average crude refined in the U.S. on a wells-to-wheels basis; and

WHEREAS, the 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million bpd, or half of U.S. refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four suppliers being Mexico (22 percent), Saudi Arabia (17 percent), Venezuela (16 percent), and Nigeria (9 percent). Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL, and Gulf Coast Expansion projects could displace roughly 40% of the oil the U.S. currently imports from the Persian Gulf and Venezuela; and

WHEREAS, the Keystone XL pipeline project, which has been subject to the most thorough public consultation process of any proposed US pipeline, and the subject of multiple environmental impacts statements and several U.S. Department of State studies, have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

WHEREAS, the original Keystone Pipeline which spans across the northern part of Missouri supplies over 500,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL Pipeline will, when completed, carry 830,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel and jet fuel; and

WHEREAS, the Keystone XL project will create approximately 9,000 construction jobs. The Gulf Coast Project is a \$2.3 billion project that has created approximately 4,000 construction jobs. Combined, they support yet another 7,000 manufacturing jobs. Seventy-five percent of the pipe used to build Keystone XL in the U.S. will come from North American mills, including half made by U.S. workers. Goods for the pipeline valued at approximately \$800 million have already been sourced from U.S. manufacturers:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby support continued and increased development and delivery of oil derived from North American oil reserves to American refineries and hereby urge the United States Congress to: support continued and increased development and delivery of oil from Canada to the United States; and urge the President to support the continued and increased importation of oil derived from the Bakken formation in Montana, North Dakota and South Dakota as well as Canadian oil sands; and ask the U.S. Secretary of State to approve the newly-routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 289—By Sifton.

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

SB 290—By Walsh.

An Act to repeal sections 130.016, 130.036, 130.037, 130.049, 130.050, 130.054, and 130.086, RSMo, section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.026 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.026 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bill no. 262, eighty-eighth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.041 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.041 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.057 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.057 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 676 merged with conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, and to enact in lieu thereof thirteen new sections relating to campaign finance.

SB 291—By Rupp.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to awarding state contracts to vendors employing individuals with qualifying disabilities.

SB 292—By Rupp.

An Act to repeal section 287.745, RSMo, and to enact in lieu thereof one new section relating to workers' compensation tax overpayments.

SB 293—By Pearce.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing bodies of certain public institutions of higher education, with an emergency clause.

SB 294—By Schmitt.

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to public service commission intervention in certain legal proceedings.

SB 295—By Lager.

An Act to amend chapter 85, RSMo, by adding thereto one new section relating to paid members of any fire department or fire district.

SB 296—By Lager.

An Act to repeal sections 174.700, 174.703, 174.706, and 544.157, RSMo, and to enact in lieu thereof six new sections relating to college or university police officers.

SB 297—By Lager.

An Act to repeal sections 393.320, 393.1000, and 393.1003, RSMo, and to enact in lieu thereof three new sections relating to ratemaking for water utilities.

SJR 18—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

SJR 19—By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael L. Hodges, 3138 Sutton Boulevard, Saint Louis, Saint Louis County, Missouri 63143, as a member of the Interior Design Council,

for a term ending April 6, 2016, and until his successor is duly appointed and qualified; vice, Catherine F. Brown, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brian C. Maddux, 19663 Balke Road, Warsaw, Benton County, Missouri 65355, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2015, and until his successor is duly appointed and qualified; vice, Francis G. Slack, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brian McIntyre, 928 Abbeville Drive, University City, Saint Louis County, Missouri 63130, as a member of the Missouri State Board of Chiropractic Examiners, for a term ending February 5, 2017, and until his successor is duly appointed and qualified; vice, Richard D. James, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Forrest Miller Jr., Republican, 9100 Appomattox Court, Crestwood, Saint Louis County, Missouri 63123, as a member of the Missouri Community Service Commission, for a term ending December 15, 2015, and until his successor is duly appointed and qualified; vice, Forrest Miller Jr., reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ann Nunn-Jones, Democrat, 4922 Lake Road, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2015, and until her successor is duly appointed and qualified; vice, Ann Nunn-Jones, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mariea Snell, 808 East Pacific, Saint Louis, Saint Louis County, Missouri 63119, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2013, and until her successor is duly appointed and qualified; vice, Ann K. Shelton, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mishely Tisius, 7461 Bland Avenue, Clayton, Saint Louis County, Missouri 63105, as a member of the Board of Certification of Interpreters, for a term ending June 27, 2015, and until her successor is duly appointed and qualified; vice, RSMo. 209.287.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 7, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gary Vandiver, Democrat, 500 Deer Ridge Drive, Richmond, Ray County, Missouri 64085, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Gary Vandiver, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 87**, entitled:

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof seven new sections relating to certain benevolent tax credits, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 41** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 41, Page 1, Section 537.291, Lines 1-2 by striking “enjoin, abate, or recover damages” and inserting in lieu thereof the following “**enjoin or abate**”.

Senator Justus moved that the above amendment be adopted, which motion failed.

At the request of Senator Munzlinger, **SB 41** was placed on the Informal Calendar.

Senator Lager assumed the Chair.

Senator Kehoe moved that **SB 139** be taken up for perfection, which motion prevailed.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 139, Page 1, In the Title, Line 3 of the title by striking said line and inserting in lieu thereof the following: “to public records and meetings, with an”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“610.010. As used in this chapter, unless the context otherwise indicates, the following terms mean:

(1) “Closed meeting”, “closed record”, or “closed vote”, any meeting, record or vote closed to the public;

(2) “Copying”, if requested by a member of the public, copies provided as detailed in section 610.026,

if duplication equipment is available;

(3) “Public business”, all matters which relate in any way to the performance of the public governmental body’s functions or the conduct of its business;

(4) “Public governmental body”, any legislative, administrative or governmental entity created by the constitution or statutes of this state, by order or ordinance of any political subdivision or district, judicial entities when operating in an administrative capacity, or by executive order, including:

(a) Any body, agency, board, bureau, council, commission, committee, board of regents or board of curators or any other governing body of any institution of higher education, including a community college, which is supported in whole or in part from state funds, including but not limited to the administrative entity known as “The Curators of the University of Missouri” as established by section 172.020;

(b) Any advisory committee or commission appointed by the governor by executive order;

(c) Any department or division of the state, of any political subdivision of the state, of any county or of any municipal government, school district or special purpose district including but not limited to sewer districts, water districts, and other subdistricts of any political subdivision;

(d) Any other legislative or administrative governmental deliberative body under the direction of three or more elected or appointed members having rulemaking or quasi-judicial power;

(e) Any committee appointed by or at the direction of any of the entities and which is authorized to report to any of the above-named entities, any advisory committee appointed by or at the direction of any of the named entities for the specific purpose of recommending, directly to the public governmental body’s governing board or its chief administrative officer, policy or policy revisions or expenditures of public funds including, but not limited to, entities created to advise bi-state taxing districts regarding the expenditure of public funds, or any policy advisory body, policy advisory committee or policy advisory group appointed by a president, chancellor or chief executive officer of any college or university system or individual institution at the direction of the governing body of such institution which is supported in whole or in part with state funds for the specific purpose of recommending directly to the public governmental body’s governing board or the president, chancellor or chief executive officer policy, policy revisions or expenditures of public funds provided, however, the staff of the college or university president, chancellor or chief executive officer shall not constitute such a policy advisory committee. The custodian of the records of any public governmental body shall maintain a list of the policy advisory committees described in this subdivision;

(f) Any quasi-public governmental body. The term “quasi-public governmental body” means any person, corporation or partnership organized or authorized to do business in this state pursuant to the provisions of chapter 352, 353, or 355, or unincorporated association which either:

a. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or

b. Performs a public function as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that

directly accepts the appropriation of money from a public governmental body, but only to the extent that a meeting, record, or vote relates to such appropriation; and

(g) Any bi-state development agency established pursuant to section 70.370;

(5) “Public meeting”, any meeting of a public governmental body subject to sections 610.010 to 610.030 at which any public business is discussed, decided, or public policy formulated, whether such meeting is conducted in person or by means of communication equipment, including, but not limited to, conference call, video conference, Internet chat, or Internet message board. The term “public meeting” shall not include an informal gathering of members of a public governmental body for ministerial or social purposes when there is no intent to avoid the purposes of this chapter, but the term shall include a public vote of all or a majority of the members of a public governmental body, by electronic communication or any other means, conducted in lieu of holding a public meeting with the members of the public governmental body gathered at one location in order to conduct public business;

(6) “Public record”, any record, whether written or electronically stored, retained by or of any public governmental body including any report, survey, memorandum, or other document or study prepared for the public governmental body by a consultant or other professional service paid for in whole or in part by public funds, including records created or maintained by private contractors under an agreement with a public governmental body or on behalf of a public governmental body; provided, however, that personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years. The term “public record” shall not include any internal memorandum or letter received or prepared by or on behalf of a member of a public governmental body consisting of advice, opinions and recommendations in connection with the deliberative decision-making process of said body, unless such records are retained by the public governmental body or presented at a public meeting. Any document or study prepared for a public governmental body by a consultant or other professional service as described in this subdivision shall be retained by the public governmental body in the same manner as any other public record. **Any lease, sublease, rental agreement, or similar instrument entered into by any public governmental body, or any sublease of a publicly-owned facility entered into between any party and the entity which shall have the rights to manage said facility, or any other agreement for the rental, construction, or renovation of said facility shall be a public record;**

(7) “Public vote”, any vote, whether conducted in person, by telephone, or by any other electronic means, cast at any public meeting of any public governmental body.

610.020. 1. All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered, and if the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting. If a public body plans to meet by Internet chat, Internet message board, or other computer link, it shall post a notice of the meeting on its website in addition to its principal office and shall notify the public how to access that meeting. Reasonable notice shall include making available copies of the notice to any **member of the public** or representative of the news media who requests notice of meetings of a particular public governmental body concurrent with the notice being made available to the members of the particular governmental body and posting the notice on a

bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.

2. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least **[twenty-four] forty-eight hours, or twenty-four hours for the general assembly and any committee thereof**, exclusive of weekends and holidays when the facility is closed, prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Every reasonable effort shall be made to grant special access to the meeting to handicapped or disabled individuals.

3. A public body shall allow for the recording by audiotape, videotape, or other electronic means of any open meeting. A public body may establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted without permission of the public body; any person who violates this provision shall be guilty of a class C misdemeanor.

4. When it is necessary **for such governmental bodies** to hold a meeting on less than **[twenty-four] forty-eight hours' notice, or twenty-four hours' notice for the general assembly and any committee thereof**, or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

5. A formally constituted subunit of a parent governmental body may conduct a meeting without notice as required by this section during a lawful meeting of the parent governmental body, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.

6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include, **but not be limited to**, the date, time, place, members present, members absent, and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body. **Minutes shall contain a list of the subjects discussed during any closed meeting, but nothing in this subsection shall require the disclosure of records or votes that are properly closed under section 610.021.**"; and

Further amend said bill, Page 1, Section 610.021, Line 11, by striking "made public" and inserting in lieu thereof the following: **"publicly disclosed in an open meeting"**; and further amend line 18, by striking "announced or become public" and inserting in lieu thereof the following: **"publicly disclosed in an open meeting"**; and

Further amend said bill and section, Page 2, Line 20, by inserting after “record” the following: “**. When public disclosure in an open meeting is prescribed, such disclosure shall be done orally or in writing, or both, and shall occur at the next scheduled open meeting of the public body, or at the resumption of a recessed or subsequent open meeting, whatever is applicable soonest to the time lines for disclosure as prescribed in this section. Where the public governmental body shall close meetings, records, and votes due to a “cause of action” as provided in this subdivision, the body shall have received evidence that a lawsuit has been filed, although not yet served, or shall have actual correspondence from a party stating that litigation shall be filed under certain circumstances stated in said correspondence**”; and

Further amend said bill and section, Page 5, Line 136, by inserting after all of said line the following:

“610.022. 1. Except as set forth in subsection 2 of this section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific section of this chapter shall be announced publicly at an open meeting of the governmental body and entered into the minutes.

2. A public governmental body proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of section 610.021. Such notice shall comply with the procedures set forth in section 610.020 for notice of a public meeting.

3. Any meeting or vote closed pursuant to section 610.021 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. Public governmental bodies shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote. **Only members of a public governmental body, their attorney and staff assistants, and any other person necessary to provide information needed by or requested by the public governmental body in regard to the matter being discussed shall be permitted in a closed meeting.** Public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in the closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.

4. Nothing in sections 610.010 to 610.028 shall be construed as to require a public governmental body to hold a closed meeting, record or vote to discuss or act upon any matter.

5. Public records shall be presumed to be open unless otherwise exempt pursuant to the provisions of this chapter.

6. In the event any member of a public governmental body makes a motion to close a meeting, or a record, or a vote from the public and any other member believes that such motion, if passed, would cause a meeting, record or vote to be closed from the public in violation of any provision in this chapter, such latter member shall state his or her objection to the motion at or before the time the vote is taken on the motion. The public governmental body shall enter in the minutes of the public governmental body any objection made pursuant to this subsection. Any member making such an objection shall be allowed to fully participate in any meeting, record or vote that is closed from the public over the member’s objection. In the event the objecting member also voted in opposition to the motion to close the meeting, record or vote at issue, the objection and vote of the member as entered in the minutes shall be an absolute defense to any

claim filed against the objecting member pursuant to section 610.027.

610.023. 1. Each public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records. The identity and location of a public governmental body's custodian is to be made available upon request. **Each custodian of a public governmental body is encouraged to create and maintain an index of all public records maintained by its public governmental body.**

2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity, whether by contract, license or otherwise, the exclusive right to access and disseminate any public record unless the granting of such right is necessary to facilitate coordination with, or uniformity among, industry regulators having similar authority.

3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If records are requested in a certain format, the public body shall provide the records in the requested format, if such format is available. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

4. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

610.027. 1. The remedies provided by this section against public governmental bodies shall be in addition to those provided by any other provision of law. Any aggrieved person, taxpayer to, or citizen of, this state, or the attorney general or prosecuting attorney, may seek judicial enforcement of the requirements of sections 610.010 to 610.026. Suits to enforce sections 610.010 to 610.026 shall be brought in the circuit court for the county in which the public governmental body has its principal place of business. Upon service of a summons, petition, complaint, counterclaim, or cross-claim in a civil action brought to enforce the provisions of sections 610.010 to 610.026, the custodian of the public record that is the subject matter of such civil action shall not transfer custody, alter, destroy, or otherwise dispose of the public record sought to be inspected and examined, notwithstanding the applicability of an exemption pursuant to section 610.021 or the assertion that the requested record is not a public record until the court directs otherwise.

2. [Once a party seeking judicial enforcement of sections 610.010 to 610.026 demonstrates to the court that the body in question is subject to the requirements of sections 610.010 to 610.026 and has held a closed meeting, record or vote, the burden of persuasion shall be on the body and its members to demonstrate compliance with the requirements of sections 610.010 to 610.026.] **In any legal proceeding, there shall be a presumption that a meeting, record, or vote is open to the public. The burden shall be on a public governmental body or a member of a public governmental body to prove that such meeting, record, or vote may be closed to the public.**

3. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has [knowingly] violated sections 610.010 to 610.026, the public governmental

body or the member shall be subject to a civil penalty in an amount [up to one thousand] **of one hundred** dollars. If the court finds that there is a [knowing] violation of sections 610.010 to 610.026, the court [may] **shall** order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing a violation. [The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.] **In making this determination of reasonable attorney fees, the court shall take into account the size of the jurisdiction, annual operating budget, and other sources of revenue.**

4. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has purposely violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to five thousand dollars. If the court finds that there was a purposeful violation of sections 610.010 to 610.026, then the court shall order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing such a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

5. Upon a finding by a preponderance of the evidence that a public governmental body has violated any provision of sections 610.010 to 610.026, a court shall void any action taken in violation of sections 610.010 to 610.026, if the court finds under the facts of the particular case that the public interest in the enforcement of the policy of sections 610.010 to 610.026 outweighs the public interest in sustaining the validity of the action taken in the [closed] meeting, record or vote. Suit for enforcement shall be brought within one year from which the violation is ascertainable and in no event shall it be brought later than two years after the violation. This subsection shall not apply to an action taken regarding the issuance of bonds or other evidence of indebtedness of a public governmental body if a public hearing, election or public sale has been held regarding the bonds or evidence of indebtedness.

6. A public governmental body which is in doubt about the legality of closing a particular meeting, record or vote may bring suit at the expense of that public governmental body in the circuit court of the county of the public governmental body's principal place of business to ascertain the propriety of any such action, or seek a formal opinion of the attorney general or an attorney for the governmental body.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Emery, Justus, Kehoe and Sater.

Senator Justus offered **SA 1 to SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 139, Page 5, Section 610.010, Lines 12-14, by striking all of said lines and inserting in lieu thereof the following: **“entered into by any public governmental body, or”**.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Sifton offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 139, Page 8, Section 610.020, Line 10 by inserting immediately after “610.021.” the following: “**Audio recordings of closed meetings shall be made and preserved. Such recordings shall be available only to a court for in camera proceedings in an action to enforce the provisions of chapter 610.**”.

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Justus, McKenna, Chappelle-Nadal and Holsman.

At the request of Senator Kehoe, **SB 139**, with **SA 1** and **SA 2** to **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Jon and Terri Stouffer, Neosho; and Jay Mitchell, Seneca.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

NINETEENTH DAY–TUESDAY, FEBRUARY 12, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Rupp
SB 212-Cunningham
SB 213-Kraus
SB 214-Silvey
SB 215-Silvey
SB 216-Silvey
SB 217-LeVota
SB 218-LeVota
SB 219-Sater
SB 220-Lamping
SB 221-Lamping
SB 222-Lamping
SB 223-Curls
SB 224-Curls, et al
SB 225-Curls
SB 226-Schaefer

SB 227-LeVota
SB 228-Holsman
SB 229-Brown
SB 230-Brown, et al
SB 231-Munzlinger
SB 232-Wallingford
SB 233-Sater, et al
SB 234-Wasson
SB 235-Cunningham
SB 236-Parson
SB 237-Emery
SB 238-Emery
SB 239-Emery
SB 240-Lager
SB 241-Lager
SB 242-Kehoe

SB 243-Brown	SB 277-Holsman
SB 244-Schaefer	SB 278-Kehoe
SB 245-Justus	SB 279-Kehoe
SB 246-Walsh and Silvey	SB 280-Wasson
SB 247-Walsh	SB 281-Wasson
SB 248-Wasson	SB 282-Wasson
SB 249-Nasheed	SB 283-Parson
SB 250-Schaaf	SB 284-Sifton, et al
SB 251-Kraus and Chappelle-Nadal	SB 285-Romine
SB 252-Kraus	SB 286-Romine, et al
SB 253-Justus	SB 287-Rupp
SB 254-Pearce	SB 288-Lamping
SB 255-Schmitt and Schaefer	SB 289-Sifton
SB 256-Silvey	SB 290-Walsh
SB 257-Silvey	SB 291-Rupp
SB 258-LeVota	SB 292-Rupp
SB 259-Schaaf	SB 293-Pearce
SB 260-Brown	SB 294-Schmitt
SB 261-Rupp	SB 295-Lager
SB 262-Curls	SB 296-Lager
SB 263-Curls	SB 297-Lager
SB 264-Dempsey	SJR 8-Dixon
SB 265-Nieves	SJR 9-Emery
SB 266-Nieves	SJR 10-Nasheed and Walsh
SB 267-Nieves	SJR 11-Curls
SB 268-Nieves	SJR 12-Sater
SB 269-Nieves	SJR 13-Chappelle-Nadal
SB 270-Nieves	SJR 14-Schaefer, et al
SB 271-Nieves	SJR 15-Schaaf
SB 272-Nieves	SJR 16-Kehoe and McKenna
SB 273-Wallingford	SJR 17-Nieves
SB 274-Walsh	SJR 18-Schmitt
SB 275-Walsh	SJR 19-Lager
SB 276-Emery and Nieves	

HOUSE BILLS ON SECOND READING

HCS for HB 87

SENATE BILLS FOR PERFECTION

SB 12-Schaefer	SB 43-Munzlinger
SB 42-Munzlinger, with SCS	SB 51-Munzlinger
SB 106-Brown, with SCS	SB 86-Keaveny, with SCS
SB 117-Kraus, with SCS	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Rupp, with SCS, SS for SCS & SA 3
(pending)
SB 3-Rupp
SB 21-Dixon
SB 22-Dixon

SB 41-Munzlinger
SB 48-Lamping
SB 139-Kehoe, with SA 1 & SA 2 to SA 1
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine
SB 80-Romine

SB 77-Lamping

RESOLUTIONS

To be Referred

SCR 7-Pearce

✓

Journal of the Senate

FIRST REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 12, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have given him his heart’s desire.” (Psalm 21:2a)

Loving Father, it is good to know that You are a God that hears and answers prayer. In our silence when words refuse to come You are aware of the deep rumblings of our soul and the concerns of our hearts. You comfort us and in our joy lift us up. When we bring our petitions before You and You respond blessing us and encouraging us so we may know the joys of Your heart by the peace and comfort of Your loving presence. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 260, regarding Staff Sergeant Troy Green, Cameron, which was adopted.

Senator Cunningham offered Senate Resolution No. 261, regarding Joe Scott, Poplar Bluff, which was adopted.

Senators Libla and Wallingford offered Senate Resolution No. 262, regarding Missouri Rice Research and Merchandising Council, which was adopted.

Senator Libla offered Senate Resolution No. 263, regarding Francisco Esquivel, Poplar Bluff, which was adopted.

Senator Nieves offered Senate Resolution No. 264, regarding Quinton Hildebrandt, St. Clair, which was adopted.

Senator Kehoe offered Senate Resolution No. 265, regarding Bob Priddy and Jeffrey Ball, which was adopted.

Senator Schaaf offered Senate Resolution No. 266, regarding Katherine Thompson, Kansas City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 298—By Holsman.

An Act to repeal sections 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, RSMo, and to enact in lieu thereof twenty-two new sections relating to campaign finance, with a referendum clause and penalty provisions.

SB 299—By Holsman.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to energy efficiency improvements to certain state buildings.

SB 300—By Holsman.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to medical assistance benefits.

SB 301—By McKenna, Romine and Walsh.

An Act to repeal sections 290.210, 290.260, and 290.262, RSMo, and to enact in lieu thereof three new sections relating to prevailing wage.

SB 302—By Wasson.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to emergency prescription refills.

SB 303—By Wasson.

An Act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to pharmacy permits.

SB 304—By Wasson.

An Act to repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

SB 305—By Wasson.

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to examination requirements for physicians.

SB 306—By Wasson.

An Act to repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 139**, with **SA 1** and **SA 2** to **SA 1**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 to **SA 1** was again taken up.

At the request of Senator Sifton, **SA 2** to **SA 1** was withdrawn.

Senator Schmitt assumed the Chair.

Senator Schaaf offered **SA 3** to **SA 1**:

SENATE AMENDMENT NO. 3 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 139, Page 13, Section 610.027, Line 15, by inserting after the word “or” the following: “**may order the payment by such**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Schaefer moved that **SA 1**, as amended, be adopted which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator McKenna—1

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 139, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to public records and meetings, with an”; and

Further amend said bill and page, Section A, line 2 by inserting after all of said line the following:

“610.015. Except as provided in section 610.021, rules authorized pursuant to article III of the Missouri Constitution and as otherwise provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each “yea” and “nay” vote, or abstinence if not voting, to the name of the individual member of the public governmental body. Any votes taken during a closed meeting shall be taken by roll call. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication. All votes taken by roll call in meetings of a public governmental body consisting of members who are all elected, except for the Missouri general assembly and any committee established by a public governmental body, shall be cast by members of the public governmental body who are physically present and in attendance at the meeting **or who are participating via videoconferencing**. When it is necessary to take votes by roll call in a meeting of the public governmental body, due to an emergency of the public body, with a quorum of the members of the public body physically present and in attendance and less than a quorum of the members of the public governmental body participating via telephone, facsimile, Internet, or any other voice or electronic means, the nature of the emergency of the public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **SB 139**, as amended, was declared perfected and ordered printed.

Senator Schaefer moved that **SB 12** be taken up for perfection, which motion prevailed.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 12, Page 1, Section 537.865, Line 2, by striking “party” and inserting in lieu thereof the following: “**defendant in a criminal case without compensation**”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schaefer, **SB 12**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 42**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 42**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 42

An Act to repeal sections 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof five new sections relating to delinquent debts for the cost of imprisonment in a county jail.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 42** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 42**, was declared perfected and ordered printed.

Senator Pearce requested unanimous consent of the Senate to allow Sheriff Troy Hofstetter and Sheriff Kerrick Alumbaugh to enter the Chamber with side arms, which request was granted.

Senator Brown moved that **SB 106**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

Was taken up.

Senator Brown moved that **SCS** for **SB 106** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 106**, was declared perfected and ordered printed.

Senator Kraus moved that **SB 117**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to residency at public institutions of higher education.

Was taken up.

Senator Kraus moved that **SCS** for **SB 117** be adopted.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, In the Title, Lines 2-3, by striking the following: “residency at public institutions of higher education” and inserting in lieu thereof the following: “military affairs”; and

Further amend said bill and page, section A, line 2, by inserting immediately after all of said line the following:

“8.012. At all state buildings and upon the grounds thereof, the board of public buildings may accompany the display of the flag of the United States and the flag of this state with the display of the

POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**"; and

Further amend said bill, page 2, section 173.1150, line 27, by inserting immediately after all of said line the following:

"253.048. Within the state parks, the department may accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**"; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, Section 173.1150, Line 10, by inserting immediately after the word "Missouri" the following: **"and shall have been duly stationed in Missouri by their branch of the military forces of the United States for at least one year prior to their discharge"**; and further amend line 12 by inserting immediately after the word "attends" the following: **"and shall have been duly stationed within the taxing district of such community college by their branch of the military forces of the United States for at least one year prior to their discharge"**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 117, Page 1, Section 173.1150, Line 9, by inserting immediately after the word "presence" the following: **"and declare residency"**; and further amend line 11 by inserting immediately after the word "presence" the following: **"and declare residency"**.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 117**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 117**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 43** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 43** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 51** be taken up for perfection, which motion prevailed.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 51, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "to regulation of motor"; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“301.301. [1. Any person replacing a stolen license plate tab issued on or after January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a police report that is corresponding with the stolen license plate tab.

2.] Any person replacing a stolen license plate tab [issued prior to January 1, 2009,] may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SB 51**, as amended, was declared perfected and ordered printed.

Senator Keaveny moved that **SB 86**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 86**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 86

An Act to repeal section 105.684, RSMo, and to enact in lieu thereof one new section relating to the retirement plan funded ratio needed for adjustments in benefits, with an emergency clause.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 86** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 86** was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 28**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 121**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 110**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 197**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 182**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 69**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 89**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 211—Education.

SB 212—Judiciary and Civil and Criminal Jurisprudence.

SB 213—Jobs, Economic Development and Local Government.

SB 214—Judiciary and Civil and Criminal Jurisprudence.

SB 215—Seniors, Families and Pensions.

SB 216—Jobs, Economic Development and Local Government.

SB 217—Transportation and Infrastructure.

SB 218—General Laws.

SB 219—Financial and Governmental Organizations and Elections.

SB 220—Ways and Means.

SJR 8—Judiciary and Civil and Criminal Jurisprudence.

SJR 9—Judiciary and Civil and Criminal Jurisprudence.

SJR 10—Rules, Joint Rules, Resolutions and Ethics.

SJR 11—Ways and Means.

SJR 12—Financial and Governmental Organizations and Elections.

SJR 13—Jobs, Economic Development and Local Government.

SJR 14—General Laws.

SJR 15—Judiciary and Civil and Criminal Jurisprudence.

SJR 16—Transportation and Infrastructure.

REFERRALS

President Pro Tem Dempsey referred the Gubernatorial Appointments appearing on pages 234 through 237 of the Senate Journal for Monday, February 11, 2013 to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey referred **SCR 7** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donna L. Birks, Democrat, 4710 Eastern Avenue, Kansas City, Jackson County, Missouri 64129, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2018, and until her successor is duly appointed and qualified; vice, Donna L. Birks, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2010, while the Senate was not in session.

Archie Camden, Democrat, 322 Rue Terre Bonne, Bonne Terre, St. Francois County, Missouri 63628, as a member of the State Board of Embalmers and Funeral Directors, for a term ending September 1, 2016, and until his successor is duly appointed and qualified; vice, Archie Camden, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Allen Collier, Republican, 608 Fifth Street, Weston, Platte County, Missouri, 64098, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, John Allen Collier, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Timothy Flora, 1521 Ladina Place, Ellisville, Saint Louis County, Missouri 63011, as a member of the Board of Private Investigator and Private Fire Investigator Examiners, for a term ending March 4, 2016 and until his successor is duly appointed and qualified; vice, Francis "Chris" Rey, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carolyn R. Mahoney, Democrat, 1901 Andrea Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, and until her successor is duly appointed and qualified; vice, Carolyn R. Mahoney, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 12, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Derek E. Williams, 1105 South Walnut, Cameron, Clinton County, Missouri 64429, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2014, and until his successor is duly appointed and qualified; vice, Derek E. Williams, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 1**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

At the request of Senator Walsh, **SA 3** was withdrawn.

At the request of Senator Rupp, **SS** for **SCS** for **SB 1** was withdrawn.

Senator Rupp offered **SS No. 2** for **SCS** for **SB 1**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.610, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Senator Rupp moved that **SS No. 2** for **SCS** for **SB 1** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 48, Section B, Line 28 of said page, by striking the word "section" and inserting in lieu thereof the following: "sections"; and

Further amend said bill and section, page 49, line 1 of said page, by inserting immediately after "287.220" the following: "and 287.715"; and further amend line 4 of said page, by striking the word

“section” and inserting in lieu thereof the following: “sections”; and further amend line 5 of said page, by inserting immediately after “287.220” the following: “and 287.715”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 22, by adding after the word “weeks” the following: “as set forth in section 287.220 (15)”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 5, Section 287.020, Line 17 of said page, by inserting the word “**only**” immediately after the word “shall”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 30, Section 287.220, Line 8 of said page, by striking the following: “all of”; and further amend line 24 of said page, by striking “an” and inserting in lieu thereof the following: “**a**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 36, Section 287.220, Line 4 of said page, by striking “may” and inserting in lieu thereof the following: “**shall**”; and further amend line 9 of said page, by inserting after the word “fund” the following: “**other than those found in subsection 15 of this section,**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 27, by inserting immediately after “employer” the following: “or, at the claimant’s option, the claimant may prosecute the claim in circuit court”.

Senator Walsh moved that the above amendment be adopted, which motion failed.

Senator Sifton offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Line 20 of said page, by inserting after “An” the following: **“additional”**; and further amend line 21 of said page, by striking “one” and inserting in lieu thereof the following: **“two”**; and further amend lines 24 and 25 of said page, by striking said lines and inserting in lieu thereof the following: **“exposure are found to be mesothelioma, in addition to subdivision (2) of this subsection, an additional amount of two hundred”**; and further amend lines 26 and 27 of said page, by striking “two hundred twenty-five” and inserting in lieu thereof the following: **“four hundred fifty”**.

Senator Sifton moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Sifton, **SA 7** was withdrawn.

Senator Rupp offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 21, Section 287.200, Lines 24-27 of said page, by striking all of said lines and inserting in lieu thereof the following: **“exposure are found to be mesothelioma, an additional amount of three hundred percent of the state’s average weekly wage for one hundred ninety-one weeks shall be paid as set forth in subsection 15 of section 287.220; and”**; and

Further amend said bill, page 27, section 287.220, line 1 of said page, by striking “subdivision 2” and inserting in lieu thereof the following: **“subdivisions (2) and (3)”**; and further amend line 2 of said page, by striking “this section” and inserting in lieu thereof the following: **“section 287.200”**; and

Further amend said bill and section, page 36, line 5 of said page, by striking “subdivision 2” and inserting in lieu thereof the following: **“subdivisions (2) and (3)”**; and

Further amend said bill, page 47, section 287.715, line 11 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: **“subdivisions (2) and (3)”**; and further amend line 16 of said page, by striking “subsection 2” and inserting in lieu thereof the following: **“subsections 2 and 6”**; and further amend line 20 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: **“subdivisions (2) and (3)”**; and further amend line 27 of said page, by striking “subdivision (2)” and inserting in lieu thereof the following: **“subdivisions (2) and (3)”**.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SS No. 2** for **SCS** for **SB 1**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS No. 2** for **SCS** for **SB 1**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred

SB 12; SCS for SB 42; SB 43; SB 51; SCS for SB 86; SCS for SB 106; SCS for SB 117; and SB 139, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 267, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Crow, which was adopted.

Senator Lager offered Senate Resolution No. 268, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Burchett, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 269, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Fred Arthaud, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 270, regarding the One Hundredth Birthday of Goldie Phillips, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 271, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Bennett, which was adopted.

Senator Lager offered Senate Resolution No. 272, regarding Micaela Lynch, Excelsior Springs, which was adopted.

Senator Dempsey offered Senate Resolution No. 273, regarding Cathy Jankowski, Saint Peters, which was adopted.

Senator Romine offered Senate Resolution No. 274, regarding Christian Campbell, St. Francois County, which was adopted.

Senator Parson offered Senate Resolution No. 275, regarding Liam Morris Dallam, Edwards, which was adopted.

Senator Parson offered Senate Resolution No. 276, regarding Michael Bryson, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 277, regarding Jordan Christopher Gresham, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 278, regarding Kendall Ryan Kee, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 279, regarding Ryan Curtis Sprouse, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 280, regarding Nathaniel Malik Fauquier, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 281, regarding Shania Francka, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 282, regarding Michael Dye, Windyville, which was adopted.

Senator Justus offered Senate Resolution No. 283, regarding Nita Jones, Fulton, which was adopted.

Senator LeVota offered Senate Resolution No. 284, regarding the Fiftieth Anniversary of Nowlin Middle School, which was adopted.

Senator Parson offered Senate Resolution No. 285, regarding Carter Thomas Lapine, Sedalia, which was adopted.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Gary Romine to the Joint Committee on Tax Increment Financing.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Bob Dixon to the Court Automation Committee.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 12, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ryan Silvey to the Joint Committee on Legislative Research.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Jonathan Patterson, Independence.

Senator Kraus introduced to the Senate, Dr. Joseph Yasso and Dr. Phillip Accardo, Lee's Summit.

Senator Parson introduced to the Senate, Dylan Holloway, Kirk Jones, Levi Kemp, Scott Kirchoff, Desarae Lightfoot, Austin McCrickard, Gerry Phillips, Neoma Sanders, Lauren Shuler, Sheldon Toler, Tracy Slagle and Chris McClay, representatives of Leadership Bolivar.

Senator Emery introduced to the Senate, Mayor Ernie Jungmeyer, Homer Dunsworth, Holly Stark and Brad Ratcliff, Peculiar.

Senator Nasheed introduced to the Senate, Paula Hughes, Denise and Luanna Williams, Willard Moore, III and Janice Battle, St. Louis.

Senator Pearce introduced to the Senate, Sheriff Troy Hofstetter, Carroll County; and Sheriff Kerrick Alumbaugh, Lafayette County.

Senator Brown introduced to the Senate, Retired Sergeant Major David Mauldin and his wife, Ginger, Jefferson City.

On behalf of Senator Schmitt, the President introduced to the Senate, Gary Fuhr and Christian Tolbert, St. Louis.

Senator Schaefer introduced to the Senate, Mary Ridge, Sturgeon.

Senator Pearce introduced to the Senate, Merle Dierking, Blackburn; and retired Howard County teachers.

Senator LeVota introduced to the Senate, Councilman Christopher R. Whiting, Independence.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTIETH DAY—WEDNESDAY, FEBRUARY 13, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 221-Lamping
 SB 222-Lamping
 SB 223-Curls
 SB 224-Curls, et al
 SB 225-Curls
 SB 226-Schaefer
 SB 227-LeVota
 SB 228-Holsman
 SB 229-Brown

SB 230-Brown, et al
 SB 231-Munzlinger
 SB 232-Wallingford
 SB 233-Sater, et al
 SB 234-Wasson
 SB 235-Cunningham
 SB 236-Parson
 SB 237-Emery
 SB 238-Emery

SB 239-Emery	SB 275-Walsh
SB 240-Lager	SB 276-Emery and Nieves
SB 241-Lager	SB 277-Holsman
SB 242-Kehoe	SB 278-Kehoe
SB 243-Brown	SB 279-Kehoe
SB 244-Schaefer	SB 280-Wasson
SB 245-Justus	SB 281-Wasson
SB 246-Walsh and Silvey	SB 282-Wasson
SB 247-Walsh	SB 283-Parson
SB 248-Wasson	SB 284-Sifton, et al
SB 249-Nasheed	SB 285-Romine
SB 250-Schaaf	SB 286-Romine, et al
SB 251-Kraus and Chappelle-Nadal	SB 287-Rupp
SB 252-Kraus	SB 288-Lamping
SB 253-Justus	SB 289-Sifton
SB 254-Pearce	SB 290-Walsh
SB 255-Schmitt and Schaefer	SB 291-Rupp
SB 256-Silvey	SB 292-Rupp
SB 257-Silvey	SB 293-Pearce
SB 258-LeVota	SB 294-Schmitt
SB 259-Schaaf	SB 295-Lager
SB 260-Brown	SB 296-Lager
SB 261-Rupp	SB 297-Lager
SB 262-Curls	SB 298-Holsman
SB 263-Curls	SB 299-Holsman
SB 264-Dempsey	SB 300-Holsman
SB 265-Nieves	SB 301-McKenna, et al
SB 266-Nieves	SB 302-Wasson
SB 267-Nieves	SB 303-Wasson
SB 268-Nieves	SB 304-Wasson
SB 269-Nieves	SB 305-Wasson
SB 270-Nieves	SB 306-Wasson
SB 271-Nieves	SJR 17-Nieves
SB 272-Nieves	SJR 18-Schmitt
SB 273-Wallingford	SJR 19-Lager
SB 274-Walsh	

HOUSE BILLS ON SECOND READING

THIRD READING OF SENATE BILLS

SB 12-Schaefer	SCS for SB 86-Keaveny
SCS for SB 42-Munzlinger	SCS for SB 106-Brown
SB 43-Munzlinger	SCS for SB 117-Kraus
SB 51-Munzlinger	SB 139-Kehoe

SENATE BILLS FOR PERFECTION

SB 28-Kraus	SB 197-Sater, et al
SB 121-Schaefer, with SCS	SB 182-Kehoe, et al, with SCS
SB 9-Pearce, with SCS	SB 69-Keaveny, with SCS
SB 17-Munzlinger and Romine, with SCS	SB 89-Munzlinger, with SCS
SB 110-Brown	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp	SB 41-Munzlinger
SB 21-Dixon	SB 48-Lamping
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine	SB 77-Lamping
SB 80-Romine	

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Journal of the Senate

FIRST REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 13, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You will seek the Lord your God, and you will find him if you search after him with all your heart and soul.” (Deuteronomy 4:29)

Today many observe Ash Wednesday and are called to reflect on their lives in serious and critical ways. So we pray, O Lord, that we may be true to this day, aware of our shortcomings and in need of Your mercy. Keep us close to Your heart that even our groans are heard and provide us with hope and guidance as we walk through this day of ashes toward Your promise to be with You always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 286, regarding Mary M. “Mimi” Stiritz, Clayton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 287, regarding Alexander Coulter Engeman, Montrose, which was adopted.

Senator Munzlinger offered Senate Resolution No. 288, regarding Lauren Wieberg, Argyle, which was adopted.

Senator Munzlinger offered Senate Resolution No. 289, regarding Alyssa Rockers, Carthage, which was adopted.

Senator Munzlinger offered Senate Resolution No. 290, regarding Katie Pennell, Aurora, which was adopted.

Senator Munzlinger offered Senate Resolution No. 291, regarding Jessie Fowler, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 292, regarding Jennifer Durbin, Monroe City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 293, regarding Faith Arendt, Liberty, which was adopted.

Senator Munzlinger offered Senate Resolution No. 294, regarding Emily Evans Paul, Anderson, which was adopted.

Senator Munzlinger offered Senate Resolution No. 295, regarding Benjamin Nelson, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 296, regarding Chris Kahlenbeck, Union, which was adopted.

Senator Munzlinger offered Senate Resolution No. 297, regarding Nathan Smith, Villa Ridge, which was adopted.

Senator Munzlinger offered Senate Resolution No. 298, regarding Anthony McCollum, Purdin, which was adopted.

Senator Cunningham offered Senate Resolution No. 299, regarding Katie Judd, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 300, regarding the Fiftieth Anniversary of Missouri State University-West Plains, which was adopted.

Senator Lager offered Senate Resolution No. 301, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Raymond Wilmes, Maryville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Sifton offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, the United States Environmental Protection Agency (EPA) has repeatedly delayed issuing regulations on coal combustion

waste; and

WHEREAS, coal combustion waste, or coal ash, contains carcinogenic and neurotoxic chemicals such as mercury, arsenic, cadmium, lead, hexavalent chromium, and other heavy metals that have been proven to harm human health; and

WHEREAS, ponds containing coal ash often leak these pollutants into the groundwater, as evidenced by documentation of contamination in other states including Illinois; and

WHEREAS, coal waste ponds at the Labadie Power Plant in Franklin County were known by the Missouri Department of Natural Resources to be leaking 50,000 gallons per day since 1992. Ameren has only recently claimed to address those known leaks, and no groundwater monitoring around the ponds has occurred or is occurring even though everyone for miles around the site in Franklin County relies on groundwater for drinking water; and

WHEREAS, the State of Missouri currently does not require any groundwater monitoring at these coal ash ponds, so that the extent of any danger to the public health cannot be determined; and

WHEREAS, there are at least 32 coal ash ponds scattered across the State of Missouri, including in Jasper, Jackson, Platte, Franklin, Buchanan, St. Louis, New Madrid, Henry, Jefferson, Scott, St. Charles, and Randolph Counties; and

WHEREAS, utilities generate over 2.6 million tons of coal ash in Missouri every year; and

WHEREAS, devastating coal ash spills took place in December 2008 in Kingston, Tennessee and in November 2011 in Oak Creek, Wisconsin, both of which resulted in property damage and expensive cleanup; and

WHEREAS, a report released by Earthjustice in August 2011 listed Missouri as one of the weakest states in the country for regulating coal combustion waste; and

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Department of Natural Resources, in issuing water pollution discharge permits for conventional coal-fueled electric generating units, and consistent with otherwise applicable law, to fully consider:

(1) The need to require groundwater monitoring immediately at all new and existing coal ash ponds in the State of Missouri; and

(2) The need to require clean-up at all coal ash ponds that are found to be leaking dangerous chemicals; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Director of the Department of Natural Resources.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 307—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to disclosure of contractual payment amounts for health care services between health carriers and health care providers.

SB 308—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

SB 309—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the operation of health benefit exchanges by certain public benefit corporations.

SB 310—By Nasheed.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to expungement of criminal records.

SB 311—By Nasheed.

An Act to repeal sections 160.400 and 160.425, RSMo, and to enact in lieu thereof eight new sections relating to school turnaround models to transform public schools designated in the lowest performing twenty percent of schools in the state.

SB 312—By LeVota.

An Act to amend chapters 104 and 476, RSMo, by adding thereto two new sections relating to retirement benefits.

SB 313—By LeVota.

An Act to repeal section 488.607, RSMo, and to enact in lieu thereof one new section relating to criminal case surcharges for counties or cities with domestic violence shelters.

SB 314—By Wallingford.

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

SB 315—By Pearce.

An Act to repeal section 137.720, RSMo, and to enact in lieu thereof one new section relating to collection of property taxes.

SB 316—By Parson and Justus.

An Act to amend chapter 479, RSMo, by adding thereto one new section relating to surcharges for municipal traffic violations.

SB 317—By Romine.

An Act to repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to providing proof of financial responsibility for motor vehicle operation in an electronic format, with penalty provisions.

SB 318—By Rupp.

An Act to repeal sections 188.052, 188.055, and 188.070, RSMo, and to enact in lieu thereof three new sections relating to abortion recordkeeping, with penalty provisions.

SB 319—By Rupp.

An Act to repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to the modernization of certain information provided by insurance companies, with penalty provisions.

SB 320—By Schaefer.

An Act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to the University of Missouri board of curators.

SB 321—By Schaefer.

An Act to amend chapter 339, RSMo, by adding thereto fourteen new sections relating to the licensing of home inspectors, with penalty provisions and an effective date.

SB 322—By Dixon.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to the immunity from civil liability for law enforcement officers.

SB 323—By Dixon.

An Act to repeal section 135.960, RSMo, and to enact in lieu thereof six new sections relating to job creation incentives.

Senator Pearce assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred the Gubernatorial Appointments appearing on pages 255 through 257 of the Senate Journal for Tuesday, February 12, 2013 to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey referred **SCS** for **SB 42**; **SCS** for **SB 117**; and **SB 139** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 28** be taken up for perfection, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Kraus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 28, Page 4, Section 288.030, Line 123, by inserting immediately after the word “lawful” the following: “**or not reasonably related to the job environment and performance**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Kraus, **SB 28**, as amended, was placed on the Informal Calendar.

At the request of Senator Schaefer, **SB 121**, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 9**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 9

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

Was taken up.

Senator Pearce moved that **SCS** for **SB 9** be adopted.

At the request of Senator Pearce, **SB 9**, with **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Archie Camden to the State Board of Embalmers and Funeral Directors, submitted to you on February 12, 2013. Paragraph 1 should be amended to read:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendum to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 28**, as amended, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 28**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 28

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

Senator Kraus moved that **SS** for **SB 28** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 28** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 17**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 17

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

Was taken up.

Senator Kraus assumed the Chair.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 178.550, Lines 25-26, by striking the following: "career and technical education professor or instructor employed at a community

college or at” and inserting in lieu thereof the following: “**representative from**”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 178.550, Line 43, by striking the word “recognized”; and further amend line 44, by striking all of said line and inserting in lieu thereof the following: “**approved by the United States Department of Labor’s Office of Apprenticeship**”.

Senator Sifton moved that the above amendment be adopted.

Senator Schaefer offered **SSA 1** for **SA 2**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 178.550, Line 44, by inserting immediately after the word “relations” the following: “**or approved by the United States Department of Labor’s Office of Apprenticeship**”.

Senator Schaefer moved that the above substitute amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SCS** for **SB 17**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 17**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 110** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 110** was declared perfected and ordered printed.

Senator Sater moved that **SB 197** be taken up for perfection, which motion prevailed.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 197, Page 1, Section 199.170, Line 9, by striking the opening bracket “[”; and further amend said line, by striking the closing bracket “]” and inserting in lieu thereof the following: “**in conjunction with the**”; and

Further amend said bill, page 6, section 199.270, line 16, by striking the word “oftener” and inserting in lieu thereof the following: “**more**”; and

Further amend said bill, page 7, section 199.275, line 8, by inserting immediately after the word “by” the following: “**the attending physician in conjunction with**”; and

Further amend said bill and page, section 199.290, lines 11-17, by striking all of said lines and inserting in lieu thereof the following:

“2. All institutions of higher education in Missouri shall implement a targeted testing program on their campuses for all on-campus students and faculty upon matriculation. If an institution does not have a student health center or similar facility, such person identified by the targeted testing program

to be at high risk for latent tuberculosis infection or for developing tuberculosis disease shall be referred to a local public health agency for a course of action consistent with sections 199.170 to 199.350.

3. Any entering student of an institution of higher education in Missouri who does not comply with the targeted testing program shall not be permitted to maintain enrollment in the subsequent semester at such institution.”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 197, Page 7, Section 199.275, Line 12, by striking the following “D felony” and inserting in lieu thereof the following: “**B misdemeanor**”; and further amend line 14, by striking the following “C felony” and inserting in lieu thereof the following: “**A misdemeanor**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Sater, **SB 197**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 28** and **SS No. 2** for **SCS** for **SB 1**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS No. 2** for **SCS** for **SB 1** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 121**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 121**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 121

An Act to repeal sections 311.071, 311.200, and 311.290, RSMo, and to enact in lieu thereof four new sections relating to liquor control, with existing penalty provisions.

Was taken up.

Senator Schaefer offered **SS** for **SCS** for **SB 121**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 121

An Act to repeal sections 311.071, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof six new sections relating to liquor control, with existing penalty provisions.

Senator Schaefer moved that **SS** for **SCS** for **SB 121** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 121, Page 1, In the Title, Line 5 of said title, by inserting after “provisions” the following: “and an emergency clause for a certain section”; and

Further amend said bill, Page 1, Section A, Line 4 of said page, by inserting immediately after all of said line the following:

“311.055. **1.** No person at least twenty-one years of age shall be required to obtain a license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed two hundred gallons per calendar year if there are two or more persons over the age of twenty-one years in such household, or one hundred gallons per calendar year if there is only one person over the age of twenty-one years in such household. **Any intoxicating liquor manufactured under this section may not be offered for sale.**

2. Beer brewed under this section may be removed from the premises where brewed for personal or family use, including use at organized affairs, exhibitions, or competitions, such as home brewer contests, tastings, or judging. The use may occur off licensed retail premises, on any premises under a temporary retail license issued under sections 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization’s licensed premises as described in section 311.090.”; and

Further amend said bill, page 8, section 316.150, line 21 of said page, by inserting immediately after all of said line the following:

“Section B. Because of the need to clarify the laws relating to beer brewed for personal or family use, the repeal and reenactment of section 311.055 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 311.055 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 121, Page 2, Section 311.071, Line 24 of said page, by inserting immediately after all of said line the following:

“311.091. 1. **Except as provided under subsection 2 of this section and** notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of [liquor] **alcohol and tobacco** control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry one hundred or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. **Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.**

3. For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SS for SCS for SB 121**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS for SCS for SB 121**, as amended, was declared perfected and ordered printed.

Senator Pearce moved that **SB 9**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for SB 9 was again taken up.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 9, Page 1, Section 262.598, Line 12, by

inserting immediately after the word “councils” the following: “, **except for any council located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants,**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Pearce moved that **SCS** for **SB 9**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 9**, as amended, was declared perfected and ordered printed.

Senator Kehoe moved that **SB 182**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 182**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 182**

An Act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof three new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 182** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 182** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 110**; **SB 197**; and **SCS** for **SB 17**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 302, regarding the Conference of Grand Masters of Masons of North America, which was adopted.

Senator Nasheed offered Senate Resolution No. 303, regarding Lieutenant Stanley Charles Williams, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 304, regarding Sophie Bernstein, St. Louis, which was adopted.

Senator Rupp offered Senate Resolution No. 305, regarding Sarah Sutherlin, Lake Saint Louis, which was adopted.

COMMUNICATIONS

Senator Justus submitted the following:

February 13, 2013

Terry Spieler – Secretary of the Senate
Missouri State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Terry:

Due to the fact that section 21.795 requires that members of the Joint Committee on Transportation Oversight also be members of the standing Senate committee on Transportation, I hereby withdraw the appointment of Senator Jamilah Nasheed to the Joint Committee on Transportation Oversight.

Sincerely,
/s/ Jolie Justus
Jolie Justus

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, Daryl Nelson, M.D. and his father, Roy, Lee's Summit.

Senator Parson introduced to the Senate, Director Les Abel, Dorothy Loges and students, Angel Maxwell, Ashley Ward, Melanie Ellis, Amber Hamby and Samantha Dosier, Dallas County Technical Center, Louisburg.

Senator Kehoe introduced to the Senate, Julia Potter and DECA students, Courtland Gerhart, Taylor Bleich, Olivia Kunze, Taylor Walters, Ana Strickfaden and Audrey Imhoff, California High School.

Senator Cunningham introduced to the Senate, Mayor Linda Miller, Renee' Keaton and Scott Lindsey, Licking.

Senator Holsman introduced to the Senate, Councilmen Brent Steeno, John Maloney and Jim Crain, Grandview.

Senator Emery introduced to the Senate, Brian Gillis, Cody Yarick, and Traci Stevener, representatives of Future Farmers of America, Rich Hill.

Senator Emery introduced to the Senate, Matt McIntire, Archie.

Senator Emery introduced to the Senate, Caroline Bynum, Freeman; and FBLA representatives Trevor Thompson, Eli Suarez and Theresa Bynum, Midway High School, Cleveland.

Senator Emery introduced to the Senate, Scott Nolting, Traci Pattison, Steven Shields, Kari Worsley and students, Johnna Cato, Rose Compton, Ashton Kirkpatrick, Caitlyn McKibben, Jade and Trent Morgan, Zack Neher, Jacob Russell and Tai Thrasher, Future Farmers of America Officers, Lamar Career Technical Center.

Senator Nieves introduced to the Senate, the Physician of the Day, Dr. Elliot Korn, Wildwood.

Senator LeVota introduced to the Senate, Councilman and former State Representative Curt Dougherty, Councilman Jim Schultz and Robert Heacock, Independence.

Senator Munzlinger introduced to the Senate, Rhian Beldon, Shelbina; Sonja Perry, Bowling Green; Jaelyn Bergmann, Perry; Courtney Spencer, Aurora; Ryan Messner, Stanberry; Samantha Gibson, Norborne; Kenneth Swope, Boonville; Allyson Smith, Centerview; Katie Gibson, Holts Summit; Sarah Bastin, Golden City; Cody Stewart, Ash Grove; Ashlee Jones, Highlandville; Mallary Burris, Bakersfield; Cody Shoop, Linn; Anna Eftink, Bloomfield; Sam Turner, Bernie; and Brady James, Hurdland, State Future Farmers of

America Officers.

Senator Pearce introduced to the Senate, Bonnie Branson, Higginsville; Linda Hoffman, Sedalia; Nicole Farrell, Whiteman Air Force Base; and Emily Lippman, Malta.

Senator Curls introduced to the Senate, Linda Spence, Kansas City.

Senator Brown introduced to the Senate, Sherry Struckhoff and CTE students from Waynesville Career Center.

Senator Schmitt introduced to the Senate, Jim Berterich, Larry Belgeri, David Burlis, Jeannie Braun, Chris and Lee Clauss, Jim Donze, Ginny and Lon Goede, Richard Hely, Thad James, Vance Scherrer, Debbie Schirmer, Tom Schopp, Curtis Turner and Jeannie Braun, representatives of Fenton Area Chamber of Commerce.

Senator Pearce introduced to the Senate, Michelle Hanson, Abrea Mizer, Ellen Woolsey, Derek Lark and Randy Plattner, Saline County Career Center; and Sarrah Dobson, Lex La-Ray Technical Center, Lexington.

Senator Kraus introduced to the Senate, Councilman and former State Representative Derek Holland, Lee's Summit.

Senator Richard introduced to the Senate, Gary Duncan, Joplin.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 14, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 221-Lamping
SB 222-Lamping
SB 223-Curls
SB 224-Curls, et al
SB 225-Curls
SB 226-Schaefer
SB 227-LeVota
SB 228-Holsman
SB 229-Brown
SB 230-Brown, et al
SB 231-Munzlinger
SB 232-Wallingford

SB 233-Sater, et al
SB 234-Wasson
SB 235-Cunningham
SB 236-Parson
SB 237-Emery
SB 238-Emery
SB 239-Emery
SB 240-Lager
SB 241-Lager
SB 242-Kehoe
SB 243-Brown
SB 244-Schaefer

SB 245-Justus	SB 286-Romine, et al
SB 246-Walsh and Silvey	SB 287-Rupp
SB 247-Walsh	SB 288-Lamping
SB 248-Wasson	SB 289-Sifton
SB 249-Nasheed	SB 290-Walsh
SB 250-Schaaf	SB 291-Rupp
SB 251-Kraus and Chappelle-Nadal	SB 292-Rupp
SB 252-Kraus	SB 293-Pearce
SB 253-Justus	SB 294-Schmitt
SB 254-Pearce	SB 295-Lager
SB 255-Schmitt and Schaefer	SB 296-Lager
SB 256-Silvey	SB 297-Lager
SB 257-Silvey	SB 298-Holsman
SB 258-LeVota	SB 299-Holsman
SB 259-Schaaf	SB 300-Holsman
SB 260-Brown	SB 301-McKenna, et al
SB 261-Rupp	SB 302-Wasson
SB 262-Curls	SB 303-Wasson
SB 263-Curls	SB 304-Wasson
SB 264-Dempsey	SB 305-Wasson
SB 265-Nieves	SB 306-Wasson
SB 266-Nieves	SB 307-Schaaf
SB 267-Nieves	SB 308-Schaaf
SB 268-Nieves	SB 309-Schaaf
SB 269-Nieves	SB 310-Nasheed
SB 270-Nieves	SB 311-Nasheed
SB 271-Nieves	SB 312-LeVota
SB 272-Nieves	SB 313-LeVota
SB 273-Wallingford	SB 314-Wallingford
SB 274-Walsh	SB 315-Pearce
SB 275-Walsh	SB 316-Parson and Justus
SB 276-Emery and Nieves	SB 317-Romine
SB 277-Holsman	SB 318-Rupp
SB 278-Kehoe	SB 319-Rupp
SB 279-Kehoe	SB 320-Schaefer
SB 280-Wasson	SB 321-Schaefer
SB 281-Wasson	SB 322-Dixon
SB 282-Wasson	SB 323-Dixon
SB 283-Parson	SJR 17-Nieves
SB 284-Sifton, et al	SJR 18-Schmitt
SB 285-Romine	SJR 19-Lager

HOUSE BILLS ON SECOND READING

HCS for HB 87

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 12-Schaefer | 8. SB 139-Kehoe (In Fiscal Oversight) |
| 2. SCS for SB 42-Munzlinger
(In Fiscal Oversight) | 9. SS for SB 28-Kraus |
| 3. SB 43-Munzlinger | 10. SS#2 for SCS for SB 1-Rupp
(In Fiscal Oversight) |
| 4. SB 51-Munzlinger | 11. SB 110-Brown |
| 5. SCS for SB 86-Keaveny | 12. SB 197-Sater, et al |
| 6. SCS for SB 106-Brown | 13. SCS for SB 17-Munzlinger and Romine |
| 7. SCS for SB 117-Kraus
(In Fiscal Oversight) | |

SENATE BILLS FOR PERFECTION

SB 69-Keaveny, with SCS

SB 89-Munzlinger, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp	SB 41-Munzlinger
SB 21-Dixon	SB 48-Lamping
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 2/6

SB 58-Romine	SB 77-Lamping
SB 80-Romine	

RESOLUTIONS

To be Referred

SCR 8-Sifton

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 14, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“Faith, hope and love abide these three; but the greatest of these is love.” (I Corinthians 13:13)

Loving Lord, on this proclaimed day of love, teach us to love one another, forgive one another and share the joys and laughter of our lives with one another. And as we return home to those You have given us to love, bind us with the cords of love that cannot be broken. Unleash in us a care and love for those we love that it is witnessed by those around us. And may our love flow into our communities and state in all that we say and do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 306, regarding Nancy Fairbank, Springfield, which was adopted.

Senator McKenna offered Senate Resolution No. 307, regarding Ryan Schweitzer, Hillsboro, which was adopted.

Senator Pearce offered Senate Resolution No. 308, regarding Andrew Jay Jensen, Chillicothe, which was adopted.

Senator Dixon offered Senate Resolution No. 309, regarding Mary Collette, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 310, regarding the Springfield Council of PTAs, which was adopted.

CONCURRENT RESOLUTIONS

Senators Justus and Chappelle-Nadal submitted the following:

SENATE CONCURRENT RESOLUTION NO. 9

WHEREAS, civil aviation plays a pivotal role in promoting cultural exchange, business, trade and tourism; and

WHEREAS, the development of international civil aviation in a safe and orderly manner is the supreme cause of the International Civil Aviation Organization (ICAO); and

WHEREAS, with an excellent geographic location, Taiwan is a key aviation hub for regions in northeastern and southeastern Asia; and

WHEREAS, the Taipei Flight Information Region (FIR), bordering the FIRs of Fukuoka, Manila, Hong Kong and Shanghai, includes 14 international airways and 4 domestic airways, providing services for more than one million flights per year; and

WHEREAS, each year, approximately 40 million travelers enter, leave or pass through the Taipei FIR, making Taiwan a key part of air navigation in East Asia; and

WHEREAS, currently, more than 50 domestic and foreign airlines operate flights from Taiwan to 110 cities in the world and the annual number of passengers on international flights is approximately 30 million; and

WHEREAS, in 2010, the number of international passengers at Taiwan's largest airport – Taoyuan International Airport – ranked 16th worldwide, while international cargo ranked 9th, making Taiwan one of the busiest airspaces in the world; and

WHEREAS, without Taiwan's participation, international flight plans, regulations and procedure that the ICAO formulates will be incomplete and unsafe; and

WHEREAS, as an island in the Pacific Ocean, Taiwan is imperiled by rising sea levels and the ravages of extreme weather; and

WHEREAS, it is apparent that to overcome the challenges posed by such an immense undertaking as climate change, there must be concerted effort and cooperation among the world citizenry; and

WHEREAS, Taiwan's exclusion from meaningful participation in UNFCCC has been to the detriment of both the Taiwanese people and the global community as Taiwan not only has the means but also incentive to make a meaningful contribution; and

WHEREAS, Taiwan's request to participate in the International Civil Aviation Organization (ICAO) and the United Nations Framework Convention on Climate Change (UNFCCC) is fully in line with the United States government's policy of supporting Taiwan's meaningful participation in United Nations specialized agencies; and

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, endorse Taiwan's participation in the International Civil Aviation Organization (ICAO) as an observer; and

BE IT FURTHER RESOLVED that the Missouri General Assembly is supportive of all efforts to grant Taiwan official observer status at the United Nations Framework Convention on Climate Change (UNFCCC) and, as a collaborative partner of the United States on a wide

range of public issues, Taiwan should be afforded the opportunity to participate in global efforts aimed at reducing and preventing natural disasters; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the United States Secretary of State, the United States Secretary of Transportation, the Administrator of the United States Environmental Protection Agency, each member of the Missouri Congressional delegation, and the Director-General of the Taipei Economic and Cultural Office in Kansas City.

President Pro Tem Dempsey assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 324—By Wallingford.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to limited lines travel insurance producer licensing.

SB 325—By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to firearms, with a penalty provision.

SB 326—By McKenna.

An Act to repeal section 302.080, RSMo, and to enact in lieu thereof one new section relating to exempting certain railroad crew members from the state driver's licensing law.

SB 327—By Dixon.

An Act to repeal sections 544.455 and 557.011, RSMo, and to enact in lieu thereof two new sections relating to the cost of electronic monitoring, with existing penalty provisions.

SB 328—By Brown.

An Act to amend chapter 313, RSMo, by adding thereto one new section relating to sweepstakes terminal devices.

SB 329—By Brown.

An Act to repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.

SB 330—By Wasson.

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to collaborative practice arrangements between a physician and an advanced practice registered nurse.

SB 331—By Schmitt.

An Act to repeal sections 559.100, 559.105, and 570.120, RSMo, and to enact in lieu thereof three new sections relating to restitution, with existing penalty provisions.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight,

submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS No. 2** for **SCS** for **SB 1**; **SCS** for **SB 42**; **SB 139**; and **SCS** for **SB 117**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SB 12, introduced by Senator Schaefer, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to civil liability immunity for court appointed attorneys, with an emergency clause.

Was taken up.

On motion of Senator Schaefer, **SB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 42**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 42

An Act to repeal sections 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof five new sections relating to delinquent debts for the cost of imprisonment in a county jail.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 42** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 43, introduced by Senator Munzlinger, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to compliance with federal law regarding the weight allowance for idle reduction technology.

Was taken up.

On motion of Senator Munzlinger, **SB 43** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 51, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 301.301 and 307.400, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor vehicles, with existing penalty provisions.

Was taken up.

On motion of Senator Munzlinger, **SB 51** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 86**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 86

An Act to repeal section 105.684, RSMo, and to enact in lieu thereof one new section relating to the retirement plan funded ratio needed for adjustments in benefits, with an emergency clause.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **SCS** for **SB 86** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 106**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 106** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof three new sections relating to military affairs.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 117** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 139, introduced by Senator Kehoe, entitled:

An Act to repeal sections 610.010, 610.015, 610.020, 610.021, 610.022, 610.023, and 610.027, RSMo, and to enact in lieu thereof seven new sections relating to public records and meetings, with an emergency clause.

Was taken up.

On motion of Senator Kehoe, **SB 139** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 28**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 28

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 28** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators

Chappelle-Nadal Nasheed—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SB 1**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.610, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Was taken up.

On motion of Senator Rupp, **SS No. 2** for **SCS** for **SB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators

Chappelle-Nadal Nasheed—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 110, introduced by Senator Brown, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

Was taken up.

On motion of Senator Brown, **SB 110** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

SB 197, introduced by Senator Sater, et al, entitled:

An Act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and 199.270, RSMo, and to enact in lieu thereof twelve new sections relating to tuberculosis testing, with penalty provisions.

Was taken up by Senator Sater.

On motion of Senator Sater, **SB 197** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

SCS for SB 17, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 17

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS for SB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 58, introduced by Senator Romine, entitled:

An Act to amend chapter 77, RSMo, by adding thereto one new section relating to the passage of ordinances in the city of Farmington.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaefer Schmitt Sifton Silvey Wallingford Walsh Wasson—32

NAYS—Senators

Emery Schaaf—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 80, introduced by Senator Romine, entitled:

An Act to repeal section 344.040, RSMo, and to enact in lieu thereof one new section relating to the notification of license renewal for nursing home administrators.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 80** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 77, introduced by Senator Lamping, entitled:

An Act to repeal section 210.278, RSMo, and to enact in lieu thereof one new section relating to

neighborhood youth development programs.

Was called from the Consent Calendar and taken up.

On motion of Senator Lamping, **SB 77** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR**s 5 and 12, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB**s 256, 33 and 305, entitled:

An Act to repeal section 610.021, RSMo, and to enact in lieu thereof two new sections relating to public safety, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 48** and **216**, entitled:

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 9**; **SS** for **SCS** for **SB 121**; and **SCS** for **SB 182**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 60**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 59**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 34**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 23**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 24**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 75**, begs leave to report that

it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 101**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 16**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 45**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 29**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 138**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 127**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 88**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which were referred **SB 176** and **SB 192**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 100**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 221—Seniors, Families and Pensions.

SB 222—Seniors, Families and Pensions.

SB 223—Seniors, Families and Pensions.

SB 224—Progress and Development.

SB 225—Judiciary and Civil and Criminal Jurisprudence.

SB 226—Veterans' Affairs and Health.

SB 227—Rules, Joint Rules, Resolutions and Ethics.

SB 228—Agriculture, Food Production and Outdoor Resources.

SB 229—Veterans' Affairs and Health.

SB 230—Veterans' Affairs and Health.

SB 231—Ways and Means.

SB 232—Seniors, Families and Pensions.

SB 233—Veterans' Affairs and Health.

SB 234—Financial and Governmental Organizations and Elections.

SB 235—Financial and Governmental Organizations and Elections.

SB 236—Governmental Accountability and Fiscal Oversight.

SB 237—Commerce, Consumer Protection, Energy and the Environment.

SB 238—Small Business, Insurance and Industry.

SB 239—General Laws.

SB 240—Commerce, Consumer Protection, Energy and the Environment.

SB 241—Commerce, Consumer Protection, Energy and the Environment.

SB 242—Education.

SB 243—Judiciary and Civil and Criminal Jurisprudence.

SB 244—Financial and Governmental Organizations and Elections.

SB 245—Judiciary and Civil and Criminal Jurisprudence.

SB 246—Ways and Means.

SB 247—Judiciary and Civil and Criminal Jurisprudence.

SB 248—Jobs, Economic Development and Local Government.

SB 249—Education.

SB 250—Judiciary and Civil and Criminal Jurisprudence.

REFERRALS

President Pro Tem Dempsey referred **SCR 8** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 13, 2013

Senator Tom Dempsey – President Pro-Tem
State Capitol, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey:

I hereby resign from the Joint Committee on Legislative Research. In addition, I request that you consider appointing the following members of the minority caucus to the three Senate minority vacancies:

Senator Paul LeVota

Senator Scott Sifton

Senator Jason Holsman

Sincerely,
/s/ Jolie Justus
Jolie Justus

Also,

February 14, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Gina Walsh to the Joint Committee on Public Employee Retirement. Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 14, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following to the Joint Committee on Legislative Research:

- Senator Paul LeVota
- Senator Scott Sifton
- Senator Jason Holsman

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Amy Aldridge, Cape Girardeau.

Senator Sater introduced to the Senate, Scott George, Mt. Vernon.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 18, 2013.

SENATE CALENDAR

TWENTY-SECOND DAY—MONDAY, FEBRUARY 18, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 251-Kraus and Chappelle-Nadal	SB 268-Nieves
SB 252-Kraus	SB 269-Nieves
SB 253-Justus	SB 270-Nieves
SB 254-Pearce	SB 271-Nieves
SB 255-Schmitt and Schaefer	SB 272-Nieves
SB 256-Silvey	SB 273-Wallingford
SB 257-Silvey	SB 274-Walsh
SB 258-LeVota	SB 275-Walsh
SB 259-Schaaf	SB 276-Emery and Nieves
SB 260-Brown	SB 277-Holsman
SB 261-Rupp	SB 278-Kehoe
SB 262-Curls	SB 279-Kehoe
SB 263-Curls	SB 280-Wasson
SB 264-Dempsey	SB 281-Wasson
SB 265-Nieves and Cunningham	SB 282-Wasson
SB 266-Nieves	SB 283-Parson
SB 267-Nieves	SB 284-Sifton, et al

SB 285-Romine	SB 310-Nasheed
SB 286-Romine, et al	SB 311-Nasheed
SB 287-Rupp	SB 312-LeVota
SB 288-Lamping	SB 313-LeVota
SB 289-Sifton	SB 314-Wallingford
SB 290-Walsh	SB 315-Pearce
SB 291-Rupp	SB 316-Parson and Justus
SB 292-Rupp	SB 317-Romine
SB 293-Pearce	SB 318-Rupp
SB 294-Schmitt	SB 319-Rupp
SB 295-Lager	SB 320-Schaefer
SB 296-Lager	SB 321-Schaefer
SB 297-Lager	SB 322-Dixon
SB 298-Holsman	SB 323-Dixon
SB 299-Holsman	SB 324-Wallingford
SB 300-Holsman	SB 325-Nieves
SB 301-McKenna, et al	SB 326-McKenna
SB 302-Wasson	SB 327-Dixon
SB 303-Wasson	SB 328-Brown
SB 304-Wasson	SB 329-Brown
SB 305-Wasson	SB 330-Wasson
SB 306-Wasson	SB 331-Schmitt
SB 307-Schaaf	SJR 17-Nieves
SB 308-Schaaf	SJR 18-Schmitt
SB 309-Schaaf	SJR 19-Lager

HOUSE BILLS ON SECOND READING

HCS for HB 87	HCS for HBs 256, 33 & 305
HCS for HJR 5 & 12	HCS for HBs 48 & 216

THIRD READING OF SENATE BILLS

SCS for SB 9-Pearce	SCS for SB 182-Kehoe, et al
SS for SCS for SB 121-Schaefer	

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|---------------------|
| 1. SB 69-Keaveny, with SCS | 3. SB 59-Rupp |
| 2. SB 89-Munzlinger, with SCS | 4. SB 34-Cunningham |

- | | |
|----------------------------|--|
| 5. SB 24-Parson | 11. SB 138-Kraus |
| 6. SB 75-Brown | 12. SB 127-Sater |
| 7. SB 101-Wasson, with SCS | 13. SB 88-Schaaf, with SCS |
| 8. SB 16-Munzlinger | 14. SBs 176 & 192-Schmitt, et al, with SCS |
| 9. SB 45-Dixon, with SCS | 15. SB 100-Keaveny |
| 10. SB 29-Brown, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp	SB 41-Munzlinger
SB 21-Dixon	SB 48-Lamping
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 2/14

SB 60-Rupp	SB 23-Parson
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RESOLUTIONS

To be Referred

SCR 9-Justus and Chappelle-Nadal



Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SECOND DAY—MONDAY, FEBRUARY 18, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If your actions inspire others to dream more, learn more, do more and become more, you are a leader.” (John Quincy Adams)

Gracious God, on this Presidential holiday, we are mindful of our duty as we also serve the public. Let us provide the leadership that is needful and required of us. Let our words and actions be inspiring to others so that we might be a stronger and wiser state. So we need Your guidance and direction for what is right and helpful for our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 14, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Rupp—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 311, regarding Clark Harrison, which was adopted.

Senator Kraus offered Senate Resolution No. 312, regarding Samuel Holland, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 313, regarding Slava Butkovich, Blue Springs, which was adopted.

Senator Kehoe offered Senate Resolution No. 314, regarding Ciana Lear, Jefferson City, which was adopted.

Senator Romine offered Senate Resolution No. 315, regarding the Antoine Lalumondiere Home, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 316, regarding the Bismark Depot, Saint Francois County, which was adopted.

Senator Emery offered Senate Resolution No. 317, regarding Stephanie Gruetze, which was adopted.

Senator Munzlinger offered Senate Resolution No. 318, regarding Elvis Gundy, Memphis, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Justus offered Senate Resolution No. 319, regarding the death of David Green, Northwoods, which was adopted.

Senator Schmitt offered Senate Resolution No. 320, regarding Michael Joseph Tayon, Des Peres, which was adopted.

Senator Schmitt offered Senate Resolution No. 321, regarding Thomas John Weissert, Des Peres, which was adopted.

Senator Schmitt offered Senate Resolution No. 322, regarding John Lawrence Thompson, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 323, regarding the One Hundredth Birthday of Carlos W. Chitty, Cape Girardeau, which was adopted.

Senator Dixon offered Senate Resolution No. 324, regarding Isaac Stewart Zimmerman, which was adopted.

On behalf of Senator Rupp, Senator Richard offered Senate Resolution No. 325, regarding Michael Rhoades, Wentzville, which was adopted.

Senator Brown offered Senate Resolution No. 326, regarding Bunker R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 327, regarding Centerville R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 328, regarding Crocker R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 329, regarding Dixon R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 330, regarding Green Forest R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 331, regarding Laquey R-V School District, which was adopted.

Senator Brown offered Senate Resolution No. 332, regarding Newburg R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 333, regarding Swedeborg R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 334, regarding Waynesville R-VI School District, which was adopted.

Senator Brown offered Senate Resolution No. 335, regarding Steelville R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 336, regarding Salem R-80 School District, which was adopted.

Senator Brown offered Senate Resolution No. 337, regarding Rolla 31 School District, which was adopted.

Senator Brown offered Senate Resolution No. 338, regarding Phelps County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 339, regarding Oak Hill R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 340, regarding North Wood R-IV School District, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 332—By Libla.

An Act to repeal sections 160.045, 168.104, 168.114, 168.124, 168.126, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof six new sections relating to educator quality.

SB 333—By Silvey.

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to tax credits for qualified research expenses.

SB 334—By Sifton.

An Act to repeal section 393.190, RSMo, and to enact in lieu thereof one new section relating to approval by the public service commission for the sale or transfer of a water or sewer utility.

SB 335—By Sifton.

An Act to repeal section 386.370, RSMo, and to enact in lieu thereof one new section relating to the public service commission assessment of water and sewer corporations.

SB 336—By Walsh.

An Act to amend chapter 443, RSMo, by adding thereto twenty-four new sections relating to real estate

foreclosure, with penalty provisions.

SB 337—By Sater.

An Act to repeal sections 407.924, 407.925, 407.926, 407.927, 407.928, 407.929, 407.931, 407.933, and 407.934, RSMo, and to enact in lieu thereof nine new sections relating to the sale of tobacco related products to minors, with penalty provisions.

SB 338—By Romine.

An Act to repeal section 217.345, RSMo, and to enact in lieu thereof one new section relating to correctional treatment programs for offenders of a certain age.

SB 339—By Romine.

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 288.040, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof ten new sections relating to workforce development programs.

SB 340—By Schmitt.

An Act to repeal section 143.790, RSMo, and to enact in lieu thereof one new section relating to taxation.

SB 341—By Schmitt.

An Act to repeal section 67.010, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

SB 342—By Parson, Brown and Munzlinger.

An Act to repeal section 348.521, RSMo, and to enact in lieu thereof one new section relating to agricultural loans.

SB 343—By Parson.

An Act to amend chapter 443, RSMo, by adding thereto one new section relating to real estate loans.

SB 344—By Parson.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to school attendance center report cards.

SB 345—By Lamping.

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

Senator Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SB 9**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 9**

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of

Missouri extension districts.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaefer	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Kraus	Lamping	LeVota	Schaaf	Schmitt	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Lager	McKenna	Rupp—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 121**, introduced by Senator Schaefer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 121

An Act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to liquor control, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Schaefer, **SS** for **SCS** for **SB 121** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 182, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 182

An Act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof three new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS for SB 182** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators—None

Absent—Senators

Kraus Schmitt—2

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators

Chappelle-Nadal Lager McKenna Rupp—4

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Dempsey referred **SCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 18, 2013

Senator Tom Dempsey – President Pro-Tem
State Capitol, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey:

I hereby resign from the Joint Committee on Administrative Rules. Further, I recommend for your appointment to that committee the following members of the minority caucus:

Senator Paul LeVota
Senator Scott Sifton

Thank you for your consideration.

Sincerely,
/s/ Jolie Justus
Jolie Justus

Also,

February 18, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ryan Silvey to the Joint Committee on Capitol Improvements and Leases Oversight.
Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

Also,

February 18, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing the following senators to the Joint Committee on Administrative Rules (JCAR):

- Senator Paul LeVota
- Senator Scott Sifton

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Darian “D.J.” LaRue, Jefferson City; and Darian was made an honorary page.

Senator Curls introduced to the Senate, the Missouri Chapters of the Delta Sigma Theta Sorority, Inc.

Senator Schmitt introduced to the Senate, Mike and Michelle Thompson and their son, John, St. Louis; and Arlene Dunlap.

Senator Lamping introduced to the Senate, Kyle, Rita and Jordan Savage, Kansas City.

Senator Munzlinger introduced to the Senate, 2013 4-H Legislative Academy delegates Faith Arendt, Liberty; Jennifer Durbin, Monroe City; Alexander Engeman, Montrose; Jessie Fowler, Vandalia; Chris Kahlenbeck, Union; Anthony McCollum, Purdin; Benjamin Nelson, Macon; Emily Paul, Anderson; Katie Pennell, Aurora; Alyssa Rockers, Carthage; Nathan Smith, Villa Ridge; Lauren Wieberg, Argyle; and

leaders Steve Hennes and Joyce Taylor, Columbia.

Senator Nieves introduced to the Senate, Mike and Debbie Dougherty, Lake Sherwood.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 19, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 251-Kraus and Chappelle-Nadal	SB 277-Holsman
SB 252-Kraus	SB 278-Kehoe
SB 253-Justus	SB 279-Kehoe
SB 254-Pearce	SB 280-Wasson
SB 255-Schmitt and Schaefer	SB 281-Wasson
SB 256-Silvey	SB 282-Wasson
SB 257-Silvey	SB 283-Parson
SB 258-LeVota	SB 284-Sifton, et al
SB 259-Schaaf	SB 285-Romine
SB 260-Brown	SB 286-Romine, et al
SB 261-Rupp	SB 287-Rupp
SB 262-Curls	SB 288-Lamping
SB 263-Curls	SB 289-Sifton
SB 264-Dempsey	SB 290-Walsh
SB 265-Nieves and Cunningham	SB 291-Rupp
SB 266-Nieves	SB 292-Rupp
SB 267-Nieves	SB 293-Pearce
SB 268-Nieves	SB 294-Schmitt
SB 269-Nieves	SB 295-Lager
SB 270-Nieves	SB 296-Lager
SB 271-Nieves	SB 297-Lager
SB 272-Nieves	SB 298-Holsman
SB 273-Wallingford	SB 299-Holsman
SB 274-Walsh	SB 300-Holsman
SB 275-Walsh	SB 301-McKenna, et al
SB 276-Emery and Nieves	SB 302-Wasson

SB 303-Wasson	SB 326-McKenna
SB 304-Wasson	SB 327-Dixon
SB 305-Wasson	SB 328-Brown
SB 306-Wasson	SB 329-Brown
SB 307-Schaaf	SB 330-Wasson
SB 308-Schaaf	SB 331-Schmitt
SB 309-Schaaf	SB 332-Libla
SB 310-Nasheed	SB 333-Silvey
SB 311-Nasheed	SB 334-Sifton
SB 312-LeVota	SB 335-Sifton
SB 313-LeVota	SB 336-Walsh
SB 314-Wallingford	SB 337-Sater
SB 315-Pearce	SB 338-Romine
SB 316-Parson and Justus	SB 339-Romine
SB 317-Romine	SB 340-Schmitt
SB 318-Rupp	SB 341-Schmitt
SB 319-Rupp	SB 342-Parson, et al
SB 320-Schaefer	SB 343-Parson
SB 321-Schaefer	SB 344-Parson
SB 322-Dixon	SB 345-Lamping
SB 323-Dixon	SJR 17-Nieves
SB 324-Wallingford	SJR 18-Schmitt
SB 325-Nieves	SJR 19-Lager

HOUSE BILLS ON SECOND READING

HCS for HB 87	HCS for HBs 256, 33 & 305
HCS for HJR 5 & 12	HCS for HBs 48 & 216

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|--|
| 1. SB 69-Keaveny, with SCS | 9. SB 45-Dixon, with SCS |
| 2. SB 89-Munzlinger, with SCS | 10. SB 29-Brown, with SCS |
| 3. SB 59-Rupp | 11. SB 138-Kraus |
| 4. SB 34-Cunningham | 12. SB 127-Sater |
| 5. SB 24-Parson | 13. SB 88-Schaaf, with SCS |
| 6. SB 75-Brown | 14. SBs 176 & 192-Schmitt, et al, with SCS |
| 7. SB 101-Wasson, with SCS | 15. SB 100-Keaveny |
| 8. SB 16-Munzlinger | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp
SB 21-Dixon
SB 22-Dixon

SB 41-Munzlinger
SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/14

SB 60-Rupp

SB 23-Parson

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 19, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Abram believed the Lord; and the Lord reckoned it to him as righteousness.” (Genesis 15:6)

Heavenly Father, Your words are true and we are grateful for them, for they provide us hope and we never doubt that You are good to Your promises for we find them in our daily lives. You provide us a glimpse of Your justice and what is expected of us; so help us do our part to bring this vision into reality. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 341, regarding Coach Jeff Diekmann, Lee’s Summit North High School, which was adopted.

CONCURRENT RESOLUTIONS

Senators Chappelle-Nadal, Curls and Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 10

WHEREAS, immigration is a federal issue and Missouri residents value the protection of the borders of the United States; and

WHEREAS, Missouri residents value family and community and desire to avoid the separation of children from parents as long as a felony has not been committed by a parent; and

WHEREAS, Missouri residents respect the decisions made by local law enforcement as well as their judgments and support their focus on criminal activity in the state; and

WHEREAS, Missouri residents value a thriving economy and acknowledge that the state is only as successful as its tax payers; and

WHEREAS, the immigrant community in Missouri is a growing community which contributes meaningful employment within the state and pays taxes which bolster state revenues further enhancing the ability of the state to maintain its programs; and

WHEREAS, Missouri residents encourage and support the immigrant community to forge a path to become residents of this state and citizens of this country; and

WHEREAS, as all people are created equal to live freely in their pursuit of happiness, this nation must adopt a humane approach to treating all people with the same dignity and respect our founding fathers fought for in gaining our independence:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge law enforcement of this state to focus on criminal activity within the state and not on civil violations of federal law; and

BE IT FURTHER RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to aid in changing the federal immigration policy in accordance with the aforementioned principles for the betterment of this great country; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the superintendent of the Missouri State Highway Patrol.

Senators Chappelle-Nadal, Walsh, Nasheed and Holsman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 11

WHEREAS, the Mallinckrodt Chemical Works (MCW), near downtown St. Louis, was contracted by the Manhattan District of the United States Army Corps of Engineers in April 1942 to determine how to purify tons of uranium and achieved success in only 50 days; and

WHEREAS, MCW then processed all the uranium used for the world's first self-sustaining nuclear chain reaction in Chicago on December 2, 1942 that marks the birth of the Atomic Age; and

WHEREAS, MCW continued processing uranium for nuclear weapons for 15 years at the downtown St. Louis site, and another 10 years at Weldon Springs in St. Charles County, and generated tons of highly dangerous, long-lived radioactive waste; and

WHEREAS, the resulting radioactive wastes have been stockpiled, transported, spilled and have blown and eroded onto dozens of St. Louis locations over the subsequent 70 years; and

WHEREAS, the United States Department of Energy remediated the Weldon Springs site's 1.48 million cubic yards of radioactive waste at a cost of one billion federal tax dollars and also remediated many St. Louis sites; and

WHEREAS, in 1998 the Corps of Engineers took over the remediation of the St. Louis sites as part of the Formerly Utilized (Manhattan Project/Atomic Energy Commission) Sites Remedial Action Program (FUSRAP); and

WHEREAS, under Corps leadership more than one million cubic yards of the MCW radioactive wastes have been excavated and transported to licensed radioactive waste disposal sites in Utah and Idaho at a cost of more than one billion federal tax dollars and the Corps expects to continue the St. Louis City and County remediation projects for an estimated four additional years; and

WHEREAS, only one St. Louis site contaminated with MCW radioactive wastes is under the jurisdiction of the United States Environmental Protection Agency (EPA), namely the West Lake Landfill, an EPA-designated Superfund site in Bridgeton, Missouri; and

WHEREAS, the West Lake Landfill is not a location designed to store radioactive wastes; and

WHEREAS, the West Lake Landfill site, located in the Missouri River flood plain and along the New Madrid earthquake fault, contains an estimated 143,000 cubic yards of MCW radioactive wastes that were illegally dumped there in 1973; and

WHEREAS, the West Lake Landfill radioactive wastes have already contaminated the soil and are already in contact with the groundwater that flows into the Missouri River about eight miles upstream from the Missouri American Water Company's North Plant in Florissant, the drinking water resource for all of North St. Louis County above Interstate 70; and

WHEREAS, the West Lake groundwater also flows into the Missouri River upstream from the Missouri-Mississippi River confluence, just above the Chain of Rocks drinking water intake facility for the City of St. Louis; and

WHEREAS, the radioactive wastes will continue releasing radioactive liquids, particles and gases for hundreds of thousands of years and beyond; and

WHEREAS, exposure to radioactive liquids, particles and gases increase the risk of cancer, other life-threatening diseases, genetic mutations and birth defects:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby request the United States Congress to transfer the authority for the remediation of the West Lake Landfill radioactive wastes from the EPA to the Corps of Engineers' FUSRAP project with the urgent, related request that the wastes be excavated from the Missouri River flood plain and be transported to a licensed radioactive waste facility, away from water and away from people; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 346—By Curls.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

SB 347—By Nasheed.

An Act to repeal section 568.040, RSMo, and to enact in lieu thereof one new section relating to the offense of nonsupport.

SB 348—By LeVota.

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to health insurance premium rate reviews, with an emergency clause.

SB 349—By LeVota.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 69**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 69**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 69

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to

administrative child support decisions.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 69** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 69** was declared perfected and ordered printed.

Senator Schmitt assumed the Chair.

Senator Munzlinger moved that **SB 89**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 89**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 89

An Act to repeal sections 198.310 and 198.345, RSMo, and to enact in lieu thereof two new sections relating to the establishment and administration of senior housing in nursing home districts.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 89** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 89** was declared perfected and ordered printed.

SB 59 was placed on the Informal Calendar.

Senator Lamping requested unanimous consent of the Senate to withdraw **SB 345**, which requested was granted.

Senator Cunningham moved that **SB 34** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 34**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims.

Senator Cunningham moved that **SS** for **SB 34** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 34, Page 1, Line 16, by inserting the words "The division shall implement the provisions of this section in a manner allowing the division to maintain a record of all claims records received through the division's website, including the identity of the potential employee and of the potential employer. Such record shall be maintained by the division."

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 34, Page 1, Section 287.980, Line 16, by inserting immediately after said line, the following:

"4. Any person who fraudulently accesses the database described in subsection 1 of this section shall be guilty of a class A misdemeanor."

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SS** for **SB 34**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 34**, as amended, was declared perfected and ordered printed.

Senator Parson moved that **SB 24** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 24** was declared perfected and ordered printed.

Senator Brown moved that **SB 75** be taken up for perfection, which motion prevailed.

At the request of Senator Brown, **SB 75** was placed on the Informal Calendar.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 350—By Dempsey.

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 89** and **SCS** for **SB 69**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 101**, with **SCS**, be taken up for perfection, which motion prevailed.
SCS for **SB 101**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 101

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to florists.
Was taken up.

Senator Wasson moved that **SCS** for **SB 101** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 101** was declared perfected and ordered printed.

Senator Richard announced photographers from KMOV-TV were given permission to take pictures in the Senate Chamber.

Senator Munzlinger moved that **SB 16** be taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 16** was declared perfected and ordered printed.

Senator Brown moved that **SB 75** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 75, Page 1, Section 170.315, Line 3, by striking “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 7, by striking “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 10, by striking “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 12, by striking “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 13, by striking “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 16, by striking “shall” and inserting in lieu thereof the following: “**may**”; and

Further amend said bill, Section 171.410, Page 2, Line 1, by striking “shall” and inserting in lieu thereof the following: “**may**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Brown, **SB 75**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SB 45**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 45

An Act to repeal sections 487.020 and 488.426, RSMo, and to enact in lieu thereof two new sections relating to reimbursement for family court commissioners.

Was taken up.

Senator Dixon moved that **SCS** for **SB 45** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 45** was declared perfected and ordered printed.

At the request of Senator Brown, **SB 29**, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 138** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 138** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 101**; **SB 24**; and **SS** for **SB 34**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 23**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 60**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 2**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 342, regarding Sophia Greenwalt, Reeds Spring, which was adopted.

Senator Kraus offered Senate Resolution No. 343, regarding Lee's Summit R-VII School District, which was adopted.

Senator Keaveny offered Senate Resolution No. 344, regarding Harriet McGuire, Saint Louis, which was adopted.

Senator Romine offered Senate Resolution No. 345, regarding William Zoughaib, Ste. Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 346, regarding the city of Potosi and Washington County, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Melody Boring and Margaret Bangerter, St. Joseph.

Senator Libla introduced to the Senate, Assistant Principal Jane Fike, Bobbi Jo Garrett, Amy Stricklin, Stacy Bradshaw, Ben Counce, Stephen Rooney and students Kiresha Cobb, Kayla McDaniel, Nortyana McIntyre, Katlyn Riggs, Dustin Branham, Maria Ibarra, Taylor Moses, Thomas Abbott, Caroline Hicks, Alvin Johnson, Antwjuan Jones, Gracie Martin, Kiana Carter, David Cook, Benjamin Counce, Ellen Currie, Taqurious Jackson and Eternity Hunt, Caruthersville Middle School; and Kayla, Dustin, Maria and Alvin were made honorary pages.

Senator Schmitt introduced to the Senate, Dr. Erin Gardner, Kirkwood; Dr. Kim Cayce, Columbia; Dr. Frank Koranda, Kansas City; and Dr. Tony Thomas, Gladstone, representatives of Missouri Dermatological Society.

Senator Keaveny introduced to the Senate, Jill Johnson, St. Louis.

Senator Pearce introduced to the Senate, Dawn Black, Southwest Livingston School, Ludlow.

Senator Nieves introduced to the Senate, Steve Pelak, Bonne Terre.

Senator Parson introduced to the Senate, former State Senator Morris Westfall, Halfway; and representatives of Missouri Cattlemen's Association.

Senator Keaveny introduced to the Senate, Ashley Schroeder and Katelyn Sherman.

Senator Emery introduced to the Senate, Hannah Young, Harrisonville.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 20, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 251-Kraus and Chappelle-Nadal	SB 284-Sifton, et al
SB 252-Kraus	SB 285-Romine
SB 253-Justus	SB 286-Romine, et al
SB 254-Pearce	SB 287-Rupp
SB 255-Schmitt and Schaefer	SB 288-Lamping
SB 256-Silvey	SB 289-Sifton
SB 257-Silvey	SB 290-Walsh
SB 258-LeVota	SB 291-Rupp
SB 259-Schaaf	SB 292-Rupp
SB 260-Brown	SB 293-Pearce
SB 261-Rupp	SB 294-Schmitt
SB 262-Curls	SB 295-Lager
SB 263-Curls	SB 296-Lager
SB 264-Dempsey	SB 297-Lager
SB 265-Nieves and Cunningham	SB 298-Holsman
SB 266-Nieves	SB 299-Holsman
SB 267-Nieves	SB 300-Holsman
SB 268-Nieves	SB 301-McKenna, et al
SB 269-Nieves	SB 302-Wasson
SB 270-Nieves	SB 303-Wasson
SB 271-Nieves	SB 304-Wasson
SB 272-Nieves	SB 305-Wasson
SB 273-Wallingford	SB 306-Wasson
SB 274-Walsh	SB 307-Schaaf
SB 275-Walsh	SB 308-Schaaf
SB 276-Emery and Nieves	SB 309-Schaaf
SB 277-Holsman	SB 310-Nasheed
SB 278-Kehoe	SB 311-Nasheed
SB 279-Kehoe	SB 312-LeVota
SB 280-Wasson	SB 313-LeVota
SB 281-Wasson	SB 314-Wallingford
SB 282-Wasson	SB 315-Pearce
SB 283-Parson	SB 316-Parson and Justus

SB 317-Romine	SB 336-Walsh
SB 318-Rupp	SB 337-Sater
SB 319-Rupp	SB 338-Romine
SB 320-Schaefer	SB 339-Romine
SB 321-Schaefer	SB 340-Schmitt
SB 322-Dixon	SB 341-Schmitt
SB 323-Dixon	SB 342-Parson, et al
SB 324-Wallingford	SB 343-Parson
SB 325-Nieves	SB 344-Parson
SB 326-McKenna	SB 346 Curls
SB 327-Dixon	SB 347-Nasheed
SB 328-Brown	SB 348-LeVota
SB 329-Brown	SB 349-LeVota
SB 330-Wasson	SB 350-Dempsey
SB 331-Schmitt	SJR 17-Nieves
SB 332-Libla	SJR 18-Schmitt
SB 333-Silvey	SJR 19-Lager
SB 334-Sifton	
SB 335-Sifton	

HOUSE BILLS ON SECOND READING

HCS for HB 87	HCS for HBs 256, 33 & 305
HCS for HJR 5 & 12	HCS for HBs 48 & 216

THIRD READING OF SENATE BILLS

SCS for SB 89-Munzlinger	SB 24-Parson
SCS for SB 69-Keaveny	SS for SB 34-Cunningham
SCS for SB 101-Wasson	

SENATE BILLS FOR PERFECTION

SB 127-Sater	SBs 176 & 192-Schmitt, et al, with SCS
SB 88-Schaaf, with SCS	SB 100-Keaveny

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp	SB 22-Dixon
SB 21-Dixon	SB 29-Brown, with SCS

SB 41-Munzlinger
SB 48-Lamping
SB 59-Rupp

RESOLUTIONS

Reported from Committee

SCR 2-Richard

To be Referred

SCR 10-Chappelle-Nadal, et al

SCR 11-Chappelle-Nadal, et al

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 20, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“As we have therefore opportunity, let us do good unto all men.” (Galatians 6:10)

Almighty God, as we are able, let us express our concerns and kindness as is most helpful to those we encounter that we might be instruments of service and help. Be with us this day so that we use our time and energy to do what is necessary and needful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 347, regarding Eric Blake Rasmussen, Chillicothe, which

was adopted.

Senator Pearce offered Senate Resolution No. 348, regarding Nedra Twillie, M.D., Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 349, regarding Micheal Williams, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 350, regarding Jamie Levine-Jordan, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 351, regarding Robert E. Bowers, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 352, regarding Willie Ann Williams, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 353, regarding Keith O. Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 354, regarding Janice M. Williams, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 355, regarding Carlos F. Hill, Jr., Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 356, regarding Stevie Hardin, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 357, regarding Wendy Williams, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 358, regarding Ronelle L. Watts, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 359, regarding Chad and Ivory Jamerson, Warrensburg, which was adopted.

Senator Wallingford offered Senate Resolution No. 360, regarding the Missouri Farm Bureau-Cape Girardeau County, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **SCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

President Pro Tem Dempsey assumed the Chair.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 351—By Lager.

An Act to amend chapter 477, RSMo, by adding thereto one new section relating to judge disqualification.

SB 352—By Lager.

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to programs in which individuals are given a thing of value in exchange for surrendering a firearm.

SB 353—By Lager.

An Act to repeal sections 213.010 and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

SB 354—By Schmitt.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card surcharge fees, with penalty provisions.

SB 355—By Munzlinger.

An Act to repeal sections 57.955 and 488.024, RSMo, and to enact in lieu thereof two new sections relating to the sheriffs' retirement fund.

SB 356—By Kehoe.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

SB 357—By Romine.

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

SB 358—By Holsman.

An Act to repeal sections 195.010, 195.017, and 195.202, RSMo, and to enact in lieu thereof four new sections relating to industrial hemp, with existing penalty provisions.

SB 359—By LeVota.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to year-round educational programs for school districts.

SB 360—By Rupp.

An Act to repeal section 249.645, RSMo, and to enact in lieu thereof one new section relating to sewer charges.

SB 361—By Rupp.

An Act to amend chapter 249, RSMo, by adding thereto one new section relating to wastewater treatment facilities.

SB 362—By Chappelle-Nadal.

An Act to amend chapter 324, RSMo, by adding thereto sixteen new sections relating to the licensing of clinical laboratory science personnel, with penalty provisions.

SB 363—By Chappelle-Nadal.

An Act to repeal sections 260.1050, 260.1053, 260.1059, 260.1062, 260.1065, 260.1068, 260.1071, 260.1074, 260.1077, 260.1080, 260.1083, 260.1089, 260.1092, and 260.1101, RSMo, and to enact in lieu thereof twenty-one new sections relating to the residential electronic products recycling and reuse act, with penalty provisions.

SB 364—By Parson.

An Act to repeal sections 381.022 and 381.058, RSMo, and to enact in lieu thereof two new sections relating to title insurance.

SB 365—By Parson, Dempsey, Richard, Justus and Holsman.

An Act to repeal sections 407.400 and 407.413, RSMo, and to enact in lieu thereof two new sections relating to alcohol franchise.

SB 366—By Lamping, Richard and Schaefer.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rebuilding damaged infrastructure.

SJR 20—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to creation of show-me small business districts.

SJR 21—By LeVota.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 29 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the department of transportation.

THIRD READING OF SENATE BILLS

SCS for **SB 89**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 89

An Act to repeal sections 198.310 and 198.345, RSMo, and to enact in lieu thereof two new sections

relating to the establishment and administration of senior housing in nursing home districts.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 89** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 69**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 69

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **SCS** for **SB 69** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 101**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 101

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to florists.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 101** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Emery Kraus—2

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 24, introduced by Senator Parson, entitled:

An Act to repeal sections 64.170 and 64.205, RSMo, and to enact in lieu thereof one new section relating to county building codes.

Was taken up.

On motion of Senator Parson, **SB 24** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senator Nieves—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 34**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

Was taken up.

On motion of Senator Cunningham, **SS** for **SB 34** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

The Senate observed a moment of silence for the victims and families of the Kansas City Plaza fire.

SENATE BILLS FOR PERFECTION

At the request of Senator Sater, **SB 127** was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 88**, with **SCS**, was placed on the Informal Calendar.

Senator Schmitt moved that **SB 176** and **SB 192**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 176** and **192**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 176 and 192

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge, with a contingent effective date.

Was taken up.

Senator Schmitt moved that **SCS** for **SBs 176** and **192** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 176 and 192, Page 1, In the Title, Line 3, by striking “the new Mississippi River bridge” and inserting in lieu thereof the following: “highway infrastructure”; and further amend line 4 of said title, by inserting immediately after the word “date” the following: “for a certain section”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“227.303. **1.** The portion of Interstate Highway 70 [within] **from the western city limits of** a city not within a county [to the border with the state of Illinois] **and proceeding east to mile marker 248** shall be designated the “Mark Twain Highway”.

2. The portion of Interstate Highway 70 contained within a city not within a county, from mile marker 248 to the Illinois border, shall be designated the “Andy Gammon Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donations.”; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS** for **SBs 176** and **192**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SBs 176** and **192**, as amended, was declared perfected and

ordered printed.

Senator Keaveny moved that **SB 100** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 100** was declared perfected and ordered printed.

Senator Rupp moved that **SB 59** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Rupp, **SB 59** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 16**; SCS for **SB 45**; **SB 75**; and **SB 138**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 120**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 251—Judiciary and Civil and Criminal Jurisprudence.

SB 252—Transportation and Infrastructure.

SB 253—Judiciary and Civil and Criminal Jurisprudence.

SB 254—Financial and Governmental Organizations and Elections.

SB 255—Financial and Governmental Organizations and Elections.

SB 256—Seniors, Families and Pensions.

SB 257—Jobs, Economic Development and Local Government.

SB 258—Education.

SB 259—Veterans' Affairs and Health.

SB 260—Small Business, Insurance and Industry.

SB 261—Ways and Means.

SB 262—Small Business, Insurance and Industry.

SB 263—Judiciary and Civil and Criminal Jurisprudence.

SB 264—Jobs, Economic Development and Local Government.

SB 265—General Laws.

SB 266—General Laws.

SB 267—General Laws.

SB 268—General Laws.

SB 269—General Laws.

SB 270—General Laws.

SB 271—General Laws.

SB 272—General Laws.

SB 273—Judiciary and Civil and Criminal Jurisprudence.

SB 274—Small Business, Insurance and Industry.

SB 275—Commerce, Consumer Protection, Energy and the Environment.

SB 276—Education.

SB 277—Commerce, Consumer Protection, Energy and the Environment.

SB 278—Small Business, Insurance and Industry.

SB 279—Seniors, Families and Pensions.

SB 280—Transportation and Infrastructure.

SB 281—Small Business, Insurance and Industry.

SB 282—Transportation and Infrastructure.

SB 283—Financial and Governmental Organizations and Elections.

SB 284—Education.

SB 285—Judiciary and Civil and Criminal Jurisprudence.

SB 286—Transportation and Infrastructure.

SB 287—Small Business, Insurance and Industry.

SB 288—Seniors, Families and Pensions.

SB 289—Financial and Governmental Organizations and Elections.

SB 290—Rules, Joint Rules, Resolutions and Ethics.

SB 291—Governmental Accountability and Fiscal Oversight.

SB 292—Small Business, Insurance and Industry.

SB 293—Education.

SB 294—Commerce, Consumer Protection, Energy and the Environment.

SB 295—Jobs, Economic Development and Local Government.

SB 296—Transportation and Infrastructure.

SB 297—Commerce, Consumer Protection, Energy and the Environment.

SB 298—Rules, Joint Rules, Resolutions and Ethics.

SB 299—Commerce, Consumer Protection, Energy and the Environment.

SB 300—Veterans' Affairs and Health.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HB 87**—Jobs, Economic Development and Local Government.

HCS for **HJR**s 5 and 12—Financial and Governmental Organizations and Elections.

HCS for **HB**s 256, 33 and 305—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB**s 48 and 216—Financial and Governmental Organizations and Elections.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 55**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to amnesty for certain taxes, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SCR 10** and **SCR 11** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator LeVota introduced to the Senate, Morgan Berg, Fort Osage High School, Buckner.

Senator Romine introduced to the Senate, Sarah Joggerst, Ste. Genevieve High School.

Senator Emery introduced to the Senate, Sierra Arens, Bronaugh.

Senator Lager introduced to the Senate, Avery Whitsell, Maysville.

Senator Lager introduced to the Senate, representatives of Missouri Junior Leagues from around the state.

Senator Walsh introduced to the Senate, Gabrielle Hoyle, Hazelwood East High School, St. Louis.

Senator Libla introduced to the Senate, Amanda Edgar, Portageville High School.

Senator Cunningham introduced to the Senate, Miranda Reed, Licking High School.

Senator Wallingford introduced to the Senate, Heaven Garland, Fredricktown.

Senator Kehoe introduced to the Senate, Chelsea Rimel, Tipton High School.

Senator Kehoe introduced to the Senate, Ciana Lear, her parents, Mike and Lisa and her sisters, Teagan and Gweny, Jefferson City; and Ciana and Tegan were made honorary pages.

Senator Munzlinger introduced to the Senate, Sarah Jo Benedict, Northwestern R-1, Mendon.

Senator Sater introduced to the Senate, Nat Alden, Purdy R-II High School.

Senator Justus introduced to the Senate, Forest Hall, Buchanan High School, Troy,

Senator Pearce introduced to the Senate, Brandon Pemburlin, Richmond; and Shelby Bush, Chillicothe.

Senator Chappelle-Nadal introduced to the Senate, Lamisha Smith, Normandy High School, Lyndel Robinson, Kelly Schneider and students from Normandy Middle School, St. Louis.

Senator Parson introduced to the Senate, Anna Berry, Pleasant Hope High School and her parents, Jim and Tammy.

Senator Lamping introduced to the Senate, Dr. Charles Willey, his wife Anne and Patrick Ishmael, St. Louis; and Michael Cannon, Washington, D.C.

Senator McKenna introduced to the Senate, Dr. Ray Cummisky, President, Jefferson College, Hillsboro.

Senator Romine introduced to the Senate, representatives from St. Louis Community College.

Senator Richard introduced to the Senate, students from Missouri Southern State University, Joplin.

Senator Walsh introduced to the Senate, Dr. Graylin Tobias, Superintendent, Hazelwood School District.

Senator Schaefer introduced to the Senate, Laura Sandstet and Marilyn Andre, Columbia.

On behalf of Senator Dempsey, the President introduced representatives of Vision Leadership, St. Charles.

Senator Rupp introduced to the Senate, the Physician of the Day, Dr. Charles “Rick” Bowen, Dardenne Prairie.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 25, 2013.

SENATE CALENDAR

TWENTY-FIFTH DAY—MONDAY, FEBRUARY 25, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 301-McKenna, et al	SB 331-Schmitt
SB 302-Wasson	SB 332-Libla
SB 303-Wasson	SB 333-Silvey
SB 304-Wasson	SB 334-Sifton
SB 305-Wasson	SB 335-Sifton
SB 306-Wasson	SB 336-Walsh
SB 307-Schaaf	SB 337-Sater
SB 308-Schaaf	SB 338-Romine
SB 309-Schaaf	SB 339-Romine
SB 310-Nasheed	SB 340-Schmitt
SB 311-Nasheed	SB 341-Schmitt
SB 312-LeVota	SB 342-Parson, et al
SB 313-LeVota	SB 343-Parson
SB 314-Wallingford	SB 344-Parson
SB 315-Pearce	SB 346 Curls
SB 316-Parson and Justus	SB 347-Nasheed
SB 317-Romine	SB 348-LeVota
SB 318-Rupp	SB 349-LeVota
SB 319-Rupp	SB 350-Dempsey
SB 320-Schaefer	SB 351-Lager
SB 321-Schaefer	SB 352-Lager
SB 322-Dixon	SB 353-Lager
SB 323-Dixon	SB 354-Schmitt
SB 324-Wallingford	SB 355-Munzlinger
SB 325-Nieves	SB 356-Kehoe
SB 326-McKenna	SB 357-Romine
SB 327-Dixon	SB 358-Holsman
SB 328-Brown	SB 359-LeVota
SB 329-Brown	SB 360-Rupp
SB 330-Wasson	SB 361-Rupp

SB 362-Chappelle-Nadal
SB 363-Chappelle-Nadal
SB 364-Parson
SB 365-Parson, et al
SB 366-Lamping, et al

SJR 17-Nieves
SJR 18-Schmitt
SJR 19-Lager
SJR 20-Curls
SJR 21-LeVota

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen

THIRD READING OF SENATE BILLS

SB 16-Munzlinger
SCS for SB 45-Dixon

SB 75-Brown
SB 138-Kraus

SENATE BILLS FOR PERFECTION

SB 13-Schaefer, with SCS

SB 120-Schmitt, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp
SB 21-Dixon
SB 22-Dixon
SB 29-Brown, with SCS

SB 41-Munzlinger
SB 48-Lamping
SB 88-Schaaf, with SCS
SB 127-Sater

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIFTH DAY—MONDAY, FEBRUARY 25, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the Lord of lords...who alone does great wonders, for his steadfast love endures forever.” (Psalm 136:3-4)

Almighty God, Your love pours out like the rain that waters our land. We are grateful for Your abiding with us and giving us the privilege to be part of the wonders of the cosmos in which we live. We are thankful for our safe travel this day and now able to continue the work we are called to do. Help us to use this new week to be open to Your teaching and guidance and be about what is required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Wednesday, February 20, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 361, regarding Mary Ruth Brooks, Marshfield, which was adopted.

Senator Curls offered Senate Resolution No. 362, regarding Suzanne Maureen Tanner, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 363, regarding Cary Max Igleheart, Oakville, which was adopted.

Senator Schmitt offered Senate Resolution No. 364, regarding the future Mr. and Mrs. Ethan Smith, Macon, which was adopted.

Senator Parson offered Senate Resolution No. 365, regarding the Seventy-fifth Anniversary of the Rotary Club, Bolivar, which was adopted.

Senator Lager offered Senate Resolution No. 366, regarding Drew Arbuckle, which was adopted.

Senator Lager offered Senate Resolution No. 367, regarding Colt Nutter, which was adopted.

Senator Lager offered Senate Resolution No. 368, regarding Corbett Evans, which was adopted.

Senator Schaefer offered Senate Resolution No. 369, regarding Dr. James Thompson, Dean of the College of Engineering at the University of Missouri-Columbia, which was adopted.

Senator Silvey offered Senate Resolution No. 370, regarding Jordan Kyle Donner, which was adopted.

Senator Dempsey offered Senate Resolution No. 371, regarding Dillon Stafford Nelson, St. Charles, which was adopted.

Senator Lager offered Senate Resolution No. 372, regarding Richard Griffith Kesler, Kearney, which was adopted.

Senator Pearce offered Senate Resolution No. 373, regarding Heather M. Kopp, Odessa, which was adopted.

Senator Pearce offered Senate Resolution No. 374, regarding Amy Heaven, Lexington, which was adopted.

Senator Pearce offered Senate Resolution No. 375, regarding the A.F. Davis House, Fayette, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 376, regarding Michael Raeber, Fenton, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 377, regarding Richard W. Bayers, Ballwin, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 378, regarding Brian Kohlberg, Fenton, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 379, regarding Bonnie Butterfield, Sunset Hills, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 380, regarding Cindy Sykes, Arnold, which

was adopted.

Senator Munzlinger offered the following resolution:

SENATE RESOLUTION NO. 381

WHEREAS, improving child nutrition is the focal point of the Healthy, Hunger-Free Kids Act of 2010; and

WHEREAS, the Healthy, Hunger-Free Kids Act authorizes funding and sets policy for the U.S. Department of Agriculture's core child nutrition programs; and

WHEREAS, the nutrition programs authorized for funding are the National School Lunch Program, the School Breakfast Program, the Special Supplemental Nutrition Program for Women, Infants and Children, the Summer Food Service Program, and the Child and Adult Care Food Program; and

WHEREAS, the Healthy, Hunger-Free Kids Act allows the U.S. Department of Agriculture, for the first time in over thirty years, the opportunity to make real reforms to school lunch and breakfast programs by improving the critical nutrition and hunger safety net for millions of children; and

WHEREAS, the outcome of the current changes to caloric guidelines and portion sizes is that more students are going hungry, the program cost has risen for both school districts and parents, and menu choice has been taken away at the local level. If high sugar content juices and soft drinks are not appropriate for purchase at schools, then neither should they be appropriate for purchase on the Supplemental Nutritional Assistance Program:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, hereby urge the United States Congress to: reconsider the caloric guidelines and portion sizes that have been written into the rules; and urge the Congress to apply new nutritional purchasing guidelines to the Supplemental Nutritional Assistance Program; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, and the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 367—By Walsh.

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

SB 368—By Holsman.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to the use of solar energy systems by property owners located within certain planned communities.

SB 369—By LeVota.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to illegal conduct involving prescription medications, with penalty provisions.

SB 370—By Wasson.

An Act to repeal section 335.066, RSMo, and to enact in lieu thereof one new section relating to the discipline of a nursing license.

SB 371—By Munzlinger.

An Act to repeal section 261.100, RSMo, and to enact in lieu thereof one new section relating to agriculture.

SB 372—By Munzlinger.

An Act to repeal sections 571.030 and 571.111, RSMo, and to enact in lieu thereof two new sections

relating to firearms, with existing penalty provisions.

SB 373—By Munzlinger.

An Act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

SB 374—By Nieves.

An Act to repeal sections 184.116, 184.119, 184.122, 184.384, 407.010, 407.020, and 407.453, and to enact in lieu thereof eight new sections relating to museums, with a penalty provision.

SB 375—By Nieves.

An Act to repeal sections 115.225, 115.237, and 115.493, RSMo, and to enact in lieu thereof four new sections relating to elections.

SB 376—By Sater.

An Act to repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the powers of hospital districts.

SB 377—By Dixon.

An Act to repeal section 565.020, RSMo, and to enact in lieu thereof two new sections relating to penalties for first degree murder when the offender was under the age of eighteen at the time the offense was committed, with an emergency clause and penalty provisions.

THIRD READING OF SENATE BILLS

SB 16, introduced by Senator Munzlinger, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to children performing agriculture work.

Was taken up.

On motion of Senator Munzlinger, **SB 16** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 45**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 45

An Act to repeal sections 487.020 and 488.426, RSMo, and to enact in lieu thereof two new sections relating to reimbursement for family court commissioners.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 75, introduced by Senator Brown, entitled:

An Act to amend chapters 170 and 171, RSMo, by adding thereto two new sections relating to safety in public elementary and secondary schools.

Was taken up.

On motion of Senator Brown, **SB 75** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—32

NAYS—Senators

Justus Walsh—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 138, introduced by Senator Kraus, entitled:

An Act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

Was taken up.

On motion of Senator Kraus, **SB 138** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the

following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 60**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 23**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which were referred **SB 26**, **SB 11** and **SB 31** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 176** and **192**; **SB 100**; and **SB 59**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 88**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 88**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 88

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 88** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 88** was declared perfected and ordered printed.

Senator Rupp moved that **SB 3** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Lamping offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 3, Page 1, Section 173.1300, Line 13, by inserting immediately after the word “public” the following: “**or accredited private**”; and further amend said line by inserting after the word “school” the words “**or a program of instruction that complies with subsection 2 of section 167.031**”; and further amend line 15, by inserting immediately after the word “public” the following: “**or accredited private**”; and further amend line 15, by inserting after “schools” the words “**or a program of instruction that complies with subsection 2 of section 167.031**”; and

Further amend said bill, page 4, section 173.1303, line 7, by striking “4” and inserting in lieu thereof the following: **“6”**; and further amend said line by inserting immediately after “section.” the following:

“3.”; and further amend line 8 by inserting immediately after the word “student” the following: **“who has graduated from a public high school in this state”**; and further amend line 21 by inserting after all of said line the following:

“4. For each eligible student who has graduated from an accredited private high school in this state or a program of instruction that complies with subsection 2 of section 167.031 in this state in accordance with subsection 2 of this section, the amount of moneys appropriated by the general assembly to provide scholarships to such eligible students shall be placed in the fund established in this section.”; and further line 22 by striking “3.” and inserting in lieu thereof the following: **“5.”**; and further amend line 23 by inserting immediately after the second use of the word “institution” the following: **“shall determine whether the eligible student graduated from a public high school in this state, an accredited private high school in this state, or a program of instruction that complies with subsection 2 of section 167.031. The public or private institution of higher education”**; and further amend line 26 by inserting immediately after the word “section” the following: **“as appropriate to whether the eligible student has graduated from a public high school in this state, an accredited private high school, or a program of instruction that complies with subsection 2 of section 167.031”**; and further amend line 29 by striking “4.” and inserting in lieu thereof the following: **“6.”**; and further amend line 31 by striking “. The” and inserting in lieu thereof the following: **“:**

(1) For eligible students who have graduated from public high schools in accordance with subsection 2 of this section, the”; and

Further amend said bill and section, page 5, line 34, by inserting immediately after the word “student” the following: **“who has graduated from a public high school”**; and further amend line 35 by striking the period “.” and inserting in lieu thereof the following: **“;**

(2) For eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section, the department of higher education shall determine whether the general assembly has appropriated funds for such eligible students and the total amount of funds appropriated. The scholarship amount awarded to an eligible student who has graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section shall be determined by dividing the amount of the total appropriation by the number of eligible students who have graduated from an accredited private high school and programs of instruction that comply with subsection 2 of section 167.031 in accordance with subsection 2 of this section.”; and further amend line 36 by striking “5” and inserting in lieu thereof the following: **“7.”**; and further amend line 38 by inserting immediately after the word “under” the following: **“subsection 3 of this section and appropriated under subsection 4 of”**; and further amend said line by inserting after “section.” the following: **“The state treasurer shall establish two subaccounts within the fund, one subaccount for funds collected under subsection 3 of this section and one subaccount for funds appropriated under subsection 4 of this section.”**; and further amend line 47, by inserting after all of said line the following:

“8. The scholarships provided to eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 shall be

funded out of general revenue, as subject to annual appropriation by the general assembly. No scholarships shall be provided to eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 if the general assembly fails to provide an appropriation for this purpose.”; and

Further amend said bill and page, section 173.1306, line 7, by striking “4.” and inserting in lieu thereof the following: “6”; and further amend said line by inserting after “section.” the following:

“3.”; and further amend said line by inserting after the word “student” the following: “**who has graduated from a public high school in this state**”; and further line 22 by inserting after all of said line the following:

“4. For each eligible student who has graduated from an accredited private high school in this state or a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section, the amount of moneys appropriated by the general assembly to provide scholarships to such eligible students shall be placed in the fund established in this section.”; and

Further amend said bill and section, Page 6, line 23 by striking “3.” and inserting in lieu thereof the following: “5.”; and further amend line 24 by inserting after the second use of the word “institution” the following: “**shall determine whether the eligible student graduated from a public high school in this state, an accredited private high school in this state, or a program of instruction that complies with subsection 2 of section 167.031. The public or private institution of higher education**”; and further amend line 27 by inserting immediately after the word “section” the following: “**as appropriate to whether the eligible student has graduated from a public high school, an accredited private high school in this state, or a program of instruction that complies with subsection 2 of section 167.031**”; and further amend line 32 by striking “. The” and inserting in lieu thereof the following: “:

(1) For eligible students who have graduated from public high schools in accordance with subsection 2 of this section, the”; and further amend line 35 by inserting after the word “student” the following: “**who has graduated from a public high school**”; and further amend line 36 by striking the period “.” and inserting in lieu thereof the following: “;

(2) For eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section, the department of higher education shall determine whether the general assembly has appropriated funds for such eligible students and the total amount of funds appropriated. The scholarship amount awarded to an eligible student who has graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section shall be determined by dividing the amount of the total appropriation by the number of eligible students who have graduated from an accredited private high school and a program of instruction that complies with subsection 2 of section 167.031 in accordance with subsection 2 of this section.”; and further amend line 37 by striking “5.” and inserting in lieu thereof the following: “7.”; and further amend line 39 by inserting after the word “under” the following: “subsection 3 of this section and appropriated under subsection 4 of**”; and further amend said line by inserting after “section.” the following: “**The state treasurer shall establish two subaccounts within the fund, one subaccount for funds collected under subsection 3 of this section and one subaccount for funds appropriated under subsection 4 of this section.**”; and further amend line 48, by inserting after all of said line the following:**

“8. The scholarships provided to eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 shall be funded out of general revenue, as subject to annual appropriation by the general assembly. No scholarships shall be provided to eligible students who have graduated from an accredited private high school or a program of instruction that complies with subsection 2 of section 167.031 if the general assembly fails to provide an appropriation for this purpose.”; and

Further amend said bill and page, Section 173.1309, line 9, by inserting immediately the word “school” the following: **“or the accredited private high school from which the student graduated”**; and

Further amend said bill and section, page 7, line 16, by inserting after the word “public” the following: **“or accredited private”**; and further amend line 38 by inserting after the word “public” the following: **“or accredited private”**.

Senator Lamping moved that the above amendment be adopted.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

Senator Silvey assumed the Chair.

At the request of Senator Rupp, **SB 3**, with **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 88**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 29**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 29**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 29

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Was taken up.

Senator Brown moved that **SCS** for **SB 29** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 29, Page 1, Section 105.504, Line 2, by striking the word “public”; and further amend line 3, by striking the word “public”; and further amend line 4, by striking the word “public” as it appears both times on said line; and further amend line 5, by striking the word “public”; and further amend line 6, by striking the word “public”; and further amend line 7, by striking the word “public”; and

Further amend said bill and section, page 2, line 30, by striking the word “public”; and further amend line 56, by striking the word “public”; and

Further amend said bill and section, page 3, line 59, by striking the word “public”.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Justus, McKenna and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senator Schaaf—1

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Rupp
Sater	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators

Parson Schaefer—2

Absent with leave—Senators—None

Vacancies—None

Senator LeVota offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 29, Page 3, Section 105.504, Line 62, by inserting immediately after “192.800”, the following: “**or Missouri department of transportation road crews and snow removal crews,**”.

Senator LeVota moved that the above amendment be adopted.

At the request of Senator Brown, **SB 29**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 20, 2013

Ms. Terry Spieler
 Secretary of the Missouri Senate
 State Capitol, Room 325
 Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Paul LeVota to the Health Facilities Review Committee.

Please feel free to contact me should you have any questions.

Sincerely,
 /s/ Tom Dempsey
 Tom Dempsey
 President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Romine introduced to the Senate, Darrell Dement, Ellington.

Senator Pearce introduced to the Senate, W.N. Gray, Jr., Higginsville.

On motion of Senator Richard, the Senate adjourned until 10:30 a.m., Tuesday, February 26, 2013.

SENATE CALENDAR

TWENTY-SIXTH DAY—TUESDAY, FEBRUARY 26, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 301-McKenna, et al

SB 302-Wasson

SB 303-Wasson

SB 304-Wasson

SB 305-Wasson

SB 306-Wasson

SB 307-Schaaf

SB 308-Schaaf

SB 309-Schaaf

SB 310-Nasheed

SB 311-Nasheed

SB 312-LeVota

SB 313-LeVota

SB 314-Wallingford

SB 315-Pearce

SB 316-Parson and Justus

SB 317-Romine

SB 318-Rupp

SB 319-Rupp

SB 320-Schaefer

SB 321-Schaefer

SB 322-Dixon

SB 323-Dixon

SB 324-Wallingford

SB 325-Nieves

SB 326-McKenna

SB 327-Dixon

SB 328-Brown

SB 329-Brown

SB 330-Wasson

SB 331-Schmitt

SB 332-Libla

SB 333-Silvey

SB 334-Sifton

SB 335-Sifton

SB 336-Walsh

SB 337-Sater	SB 361-Rupp
SB 338-Romine	SB 362-Chappelle-Nadal
SB 339-Romine	SB 363-Chappelle-Nadal
SB 340-Schmitt	SB 364-Parson
SB 341-Schmitt	SB 365-Parson, et al
SB 342-Parson, et al	SB 366-Lamping, et al
SB 343-Parson	SB 367-Walsh
SB 344-Parson	SB 368-Holsman
SB 346 Curls	SB 369-LeVota
SB 347-Nasheed	SB 370-Wasson
SB 348-LeVota	SB 371-Munzlinger
SB 349-LeVota	SB 372-Munzlinger
SB 350-Dempsey	SB 373-Munzlinger
SB 351-Lager	SB 374-Nieves
SB 352-Lager	SB 375-Nieves
SB 353-Lager	SB 376-Sater
SB 354-Schmitt	SB 377-Dixon
SB 355-Munzlinger	SJR 17-Nieves
SB 356-Kehoe	SJR 18-Schmitt
SB 357-Romine	SJR 19-Lager
SB 358-Holsman	SJR 20-Curls
SB 359-LeVota	SJR 21-LeVota
SB 360-Rupp	

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen

THIRD READING OF SENATE BILLS

SCS for SBs 176 & 192-Schmitt, et al	SB 59-Rupp
SB 100-Keaveny	SCS for SB 88-Schaaf

SENATE BILLS FOR PERFECTION

SB 13-Schaefer, with SCS	SB 23-Parson
SB 120-Schmitt, with SCS	SBs 26, 11 & 31-Kraus, with SCS
SB 60-Rupp	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 21-Dixon
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SB 22-Dixon
SB 29-Brown, with SCS & SA 2 (pending)
SB 41-Munzlinger

SB 48-Lamping
SB 127-Sater

RESOLUTIONS

To be Referred

SR 381-Munzlinger

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SIXTH DAY—TUESDAY, FEBRUARY 26, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Dixon offered the following prayer:

Merciful and Everlasting Ruler of the Universe, as we gather today to do the work of the people, we seek Your eternal wisdom. We ask that You illuminate our understanding and elevate our deliberation so that we might heed Your admonition spoken through the prophet Isaiah, “Come now, and let us reason together”, say the Lord. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Richard announced photographers from Jefferson City News Tribune and KOMU-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 382, regarding Officer Brett Steinhoff of the Saint Louis County Police Department, which was adopted.

Senator Sifton offered Senate Resolution No. 383, regarding Officer Dustin Blake of the Saint Louis County Police Department, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 378—By Pearce.

An Act to repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

SB 379—By Keaveny, Curls, Sifton, Justus and Holsman.

An Act to repeal section 99.1205, RSMo, and to enact in lieu thereof one new section relating to the distressed areas land assemblage tax credit act.

SB 380—By Kraus.

An Act to repeal section 559.115, RSMo, and to enact in lieu thereof one new section relating to criminal offenders participating in certain programs provided by the department of corrections.

SB 381—By Kraus.

An Act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

SB 382—By Kraus.

An Act to repeal sections 143.011, 143.021, and 143.071, RSMo, and to enact in lieu thereof three new sections relating to taxation, with an effective date for certain sections.

SB 383—By Wallingford.

An Act to repeal sections 34.057 and 107.170, RSMo, and to enact in lieu thereof two new sections relating to retainage requirements on construction of public works projects.

SB 384—By Rupp.

An Act to amend chapter 431, RSMo, by adding thereto one new section relating to personal guarantee loans.

SB 385—By Rupp.

An Act to repeal section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular

session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, RSMo, and to enact in lieu thereof six new sections relating to campaign finance.

SB 386—By LeVota.

An Act to repeal sections 115.017, 115.021, 115.027, 115.029, 115.353, and 115.607, RSMo, and to enact in lieu thereof six new sections relating to elections.

SB 387—By Nasheed.

An Act to repeal section 135.750, RSMo, and to enact in lieu thereof one new section relating to film production tax credits.

SB 388—By Curls.

An Act to amend chapter 442, RSMo, by adding thereto twenty-three new sections relating to contracts for deeds.

SB 389—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

SB 390—By Chappelle-Nadal.

An Act to repeal section 163.036, RSMo, and to enact in lieu thereof one new section relating to the calculation of weighted average daily attendance.

SB 391—By Dixon.

An Act to amend chapter 454, RSMo, by adding thereto eight new sections relating to the remedy of civil contempt for failure to comply with child support orders.

SB 392—By Dixon.

An Act to repeal section 173.616, RSMo, and to enact in lieu thereof one new section relating to institutions of higher education.

THIRD READING OF SENATE BILLS

SCS for SBs 176 and 192, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 176 and 192

An Act to repeal section 227.303, RSMo, and to enact in lieu thereof two new sections relating to the designation of highway infrastructure, with a contingent effective date for a certain section.

Was taken up by Senator Schmitt.

On motion of Senator Schmitt, **SCS** for **SBs 176** and **192** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 100, introduced by Senator Keaveny, entitled:

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of a person's interest in inherited retirement accounts and health savings plans.

Was taken up.

On motion of Senator Keaveny, **SB 100** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 59, introduced by Senator Rupp, entitled:

An Act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to the regulation of insurance guaranty associations.

Was taken up.

On motion of Senator Rupp, **SB 59** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Emery	Kraus	Lager	Lamping—4
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Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

SCS for **SB 88**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 88

An Act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 88** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Schaaf	Schmitt
Sifton	Silvey	Walsh	Wasson—28				

NAYS—Senators

Kraus	Lager	Lamping	Sater	Wallingford—5
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Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

SB 13, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 120**, with **SCS**, was placed on the Informal Calendar.

Senator Rupp moved that **SB 60** be taken up for perfection, which motion prevailed.

On motion of Senator Rupp, **SB 60** was declared perfected and ordered printed.

Senator Parson moved that **SB 23** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 23** was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SR 381** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 202**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 60** and **SB 23**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 120**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 120**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 120

An Act to repeal sections 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and to enact in lieu thereof sixteen new sections relating to tax incentives, with an emergency clause for certain sections.

Was taken up.

Senator Schmitt offered **SS** for **SCS** for **SB 120**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 120

An Act to repeal sections 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and to enact in lieu thereof fifteen new sections relating to tax incentives, with an emergency clause for certain sections.

Senator Schmitt moved that **SS** for **SCS** for **SB 120** be adopted.

At the request of Senator Schmitt, **SB 120**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 7:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 120**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 120** was again taken up.

Senator Lager offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 11, Section 135.1550, Line 4, by striking the words “not within a county” and inserting in lieu thereof the following: “located within this state”.

Senator Lager moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 7, Section 135.352, Line 18, by striking the words “one hundred” and inserting in lieu thereof “**fifty**”; and further amend line 21 by striking the word “ten” and inserting in lieu thereof “**five**”; and

Further amend said bill, page 29, section 253.550, lines 2-3, by striking the words “sixty-five” and inserting in lieu thereof “**fifty**”; and

Further amend said bill and section, page 30, line 16, by striking the word “ten” and inserting in lieu thereof “**five**”.

Senator Lager moved that the above amendment be adopted.

Senator Holsman offered **SA 1** to **SA 2**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2**

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 1, Line 7, by striking the word “fifty” and inserting in lieu thereof the following: “**ninety-five**”.

Senator Holsman moved that the above amendment be adopted, which motion failed.

Senator Kehoe assumed the Chair.

Senator Nasheed offered **SA 2** to **SA 2**:

**SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 2**

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 1, Line 1, by striking the number “18” and inserting in lieu thereof the following: “11”; and further amend lines 2-4 of said amendment by striking all of said lines and inserting in lieu thereof the following: “by striking the underlined language from said line; and further amend lines 13-23, by striking

all of the underlined language on said lines; and further amend said section by renumbering the remaining subsections accordingly; and”.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Curls, Justus, LeVota and Keaveny.

SA 2 to SA 2 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Justus	Keaveny	Nasheed	Schaefer	Sifton	Walsh—8
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NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schmitt	Silvey	Wallingford	Wasson—24

Absent—Senators

Chappelle-Nadal Rupp—2

Absent with leave—Senators—None

Vacancies—None

Senator Curls offered **SA 3 to SA 2**:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 1, Line 3, by striking the word “fifty” and inserting in lieu thereof the following: “**one hundred ten**”; and further amend line 4 by striking the word “five” and inserting in lieu thereof the following: “**thirty**”.

Senator Curls moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 4 to SA 2**, which was read:

SENATE AMENDMENT NO. 4 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 1, Line 7, by striking the word “fifty” and inserting in lieu thereof the following: “**forty-five**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

SA 2, as amended, was again taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 50, Section 447.708, Line 23 of said page, by striking the following: “(1)”; and further amend lines 24-26 of said page, by striking all of said lines and inserting in lieu thereof the following: **“2013, no more than twenty million dollars in tax”**; and

Further amend said bill and section, page 51, lines 1-17 of said page, by striking all of said lines.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 38, Section 253.559, Line 23 of said page, by inserting immediately after all of said line the following:

“348.273. 1. This section and section 348.274 shall be known and may be cited as the “Missouri Angel Investment Incentive Act”.

2. As used in this section and section 348.274, the following terms mean:

(1) “Cash investment”, money or money equivalent contribution;

(2) “Department”, the department of economic development;

(3) “Investor”:

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) “Permitted entity investor”, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(6) “Qualified knowledge-based company”, a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) “Qualified Missouri business”, the Missouri businesses that are approved and certified as qualified knowledge-based companies by the regional SBTDC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business’s production in Missouri;

(8) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument’s term;

(9) “SBTDC”, the Missouri small business and technology development center; and

(10) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri business and allocating the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor’s cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such

investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The director of the department of revenue shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2024. The total amount of tax credits allocated under this section shall not exceed six million dollars per year. The balance of unissued tax credits may be carried over for issuance in future years until December 31, 2024.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the department shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the department any unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified

Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the department, but shall include at least the following:

(a) The name of the business and certified copies of the organizational documents of the business;

(b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;

(c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;

(d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;

(e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and

(f) Such other information as the regional SBTDC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;

(b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction or construction management or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;

(l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and

(m) The business shall satisfy all other requirements of this section and section 348.274.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the region, the state, or both. The regional SBTDC may allocate, and the department may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated tax credits to the qualified Missouri business and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the department, as applicable. For the purposes of this section and section 348.273, "trade secrets" means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before February first. The regional SBTDC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified

securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the department may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the department on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the regional SBTDC received;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits; and

(e) Such other information as reasonably agreed upon by each regional SBTDC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out-of-region or out-of-state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that

loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Notwithstanding sections 23.250 to 23.298 of the Missouri sunset act, sections 348.273 and 348.274 shall expire on December 31, 2024.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Lager offered SA 1 to SA 4:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 5, Section 348.273, Line 17, by striking the number “2024” and inserting in lieu thereof the following: “**2019**”; and further amend lines 19-21 by striking all of said lines and inserting in lieu thereof the following: “**not exceed six million dollars per year.**”; and

Further amend said amendment, page 17, section 348.274, line 8, by striking the number “2024” and inserting in lieu thereof the following: “**2019**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

SA 4, as amended, was again taken up.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 5, Section 67.2050, Line 6 of said page, by inserting immediately after all of said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed pursuant to sections 135.300 to 135.311 exceed three million five hundred thousand dollars in any given fiscal year.**”; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 21, Section 144.810, Line 28, by striking the word “shall” and insert in lieu thereof the following: “**may, at the discretion of the department of economic development,**”; and

Further amend said bill and section, page 24, line 18, by striking the word “shall” and insert in lieu thereof the following: **“may, at the discretion of the department of economic development,”**.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 10, Section 135.484, Line 20, by inserting after all of said line the following:

“135.750. 1. As used in this section, the following terms mean: (1) “Highly compensated individual”, any individual who receives compensation in excess of one million dollars in connection with a single qualified film production project; (2) “Qualified film production project”, any film, video, commercial, or television production, as approved by the department of economic development and the office of the Missouri film commission, that is under thirty minutes in length with an expected in-state expenditure budget in excess of fifty thousand dollars, or that is over thirty minutes in length with an expected in-state expenditure budget in excess of one hundred thousand dollars. Regardless of the production costs, “qualified film production project” shall not include any:

- (a) News or current events programming;
- (b) Talk show;
- (c) Production produced primarily for industrial, corporate, or institutional purposes, and for internal use;
- (d) Sports event or sports program;
- (e) Gala presentation or awards show;
- (f) Infomercial or any production that directly solicits funds;
- (g) Political ad;
- (h) Production that is considered obscene, as defined in section 573.010; (3) “Qualifying expenses”, the sum of the total amount spent in this state for the following by a production company in connection with a qualified film production project:

(a) Goods and services leased or purchased by the production company. For goods with a purchase price of twenty-five thousand dollars or more, the amount included in qualifying expenses shall be the purchase price less the fair market value of the goods at the time the production is completed;

(b) Compensation and wages paid by the production company on which the production company remitted withholding payments to the department of revenue under chapter 143. For purposes of this section, compensation and wages shall not include any amounts paid to a highly compensated individual; (4) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or otherwise due under chapter 148; (5) “Taxpayer”, any individual, partnership, or corporation as described in section 143.441, 143.471, or section 148.370 that is subject to the tax imposed in chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax imposed in chapter 148 or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed

under chapter 143.

2. For all taxable years beginning on or after January 1, 1999, but ending on or before December 31, 2007, a taxpayer shall be granted a tax credit for up to fifty percent of the amount of investment in production or production-related activities in any film production project with an expected in-state expenditure budget in excess of three hundred thousand dollars. For all taxable years beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for up to thirty-five percent of the amount of qualifying expenses in a qualified film production project. Each film production company shall be limited to one qualified film production project per year. Activities qualifying a taxpayer for the tax credit pursuant to this subsection shall be approved by the office of the Missouri film commission and the department of economic development.

3. Taxpayers shall apply for the film production tax credit by submitting an application to the department of economic development, on a form provided by the department. As part of the application, the expected in-state expenditures of the qualified film production project shall be documented. In addition, the application shall include an economic impact statement, showing the economic impact from the activities of the film production project. Such economic impact statement shall indicate the impact on the region of the state in which the film production or production-related activities are located and on the state as a whole.

4. For all taxable years ending on or before December 31, 2007, tax credits certified pursuant to subsection 2 of this section shall not exceed one million dollars per taxpayer per year, and shall not exceed a total for all tax credits certified of one million five hundred thousand dollars per year. For all taxable years beginning on or after January 1, 2008, **but ending on or before December 31, 2013**, tax credits certified under subsection 1 of this section shall not exceed a total for all tax credits certified of four million five hundred thousand dollars per year. **For all taxable years beginning on or after January 1, 2014, tax credits certified under subsection 1 of this section shall not exceed a total for all tax credits certified of three million five hundred thousand dollars per calendar year.** Taxpayers may carry forward unused credits for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.

5. Notwithstanding any provision of law to the contrary, any taxpayer may sell, assign, exchange, convey or otherwise transfer tax credits allowed in subsection 2 of this section. The taxpayer acquiring the tax credits may use the acquired credits to offset the tax liabilities otherwise imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or chapter 148. Unused acquired credits may be carried forward for up to five tax periods, provided all such credits shall be claimed within ten tax periods following the tax period in which the film production or production-related activities for which the credits are certified by the department occurred.

6. Under section 23.253 of the Missouri sunset act:

(1) [The provisions of the new program authorized under this section shall automatically sunset six years after November 28, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **expire on December 31, 2018, unless reauthorized by the general assembly;** and

[(3)] (2) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset; **and**

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department of economic development's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits."; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Lager offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 12, Section 135.1565, Line 26, by striking the number "1."; and

Further amend said bill and section, page 13, lines 3-11, by striking all of said lines and inserting in lieu thereof the following: **"after July 1, 2013."**

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 51, Section 447.708, Line 17, by inserting after all of said line the following:

"Section 1. 1. No political subdivision shall be responsible for costs associated with upgrading infrastructure due to an increased use of such infrastructure caused by the program authorized under sections 135.1550 to 135.1575.

2. The department of natural resources shall conduct a comprehensive water study on the impact that the program authorized under sections 135.1550 to 135.1575 has on surrounding storm water drainage."; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 13, Section 135.1570, Lines 12-16, by striking all of said lines and inserting in lieu thereof the following: **"135.1570. Tax"**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 8, Section

135.352, Line 5, by striking the word “or”; and further line 6 by striking all of said line and inserting in lieu thereof the following: “.”; and

Further amend said bill, page 31, section 253.557, lines 22-23 by striking the words “carried back to the preceding year and”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 32, Section 253.557, Lines 8-9, by striking all of the underlined language on said lines; and further amend lines 12-14 by striking all the underlined language on said lines.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 120, Page 20, Section 144.810, Lines 4-6, by striking all of said lines from the bill; and further renumber the remaining subdivisions accordingly; and

Further amend said bill and section, page 22, lines 15-24, by striking all of said lines from the bill; and further renumber the remaining subdivisions accordingly.

Senator Lamping moved that the above amendment be adopted, which motion failed.

Senator Schmitt moved that **SS** for **SCS** for **SB 120**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 120**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 384, regarding the Fiftieth Wedding Anniversary of Lou and Faye Graftenreed, Ironton, which was adopted.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 26, 2013

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Jason R. Lawless of Columbia to the following board:

- Higher Education Savings Program Board, Missouri

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Stevie Kearse, Aimee Campbell, Carolyn Peplow, Robin Southern and Barry White, representatives of Rolla Chamber of Commerce.

Senator Wallingford introduced to the Senate, Dale and Hellen Steffens and Larry and Patricia Miller, representatives of Missouri Farm Bureau, Jackson.

On motion of Senator Richard, the Senate adjourned until 11:30 a.m., Wednesday, February 27, 2013.

SENATE CALENDAR

TWENTY-SEVENTH DAY—WEDNESDAY, FEBRUARY 27, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 301-McKenna, et al	SB 321-Schaefer
SB 302-Wasson	SB 322-Dixon
SB 303-Wasson	SB 323-Dixon
SB 304-Wasson	SB 324-Wallingford
SB 305-Wasson	SB 325-Nieves
SB 306-Wasson	SB 326-McKenna
SB 307-Schaaf	SB 327-Dixon
SB 308-Schaaf	SB 328-Brown
SB 309-Schaaf	SB 329-Brown
SB 310-Nasheed	SB 330-Wasson
SB 311-Nasheed	SB 331-Schmitt
SB 312-LeVota	SB 332-Libla
SB 313-LeVota	SB 333-Silvey
SB 314-Wallingford	SB 334-Sifton
SB 315-Pearce	SB 335-Sifton
SB 316-Parson and Justus	SB 336-Walsh
SB 317-Romine	SB 337-Sater
SB 318-Rupp	SB 338-Romine
SB 319-Rupp	SB 339-Romine
SB 320-Schaefer	SB 340-Schmitt

SB 341-Schmitt	SB 370-Wasson
SB 342-Parson, et al	SB 371-Munzlinger
SB 343-Parson	SB 372-Munzlinger
SB 344-Parson	SB 373-Munzlinger
SB 346 Curls	SB 374-Nieves
SB 347-Nasheed	SB 375-Nieves
SB 348-LeVota	SB 376-Sater
SB 349-LeVota	SB 377-Dixon
SB 350-Dempsey	SB 378-Pearce
SB 351-Lager	SB 379-Keaveny, et al
SB 352-Lager	SB 380-Kraus
SB 353-Lager	SB 381-Kraus
SB 354-Schmitt	SB 382-Kraus
SB 355-Munzlinger	SB 383-Wallingford
SB 356-Kehoe	SB 384-Rupp
SB 357-Romine	SB 385-Rupp
SB 358-Holsman	SB 386-LeVota
SB 359-LeVota	SB 387-Nasheed
SB 360-Rupp	SB 388-Curls
SB 361-Rupp	SB 389-Curls
SB 362-Chappelle-Nadal	SB 390-Chappelle-Nadal
SB 363-Chappelle-Nadal	SB 391-Dixon
SB 364-Parson	SB 392-Dixon
SB 365-Parson, et al	SJR 17-Nieves
SB 366-Lamping, et al	SJR 18-Schmitt
SB 367-Walsh	SJR 19-Lager
SB 368-Holsman	SJR 20-Curls
SB 369-LeVota	SJR 21-LeVota

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen	HCS for HB 202
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THIRD READING OF SENATE BILLS

SB 60-Rupp	SB 23-Parson
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SENATE BILLS FOR PERFECTION

SBs 26, 11 & 31-Kraus, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SB 29-Brown, with SCS & SA 2 (pending)
SB 41-Munzlinger
SB 48-Lamping
SB 127-Sater

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SEVENTH DAY—WEDNESDAY, FEBRUARY 27, 2013

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

Reverend Carl Gauck offered the following prayer:

“Spread snow like a blanket and spread ice like ashes.” (Psalm 147:16)

Gracious Lord, we enjoy the beauty of the winter wonderland and very grateful for safe travel. We are thankful for those whose efforts make it possible for us to have cleared streets and work early in the day through the night so our roads are passable and emergency vehicles can assist those needing their service. We are grateful for those who serve us so we may be able to work as we are called to serve here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 385, regarding Trenton High School/Adams Park Apartments, Grundy County, which was adopted.

Senator Richard offered Senate Resolution No. 386, regarding Anthony Hendrix, Neosho, which was adopted.

Senator Lager offered Senate Resolution No. 387, regarding Josh Poole, which was adopted.

Senator Brown offered Senate Resolution No. 388, regarding Kayleigh Marie Jones, Cuba, which was adopted.

Senator Kehoe offered Senate Resolution No. 389, regarding Fire Chief Robert F. Rennick, Jefferson City, which was adopted.

Senator Nieves offered Senate Resolution No. 390, regarding Daniel Richard “Dan” Rice, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 391, regarding Donald Paul Stoos, Chesterfield, which was adopted.

Senator Nieves offered Senate Resolution No. 392, regarding Miranda “Andi” Placht, New Haven, which was adopted.

Senator Walsh offered Senate Resolution No. 393, regarding the Sixtieth Birthday of Kim Robert Besserman, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 394, regarding Colleen Hannibal, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 395, regarding Howard A. Nimmons, Florissant, which was adopted.

Senator Schaefer offered Senate Resolution No. 396, regarding Sital Raj Uprety, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 397, regarding Allison Siroky, Rock Island, Illinois, which was adopted.

Senator Schaefer offered Senate Resolution No. 398, regarding Mekka Garcia, Centralia, which was adopted.

Senator Schaefer offered Senate Resolution No. 399, regarding Jordan Bartlebaugh, Waterloo, Illinois, which was adopted.

Senator Schaefer offered Senate Resolution No. 400, regarding Omar Taranissi, Columbia, which was adopted.

Senator Silvey offered Senate Resolution No. 401, regarding Jay Joseph McCune, II, Kansas City, which was adopted.

Senator Sifton offered Senate Resolution No. 402, regarding Lauren Bansbach, Saint Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 403, regarding Kamron MacQuarrie Whipple,

Mountain Grove, which was adopted.

Senator Cunningham offered Senate Resolution No. 404, regarding Amber Carr, West Plains, which was adopted.

Senator Lager offered Senate Resolution No. 405, regarding Kevin J. Thompson and Tyler J. Roberts, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 406, regarding Josh Hartzell, Lathrop, which was adopted.

Senator Lager offered Senate Resolution No. 407, regarding the One Hundredth Birthday of Alice Jones McCartney, Mound City, which was adopted.

Senator Lager offered Senate Resolution No. 408, regarding Nils Edward Haugen, Kearney, which was adopted.

CONCURRENT RESOLUTIONS

Senator Lamping offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 12

WHEREAS, Immigration policy is a federal issue between the U.S. government and other countries; and

WHEREAS, Missouri is best served by a free-market philosophy that maximizes individual freedom and opportunity; and

WHEREAS, Missouri residents acknowledge that legal immigrants play an important economic role as workers and taxpayers and, as such, Missouri's policies affecting legal immigrants must reaffirm our global reputation as a welcoming and business-friendly state; and

WHEREAS, strong families are the foundation of successful communities and individuals and, as such, we oppose policies that unnecessarily separate families and champion policies that support families and improve the health, education, and the well-being of all Missouri children; and

WHEREAS, we respect the rule of law, support law enforcement's professional judgment and discretion, and encourage an enforcement strategy that focuses on public safety and targets serious crime; and

WHEREAS, Missourians must adopt an approach that recognizes the critical role legal immigration has played in our nation's history and celebrate the fact that legal immigrants are a large part of our communities; and

WHEREAS, such approach must reflect our history and culture of inclusion and welcome those legal immigrants who become fully participating members of our society:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Missouri congressional delegation to lead efforts to strengthen federal laws and protect our national borders and further urge state leaders to adopt reasonable policies addressing immigrants in Missouri that improves our immigration system and keeps our communities safe; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation and Governor Jay Nixon.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 393—By Libla and Emery.

An Act to repeal section 188.027, RSMo, and to enact in lieu thereof one new section relating to informed consent for abortions.

SB 394—By Silvey.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage centers.

SB 395—By Kraus and LeVota.

An Act to repeal section 115.607, RSMo, and to enact in lieu thereof one new section relating to county political party committees.

SB 396—By Holsman and Chappelle-Nadal.

An Act to repeal sections 386.890, 393.1030, and 393.1050, RSMo, and to enact in lieu thereof two new sections relating to renewable energy.

SB 397—By Holsman and Curls.

An Act to repeal sections 301.020 and 301.3031, RSMo, and to enact in lieu thereof three new sections relating to donations by motor vehicle registration applications to fund the National World War I Memorial at Liberty Memorial, with existing penalty provisions.

SB 398—By Holsman.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to an income tax deduction for energy efficiency projects.

SB 399—By Holsman and Curls.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the Missouri Korean War Veterans Memorial.

SB 400—By Holsman.

An Act to repeal sections 393.1025, 393.1030, and 393.1050, RSMo, and to enact in lieu thereof two new sections relating to the renewable energy standard.

SB 401—By Rupp.

An Act to amend chapter 376, RSMo, by adding thereto eight new sections relating to the regulation and licensure of navigators, with penalty provisions.

SB 402—By Rupp.

An Act to repeal sections 375.037, 375.920, 376.405, 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof twenty new sections relating to the regulation of insurance business, with a penalty provision.

SB 403—By Rupp.

An Act to repeal sections 354.410, 354.430, 354.603, 376.405, 376.426, 376.446, 376.777, and 376.1363, RSMo, and to enact in lieu thereof sixteen new sections relating to health insurance, with penalty provisions.

SB 404—By Munzlinger.

An Act to repeal sections 304.022 and 304.154, RSMo, and to enact in lieu thereof three new sections relating to emergency vehicles, with a penalty provision.

SB 405—By Sater.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to personal funeral trust accounts.

SB 406—By Wallingford.

An Act to repeal sections 376.1363 and 376.1367, RSMo, and to enact in lieu thereof two new sections relating to health insurance benefit determinations for serious and urgent conditions.

SB 407—By Wallingford.

An Act to repeal section 143.171, RSMo, and to enact in lieu thereof one new section relating to deduction of federal income tax liability.

SB 408—By Emery.

An Act to repeal sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof nine new sections relating to elementary and secondary education.

SB 409—By Keaveny.

An Act to repeal sections 547.035, 547.037, 565.020, and 565.032, RSMo, and to enact in lieu thereof four new sections relating to first degree murder.

SB 410—By Kehoe.

An Act to repeal sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, RSMo, and to enact in lieu thereof seventeen new sections relating to the renaming of Linn State Technical College, with an effective date.

SB 411—By Kehoe.

An Act to repeal sections 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and section 302.700 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, and to enact in lieu thereof six new sections relating to the operation of commercial motor vehicles.

SB 412—By Kehoe.

An Act to repeal section 311.180, RSMo, and to enact in lieu thereof two new sections relating to beer wholesalers.

SB 413—By Wasson.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to services under the MO HealthNet program.

SB 414—By Dixon.

An Act to repeal sections 217.720, 559.036, 600.011, 600.040, 600.042, and 600.048, RSMo, and to enact in lieu thereof eight new sections relating to the legal defense of indigent persons, with existing penalty provisions.

SB 415—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for early childhood education programs.

SB 416—By Dixon.

An Act to repeal sections 60.530, 60.560, 60.590, 60.620, 194.400, 194.408, 194.409, 236.400, 236.405, 236.410, 236.415, 236.420, 236.425, 236.430, 236.435, 236.440, 236.445, 236.465, 236.470, 236.475, 236.480, 236.495, 236.500, 256.603, 256.605, 256.606, 256.614, 256.623, 256.626, 256.630, 256.637, 256.700, 256.705, 256.710, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 259.010, 259.020, 259.030, 259.040, 259.050, 259.070, 259.080, 259.090, 259.100, 259.110, 259.120, 259.140, 259.150, 259.160, 259.170, 259.180, 259.190, 259.200, 259.210, 260.235, 260.249, 260.335, 260.345, 621.250, 640.010, 640.012, 640.017, and 640.430, RSMo, and to enact in lieu thereof fifty-five new sections relating to the department of natural resources, with existing penalty provisions.

SB 417—By Lager.

An Act to repeal sections 43.543, 260.200, 260.205, 260.262, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 444.772, 643.079, and 644.054, RSMo, and to enact in lieu thereof twelve new sections relating to the department of natural resources, with an emergency clause for a certain section.

SB 418—By Lager.

An Act to amend chapter 389, RSMo, by adding thereto six new sections relating to the crossing of railroad right-of-ways by certain utilities.

SB 419—By Lager.

An Act to authorize the conveyance of certain property owned by the state to the state highways and transportation commission.

SB 420—By Lager.

An Act to repeal sections 386.890 and 393.1030, RSMo, and to enact in lieu thereof two new sections relating to renewable energy.

SB 421—By Walsh.

An Act to repeal sections 167.181 and 174.335, RSMo, and to enact in lieu thereof two new sections relating to the meningococcal conjugate vaccine.

SB 422—By Curls and LeVota.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of highways.

SB 423—By Nasheed.

An Act to repeal section 82.485, RSMo, and to enact in lieu thereof one new section relating to powers of the supervisor of parking meters in certain cities.

SB 424—By Nasheed.

An Act to amend chapter 221, RSMo, by adding thereto one new section relating to reporting requirements for employees of jails, with a penalty provision.

SB 425—By Nasheed.

An Act to amend chapter 443, RSMo, by adding thereto twenty-four new sections relating to real estate foreclosure, with penalty provisions.

SB 426—By Nasheed.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to mathematics and science tutoring centers.

SB 427—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the reporting of data and scores of neglected children and delinquent children.

SB 428—By Sifton.

An Act to repeal sections 213.010, 213.040, 213.045, and 557.035, RSMo, and to enact in lieu thereof five new sections relating to homelessness, with existing penalty provisions.

SB 429—By Chappelle-Nadal.

An Act to repeal section 67.1003, RSMo, and to enact in lieu thereof one new section relating to transient guest taxes.

SB 430—By Chappelle-Nadal.

An Act to repeal sections 660.411 and 660.414, RSMo, and to enact in lieu thereof three new sections relating to adult day care programs.

SB 431—By Cunningham.

An Act to repeal section 394.120, RSMo, and to enact in lieu thereof one new section relating to electric cooperatives.

SB 432—By Cunningham.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

SB 433—By Lamping, Lager, Schaaf and Kraus.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

SB 434—By Lamping, Lager, Schaaf and Kraus.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

SB 435—By McKenna.

An Act to repeal sections 115.305, 115.346, 115.350, and 561.021, RSMo, and to enact in lieu thereof four new sections relating to disqualification from public office.

SJR 22—By Parson, Brown, Kraus, Sater, Libla, Munzlinger, Cunningham, Lamping and Wallingford.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the

Constitution of Missouri, and adopting one new section relating to the right to farm.

Senator Schmitt assumed the Chair.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 120**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 120** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 158**, entitled:

An Act to repeal sections 99.805, 99.835, 99.845, 99.865, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, and 184.865, RSMo, and to enact in lieu thereof seventeen new sections relating to disaster areas, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 127** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Sater, **SB 127** was declared perfected and ordered printed.

Senator Brown moved that **SB 29**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator LeVota requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request by Senators Curls, Holsman, Nasheed and Sifton.

At the request of Senator Brown, **SB 29**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Pearce assumed the Chair.

Senator Kraus moved that **SB 26, SB 11 and SB 31**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 26, 11 and 31**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 26, 11 and 31

An Act to repeal sections 143.011, 143.021 and 143.071, RSMo, and to enact in lieu thereof four new sections relating to taxation, with an effective date for certain sections.

Was taken up.

Senator Kraus moved that **SCS** for **SBs 26, 11 and 31** be adopted.

Senator Kraus offered **SS** for **SCS** for **SBs 26, 11 and 31**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 26, 11 and 31

An Act to repeal sections 143.011, 143.021 and 143.071, RSMo, and to enact in lieu thereof four new sections relating to taxation.

Senator Kraus moved that **SS** for **SCS** for **SBs 26, 11 and 31** be adopted.

Senator LeVota offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 12, Section 143.071, Line 5, by inserting immediately after all of said line the following:

“Section 1. Prior to the final passage of any bill that increases expenditures or decreases revenues of the state, the sponsor of such bill shall transmit a statement to the director of the oversight division within the committee of legislative research. Such statement shall detail what existing state programs will be impacted by such bill. Such statement shall be included in the fiscal note prepared by the oversight division for such bill.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

President Pro Tem Dempsey assumed the Chair.

At the request of Senator Kraus, **SB 26, SB 11 and SB 31**, with **SCS** and **SS** for **SCS** (pending), were placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 127**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Schaaf assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred **SB 127** to the Committee on Governmental Accountability and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Lamping introduced to the Senate, Dr. Charles Willey, St. Louis.

Senator Walsh introduced to the Senate, her daughter and son-in-law, Michaela and Joe Friederich, and her granddaughter, Prudence Jane, Wentzville.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-EIGHTH DAY—THURSDAY, FEBRUARY 28, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 301-McKenna, et al

SB 302-Wasson

SB 303-Wasson

SB 304-Wasson

SB 305-Wasson

SB 306-Wasson

SB 307-Schaaf

SB 308-Schaaf

SB 309-Schaaf

SB 310-Nasheed

SB 311-Nasheed

SB 312-LeVota

SB 313-LeVota

SB 314-Wallingford

SB 315-Pearce

SB 316-Parson and Justus

SB 317-Romine

SB 318-Rupp

SB 319-Rupp

SB 320-Schaefer

SB 321-Schaefer

SB 322-Dixon

SB 323-Dixon

SB 324-Wallingford

SB 325-Nieves

SB 326-McKenna

SB 327-Dixon

SB 328-Brown

SB 329-Brown

SB 330-Wasson

SB 331-Schmitt

SB 332-Libla

SB 333-Silvey

SB 334-Sifton

SB 335-Sifton	SB 376-Sater
SB 336-Walsh	SB 377-Dixon
SB 337-Sater	SB 378-Pearce
SB 338-Romine	SB 379-Keaveny, et al
SB 339-Romine	SB 380-Kraus
SB 340-Schmitt	SB 381-Kraus
SB 341-Schmitt	SB 382-Kraus
SB 342-Parson, et al	SB 383-Wallingford
SB 343-Parson	SB 384-Rupp
SB 344-Parson	SB 385-Rupp
SB 346 Curls	SB 386-LeVota
SB 347-Nasheed	SB 387-Nasheed
SB 348-LeVota	SB 388-Curls
SB 349-LeVota	SB 389-Curls
SB 350-Dempsey	SB 390-Chappelle-Nadal
SB 351-Lager	SB 391-Dixon
SB 352-Lager	SB 392-Dixon
SB 353-Lager	SB 393-Libla and Emery
SB 354-Schmitt	SB 394-Silvey
SB 355-Munzlinger	SB 395-Kraus and LeVota
SB 356-Kehoe	SB 396-Holsman and Chappelle-Nadal
SB 357-Romine	SB 397-Holsman and Curls
SB 358-Holsman	SB 398-Holsman
SB 359-LeVota	SB 399-Holsman and Curls
SB 360-Rupp	SB 400-Holsman
SB 361-Rupp	SB 401-Rupp
SB 362-Chappelle-Nadal	SB 402-Rupp
SB 363-Chappelle-Nadal	SB 403-Rupp
SB 364-Parson	SB 404-Munzlinger
SB 365-Parson, et al	SB 405-Sater
SB 366-Lamping, et al	SB 406-Wallingford
SB 367-Walsh	SB 407-Wallingford
SB 368-Holsman	SB 408-Emery
SB 369-LeVota	SB 409-Keaveny
SB 370-Wasson	SB 410-Kehoe
SB 371-Munzlinger	SB 411-Kehoe
SB 372-Munzlinger	SB 412-Kehoe
SB 373-Munzlinger	SB 413-Wasson
SB 374-Nieves	SB 414-Dixon
SB 375-Nieves	SB 415-Dixon

SB 416-Dixon	SB 429-Chappelle-Nadal
SB 417-Lager	SB 430-Chappelle-Nadal
SB 418-Lager	SB 431-Cunningham
SB 419-Lager	SB 432-Cunningham
SB 420-Lager	SB 433-Lamping, et al
SB 421-Walsh	SB 434-Lamping, et al
SB 422-Curls and LeVota	SB 435-McKenna
SB 423-Nasheed	SJR 17-Nieves
SB 424-Nasheed	SJR 18-Schmitt
SB 425-Nasheed	SJR 19-Lager
SB 426-Nasheed	SJR 20-Curls
SB 427-Sifton	SJR 21-LeVota
SB 428-Sifton	SJR 22-Parson, et al

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen	HCS for HB 158
HCS for HB 202	

THIRD READING OF SENATE BILLS

SB 60-Rupp	SB 127-Sater (In Fiscal Oversight)
SB 23-Parson	
SS for SCS for SB 120-Schmitt (In Fiscal Oversight)	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 29-Brown, with SCS & SA 2 (pending)
SB 13-Schaefer, with SCS	SB 41-Munzlinger
SB 21-Dixon	SB 48-Lamping
SB 22-Dixon	
SBs 26, 11 & 31-Kraus, with SCS & SS for SCS (pending)	

RESOLUTIONS

To be Referred

SCR 12-Lamping

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-EIGHTH DAY—THURSDAY, FEBRUARY 28, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“Yet you do not even know what tomorrow will bring. What is your life? For you are mist that appears for a little while and then vanishes.”
(James 4:14)

Loving God, it is easy to get caught up in the pressures and demands on us, that it is easy to forget what is truly important. Help us to be mindful of our limited time especially in those relationships You have given us that makes life sweet and part of the reason we work so hard. Open our hearts to truly be with our families and bless our limited time together. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered the following resolution:

SENATE RESOLUTION NO. 409

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2013 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-seventh General Assembly, hereby grant the 2013 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 23, 2013 from 1:00 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Schmitt requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 409** up for adoption, which request was granted.

On motion of Senator Schmitt, **SR 409** was adopted.

Senator Wasson offered Senate Resolution No. 410, regarding Leon L. Baker, Republic, which was adopted.

Senator Wasson offered Senate Resolution No. 411, regarding Bethany Forrester, Springfield, which was adopted.

Senator Schaefer offered Senate Resolution No. 412, regarding MERS/Missouri Goodwill Industries, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 436—By McKenna.

An Act to repeal section 620.495, RSMo, and to enact in lieu thereof one new section relating to small business incubators.

SB 437—By Pearce.

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

SB 438—By Munzlinger.

An Act to repeal sections 266.291 and 266.331, RSMo, and to enact in lieu thereof two new sections relating to the use of agricultural fees.

SB 439—By Munzlinger.

An Act to repeal section 414.062, RSMo, and to enact in lieu thereof one new section relating to specialty fuels.

SB 440—By Munzlinger.

An Act to amend chapter 434, RSMo, by adding thereto one new section relating to consumer litigation loans.

SB 441—By Dempsey.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof two new sections relating to taxes imposed on nongovernmental agencies providing disaster relief services.

SB 442—By Silvey.

An Act to amend chapter 139, RSMo, by adding thereto one new section relating to the assignment of property tax liens.

SB 443—By Silvey.

An Act to amend chapter 96, RSMo, by adding thereto one new section relating to an election for a charter hospital to be governed by Missouri's nonprofit corporation law, with an emergency clause.

SB 444—By Schaaf.

An Act to amend chapters 192, 208, 376, and 630, RSMo, by adding thereto four new sections relating to health care.

SB 445—By Wasson.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to sinkhole insurance coverage for property damage caused by sinkhole activity.

SB 446—By Brown.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rural regional development grants.

SB 447—By Brown.

An Act to repeal sections 144.032 and 205.205, RSMo, and to enact in lieu thereof four new sections relating to local hospitals.

SB 448—By Schmitt and Keaveny.

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to the creation of a special armed offender docket.

SB 449—By Romine.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a deduction for business income.

SB 450—By Justus.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to sexual education.

SB 451—By Justus.

An Act to amend chapter 483, RSMo, by adding thereto one new section relating to the removal of civil court records from automated case management systems.

SB 452—By Justus.

An Act to repeal sections 475.030, 475.045, and 487.080, RSMo, and to enact in lieu thereof three new

sections relating to the appointment of a guardian for a minor.

SB 453—By Cunningham.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to health care billing practices by the department of corrections.

SB 454—By Nieves.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to motor vehicle valuations by a county assessor.

SB 455—By Nieves.

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to certification by the American Board for Certification of Teacher Excellence.

SB 456—By Parson.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the expiration of certain changes to the MO HealthNet program.

SB 457—By Parson.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to state employee salaries.

SB 458—By Kehoe.

An Act to repeal section 288.060, RSMo, and to enact in lieu thereof one new section relating to the reduction of state unemployment benefits, with an emergency clause.

SB 459—By Kehoe.

An Act to repeal section 393.155, RSMo, and to enact in lieu thereof one new section relating to electric corporation rate cases.

SB 460—By Kehoe.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

SB 461—By Wallingford.

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof one new section relating to division of interstate income for corporate income taxation.

SB 462—By Schaefer.

An Act to repeal section 488.305, RSMo, and to enact in lieu thereof one new section relating to fees for garnishments.

SB 463—By Schaefer.

An Act to repeal section 64.170, RSMo, and to enact in lieu thereof one new section relating to county ordinances establishing minimum standards for residential occupancy.

SB 464—By Schaefer.

An Act to repeal section 8.420, RSMo, and to enact in lieu thereof one new section relating to revenue bonds for public projects.

SB 465—By Schaefer.

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to amnesty for certain taxes, with an emergency clause.

SB 466—By Schaefer.

An Act to repeal section 407.485, RSMo, and to enact in lieu thereof one new section relating to donated goods receptacles.

SB 467—By Schaefer.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to tobacco.

SB 468—By Schaefer.

An Act to repeal sections 144.032 and 205.205, RSMo, and to enact in lieu thereof four new sections relating to local hospitals.

SB 469—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to weapons, with penalty provisions.

SB 470—By Rupp.

An Act to repeal section 130.011 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.011 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, section 130.021 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.021 as enacted by senate bill no. 485, ninety-fifth general assembly, first regular session, section 130.031 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.031 as enacted by conference committee substitute no. 2 for house committee substitute for senate committee substitute for senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, section 130.046 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 130.046 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, RSMo, and to enact in lieu thereof six new sections relating to campaign finance, with a referendum clause.

SB 471—By Rupp.

An Act to repeal sections 3.010 and 3.090, RSMo, and to enact in lieu thereof two new sections relating to the publishing of Missouri statutes.

SB 472—By Rupp.

An Act to repeal section 288.220, RSMo, and to enact in lieu thereof one new section relating to responsibilities of the division of employment security.

SB 473—By Lamping and Lager.

An Act to repeal section 1.330, RSMo, and to enact in lieu thereof two new sections relating to prohibiting governments from compelling individuals to purchase health insurance and participate in health care systems.

SB 474—By Lamping.

An Act to repeal sections 177.011 and 177.088, RSMo, and to enact in lieu thereof two new sections relating to school facilities and equipment.

SB 475—By Lamping.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to the funded ratio of assets for certain state retirement plans.

SB 476—By Lamping.

An Act to amend chapter 169, RSMo, by adding thereto five new sections relating to school retirement.

SB 477—By Lamping.

An Act to amend chapter 104, RSMo, by adding thereto five new sections relating to a defined contribution plan for certain state employees.

SB 478—By Lamping.

An Act to amend chapter 493, RSMo, by adding thereto nine new sections relating to the electronic publication of official legal material.

SB 479—By Dixon.

An Act to repeal section 379.901, RSMo, relating to repealing an obsolete and unnecessary section.

SJR 23—By Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 10 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the duties of the lieutenant governor.

SJR 24—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(d) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the revenue-neutral replacement of all taxes on income with an amended sales and use tax.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 120**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SB 60, introduced by Senator Rupp, entitled:

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

Was taken up.

On motion of Senator Rupp, **SB 60** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Kraus moved that motion lay on the table, which motion prevailed.

Senator Lager assumed the Chair.

SB 23, introduced by Senator Parson, entitled:

An Act to repeal section 67.1010, RSMo, and to enact in lieu thereof one new section relating to the Pettis county transient guest tax.

Was taken up.

On motion of Senator Parson, **SB 23** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 120**, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 120

An Act to repeal sections 135.305, 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and to enact in lieu thereof nineteen new sections relating to tax incentives, with an emergency clause for certain sections.

Was taken up.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 120** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Curls	Keaveny	Lager	Lamping	McKenna	Nasheed	Schaefer—7	
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Justus	Kehoe	Kraus
LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—24

NAYS—Senators

Curls	Emery	Holsman	Keaveny	Lager	Lamping	McKenna	Nasheed
Schaaf	Schaefer—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 41** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

On motion of Senator Munzlinger, **SB 41** was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 240**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 102**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 137**, begs leave to report that it has considered the same and recommends that the bill do pass

and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 90**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 218**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 114**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 164**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 193**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Cunningham submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 129**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 234**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 18**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 236**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the

following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 148**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 73**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 208**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 301—Small Business, Insurance and Industry.

SB 302—Financial and Governmental Organizations and Elections.

SB 303—Financial and Governmental Organizations and Elections.

SB 304—Financial and Governmental Organizations and Elections.

SB 305—Financial and Governmental Organizations and Elections.

SB 306—Financial and Governmental Organizations and Elections.

SB 307—Small Business, Insurance and Industry.

SB 308—Small Business, Insurance and Industry.

SB 309—Small Business, Insurance and Industry.

SB 310—Judiciary and Civil and Criminal Jurisprudence.

SB 311—Education.

SB 312—Seniors, Families and Pensions.

SB 313—Judiciary and Civil and Criminal Jurisprudence.

SB 314—Financial and Governmental Organizations and Elections.

SB 315—Ways and Means.

SB 316—Judiciary and Civil and Criminal Jurisprudence.

SB 317—Small Business, Insurance and Industry.

SB 318—Judiciary and Civil and Criminal Jurisprudence.

SB 319—Small Business, Insurance and Industry.

SB 320—Financial and Governmental Organizations and Elections.

SB 321—Financial and Governmental Organizations and Elections.

SB 322—Judiciary and Civil and Criminal Jurisprudence.

SB 323—Jobs, Economic Development and Local Government.

SB 324—Small Business, Insurance and Industry.

SB 325—General Laws.

SB 326—Transportation and Infrastructure.

SB 327—Judiciary and Civil and Criminal Jurisprudence.

SB 328—Commerce, Consumer Protection, Energy and the Environment.

SB 329—Agriculture, Food Production and Outdoor Resources.

SB 330—Financial and Governmental Organizations and Elections.

SB 331—Judiciary and Civil and Criminal Jurisprudence.

SB 332—Education.

SB 333—Jobs, Economic Development and Local Government.

SB 334—Commerce, Consumer Protection, Energy and the Environment.

SB 335—Commerce, Consumer Protection, Energy and the Environment.

SB 336—Judiciary and Civil and Criminal Jurisprudence.

SB 337—General Laws.

SB 338—Judiciary and Civil and Criminal Jurisprudence.

SB 339—Governmental Accountability and Fiscal Oversight.

SB 340—Ways and Means.

SB 341—Education.

SB 342—Agriculture, Food Production and Outdoor Resources.

SB 343—Financial and Governmental Organizations and Elections.

SB 344—Education.

SB 346—Governmental Accountability and Fiscal Oversight.

SB 347—Progress and Development.

SB 348—Small Business, Insurance and Industry.

SB 349—Appropriations.

SB 350—Appropriations.

SB 351—Judiciary and Civil and Criminal Jurisprudence.

SB 352—General Laws.

SB 353—Judiciary and Civil and Criminal Jurisprudence.

SB 354—Financial and Governmental Organizations and Elections.

SB 355—Seniors, Families and Pensions.

- SB 356**—Judiciary and Civil and Criminal Jurisprudence.
- SB 357**—Commerce, Consumer Protection, Energy and the Environment.
- SB 358**—General Laws.
- SB 359**—Education.
- SB 360**—Commerce, Consumer Protection, Energy and the Environment.
- SB 361**—Commerce, Consumer Protection, Energy and the Environment.
- SB 362**—Financial and Governmental Organizations and Elections.
- SB 363**—Commerce, Consumer Protection, Energy and the Environment.
- SB 364**—Small Business, Insurance and Industry.
- SB 365**—Commerce, Consumer Protection, Energy and the Environment.
- SB 366**—Transportation and Infrastructure.
- SB 367**—Seniors, Families and Pensions.
- SB 368**—Commerce, Consumer Protection, Energy and the Environment.
- SB 369**—Judiciary and Civil and Criminal Jurisprudence.
- SB 370**—Financial and Governmental Organizations and Elections.
- SB 371**—Agriculture, Food Production and Outdoor Resources.
- SB 372**—General Laws.
- SB 373**—Agriculture, Food Production and Outdoor Resources.
- SB 374**—General Laws.
- SB 375**—Financial and Governmental Organizations and Elections.
- SB 376**—Veterans’ Affairs and Health.
- SB 377**—Judiciary and Civil and Criminal Jurisprudence.
- SB 378**—Education.
- SB 379**—Jobs, Economic Development and Local Government.
- SB 380**—Judiciary and Civil and Criminal Jurisprudence.
- SB 381**—Education.
- SB 382**—Ways and Means.
- SB 383**—Commerce, Consumer Protection, Energy and the Environment.
- SB 384**—Financial and Governmental Organizations and Elections.
- SB 385**—Rules, Joint Rules, Resolutions and Ethics.
- SB 386**—Financial and Governmental Organizations and Elections.
- SB 387**—Jobs, Economic Development and Local Government.

SB 388—Financial and Governmental Organizations and Elections.

SB 389—Judiciary and Civil and Criminal Jurisprudence.

SB 390—Education.

SB 391—Judiciary and Civil and Criminal Jurisprudence.

SB 392—Education.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 480—By Richard.

An Act to amend chapter 205, RSMo, by adding thereto one new section relating to local health departments.

SB 481—By Rupp.

An Act to repeal sections 313.800, 313.812, 313.817, and 313.830, RSMo, and to enact in lieu thereof four new sections relating to financial transactions of gaming establishments, with a penalty provision.

SB 482—By Nasheed.

An Act to repeal section 478.250, RSMo, and to enact in lieu thereof one new section relating to a special armed offender docket in any circuit court in a city not within a county.

SB 483—By Nasheed.

An Act to repeal sections 160.405, 160.420 and 160.539, RSMo, and to enact in lieu thereof four new sections relating to alternative educational procedures for public schools.

SB 484—By Cunningham.

An Act to repeal sections 301.280, 301.559, 301.560, 301.562, 301.566, and 301.570, RSMo, and to enact in lieu thereof six new sections relating to the regulation of motor vehicle dealers, with existing penalty provisions.

REFERRALS

President Pro Tem Dempsey referred **SCR 12** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 388**, entitled:

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to school attendance center report cards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 44**, entitled:

An Act to repeal sections 393.1000, 393.1003, and 393.1025, RSMo, and to enact in lieu thereof four new sections relating to regulation of water resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 34**, entitled:

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof two new sections relating to maintenance, and wages for work done on behalf of a school.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 320**, entitled:

An Act to repeal sections 213.010 and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 413, regarding Dee McCormack, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Wyeth, Alden and Reese Perry, Gower; and Wyeth, Alden and Reese were made honorary pages.

Senator Pearce introduced to the Senate, Ron Ott and Fred Utlaut, representatives of Fitzgibbon Hospital, Marshall.

Senator Brown introduced to the Senate, Tiny Miss Missouri Outdoors, Kayleigh Jones, Cuba; and Junior Miss Missouri Outdoors Tourism, Lindsey Hendren, Madison.

Senator Brown introduced to the Senate, second and fifth grade students from the Gifted Program, Waynesville School District.

Senator Schaefer introduced to the Senate, students with the Gifted Program, Columbia School District.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Frank G. Rieger and his wife,

Reggie, Columbia.

Senator Emery introduced to the Senate, Paul and Caleb Couture, Higbee.

Senator Kehoe introduced to the Senate, Superintendent Jerry Hobbs, teachers, Cindy Wieberg and Rachel Ratcliff and fourth grade students from Russellville Elementary School.

Senator Nieves introduced to the Senate, students with the Gifted Program, St. Clair School District.

Senator Nieves introduced to the Senate, Miss Missouri Outdoors, Miranda Placht and her mother, Barbara, New Haven.

Senator Wallingford introduced to the Senate, Virginia Sanders, Denise Brinkmeyer and forty-one eighth grade students from St. Vincent de Paul School, Cape Girardeau.

Senator Brown introduced to the Senate, Kelly Manz, Lee's Summit.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, March 4, 2013.

SENATE CALENDAR

TWENTY-NINTH DAY—MONDAY, MARCH 4, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery	SB 412-Kehoe
SB 394-Silvey	SB 413-Wasson
SB 395-Kraus and LeVota	SB 414-Dixon
SB 396-Holsman and Chappelle-Nadal	SB 415-Dixon
SB 397-Holsman and Curls	SB 416-Dixon
SB 398-Holsman	SB 417-Lager
SB 399-Holsman and Curls	SB 418-Lager
SB 400-Holsman	SB 419-Lager
SB 401-Rupp	SB 420-Lager
SB 402-Rupp	SB 421-Walsh
SB 403-Rupp	SB 422-Curls and LeVota
SB 404-Munzlinger	SB 423-Nasheed
SB 405-Sater	SB 424-Nasheed
SB 406-Wallingford	SB 425-Nasheed
SB 407-Wallingford	SB 426-Nasheed
SB 408-Emery	SB 427-Sifton
SB 409-Keaveny	SB 428-Sifton
SB 410-Kehoe	SB 429-Chappelle-Nadal
SB 411-Kehoe	SB 430-Chappelle-Nadal

SB 431-Cunningham	SB 462-Schaefer
SB 432-Cunningham	SB 463-Schaefer
SB 433-Lamping, et al	SB 464-Schaefer
SB 434-Lamping, et al	SB 465-Schaefer
SB 435-McKenna	SB 466-Schaefer
SB 436-McKenna	SB 467-Schaefer
SB 437-Pearce	SB 468-Schaefer
SB 438-Munzlinger	SB 469-Chappelle-Nadal
SB 439-Munzlinger	SB 470-Rupp
SB 440-Munzlinger	SB 471-Rupp
SB 441-Dempsey	SB 472-Rupp
SB 442-Silvey	SB 473-Lamping and Lager
SB 443-Silvey	SB 474-Lamping
SB 444-Schaaf	SB 475-Lamping
SB 445-Wasson	SB 476-Lamping
SB 446-Brown	SB 477-Lamping
SB 447-Brown	SB 478-Lamping
SB 448-Schmitt and Keaveny	SB 479-Dixon
SB 449-Romine	SB 480-Richard
SB 450-Justus	SB 481-Rupp
SB 451-Justus	SB 482-Nasheed
SB 452-Justus	SB 483-Nasheed
SB 453-Cunningham	SB 484-Cunningham
SB 454-Nieves	SJR 17-Nieves
SB 455-Nieves	SJR 18-Schmitt
SB 456-Parson	SJR 19-Lager
SB 457-Parson	SJR 20-Curls
SB 458-Kehoe	SJR 21-LeVota
SB 459-Kehoe	SJR 22-Parson, et al
SB 460-Kehoe	SJR 23-Cunningham
SB 461-Wallingford	SJR 24-Emery

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen	HB 44-Korman
HCS for HB 202	HB 34-Guernsey
HCS for HB 158	HCS for HB 320
HCS for HB 388	

THIRD READING OF SENATE BILLS

SB 127-Sater (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|-------------------------------|
| 1. SB 240-Lager, with SCS | 6. SB 129-Sater, with SCS |
| 2. SB 102-Kraus | 7. SB 18-Munzlinger |
| 3. SB 114-Schmitt, with SCS | 8. SB 236-Parson |
| 4. SB 164-Walsh, with SCS | 9. SB 73-Schaefer |
| 5. SB 193-Schaefer | 10. SB 208-Justus and McKenna |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|--|
| SB 3-Rupp, with SA 1 (pending) | SBs 26, 11 & 31-Kraus, with SCS & SS for |
| SB 13-Schaefer, with SCS | SCS (pending) |
| SB 21-Dixon | SB 29-Brown, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 48-Lamping |

CONSENT CALENDAR

Senate Bills

Reported 2/28

- | | |
|---------------|---------------|
| SB 137-Sater | SB 234-Wasson |
| SB 90-McKenna | SB 148-Wasson |
| SB 218-LeVota | |

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-NINTH DAY—MONDAY, MARCH 4, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“It is not our abilities that show what we truly are. It is our choices.” (J.K. Rowling)

Gracious Lord, we know that our lives are full of choices and when we are here it is what we choose to support or oppose that says so very much about us. Assist us in making the right decisions so our choices are in keeping with what You desire for us to accomplish as we work to help and assist those who depend on us to do that which is needful and helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 28, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 414, regarding Whitfield A. Montgomery, which was adopted.

Senator Kraus offered Senate Resolution No. 415, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Homer Butler, which was adopted.

Senator Kraus offered Senate Resolution No. 416, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Gail Fasse, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 417, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Merrill Chambers, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 418, regarding Del Wilkinson, Lee's Summit, which was adopted.

Senator Schaefer offered Senate Resolution No. 419, regarding Sara Ashbaugh, which was adopted.

Senator Curls offered Senate Resolution No. 420, regarding Jefferson City Alumnae Chapter of Delta Sigma Theta Sorority, Inc., which was adopted.

Senator Justus offered Senate Resolution No. 421, regarding Ali Walker, which was adopted.

Senator LeVota offered Senate Resolution No. 422, regarding the late Nadine Burnett, which was adopted.

Senator LeVota offered Senate Resolution No. 423, regarding the One Hundredth Birthday of Jack J. Reiser, Jackson County, which was adopted.

Senator Wallingford offered Senate Resolution No. 424, regarding Kristi King, which was adopted.

Senator Wallingford offered Senate Resolution No. 425, regarding former State Representative Mary Kasten, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 426, regarding Phyllis Schwab, Cape Girardeau, which was adopted.

Senators Wallingford and Libla offered Senate Resolution No. 427, regarding Patti Henson, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 428, regarding Eugene "Pete" Frazier, III, which was adopted.

Senator Romine offered Senate Resolution No. 429, regarding Callie Lewis, which was adopted.

Senator Holsman offered Senate Resolution No. 430, regarding Alyssa Moncure, which was adopted.

Senator Munzlinger offered Senate Resolution No. 431, regarding Marie Elaine Brown, Memphis, which was adopted.

Senator Silvey offered Senate Resolution No. 432, regarding Paul Spring, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 433, regarding Gage Taylor Kee, Warsaw, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 240**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 240**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240

An Act to repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations, with an emergency clause for a certain section.

Was taken up.

Senator Lager moved that **SCS** for **SB 240** be adopted.

Senator Pearce assumed the Chair.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 393.1012, Line 28, by inserting at the end of said line the following: **“The provisions of this subsection shall expire on August 28, 2025.”**

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Holsman, **SA 1** was withdrawn.

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 393.1012, Line 28, by inserting immediately after said line the following:

“4. No recovery associated with an infrastructure system replacement surcharge for a gas corporation shall exceed five dollars per month for residential customers, fifty dollars per month for commercial customers, or five hundred dollars per month for industrial customers.”

Senator Holsman moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Justus, Keaveny, McKenna and Walsh.

At the request of Senator Holsman, **SA 2** was withdrawn.

Senator Holman offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 393.1012, Line 28, by inserting immediately after said line the following:

“4. No recovery associated with an infrastructure system replacement surcharge for a gas corporation shall exceed five dollars per month for residential customers.”

Senator Holsman moved that the above amendment be adopted.

Senator Lager offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 393.1012, Line 11, by

striking the word “fifteen” and inserting in lieu thereof the following:

“thirteen”.

Senator Lager moved that the above substitute amendment be adopted.

Senator Holsman raised the point of order that **SSA 1** for **SA 3** is out of order in that it is not a true substitute amendment. The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Holsman offered **SA 1** to **SSA 1** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 240, Page 1, Line 4, by inserting after the word “thirteen” the following:

“and further amend line 13 by inserting after the word “proceeding” the following: “, provided that no recovery associated with an infrastructure system replacement surcharge for a gas corporation shall exceed four dollars and fifty cents per month for residential customers” ”.

Senator Holsman moved that the above amendment be adopted, which motion failed on a standing division vote.

SSA 1 for **SA 3** was again taken up.

Senator Lager moved that the above substitute amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 393.1012, Line 28, by inserting after all of said line the following:

“4. The provisions of this section shall expire on August 28, 2025.”.

Senator Holsman moved that the above amendment be adopted, which motion failed.

Senator Lager moved that **SCS** for **SB 240**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 240**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 102** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 102, Page 1, In the Title, Line 3, by striking “catalytic converters” and inserting in lieu thereof the following: “scrap metal”; and

Further amend said bill and page, section 407.300, line 8, by inserting after all of said line the following:

“(3) Any metal marked with the initials or other identification of a telephone, cable provider, electric, water, or other public utility;”; and further amend said section by renumbering the remaining subdivisions accordingly.

Senator Kraus moved that the above amendment be adopted.

Senator Justus offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 102, Page 1, Section 407.300, Line 7, by inserting after the word “provider,” the following: “**internet service provider**,”.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Kraus, **SA 1** was withdrawn, rendering **SA 1** to **SA 1** moot.

Senator Keaveny offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 102, Page 1, Section 407.300, Line 8, by inserting after all of said line the following:

“(3) **Manhole cover**”; and further amend said section by renumbering the remaining subdivisions accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf assumed the Chair.

Senator Kraus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 102, Page 1, In the Title, Line 3, by striking “catalytic converters” and inserting in lieu thereof the following: “scrap metal”; and

Further amend said bill and page, section 407.300, line 8, by inserting after all of said line the following:

“(3) **Any wire owned by and marked with the initials or other identification of a telecommunications provider, cable provider, internet service provider, electric utility, water utility, sewer utility, or other public utility**”; and further amend said section by renumbering the remaining subdivisions accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kraus, **SB 102**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 114**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 114**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 114

An Act to repeal sections 311.055 and 311.091, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor, with an emergency clause for a certain section.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 114** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 114**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 114

An Act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to intoxicating liquor, with existing penalty provisions and an emergency clause for a certain section.

Senator Schmitt moved that **SS** for **SCS** for **SB 114** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 114** was declared perfected and ordered printed.

Senator Walsh moved that **SB 164**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 164**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 164

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection.

Was taken up.

Senator Walsh moved that **SCS** for **SB 164** be adopted, which motion prevailed.

On motion of Senator Walsh, **SCS** for **SB 164** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR**s 11 and 7, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to farm.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 8**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 41**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Chappelle-Nadal introduced to the Senate, students from Brittany Woods Middle School, University City.

Senator Lamping introduced to the Senate, Phyllis Schlafly, St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTIETH DAY—TUESDAY, MARCH 5, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery

SB 394-Silvey

SB 395-Kraus and LeVota

SB 396-Holsman and Chappelle-Nadal

SB 397-Holsman and Curls

SB 398-Holsman

SB 399-Holsman and Curls

SB 400-Holsman

SB 401-Rupp

SB 402-Rupp

SB 403-Rupp

SB 404-Munzlinger

SB 405-Sater

SB 406-Wallingford

SB 407-Wallingford	SB 447-Brown
SB 408-Emery	SB 448-Schmitt and Keaveny
SB 409-Keaveny	SB 449-Romine
SB 410-Kehoe	SB 450-Justus
SB 411-Kehoe	SB 451-Justus
SB 412-Kehoe	SB 452-Justus
SB 413-Wasson	SB 453-Cunningham
SB 414-Dixon	SB 454-Nieves
SB 415-Dixon	SB 455-Nieves
SB 416-Dixon	SB 456-Parson
SB 417-Lager	SB 457-Parson
SB 418-Lager	SB 458-Kehoe
SB 419-Lager	SB 459-Kehoe
SB 420-Lager	SB 460-Kehoe
SB 421-Walsh	SB 461-Wallingford
SB 422-Curls and LeVota	SB 462-Schaefer
SB 423-Nasheed	SB 463-Schaefer
SB 424-Nasheed	SB 464-Schaefer
SB 425-Nasheed	SB 465-Schaefer
SB 426-Nasheed	SB 466-Schaefer
SB 427-Sifton	SB 467-Schaefer
SB 428-Sifton	SB 468-Schaefer
SB 429-Chappelle-Nadal	SB 469-Chappelle-Nadal
SB 430-Chappelle-Nadal	SB 470-Rupp
SB 431-Cunningham	SB 471-Rupp
SB 432-Cunningham	SB 472-Rupp
SB 433-Lamping, et al	SB 473-Lamping and Lager
SB 434-Lamping, et al	SB 474-Lamping
SB 435-McKenna	SB 475-Lamping
SB 436-McKenna	SB 476-Lamping
SB 437-Pearce	SB 477-Lamping
SB 438-Munzlinger	SB 478-Lamping
SB 439-Munzlinger	SB 479-Dixon
SB 440-Munzlinger	SB 480-Richard
SB 441-Dempsey	SB 481-Rupp
SB 442-Silvey	SB 482-Nasheed
SB 443-Silvey	SB 483-Nasheed
SB 444-Schaaf	SB 484-Cunningham
SB 445-Wasson	SJR 17-Nieves
SB 446-Brown	SJR 18-Schmitt

SJR 19-Lager
SJR 20-Curls
SJR 21-LeVota

SJR 22-Parson, et al
SJR 23-Cunningham
SJR 24-Emery

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen
HCS for HB 202
HCS for HB 158
HCS for HB 388
HB 44-Korman

HB 34-Guernsey
HCS for HB 320
HCS for HB 14
HCS for HJR 11 & 7
HJR 8-Solon, et al

THIRD READING OF SENATE BILLS

SB 127-Sater (In Fiscal Oversight)

SB 41-Munzlinger

SENATE BILLS FOR PERFECTION

SB 193-Schaefer
SB 129-Sater, with SCS
SB 18-Munzlinger

SB 236-Parson
SB 73-Schaefer
SB 208-Justus and McKenna

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SBs 26, 11 & 31-Kraus, with SCS & SS for
SCS (pending)
SB 29-Brown, with SCS & SA 2 (pending)
SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/28

SB 137-Sater
SB 90-McKenna
SB 218-LeVota

SB 234-Wasson
SB 148-Wasson

Journal of the Senate

FIRST REGULAR SESSION

THIRTIETH DAY—TUESDAY, MARCH 5, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“A general rule for the good use of time is to accustom oneself to live in a continual dependence on the Spirit of God.” (Francois Fenelon)

Almighty God, time is moving quickly and we experience that even when we go late into the night we may not get all that we need and want to get accomplished. Help us to depend more on You each day so we may be open to Your will and know what is important and what we need to accomplish. Help us to know You so we might say and do what reflects what You require of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

The Lieutenant Governor was present.

President Kinder assumed the Chair.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 434, regarding Jamie Taylor, which was adopted.

Senator Kraus offered Senate Resolution No. 435, regarding Charles Wheeler, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 436, regarding Detective Carole "Kat" Covey, which was adopted.

Senator Kraus offered Senate Resolution No. 437, regarding Haley Hynes, which was adopted.

Senator Sater offered Senate Resolution No. 438, regarding the Monett Area YMCA, which was adopted.

Senator Sater offered Senate Resolution No. 439, regarding Mary Kay Scott, Monett, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 193** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 193** was declared perfected and ordered printed.

Senator Sater moved that **SB 129**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 129**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 129**

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

Was taken up.

Senator Sater moved that **SCS** for **SB 129** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 129**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 129**

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

Senator Lager assumed the Chair.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 129, Page 1, Section 191.1100, Line 12 of said page, by inserting immediately after "337," the following: "**veterinarian**,".

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS** for **SCS** for **SB 129**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 129**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 18** be taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 18, Page 3, Section 37.850, Line 46, by inserting immediately after said line, the following:

“164.146. When any school district issues bonds under sections 164.121, 164.131, or 164.141, the bond filing shall contain the following information:

- (1) The current amount of debt held by the school district, including any bonded indebtedness;**
- (2) The district’s current tax levy;**
- (3) The district’s current bond credit rating, as prepared by an independent credit rating service;**
and
- (4) The annual cost of maintaining any vacant or unused buildings owned by the district.**

164.151. 1. The questions on bond issues in all districts shall be submitted in substantially the following form:

Shall the board of education borrow money in the amount of dollars for the purpose of and issue bonds for the payment thereof resulting in an estimated increase to the debt service property tax levy of (amount of estimated increase) per one hundred dollars of assessed valuation? If this proposition is approved, the adjusted debt service levy of the school district is estimated to increase from (amount of current school district levy) to (estimated adjusted debt service levy) per one hundred dollars assessed valuation of real and personal property.

2. Any ballot containing a question on a bond issue shall contain, in an area of the ballot following the question, the following information:

- (1) The current amount of debt held by the school district, including any bonded indebtedness;**
- (2) The district’s current tax levy;**
- (3) The district’s current bond credit rating, as prepared by an independent credit rating service;**
and
- (4) The annual cost of maintaining any vacant or unused buildings owned by the district.**

3. If the constitutionally required number of the votes cast are for the loan, the board may, subject to the restrictions of section 164.161, borrow money in the name of the district, to the amount and for the purpose specified in the notices aforesaid, and issue bonds of the district for the payment thereof.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SB 18**, as amended, was declared perfected and ordered printed.

Senator Parson moved that **SB 236** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Lager offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 236, Page 2, Section 43.265, Line 21, by inserting immediately after “costs.” the following: “**Prior to expending any funds for the purchase of aircraft, the highway patrol shall make a specific request to the general assembly for the particular purchase and shall receive approval from the general assembly for such request.**”.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Lager, **SA 1** was withdrawn.

At the request of Senator Parson, **SB 236** was placed on the Informal Calendar.

Senator Schaefer moved that **SB 73** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 73** was declared perfected and ordered printed.

Senator Justus moved that **SB 208** be taken up for perfection, which motion prevailed.

On motion of Senator Justus, **SB 208** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 240; SCS for SB 164; SB 193; SS for SCS for SB 114; and SB 102**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Dempsey assumed the Chair.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 157**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 36**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SJR 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute,

hereto attached, do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 199**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 240** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

Senator Kehoe announced photographers from KOMU, KMOX and The Missouri Digital News were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 236** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 236, Page 2, Section 43.265, Line 21, by inserting immediately after “costs.” the following: “**Prior to obligating any funds for the purchase of an individual unit that costs in excess of one hundred thousand dollars, the highway patrol shall receive a specific appropriation from the general assembly for the particular purchase.**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Parson, **SB 236**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 137**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, under federal Medicaid law, states are required to make disproportionate share hospital (DSH) payments to hospitals for providing health care to a vast number of low-income patients in an attempt to make up for financial losses by hospitals that do not receive payment for services rendered to uninsured patients and because Medicaid provider payment rates are far lower than those payments received by private insurance; and

WHEREAS, also under federal Medicaid law, the federal government reimburses states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage and each state receives an annual DSH allotment; and

WHEREAS, Missouri hospitals reported providing \$1.1 billion in uncompensated care to Missourians in 2011; and

WHEREAS, under the Affordable Care Act (ACA) of 2010, states are mandated to expand Medicaid eligibility for persons with incomes up to 133% of the federal poverty level; however, in June 2012, the United States Supreme Court found such mandate impermissible and now allows each state to decide whether to implement such a Medicaid expansion; and

WHEREAS, under the ACA, under the assumption at the time the law passed that all states were to implement the Medicaid expansion, the federal government is required to reduce more than \$22 billion in DSH payments from 2014 to 2022; and

WHEREAS, it is estimated that Missouri will suffer cuts to both Medicaid and Medicare hospital payments in the amount of \$3.3 billion from 2013 to 2020 with DSH cuts in the amount generally of \$704 million from 2013 to 2019; and

WHEREAS, the federal cuts to DSH hospital payments are set to occur regardless of whether a state has elected to implement the Medicaid expansion under the ACA - a decision the United States Supreme Court found each state has a right to pursue; and

WHEREAS, Missouri hospitals have reported that it will be an "unsustainable situation for hospitals" to absorb more than \$1 billion annually in uncompensated care while facing \$3.3 billion in cuts:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage for those states that have chosen not to implement the Medicaid expansion; and

BE IT FURTHER RESOLVED that Governor Nixon work with the federal government to ensure that the reduction to such DSH payments do not occur; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the federal Department of Health and Human Services, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 73; SB 18; SS for SCS for SB 129; and SB 208**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 440, regarding Vivien James Green, which was adopted.

Senator Kraus offered Senate Resolution No. 441, regarding Samuel Holland, Lee's Summit, which was adopted.

Senator Cunningham offered Senate Resolution No. 442, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Lavell Mobley, Fairdealing, which was adopted.

Senator Cunningham offered Senate Resolution No. 443, regarding Patrick A. "Pat" Funk, Gainesville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Romine introduced to the Senate, Dr. Victoria Damba, Farmington.

Senator Richard introduced to the Senate, James Sigler, Carl Junction.

Senator Kehoe introduced to the Senate, Dylan Cooper, Tipton High School.

Senator Emery introduced to the Senate, Susan Ray and Mary Clark, Lamar.

Senator Pearce introduced to the Senate, representatives of Missouri STEM week from around the state.

Senator Pearce introduced to the Senate, Dr. Kyle Palmer, Dr. Susan Stockton and Dr. Alice Griefe, University of Central Missouri, Warrensburg.

Senator Dixon introduced to the Senate, Circuit Clerk Steve Helms, Greene County.

Senator Curls introduced to the Senate, representatives of Dismas House; Daystar Worship Center; C.O.P.S.; Sarita Lynne Ministries and Benilde Hall, Kansas City.

Senator Kehoe introduced to the Senate, representatives of Missouri Transportation and Construction Coalition.

Senator McKenna introduced to the Senate, Pat and Don Schaeffer, Festus.

Senator Schaaf introduced to the Senate, Derek Frieling and students, Chris Grimm, David Hester, Sam Pettit, Grayson Bosworth, Kristina Ward and Brooke Ward, members of Dead Patriot's Society, Lafayette High School, St. Joseph.

Senator Brown introduced to the Senate, Rachel Jag, Claire Quinn, Cassandra Horstman, Mason Vrobel, Kathy Withrow and Adam Bryant, Associated Students of the Missouri University of Science and Technology, Rolla.

On behalf of Senators Lamping, Justus, Schaaf, Parson and himself, Senator Kehoe introduced to the Senate, Missouri Federation of Republican Women Joanne Breckenridge Scholars: Aly Alexander, Nita Jones, Katherine Thompson, Jovana Cervantes and Shania Francka.

Senator Romine introduced to the Senate, Becky Ruth, Festus.

Senator Kehoe introduced to the Senate, Mrs. Sandbothe, Mrs. Andrews, parents, grandparents and fourth grade students from St. Stanislaus School, Wardsville.

Senator Nieves introduced to the Senate, Alderman Mark Harder, Ballwin; and Dennis Broadbooks, Wildwood.

Senator Curls introduced to the Senate, Dr. Stacey Daniels and Darron McGee, Kansas City.

Senator Curls introduced to the Senate, Jackson County Prosecutor Jean Peters-Baker.

Senator Pearce introduced to the Senate, Erica Collins, Warrensburg; and Chris Kornbluth, Odessa.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Steve Taylor, Mexico.

Senator Lager introduced to the Senate, Ashton Raffety, Riley Ziemer, Hannah Young, Cody Uhing, Bekah Badell, Matt Fritsch and Quentin Templeton, Northwest Missouri State University, Maryville.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIRST DAY—WEDNESDAY, MARCH 6, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery	SB 427-Sifton
SB 394-Silvey	SB 428-Sifton
SB 395-Kraus and LeVota	SB 429-Chappelle-Nadal
SB 396-Holsman and Chappelle-Nadal	SB 430-Chappelle-Nadal
SB 397-Holsman and Curls	SB 431-Cunningham
SB 398-Holsman	SB 432-Cunningham
SB 399-Holsman and Curls	SB 433-Lamping, et al
SB 400-Holsman	SB 434-Lamping, et al
SB 401-Rupp	SB 435-McKenna
SB 402-Rupp	SB 436-McKenna
SB 403-Rupp	SB 437-Pearce
SB 404-Munzlinger	SB 438-Munzlinger
SB 405-Sater	SB 439-Munzlinger
SB 406-Wallingford	SB 440-Munzlinger
SB 407-Wallingford	SB 441-Dempsey
SB 408-Emery	SB 442-Silvey
SB 409-Keaveny	SB 443-Silvey
SB 410-Kehoe	SB 444-Schaaf
SB 411-Kehoe	SB 445-Wasson
SB 412-Kehoe	SB 446-Brown
SB 413-Wasson	SB 447-Brown
SB 414-Dixon	SB 448-Schmitt and Keaveny
SB 415-Dixon	SB 449-Romine
SB 416-Dixon	SB 450-Justus
SB 417-Lager	SB 451-Justus
SB 418-Lager	SB 452-Justus
SB 419-Lager	SB 453-Cunningham
SB 420-Lager	SB 454-Nieves
SB 421-Walsh	SB 455-Nieves
SB 422-Curls and LeVota	SB 456-Parson
SB 423-Nasheed	SB 457-Parson
SB 424-Nasheed	SB 458-Kehoe
SB 425-Nasheed	SB 459-Kehoe
SB 426-Nasheed	SB 460-Kehoe

SB 461-Wallingford	SB 477-Lamping
SB 462-Schaefer	SB 478-Lamping
SB 463-Schaefer	SB 479-Dixon
SB 464-Schaefer	SB 480-Richard
SB 465-Schaefer	SB 481-Rupp
SB 466-Schaefer	SB 482-Nasheed
SB 467-Schaefer	SB 483-Nasheed
SB 468-Schaefer	SB 484-Cunningham
SB 469-Chappelle-Nadal	SJR 17-Nieves
SB 470-Rupp	SJR 18-Schmitt
SB 471-Rupp	SJR 19-Lager
SB 472-Rupp	SJR 20-Curls
SB 473-Lamping and Lager	SJR 21-LeVota
SB 474-Lamping	SJR 22-Parson, et al
SB 475-Lamping	SJR 23-Cunningham
SB 476-Lamping	SJR 24-Emery

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen	HB 34-Guernsey
HCS for HB 202	HCS for HB 320
HCS for HB 158	HCS for HB 14
HCS for HB 388	HCS for HJR 11 & 7
HB 44-Korman	HJR 8-Solon, et al

THIRD READING OF SENATE BILLS

1. SB 127-Sater (In Fiscal Oversight)	6. SS for SCS for SB 114-Schmitt
2. SB 41-Munzlinger	7. SB 102-Kraus
3. SCS for SB 240-Lager (In Fiscal Oversight)	8. SB 73-Schaefer
4. SCS for SB 164-Walsh	9. SB 18-Munzlinger
5. SB 193-Schaefer	10. SS for SCS for SB 129-Sater
	11. SB 208-Justus and McKenna

SENATE BILLS FOR PERFECTION

SB 157-Sater, with SCS	SJR 16-Kehoe and McKenna, with SCS
SB 36-Wallingford and Sifton, with SCS	SB 199-Chappelle-Nadal

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 13-Schaefer, with SCS
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SB 21-Dixon

SB 22-Dixon

SBs 26, 11 & 31-Kraus, with SCS &
SS for SCS (pending)

SB 29-Brown, with SCS & SA 2 (pending)

SB 48-Lamping

CONSENT CALENDAR

Senate Bills

Reported 2/28

SB 90-McKenna

SB 218-LeVota

SB 234-Wasson

SB 148-Wasson

RESOLUTIONS

Reported from Committee

SCR 5-Lamping, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—WEDNESDAY, MARCH 6, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Life is meant to be lived from a Center, a divine Center.” (Thomas Kelly)

We know, O Lord, that silence offers us a deepening of our knowledge of You and ourselves. So we pray that we have the discipline and time to be quiet before You and learn how to be centered in our lives where You are found. Then we will be able to work most effectively and efficiently in being of service to others as we perform what is expected of us this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Schaaf assumed the Chair.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Kehoe announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 157**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 157**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157**

An Act to repeal sections 407.300 and 407.303, RSMo, and to enact in lieu thereof two new sections relating to scrap metal, with penalty provisions.

Was taken up.

Senator Sater moved that **SCS** for **SB 157** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 157, Page 2, Section 407.300, Line 47, by inserting after all of said line the following:

“407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a public or private cemetery or to a political subdivision or **telecommunications provider, cable provider**, electrical cooperative, **water utility**, municipal utility, or a utility regulated under chapter 386 or 393, including bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, **telecommunications provider, cable provider**, electrical cooperative, **water utility, municipal utility**, or a utility **regulated under chapter 386 or 393**, or manufacturer of the metal or item described in this section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, **telecommunications provider, cable provider**, electrical cooperative, **water utility, municipal utility**, or a utility **regulated under chapter 386 or 393**, or manufacturer to sell the metal.

2. Anyone convicted of violating this section shall be guilty of a class B misdemeanor.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SCS** for **SB 157**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 157**, as amended, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 36**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 36**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 36**

An Act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to juvenile criminal offenders.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 36** be adopted.

Senator Wallingford offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 36, Page 1, Section 211.069, Lines 1-2, by striking the following: “enacted by the ninety-sixth general assembly, second regular session,”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS** for **SB 36**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 36**, as amended, was declared perfected and ordered printed.

At the request of Senator Kehoe, **SJR 16**, with **SCS**, was placed on the Informal Calendar.

Senator Chappelle-Nadal moved that **SB 199** be taken up for perfection, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SB 199** was declared perfected and ordered printed.

Senator Brown moved that **SB 29**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator LeVota moved that **SA 2** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

Absent—Senator Kehoe—1

Absent with leave—Senator Nasheed—1

Vacancies—None

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 29, Page 1, Section 105.504, Lines 1-4, by striking all of said lines and inserting in lieu thereof “**105.504**”, and renumber subsequent subsections accordingly.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Brown, **SB 29**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 199**; **SCS** for **SB 157**; **SCS** for **SB 36**; and **SB 236**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SB 236** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 444, regarding Scott Turk, Springfield, which was adopted.

Senator Richard offered Senate Resolution No. 445, regarding Steve and Kathy Fairchild, which was adopted.

Senator Richard offered Senate Resolution No. 446, regarding John David, which was adopted.

Senator Kraus offered Senate Resolution No. 447, regarding Oak Grove High School Class 2 State Wrestling Champions, which was adopted.

Senator Sifton offered Senate Resolution No. 448, regarding Berklea Going, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 26**, **SB 11** and **SB 31**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Kraus, **SS** for **SCS** for **SBs 26, 11** and **31** was withdrawn.

Senator Kraus offered **SS No. 2** for **SCS** for **SBs 26, 11** and **31**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 26, 11 and 31

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 144.010, 144.014, 144.020, 144.021, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.440, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003,

144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and effective dates for certain sections.

Senator Richard announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

Senator Kehoe assumed the Chair.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 316, Section B, Line 3, by inserting after all of said line the following:

“Section C. Notwithstanding the provisions of section B of this act, the provisions of this act shall only become effective upon a total formula appropriation sufficient to fully fund the entitlement calculation determined by section 163.031.”; and

Further amend the title accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 1** is out of order in that it goes beyond the scope of the underlying subject matter of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 246, Section 144.054, Line 17, by striking the opening bracket from said line; and further amend line 18 by inserting immediately after the number “144.761,” the following: “**section 238.235, and the local sales tax law as described in section 32.085,**”; and further amend lines 20-21 by striking the closing bracket and all the underlined language from said lines and inserting in lieu thereof the following: “**section 238.235, and the local sales tax law as described in section 32.085,**”; and further amend line 28 by striking the opening bracket from said line; and

Further amend said bill and section, page 247, line 1 by inserting immediately after the word “sales” the following: “**or use**”; and further amend line 2 by inserting immediately after the number “32.085” the following: “**levied on electricity, piped natural or artificial gas, or other fuels delivered by the seller**”; and further amend lines 4-7 by striking the closing bracket and all the underlined language from said lines; and further amend line 10 by striking the opening bracket; and further amend lines 15-17 by striking the closing bracket and all the underlined language in said lines; and

Further amend said bill and section, page 248, line 6, by striking the opening bracket; and further amend lines 11-13 by striking the closing bracket and all the underlined language in said lines.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 234, Section 144.040, Line 19 of said page, by inserting after the word “section” the following: **“or transactions regulated pursuant to sections 407.660 to 407.665”**.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 210, Section 144.020, Line 3 of said page, by striking the following: “, or fees paid to,”; and further amend line 4 of said page, by striking the following: “or recreation”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Silvey assumed the Chair.

Senator Justus offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 130, Section 67.2030, Line 17 of said page, by inserting immediately after said line the following:

“67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

- (1) “Facility”, a location composed of real estate, buildings, fixtures, machinery, and equipment;**
- (2) “Municipality”, any county, city, incorporated town, village of the state, or any utilities board thereof;**
- (3) “NAICS”, the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;**
- (4) “Technology business facility”, a facility purchased, constructed, extended, or improved under this section, provided that such business facility is engaged in:**
 - (a) Data processing, hosting, and related services (NAICS 518210);**
 - (b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility; or**
 - (c) The transmission of voice, data, text, sound, and video using wired telecommunication networks (NAICS 517110);**
- (5) “Technology business facility project” or “project”, the purchase, sale, lease, construction, extension, and improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility’s components of real estate, buildings, fixtures, machinery, and equipment.**

2. The governing body of any municipality may:

- (1) Carry out technology business facility projects for economic development under this section;**
- (2) Accept grants from the federal and state governments for technology business facility project purposes, and may enter into such agreements as are not contrary to the laws of this state and which may be required as a condition of grants by the federal government or its agencies; and**
- (3) Receive gifts and donations from private sources to be used for technology business facility project purposes.**

3. The governing body of the municipality may enter into loan agreements, sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. When, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.

4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745.

5. Leasehold interests granted and held under this section shall not be subject to property taxes.

6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on local government under section 26(b), article VI, Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so by section 392.410.

10. This section shall terminate on September 1, 2019. The termination of this section shall not be construed to limit or in any way impair any agreements entered into or exemptions granted before the termination of this section.”; and

Further amend said bill, page 159, section 94.705, line 11 of said page, by inserting immediately after said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed pursuant to sections 135.300 to 135.311 exceed three million five hundred thousand dollars in any given fiscal year.**

135.350. As used in this section, unless the context clearly requires otherwise, the following words and phrases shall mean:

(1) “Commission”, the Missouri housing development commission, or its successor agency;

(2) “Director”, director of the department of revenue;

(3) “Eligibility statement”, a statement authorized and issued by the commission certifying that a given project qualifies for the Missouri low-income housing tax credit. The commission shall promulgate rules establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the amount of the Missouri low-income housing tax credit allowed. The commission shall only authorize the tax credits to qualified projects which begin after June 18, 1991;

(4) **“Federal credit period”, the same meaning as is prescribed the term “credit period” under section 42 of the 1986 Internal Revenue Code, as amended;**

(5) **“Federal low-income housing tax credit”, the federal tax credit as provided in section 42 of the 1986 Internal Revenue Code, as amended;**

[(5)] (6) **“Low-income project”, a housing project which has restricted rents that do not exceed thirty percent of median income for at least forty percent of its units occupied by persons of families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income;**

[(6)] (7) **“Median income”, those incomes which are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size;**

[(7)] (8) **“Qualified Missouri project”, a qualified low-income building as that term is defined in section 42 of the 1986 Internal Revenue Code, as amended, which is located in Missouri;**

[(8)] (9) **“Taxpayer”, person, firm or corporation subject to the state income tax imposed by the provisions of chapter 143 (except withholding imposed by sections 143.191 to 143.265) or a corporation**

subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal [tax] **credit** period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. No more than six million dollars in tax credits shall be authorized each fiscal year **ending on or before June 30, 2013**, for projects financed through tax-exempt bond issuance.

4. For purposes of the limitations provided under this subsection, the aggregate amount of tax credits allowed over a federal credit period shall be attributed to the fiscal year in which such credits are authorized by the commission for a qualified Missouri project. For each fiscal year beginning on or after July 1, 2013, there shall be a fifty million dollar cap on tax credit authorizations for projects which are not financed through tax exempt bond issuance. For each fiscal year beginning on or after July 1, 2013, there shall be a five million dollar cap on tax credit authorizations for projects which are financed through tax exempt bond issuance.

5. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2013, any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried forward to any of the taxpayer's two subsequent taxable years.**

[5.] 6. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

[6.] 7. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

8. A taxpayer that receives state tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive state tax credits under the provisions of sections 135.350 to 135.363 for the same project, if such project is not financed through tax exempt bond issuance.

[7.] **9.** The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

4. No tax credits provided under sections 135.475 to 135.487 shall be authorized on or after the effective date of this act. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to the effective date of this act, or a taxpayer's ability to redeem such tax credits.

135.1550. 1. Sections 135.1550 to 135.1575, shall be known and may be cited as the "Missouri Export Incentive Act".

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) "Airport", an airport which is owned and operated by a city located within this state;

(3) "Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) "Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway

bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) “Department”, the Missouri department of economic development;

(6) “Direct international aircraft flight”, a single aircraft transoceanic flight that operates to an international destination in accordance with the operators bilateral route authority;

(7) “Freight forwarder”, a person that assumes responsibility in the ordinary course of its business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) “Qualifying outbound flight”, a direct international aircraft flight from the airport to an international destination that carries either all cargo or a mix of passengers and cargo.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013.

135.1570. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset.”; and

Further amend said bill, page 288, section 144.710, line 4 of said page, by inserting immediately after said line the following:

“144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) “Commencement of commercial operations”, shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;

(2) “Constructing taxpayer”, where more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;

(3) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(4) “Data storage center” or “facility”, a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:

(a) Data processing, hosting, and related services (NAICS 518210);

(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility; or

(c) Customer service, customer contact, or customer support operations through the use of computer databases and telecommunications services at the business facility;

(5) “Existing facility”, a data storage center in this state as it existed prior to August 28, 2013, as determined by the department;

(6) “Expanding facility” or “expanding data storage center”, an existing facility or replacement facility that expands its operations in this state on or after August 28, 2013, and has net new investment related to the expansion of operations in this state of at least five million dollars during a period of up to twelve consecutive months and results in the creation of at least five new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(7) “Expanding facility project” or “expanding data storage center project”, the construction, extension, improvement, equipping, and operation of an expanding facility;

(8) “Investment” shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;

(9) “NAICS”, the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;

(10) “New facility” or “new data storage center”, a facility in this state meeting the following requirements:

(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2013. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2013, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2013, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2013;

(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2013, and such facility was employed prior to August 28, 2013, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;

(c) Such facility is not an expanding or replacement facility, as defined in this section;

(d) The new facility project investment is at least thirty-seven million dollars during a period of up to thirty-six consecutive months from the date of the conditional approval for an exemption under this section. Where more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;

(e) At least thirty new jobs are created at the new facility during a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and

(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(11) “New data storage center project” or “new facility project”, the construction, extension, improvement, equipping, and operation of a new facility;

(12) “New job” in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date

of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or the average number of full-time employees for the number of months the expanding data storage center facility has been in operation prior to the date of the submission of the project plan;

(13) “Notice of intent”, a form developed by the department of economic development, completed by the project taxpayer, and submitted to the department, which states the project taxpayer’s intent to construct or expand a data center and request the exemptions under this program;

(14) “Operating taxpayer”, where more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(15) “Project taxpayers”, each constructing taxpayer and each operating taxpayer for a data storage center project;

(16) “Replacement facility”, a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(17) “Taxpayer”, the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. In addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten-year period, on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;

(2) All machinery, equipment, and computers used in any new data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. (1) Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and

include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility project. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey conditional approvals to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the exemption dating retroactively to the first day of construction on the new facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of construction, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to any applicable taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may, at the discretion of the department of economic development, be awarded exemptions under subsection 2 of this section provided such exemption shall not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

4. In addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion. For purposes of this subdivision only, "amount" shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;

(2) All machinery, equipment, and computers used in any expanding data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal

benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable date.

5. (1) Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the expansion of the facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the expansion of the facility, shall issue a refund of taxes paid but eligible for exemption under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may, at the discretion of the department of economic development, be awarded exemptions under subsection 4 of this section provided such exemption shall not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) In order to receive exemptions under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment

penalties in the event the data storage center project fails to:

(a) Comply with any of the requirements of this section; or

(b) Satisfy the investment or job creation projected in the notice of intent submitted for the project;

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. Notwithstanding any other provision of law to the contrary, no recipient of an exemption pursuant to this section shall be eligible for benefits under any business recruitment tax credit, as defined in section 135.800.

9. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

10. This section shall terminate on September 1, 2019. The termination of this section shall not be construed to limit or in any way impair the exemption for any project approved prior to the termination of this section.”; and

Further amend said bill, page 308, section 238.410, line 23 of said page, by inserting immediately after said line the following:

“253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, may, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount

of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2013**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before the effective date of this act**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. For each fiscal year beginning on or after July 1, 2013, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed forty-five million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

6. For all applications for tax credits approved on or after the effective date of this act, no more than one hundred and twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to the effective date of this act; or

(2) Any application for tax credits provided under this section for a project, which on or before the effective date of this act:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2013, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed five million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection, shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to the effective date of this act; or

(2) Any application for tax credits provided under this section for a project, which on or before the effective date of this act:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. **For all tax credits authorized under the provisions of sections 253.545 to 253.559 on or after the effective date of this act, if the total amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding two years, or until the full credit is used, whichever occurs first.** Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] to 253.559. **Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is**

not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project. Taxpayers eligible for such tax credits may transfer, sell or assign the credits. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among [the] **such** partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review

process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2, 5, or 8 of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2, 5, or 8 of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2, 5, or 8 of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development which,

in consultation with the department of natural resources, shall determine the final amount of eligible rehabilitation costs and expenses and whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. For financial institutions credits authorized pursuant to sections 253.550 to 253.561 shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates. The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed.

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department. Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. By no later than January 1, 2014, the department of economic development shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

348.273. 1. This section and section 348.274 shall be known and may be cited as the "Missouri Angel Investment Incentive Act".

2. As used in this section and section 348.274, the following terms mean:

- (1) "Cash investment", money or money equivalent contribution;**
- (2) "Department", the department of economic development;**
- (3) "Investor":**

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8),

as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) “Permitted entity investor”, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(6) “Qualified knowledge-based company”, a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) “Qualified Missouri business”, the Missouri businesses that are approved and certified as qualified knowledge-based companies by the regional SBTDC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business’s production in Missouri;

(8) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument’s term;

(9) “SBTDC”, the Missouri small business and technology development center; and

(10) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri business and allocating the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor’s cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor’s cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor’s liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The director of the department of revenue shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the department shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the department any

unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the department, but shall include at least the following:

- (a) The name of the business and certified copies of the organizational documents of the business;
- (b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;
- (c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;
- (d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;
- (e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and
- (f) Such other information as the regional SBTDC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

- (a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;
- (b) Businesses that are not bioscience businesses shall have been in operation for less than five

years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction or construction management or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;

(l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish

normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and

(m) The business shall satisfy all other requirements of this section and section 348.274.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the region, the state, or both. The regional SBTDC may allocate, and the department may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned

down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated tax credits to the qualified Missouri business and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the department, as applicable. For the purposes of this section and section 348.273, “trade secrets” means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before February first. The regional SBTDC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the department may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the department on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the regional SBTDC received;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits; and

(e) Such other information as reasonably agreed upon by each regional SBTDC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were

awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out-of-region or out-of-state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Notwithstanding sections 23.250 to 23.298 of the Missouri sunset act, sections 348.273 and 348.274 shall expire on December 31, 2019.

447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. **Notwithstanding any provisions of law to the contrary, the department shall not authorize tax credits and exemptions pursuant to this subsection after the effective date of this act.** For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars

per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible

project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, [in addition to the tax credits allowed in subsection 1 of this section,] grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot

exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to 6 of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater

of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be

earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership.

The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. For each fiscal year beginning on or after July 1, 2013, no more than twenty million dollars in tax credits shall be authorized under the provisions of section 447.700 to 447.718.”; and

Further amend said bill, page 310, section 644.032, line 24 of said page, by inserting immediately after said line the following:

“Section 1. 1. No political subdivision shall be responsible for costs associated with upgrading infrastructure due to an increased use of such infrastructure caused by the program authorized under sections 135.1550 to 135.1575.

2. The department of natural resources shall conduct a comprehensive water study on the impact that the program authorized under sections 135.1550 to 135.1575 has on surrounding storm water drainage.”; and

Further amend said Page 311, Section 67.1911, Line 30 of said page, by inserting after all of said line the following:

“[143.119. 1. A self-employed taxpayer, as such term is used in the federal internal revenue code, who is otherwise ineligible for the federal income tax health insurance deduction under Section 162 of the federal internal revenue code shall be entitled to a credit against the tax otherwise due under this chapter, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the portion of such taxpayer's federal tax liability incurred due to such taxpayer's inclusion of such payments in federal adjusted gross income. The tax credits authorized under this section shall be nontransferable. To the extent tax credit issued under this section exceeds a taxpayer's state income tax liability, such excess shall be considered an overpayment of tax and shall be refunded to the taxpayer.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.]”;

Further amend said bill, Page 316, Section B, Line 3 of said page, by inserting after all of said line the following:

“Section C. Because immediate action is necessary to encourage economic development in the state, the enactment of sections 135.1550, 135.1555, 135.1560, 135.1565, 135.1570, and 135.1575 and the repeal and reenactment of sections 135.350, 135.352, 135.484, 253.550, 253.557, 253.559, and 447.708 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 135.1550, 135.1555, 135.1560, 135.1565, 135.1570, and 135.1575 and the repeal and reenactment of sections 135.350, 135.352, 135.484, 253.550, 253.557, 253.559, and 447.708 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Nasheed offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 12, Section 143.071, Line 5 of said page, by inserting immediately after said line the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer’s federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer’s federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax

purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, “combat zone” means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under subdivision (3) of subsection 2 of this section, the amount by which addition modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection; **and**

(10) An amount equal to three thousand dollars for any taxpayer that has previous military service in a combat zone and if discharged, under honorable conditions.

4. There shall be added to or subtracted from the taxpayer’s federal adjusted gross income the taxpayer’s share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer’s federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer’s federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer’s federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, “qualified health insurance premium” means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer’s spouse, or the taxpayer’s dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer’s federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2009, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer’s federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year or cumulatively exceed two thousand dollars per taxpayer or taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2013.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schaaf assumed the Chair.

Senator Sifton offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 161, Section 143.011, Line 4 of said page, by striking the following: “\$8,600” and inserting in lieu thereof the following: “**\$8,700**”; and further amend lines 6-7 of said page, by striking all of said lines and inserting in lieu thereof the following:

“**Over \$8,700** **\$299 plus 5 17/20% of excess over \$8,700**”; and

Further amend said bill and section, page 162, line 1 of said page, by striking the following: “\$8,200” and inserting in lieu thereof the following: “**\$8,400**”; and further amend lines 3-4 of said page, by striking all of said lines and inserting in lieu thereof the following:

“**Over \$8,400** **\$282 plus 5 7/10% of excess over \$8,400**”; and further amend said

page, line 24 of said page, by striking the following: “\$7,800” and inserting in lieu thereof the following: “**\$8,000**”; and further amend lines 26-27 of said page, by striking all of said lines, and inserting in lieu thereof the following:

“**Over \$8,000 but not over \$8,100** **\$260 plus 5 1/2% of excess over \$8,000**

Over \$8,100 **\$266 plus 5 11/20% of excess over \$8,100**”; and

Further amend said bill and section, page 163, line 19 of said page, by striking the following: “\$7,400” and inserting in lieu thereof the following: “**\$7,900**”; and further amend lines 21-22 of said page, by striking

all of said lines and inserting in lieu thereof the following:

**“Over \$7,900 \$255 plus 5 8/20% of excess
over \$7,900”; and**

Further amend said bill and section, page 164, line 14 of said page, by striking all of said line and inserting in lieu thereof the following:

**“Over \$7,000 but not over \$7,600 \$210 plus 5% of excess
over \$7,000**

**Over \$7,600 \$243 plus 5 1/4% of excess
over \$7,600”; and**

Further amend said bill, page 165, section 143.021, line 8 of said page, by striking the word “six” and inserting in lieu thereof the following: **“seven”**; and further amend line 12 of said page, by striking the word “six” and inserting in lieu thereof the following: **“seven”**; and further amend line 18 of said page, by striking the word “six” and inserting in lieu thereof the following: **“seven”**; and further amend line 22 of said page, by striking the word “two” and inserting in lieu thereof the following: **“four”**; and further amend line 26 of said page, by striking the word “two” and inserting in lieu thereof the following: **“four”**; and

Further amend said bill and section, page 166, line 4 of said page, by striking the word “two” and inserting in lieu thereof the following: **“four”**; and further amend line 8 of said page, by striking the following: “seven thousand eight” and inserting in lieu thereof the following: **“eight thousand one”**; and further amend lines 12-13 of said page, by striking the following: “seven thousand eight” and inserting in lieu thereof the following: **“eight thousand one”**; and further amend line 18 of said page, by striking the following: “seven thousand eight” and inserting in lieu thereof the following: **“eight thousand one”**; and further amend line 23 of said page, by striking the word “four” and inserting in lieu thereof the following: **“six”**; and further amend line 27 of said page, by striking the word “four” and inserting in lieu thereof the following: **“six”**; and

Further amend said bill and section, page 167, line 5 of said page, by striking the word “four” and inserting in lieu thereof the following: **“six”**; and further amend line 9 of said page, by inserting immediately after the word “thousand” the following: **“three hundred”**; and further amend line 13 of said page, by inserting immediately after the word “thousand” the following: **“three hundred”**; and further amend line 18 of said page, by inserting immediately after the word “thousand” the following: **“three hundred”**; and

Further amend said bill, page 169, section 143.071, line 16 of said page, by striking the word “one-twentieths” and inserting in lieu thereof the following: **“one-tenth”**; and further amend line 21 of said page, by striking the word “seventeen-twentieths” and inserting in lieu thereof the following: **“nineteen-twentieths”**; and further amend line 26 of said page, by striking the word “thirteen-twentieths” and inserting in lieu thereof the following: **“four-fifths”**; and

Further amend said bill and section, page 170, line 3 of said page, by striking the word “nine” and inserting in lieu thereof the following: **“thirteen”**; and further amend line 7 of said page, by striking the word “one-quarter” and inserting in lieu thereof the following: **“one-half”**; and further amend line 8, by inserting immediately after all of said line the following:

“4. Notwithstanding the provisions of this section to the contrary, the first twenty-five thousand

dollars of corporate income shall be exempt from taxation.

5. If the federal Marketplace Fairness Act of 2013 or similar legislation providing for a uniform method of collection of sales and use tax on purchases shipped into this state becomes federal law, the director of the department of revenue shall, by rule, adjust the tax rates of this section to decrease the rate of tax by one-fourth percent.”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 8:**

SENATE AMENDMENT NO. 8

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 164, Section 143.011, Line 14, by inserting immediately after all of said line the following:

“**over \$7,000**”; and

Further amend said bill, page 167, section 143.021, line 22, by striking the number “144.011” and inserting in lieu thereof the following: **“143.011”**.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 9:**

SENATE AMENDMENT NO. 9

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 26, 11 and 31, Page 310, Section 644.032, Line 24, by inserting immediately after all of said line the following:

“Section 1. The provisions of this act shall terminate on August 28 following any fiscal year where net general revenue collections of the state decrease from the prior fiscal year.

Section 2. Notwithstanding the provisions of section 1.140, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator Kraus moved that **SS No. 2 for SCS for SBs 26, 11 and 31**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS No. 2 for SCS for SBs 26, 11 and 31**, as amended, was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, 2012 Ms. Missouri Nursing Home, Elvis Gundy, Memphis.

Senator Brown introduced to the Senate, Chantae Alfred, Tracy Dampier and Jessica Beucler, Leadership Phelps County, Rolla.

Senator Schmitt introduced to the Senate, Dr. Stuart Sweet, St. Louis; and forty-five Pediatric Residents from Missouri’s pediatric hospitals.

On behalf of Senator Schaaf, the President introduced to the Senate, Dr. Claudia Peruschoff, Poplar Bluff.

Senator Lamping introduced to the Senate, Sean Donegan, Columbia.

Senator Holsman introduced to the Senate, Thuylinh Pham, M.D., Elizabeth Simpson, M.D., Juhi Kangas, M.D., Erin McDaniel, M.D., Disa F. Wagner, D.O., Kylie Clark, M.D. and Emily Killough, M.D., Pediatric Residents from Children's Mercy Hospital, Kansas City.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl and twenty-five Pediatric Residents from University of Missouri-Columbia.

Senator Schaefer introduced to the Senate, Dr. Mary Stegmaier, Emily Johnson and students, Youngil Kim, Bo sun Choi, Iris Chun and Jae Jang, Truman School of Public Affairs, University of Missouri-Columbia.

Senator Lager introduced to the Senate, members of the Student Senate, Northwest Missouri State University, Maryville.

Senator Nieves introduced to the Senate, the Physician of the Day, Dr. Tom Stamos, Chesterfield.

Senator Sifton introduced to the Senate, representatives of FOCUS Leadership St. Louis.

Senator Pearce introduced to the Senate, Dr. Julie Dill, Superintendent, Crest Ridge R-VII School District.

Senator Pearce introduced to the Senate, Records of Deeds, Jamie Nichols, Saline County; Patsy Olvera, Lafayette County; and Jan Jones, Johnson County.

Senator Curls introduced to the Senate, representatives of Restart, Inc., Kansas City.

Senator Walsh introduced to the Senate, Butch Hepburn, St. Louis.

Senator Pearce introduced to the Senate, his brother, Mark, and Michael O'Keefe, Warrensburg; Michael Zeller, Kansas City; and Jack Galmiche, St. Louis.

Senator Romine introduced to the Senate, his niece, Jaime Dement and Girl Scouts from Ashland and Sikeston.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SECOND DAY—THURSDAY, MARCH 7, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery
SB 394-Silvey

SB 395-Kraus and LeVota
SB 396-Holsman and Chappelle-Nadal

SB 397-Holsman and Curls	SB 437-Pearce
SB 398-Holsman	SB 438-Munzlinger
SB 399-Holsman and Curls	SB 439-Munzlinger
SB 400-Holsman	SB 440-Munzlinger
SB 401-Rupp	SB 441-Dempsey
SB 402-Rupp	SB 442-Silvey
SB 403-Rupp	SB 443-Silvey
SB 404-Munzlinger	SB 444-Schaaf
SB 405-Sater	SB 445-Wasson
SB 406-Wallingford	SB 446-Brown
SB 407-Wallingford	SB 447-Brown
SB 408-Emery	SB 448-Schmitt and Keaveny
SB 409-Keaveny	SB 449-Romine
SB 410-Kehoe	SB 450-Justus
SB 411-Kehoe	SB 451-Justus
SB 412-Kehoe	SB 452-Justus
SB 413-Wasson	SB 453-Cunningham
SB 414-Dixon	SB 454-Nieves
SB 415-Dixon	SB 455-Nieves
SB 416-Dixon	SB 456-Parson
SB 417-Lager	SB 457-Parson
SB 418-Lager	SB 458-Kehoe
SB 419-Lager	SB 459-Kehoe
SB 420-Lager	SB 460-Kehoe
SB 421-Walsh	SB 461-Wallingford
SB 422-Curls and LeVota	SB 462-Schaefer
SB 423-Nasheed	SB 463-Schaefer
SB 424-Nasheed	SB 464-Schaefer
SB 425-Nasheed	SB 465-Schaefer
SB 426-Nasheed	SB 466-Schaefer
SB 427-Sifton	SB 467-Schaefer
SB 428-Sifton	SB 468-Schaefer
SB 429-Chappelle-Nadal	SB 469-Chappelle-Nadal
SB 430-Chappelle-Nadal	SB 470-Rupp
SB 431-Cunningham	SB 471-Rupp
SB 432-Cunningham	SB 472-Rupp
SB 433-Lamping, et al	SB 473-Lamping and Lager
SB 434-Lamping, et al	SB 474-Lamping
SB 435-McKenna	SB 475-Lamping
SB 436-McKenna	SB 476-Lamping

SB 477-Lamping
 SB 478-Lamping
 SB 479-Dixon
 SB 480-Richard
 SB 481-Rupp
 SB 482-Nasheed
 SB 483-Nasheed
 SB 484-Cunningham

SJR 17-Nieves
 SJR 18-Schmitt
 SJR 19-Lager
 SJR 20-Curls
 SJR 21-LeVota
 SJR 22-Parson, et al
 SJR 23-Cunningham
 SJR 24-Emery

HOUSE BILLS ON SECOND READING

HB 55-Flanigan and Allen
 HCS for HB 202
 HCS for HB 158
 HCS for HB 388
 HB 44-Korman

HB 34-Guernsey
 HCS for HB 320
 HCS for HB 14
 HCS for HJR 11 & 7
 HJR 8-Solon, et al

THIRD READING OF SENATE BILLS

1. SB 127-Sater (In Fiscal Oversight)
 2. SB 41-Munzlinger
 3. SCS for SB 240-Lager (In Fiscal Oversight)
 4. SCS for SB 164-Walsh
 5. SB 193-Schaefer
 6. SS for SCS for SB 114-Schmitt
 7. SB 102-Kraus

8. SB 73-Schaefer
 9. SB 18-Munzlinger
 10. SS for SCS for SB 129-Sater
 11. SB 208-Justus and McKenna
 12. SB 199-Chappelle-Nadal
 13. SCS for SB 157-Sater
 14. SCS for SB 36-Wallingford and Sifton
 15. SB 236-Parson (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
 SB 13-Schaefer, with SCS
 SB 21-Dixon
 SB 22-Dixon

SB 29-Brown, with SCS & SA 3 (pending)
 SB 48-Lamping
 SJR 16-Kehoe and McKenna, with SCS

CONSENT CALENDAR

Senate Bills

Reported 2/28

SB 90-McKenna

SB 234-Wasson

SB 218-LeVota

SB 148-Wasson

RESOLUTIONS

Reported from Committee

SCR 5-Lamping, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SECOND DAY—THURSDAY, MARCH 7, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“God is love. He didn’t need us. But he wanted us. And that is the most amazing thing.” (Rick Warren)

Creator God, we are so aware that You are a loving God who wants us to love one another and especially those You have given us to love. It is such an amazing thing to know that our human relationships reflect, in such a finite way, the love You have for Your creation. Yet help us to express this love in the most caring of ways so others may know Your love through us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator McKenna offered Senate Resolution No. 449, regarding Dolores Cash, which was adopted.

Senator Lamping offered Senate Resolution No. 450, regarding Fulbright Scholar Ja Tum Seng, which was adopted.

Senator Lamping offered Senate Resolution No. 451, regarding Fulbright Scholar María Pérez, which was adopted.

Senator Lamping offered Senate Resolution No. 452, regarding Fulbright Scholar Daniel Soto, which was adopted.

Senator Kraus offered Senate Resolution No. 453, regarding Audrey Link, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 127**; **SB 236**; and **SCS** for **SB 240**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SB 127, introduced by Senator Sater, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MOHealthNet dental benefits.

Was taken up.

On motion of Senator Sater, **SB 127** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None**Absent—Senators—None****Absent with leave—Senators—None****Vacancies—None**

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

SB 41, introduced by Senator Munzlinger, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

Was taken up.

On motion of Senator Munzlinger, **SB 41** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Schaaf
Sifton	Walsh—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 240**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240

An Act to repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations, with an emergency clause for a certain section.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SB 240** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Chappelle-Nadal Curls Holsman Justus Schmitt Sifton—6

Absent—Senators

Nasheed Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Keaveny	Kehoe	Kraus	Lager
Lamping	LeVota	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Wallingford	Walsh	Wasson—24

NAYS—Senators

Chappelle-Nadal Curls Emery Holsman Justus Libla Schmitt Sifton
Silvey—9

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 164, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 164

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection.

Was taken up by Senator Walsh.

On motion of Senator Walsh, **SCS for SB 164** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine

Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 193, introduced by Senator Schaefer, entitled:

An Act to amend chapter 161, RSMo, by adding thereto two new sections relating to the education of gifted and talented children.

Was taken up.

On motion of Senator Schaefer, **SB 193** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 114**, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 114

An Act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to intoxicating liquor, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 114** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 102, introduced by Senator Kraus, entitled:

An Act to repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to scrap metal, with existing penalty provisions.

Was taken up.

On motion of Senator Kraus, **SB 102** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 73, introduced by Senator Schaefer, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

Was taken up.

On motion of Senator Schaefer, **SB 73** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 18, introduced by Senator Munzlinger, entitled:

An Act to repeal sections 33.300, 37.850, and 164.151, RSMo, and to enact in lieu thereof five new sections relating to the transparency and accountability of public funds, with an emergency clause.

Was taken up.

On motion of Senator Munzlinger, **SB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 129, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 129

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

Was taken up.

On motion of Senator Sater, **SS for SCS for SB 129** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 208, introduced by Senators Justus and McKenna, entitled:

An Act to repeal section 211.036, RSMo, and to enact in lieu thereof one new section relating to reentry into the custody of the children's division.

Was taken up by Senator Justus.

On motion of Senator Justus, **SB 208** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 199, introduced by Senator Chappelle-Nadal, entitled:

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 199** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 157, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157

An Act to repeal sections 407.300, 407.302, and 407.303, RSMo, and to enact in lieu thereof three new sections relating to scrap metal, with penalty provisions.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS for SB 157** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 36, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 36

An Act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to juvenile criminal offenders.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS for SB 36** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine

Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

SB 236, introduced by Senator Parson, entitled:

An Act to repeal section 43.265, RSMo, and to enact in lieu thereof one new section relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

Was taken up.

On motion of Senator Parson, **SB 236** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 90, introduced by Senator McKenna, entitled:

An Act to repeal section 77.030, RSMo, and to enact in lieu thereof one new section relating to terms for councilmen in third class cities.

Was called from the Consent Calendar and taken up.

On motion of Senator McKenna, **SB 90** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator McKenna, title to the bill was agreed to.

Senator McKenna moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 218, introduced by Senator LeVota, entitled:

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof two new sections relating to the display of the Honor and Remember flag at state buildings and state parks.

Was called from the Consent Calendar and taken up.

On motion of Senator LeVota, **SB 218** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator LeVota, title to the bill was agreed to.

Senator LeVota moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 234, introduced by Senator Wasson, entitled:

An Act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 234** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager assumed the Chair.

SB 148, introduced by Senator Wasson, entitled:

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of salvage certificate of titles or junking certificates to insurance companies.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 148** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 292**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 207**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 294**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 241**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Justus, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 224**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 211**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 125**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 216**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 137**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SJR 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 72**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 65**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 61, Page 1, Section 29.304, Line 1, by inserting immediately after “1.” the following: **“If funding is available as required under subsection 6 of this section,”**; and

Further amend said bill and section, page 2, lines 37-38, by striking the following: “by June 30, 2015” and inserting in lieu thereof the following: **“within two years of receiving sufficient money in the fund created under this section to cover the costs of completing the report”**; and further amend line 38, by inserting immediately after all of said line the following:

“5. There is hereby created in the state treasury the “Report on the Costs of Administering the Death Penalty Fund”, which shall consist of money collected under this section. Moneys in the fund shall consist only of gifts, donations, or grants from private sources to pay for the costs of completing the report pursuant to this section and such moneys shall be credited to the fund. The treasurer is authorized to accept all gifts, bequests, and donations from any private source whatsoever to the fund and all such gifts, bequests, and donations shall be placed in the fund. The fund shall be a dedicated fund and money in the fund shall be appropriated by the general assembly to pay for the auditor’s costs in completing the report on the death penalty pursuant to this section. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The auditor shall only work on the one-time report on the costs of the death penalty pursuant to this section if all costs to the auditor’s office that are associated with the report are paid for by the fund created under this section.”.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 191**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 35**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 178**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 186**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 230**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 252**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 222**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 55—Appropriations.

HCS for **HB 202**—Education.

HCS for **HB 158**—Jobs, Economic Development and Local Government.

HCS for **HB 388**—Education.

HB 44—Commerce, Consumer Protection, Energy and the Environment.

HB 34—Small Business, Insurance and Industry.

HCS for **HB 320**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 14**—Appropriations.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 16**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 4**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the term limit reform act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 473**, entitled:

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to gas corporations, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 117**, entitled:

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 5**.

HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the people of the State of Missouri have great admiration and the utmost gratitude for all the men and women who have selflessly served their country and this state in the Armed Forces; and

WHEREAS, veterans have paid the high price for freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from the State of Missouri who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, many men and women have given their lives while serving in the Armed Forces; and

WHEREAS, many citizens of our state have earned the Purple Heart Medal, as a result of being wounded while engaged in combat with an enemy force, recognized as a singularly meritorious act of essential service:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby designate the State of Missouri as a Purple Heart State, honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 454, regarding Nicholas James Hochstatter, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 455, regarding Patrick Stephen Kirk, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 456, regarding John Lawrence Kenney, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 457, regarding Amanda Sarver, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 458, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jon C. Carr, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 459, regarding the Seventy-fourth Wedding Anniversary of Mr. and Mrs. Herbert E. Spindler, Jr., St. Joseph, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Boyd Terry, Columbia.

Senator Schaefer introduced to the Senate, Dr. M. Frederick Hawthorne, University of Missouri, Columbia.

Senator Schmitt introduced to the Senate, sponsors and fourth grade students from North Glendale Elementary.

Senator Schaefer introduced to the Senate, representatives of University of Missouri Undergraduate Research Day from around the state.

Senator Wallingford introduced to the Senate, James Russell, Sue Rees, Terri Jackson, Jennifer Byrum,

James Stovall and forty seventh grade students from Nell Holcomb R-IV School District, Cape Girardeau.

Senator Parson introduced to the Senate, Patti Hutton, David Oaks and twenty eighth grade students from Weaubleau Middle School.

Senator Dixon introduced to the Senate, forty students from David Harrison Elementary School, Springfield.

Senator Wallingford introduced to the Senate, Tracy McClard, Jackson.

Senator Dixon introduced to the Senate, Kevin Huffman and his son, Aaron.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 11, 2013.

SENATE CALENDAR

THIRTY-THIRD DAY—MONDAY, MARCH 11, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery	SB 416-Dixon
SB 394-Silvey	SB 417-Lager
SB 395-Kraus and LeVota	SB 418-Lager
SB 396-Holsman and Chappelle-Nadal	SB 419-Lager
SB 397-Holsman and Curls	SB 420-Lager
SB 398-Holsman	SB 421-Walsh
SB 399-Holsman and Curls	SB 422-Curls and LeVota
SB 400-Holsman	SB 423-Nasheed
SB 401-Rupp	SB 424-Nasheed
SB 402-Rupp	SB 425-Nasheed
SB 403-Rupp	SB 426-Nasheed
SB 404-Munzlinger	SB 427-Sifton
SB 405-Sater	SB 428-Sifton
SB 406-Wallingford	SB 429-Chappelle-Nadal
SB 407-Wallingford	SB 430-Chappelle-Nadal
SB 408-Emery	SB 431-Cunningham
SB 409-Keaveny	SB 432-Cunningham
SB 410-Kehoe	SB 433-Lamping, et al
SB 411-Kehoe	SB 434-Lamping, et al
SB 412-Kehoe	SB 435-McKenna
SB 413-Wasson	SB 436-McKenna
SB 414-Dixon	SB 437-Pearce
SB 415-Dixon	SB 438-Munzlinger

SB 439-Munzlinger	SB 466-Schaefer
SB 440-Munzlinger	SB 467-Schaefer
SB 441-Dempsey	SB 468-Schaefer
SB 442-Silvey	SB 469-Chappelle-Nadal
SB 443-Silvey	SB 470-Rupp
SB 444-Schaaf	SB 471-Rupp
SB 445-Wasson	SB 472-Rupp
SB 446-Brown	SB 473-Lamping and Lager
SB 447-Brown	SB 474-Lamping
SB 448-Schmitt and Keaveny	SB 475-Lamping
SB 449-Romine	SB 476-Lamping
SB 450-Justus	SB 477-Lamping
SB 451-Justus	SB 478-Lamping
SB 452-Justus	SB 479-Dixon
SB 453-Cunningham	SB 480-Richard
SB 454-Nieves	SB 481-Rupp
SB 455-Nieves	SB 482-Nasheed
SB 456-Parson	SB 483-Nasheed
SB 457-Parson	SB 484-Cunningham
SB 458-Kehoe	SJR 17-Nieves
SB 459-Kehoe	SJR 18-Schmitt
SB 460-Kehoe	SJR 19-Lager
SB 461-Wallingford	SJR 20-Curls
SB 462-Schaefer	SJR 21-LeVota
SB 463-Schaefer	SJR 22-Parson, et al
SB 464-Schaefer	SJR 23-Cunningham
SB 465-Schaefer	SJR 24-Emery

HOUSE BILLS ON SECOND READING

HCS for HJR 11 & 7	HJR 4-Neth, et al
HJR 8-Solon, et al	HCS for HB 473
HJR 16-McCaherty, et al	HCS for HB 117

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|-------------------------------------|
| 1. SB 292-Rupp | 7. SB 216-Silvey and Justus |
| 2. SB 207-Kehoe, et al, with SCS | 8. SB 137-Sater |
| 3. SB 237-Emery | 9. SJR 14-Schaefer, et al, with SCS |
| 4. SB 294-Schmitt | 10. SB 72-Schaefer |
| 5. SB 241-Lager, with SCS | 11. SB 65-Dixon, with SCS |
| 6. SB 125-Nasheed, with SCS | 12. SB 116-Kraus, with SCS |

13. SB 61-Keaveny, with SCA 1
14. SB 35-Wallingford
15. SB 178-Schaaf, with SCS
16. SB 186-Brown, with SCS

17. SB 230-Brown, et al
18. SB 252-Kraus
19. SB 222-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SB 29-Brown, with SCS & SA 3 (pending)
SB 48-Lamping
SJR 16-Kehoe and McKenna, with SCS

CONSENT CALENDAR

Senate Bills

Reported 3/7

SB 147-Wasson, with SCS
SB 224-Curls, et al, with SCS
SB 211-Rupp

SB 242-Kehoe
SB 142-Sifton
SB 191-Lamping, with SCS

RESOLUTIONS

Reported from Committee

SCR 5-Lamping, with SCS

To be Referred

HCR 5-Phillips

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-THIRD DAY—MONDAY, MARCH 11, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If anyone believes in me, rivers of living water will flow out from that person’s heart.” (John 7:38)

O God, we all need to drink from Your reservoir to deal with our long drives, dull days, demanding meetings, difficult situations and so forth. So we are thankful to receive anew Your spirit that refreshes us and hydrates our hearts so our efforts may flow like a river working that which is well pleasing to You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 7, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 460, regarding Logan DeMott, Kansas City, which was adopted.

Senator Brown offered Senate Resolution No. 461, regarding Danette Brown Sherrell, Rolla, which was adopted.

Senator Cunningham offered Senate Resolution No. 462, regarding the Honorable John Moody, Mansfield, which was adopted.

Senator Lamping offered Senate Resolution No. 463, regarding Aly Alexander, St. Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 464, regarding Dr. Jamie Jordan, which was adopted.

Senator Lamping offered Senate Resolution No. 465, regarding Anjali Fernandes, which was adopted.

Senator Lamping offered Senate Resolution No. 466, regarding Sam Skibbe, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 467, regarding Essence Lee, which was adopted.

Senator Keaveny offered Senate Resolution No. 468, regarding Thomas Fields, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 469

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 14, 2013 through November 16, 2013 and December 5, 2013 through December 7, 2013.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 469** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 469** was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SBs 26, 11 and 31**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS No. 2** for **SCS** for **SBs 26, 11** and **31** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 5** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 6:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 29**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

Senator Kehoe assumed the Chair.

Senator Kraus assumed the Chair.

Senator Sifton requested a roll call vote be taken on the adoption of **SA3**. He was joined in his request by Senators Curls, Justus, McKenna and Walsh.

Senator Kehoe assumed the Chair.

Senator Lager assumed the Chair.

Senator Schaaf assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

Senator Justus moved that **SA 3** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Silvey	Walsh—11					

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Pearce	Richard	Romine	Sater
Schaaf	Wallingford	Wasson—19					

Absent—Senators

Parson	Rupp	Schaefer	Schmitt—4
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Absent with leave—Senators—None

Vacancies—None

Senator Brown offered **SS** for **SCS** for **SB 29**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 29

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Senator Brown moved that **SS** for **SCS** for **SB 29** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 29, Page 3, Section 105.504, Line 2, by striking “the (name of the committee)” and inserting in lieu thereof, the following: “**a continuing committee formed by your public labor organization**”; and further amend lines 13-14 by striking all of said lines, and inserting in lieu thereof, the following: “**transferred to the public labor organization’s continuing committee. Records**”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SS** for **SCS** for **SB 29**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SCS** for **SB 29**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 470, regarding Jane Marie Boal, Kirkwood, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Schaefer and himself, Senator Pearce introduced to the Senate, University of Missouri-Columbia Engineering Students.

Senator Keaveny introduced to the Senate, Luke Sapa, St. Louis University.

Senator Schaefer introduced to the Senate, Cassie and Allana Grewing, Jefferson City; and Allana was made an honorary page.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-FOURTH DAY—TUESDAY, MARCH 12, 2013
—————

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery

SB 394-Silvey

SB 395-Kraus and LeVota	SB 439-Munzlinger
SB 396-Holsman and Chappelle-Nadal	SB 440-Munzlinger
SB 397-Holsman and Curls	SB 441-Dempsey
SB 398-Holsman	SB 442-Silvey
SB 399-Holsman and Curls	SB 443-Silvey
SB 400-Holsman	SB 444-Schaaf
SB 401-Rupp	SB 445-Wasson
SB 402-Rupp	SB 446-Brown
SB 403-Rupp	SB 447-Brown
SB 404-Munzlinger	SB 448-Schmitt and Keaveny
SB 405-Sater	SB 449-Romine
SB 406-Wallingford	SB 450-Justus
SB 407-Wallingford	SB 451-Justus
SB 408-Emery	SB 452-Justus
SB 409-Keaveny	SB 453-Cunningham
SB 410-Kehoe	SB 454-Nieves
SB 411-Kehoe	SB 455-Nieves
SB 412-Kehoe	SB 456-Parson
SB 413-Wasson	SB 457-Parson
SB 414-Dixon	SB 458-Kehoe
SB 415-Dixon	SB 459-Kehoe
SB 416-Dixon	SB 460-Kehoe
SB 417-Lager	SB 461-Wallingford
SB 418-Lager	SB 462-Schaefer
SB 419-Lager	SB 463-Schaefer
SB 420-Lager	SB 464-Schaefer
SB 421-Walsh	SB 465-Schaefer
SB 422-Curls and LeVota	SB 466-Schaefer
SB 423-Nasheed	SB 467-Schaefer
SB 424-Nasheed	SB 468-Schaefer
SB 425-Nasheed	SB 469-Chappelle-Nadal
SB 426-Nasheed	SB 470-Rupp
SB 427-Sifton	SB 471-Rupp
SB 428-Sifton	SB 472-Rupp
SB 429-Chappelle-Nadal	SB 473-Lamping and Lager
SB 430-Chappelle-Nadal	SB 474-Lamping
SB 431-Cunningham	SB 475-Lamping
SB 432-Cunningham	SB 476-Lamping
SB 433-Lamping, et al	SB 477-Lamping
SB 434-Lamping, et al	SB 478-Lamping
SB 435-McKenna	SB 479-Dixon
SB 436-McKenna	SB 480-Richard
SB 437-Pearce	SB 481-Rupp
SB 438-Munzlinger	SB 482-Nasheed

SB 483-Nasheed
 SB 484-Cunningham
 SJR 17-Nieves
 SJR 18-Schmitt
 SJR 19-Lager

SJR 20-Curls
 SJR 21-LeVota
 SJR 22-Parson, et al
 SJR 23-Cunningham
 SJR 24-Emery

HOUSE BILLS ON SECOND READING

HCS for HJR 11 & 7
 HJR 8-Solon, et al
 HJR 16-McCaherty, et al

HJR 4-Neth, et al
 HCS for HB 473
 HCS for HB 117

THIRD READING OF SENATE BILLS

SS#2 for SCS for SBs 26, 11 &
 31-Kraus (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 292-Rupp
 2. SB 207-Kehoe, et al, with SCS
 3. SB 237-Emery
 4. SB 294-Schmitt
 5. SB 241-Lager, with SCS
 6. SB 125-Nasheed, with SCS
 7. SB 216-Silvey and Justus
 8. SB 137-Sater
 9. SJR 14-Schaefer, et al, with SCS
 10. SB 72-Schaefer

11. SB 65-Dixon, with SCS
 12. SB 116-Kraus, with SCS
 13. SB 61-Keaveny, with SCA 1
 14. SB 35-Wallingford
 15. SB 178-Schaaf, with SCS
 16. SB 186-Brown, with SCS
 17. SB 230-Brown, et al
 18. SB 252-Kraus
 19. SB 222-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
 SB 13-Schaefer, with SCS
 SB 21-Dixon

SB 22-Dixon
 SB 48-Lamping
 SJR 16-Kehoe and McKenna, with SCS

CONSENT CALENDAR

Senate Bills

Reported 3/7

SB 147-Wasson, with SCS

SB 224-Curls, et al, with SCS

SB 211-Rupp
SB 242-Kehoe

SB 142-Sifton
SB 191-Lamping, with SCS

RESOLUTIONS

Reported from Committee

SCR 5-Lamping, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FOURTH DAY—TUESDAY, MARCH 12, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Death and life are in the power of the tongue.” (Proverbs 18:21)

Almighty God, we are thankful for this time to share ideas and assist and improve the bills before us. Our words have great importance and power for those we address our concerns and direct our efforts. We pray that You will guide our tongues, for we know they have the power to change one’s life simply by the words we speak. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 471, regarding Dr. Brian Huff, which was adopted.

Senator Nieves offered Senate Resolution No. 472, regarding Kenneth O. Baker, Saint Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 473, regarding Merrill C. Hinzpeter, Chesterfield, which was adopted.

Senator LeVota offered Senate Resolution No. 474, regarding Sarah Schraml, Independence, which was adopted.

Senator Wallingford offered Senate Resolution No. 475, regarding William C. "Bill" McMurray, Piedmont, which was adopted.

Senator Wallingford offered Senate Resolution No. 476, regarding Cindy Boyers, Poplar Bluff, which was adopted.

CONCURRENT RESOLUTIONS

Senator Brown offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 13

WHEREAS, the Army 2020 Force Structure Realignment Programmatic Environmental Assessment (PEA) includes a plan to reduce the Army's end strength and realign its forces over the coming years which will affect 21 Army installations across the country, including Fort Leonard Wood in Missouri; and

WHEREAS, these Army reductions and realignments that may occur from Fiscal Year 2013-2020 will result in significant impacts to a variety of economic measures in communities neighboring these 21 installations; and

WHEREAS, the PEA specifically references the impact of force structure reductions at Fort Leonard Wood in Missouri, including reduction in employment, income, regional population, and sales; and

WHEREAS, Fort Leonard Wood currently has a permanent workforce of approximately 9,500 soldiers and Army civilians, not including trainees, students, family members, other service members, contractors, and non-full time employees; and

WHEREAS, the Programmatic Environmental Assessment proposes a loss of up to 3,900 of these soldiers and Army civilians, which is a loss of 41% of permanent staff and an added loss of 450 direct and 504 indirect jobs across the community; and

WHEREAS, the economic impact across the three-county region, as defined in the study, would be devastating. The study shows a loss of 8% in annual sales, 6.75% in tax revenue, 11.21% in employment, and 7.5% in population; and

WHEREAS, as the study notes, only a portion of the potential loss is considered in the study. The study states that there may also be a loss of 10% of training load and an unknown percentage of other services not factored into the analysis. With this additional loss, the overall loss would be catastrophic for the region; and

WHEREAS, the majority of the impact would be felt in Pulaski County, Missouri; and

WHEREAS, the study projects a loss of almost 3,700 K-12 school students in the region, with a majority of the loss in the Waynesville School District that provides K-12 schools on Fort Leonard Wood and the immediate vicinity; and

WHEREAS, Waynesville School District has approximately 6,000 students enrolled today. Assuming 85% of the loss in that school district, the district would realize a 52% loss of its current enrollment; and

WHEREAS, to continue to provide the highest level of quality education, the Waynesville School District has recently invested in several new facilities, a high school, elementary school, and career center. These facilities are heavily dependent on continuing federal impact aid for construction bond funding. Based on the projected level of impact aid loss, the district would be placed in serious financial jeopardy; and

WHEREAS, the impact of these losses would be felt not only in the communities surrounding Fort Leonard Wood, but the entire State of Missouri. The full impact of the state if the troop reduction goes forward has yet to be determined, but it is certain it would be significant,

because Fort Leonard Wood is one of the largest employers in the State of Missouri; and

WHEREAS, Fort Leonard Wood is an important asset for the Army and the Department of Defense through pioneering the concepts of multiple schools at one location, and multi-service training and education; and

WHEREAS, the Army has made a multi-billion dollar investment in new infrastructure at the installation and its operating costs are among the lowest in the country. Fort Leonard Wood should be considered for additional mission growths, not reductions; and

WHEREAS, final decisions will be made over the next several years. The projected \$233 million in economic loss and 6,441 jobs affected as a result of the proposed Army reductions will have a significant impact to the State of Missouri and catastrophic to the region:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood, Missouri, and continue full operation at this installation, which has one of the lowest installation operating costs in the country; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the United States Department of Defense, the United States Army Environment Command, and each member of the Missouri Congressional delegation.

Senator Lamping moved that **SCR 5**, with **SCS**, be taken up for adoption, which motion prevailed.

Senator Lamping moved that **SCS** for **SCR 5** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCR 5**, as amended by **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Sifton
Walsh—9							

Absent—Senators

Nasheed	Nieves—2
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Absent with leave—Senators—None

Vacancies—None

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SJR 16**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SJR 16**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 16**

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

Was taken up.

Senator Kehoe moved that **SCS** for **SJR 16** be adopted.

Senator Kehoe offered **SS** for **SCS** for **SJR 16**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 16

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

Senator Pearce assumed the Chair.

Senator Kehoe moved that **SS** for **SCS** for **SJR 16** be adopted.

At the request of Senator Kehoe, **SJR 16**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 9**.

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, Article I, Section VIII of the United States Constitution requires the United States Congress to regulate the value of our currency and maintain strict control over the monetary policy of the United States of America; and

WHEREAS, since its institution in 1913, the Federal Reserve Bank of the United States, by inflating the money supply and manipulating interest rates, has eroded the purchasing power of the dollar by approximately 95%, created price instability, and has contributed to boom and bust business cycles; and

WHEREAS, the Federal Reserve Bank of the United States and the United States Treasury have levied the burden of debt on American taxpayers to the degree of several trillion dollars; and

WHEREAS, a partial audit of the Federal Reserve has informed the American people that trillions of dollars were used to bail out foreign banks without the consent of the United States Congress; and

WHEREAS, agreements made by the Federal Reserve with foreign powers and foreign banking institutions should be subject to Congressional oversight; and

WHEREAS, the Federal Reserve refuses to fully disclose the details of its emergency lending practices; and

WHEREAS, allowing the Federal Reserve to operate our nation's monetary system without full disclosure and transparency has led to a lower quality of life for the American people and abuse verified by the United States Government Accountability Office in its 2011 Report to Congress; and

WHEREAS, a complete audit of the Federal Reserve, for the first time in its history, would provide answers to the American people about how our money is being spent, where our money is being spent, and at what cost:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve Bank of the United States in order to hold the Federal Reserve accountable to the United States Congress and the American people in accordance with Article I, Section VIII of the United States Constitution, which pertains to

monetary policy that directly impacts the nation's immediate economic environment; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ben Bernanke, Chairman of the Federal Reserve Bank of the United States; Timothy Geithner, Secretary of the Treasury of the United States; John Boehner, Speaker of the United States House of Representatives; Harry Reid, Majority Leader of the United States Senate; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 7**.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, the State of Missouri has a rich and complex history; and

WHEREAS, the lives of Missourians are enriched by a broad and deep understanding of that history; and

WHEREAS, the State of Missouri was formally admitted into the Union of the United States of America on August 10, 1821; and

WHEREAS, the year 2021 marks the bicentennial of the State of Missouri's admission into the Union; and

WHEREAS, commemorative events drawing attention to the passage of historical milestones offer significant opportunities for generating interest in documenting and celebrating the exceptionalism of a state's history; and

WHEREAS, the Missouri General Assembly, through Chapter 183 of the Revised Statutes of Missouri, authorized the State Historical Society of Missouri to act as a "trustee" of the state's history; and

WHEREAS, the State Historical Society of Missouri is responsible for collecting, preserving and sharing the materials for the study of the history of Missouri and the heritage of Missourians; and

WHEREAS, since its creation in 1898, the State Historical Society of Missouri has become the premier institution for the study and celebration of Missouri state and local history and aspires to build the Center for Missouri Studies; and

WHEREAS, statewide commemorations require significant preparation and planning over multiple years:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby direct the State Historical Society of Missouri to develop plans, ideas and proposals to commemorate and celebrate the State of Missouri's bicentennial; and

BE IT FURTHER RESOLVED that the State Historical Society of Missouri ready itself to provide guidance and direction to a statewide effort to promote and celebrate the State of Missouri's rich and complex history through and beyond a bicentennial celebration in the year 2021; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the State Historical Society of Missouri.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 29**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 29** to the Committee on Governmental

Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 477, regarding Kenneth Wayne Finley, III, Columbia, which was adopted.

Senator Dempsey offered Senate Resolution No. 478, regarding Drake Bryant Meyer, St. Charles, which was adopted.

Senator Schaefer offered Senate Resolution No. 479, regarding Riley Miller, Rushville, which was adopted.

Senator Dempsey offered Senate Resolution No. 480, regarding Warren S. Goddard, Saint Charles, which was adopted.

Senator Kehoe offered Senate Resolution No. 481, regarding Donald B. "Don" Hillis, Jefferson City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 482, regarding Tina Chidster, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 483, regarding Michelle Niedner, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 484, regarding Sally Logan, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 485, regarding Jenna Loveless, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 486, regarding Robert Brown, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 487, regarding Doris Henderson, Louisiana, which was adopted.

Senator Curls offered Senate Resolution No. 488, regarding the Kansas City Missouri Alumnae Chapter of Delta Sigma Theta Sorority, Inc., which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS No. 2** for **SCS** for **SBs 26, 11** and **31**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 147**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 211**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 242**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 142**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

THIRD READING OF SENATE BILLS

SS No. 2 for **SCS** for **SBs 26, 11** and **31**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 26, 11 and 31

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 144.010, 144.014, 144.020, 144.021, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.440, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and effective dates for certain sections.

Was taken up.

On motion of Senator Kraus, **SS No. 2** for **SCS** for **SBs 26, 11** and **31** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Pearce	Sifton	Walsh—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 457**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the conscience rights of all individuals who provide medical services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **SB 350**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

Senator Romine introduced to the Senate, Dr. Kurtz, Mineral Area College; and Larry Joseph and Jason Thomas, Park Hills.

Senator Libla introduced to the Senate, twenty-six fourth grade students from Caruthersville Middle School; and Mason Prislovsky, Jake Ferguson, Taylor Rickman and Delquon Alexander were made honorary pages.

Senator Parson introduced to the Senate, representatives of Missouri County Treasurers' Association.

Senator Pearce introduced to the Senate, Ron Cornett and Katie Jeffers, Bethany; Jillian Barkacs, Springfield; and Barry Randolph, Marshall Woods.

Senator Keaveny introduced to the Senate, Ali Durhan, Fahri Olgun, Tulin Olgun, Ali Tekin, Cenk

Kandemir, Murat Sagnak, Mustafa Derahovic, Akif Cogo and Sukrije Dzidzovic, Niagara Foundation-Missouri, St. Louis.

On behalf of Senator Brown and himself, Senator Kehoe introduced to the Senate, Becky Dunn and sixteen students from Linn State Technical College.

Senator Brown introduced to the Senate, Cody Sebold, Osage Beach; Karrie Miller, Cuba; and Alex Byrd, Bourbon.

Senator Schmitt introduced to the Senate, Sue Vanhornbeek and Joshua Creed, Juliet Daniel, Rebecca Doctor, Abram Egger, Brandon Fryer, Elliott Gathman, Ashley Hatfield, Brandon Haverkink, Joshua Marcotte, Noelle Priest, Adele Raquepaw and Andrew Van Horn, eighth grade students from Providence Classical Christian Academy, St. Louis.

Senator Schaefer introduced to the Senate, parents and twelve fourth grade students from Christian Chapel Academy, Columbia.

Senator Holsman introduced to the Senate, his wife, Robyn, Kansas City; and Ellen Pittman, Jeanne Jewell and fifty fourth grade students from Red Bridge Elementary, Kansas City.

Senator Curls introduced to the Senate, Korinne and Kala Masters, Kansas City; and Korinne and Kala were made honorary pages.

Senator Pearce introduced to the Senate, Taiylor Llewellyn, Odessa; and Drew Mreen, North Kansas City.

Senator Schmitt introduced to the Senate, his wife, Jaime and their daughters Sophia and Olivia, Glendale; and Sophia was made an honorary page.

Senator Munzlinger introduced to the Senate, his wife, Michele, Williamstown.

Senator Wallingford introduced to the Senate, Tammy Palish, Altenburg.

Senator Kraus introduced to the Senate, his wife, Carmen and their son, Tannor, Lee's Summit.

Senator Holsman introduced to the Senate, Jenny M. Coffey, Eatontown, New Jersey.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIFTH DAY—WEDNESDAY, MARCH 13, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 393-Libla and Emery

SB 394-Silvey

SB 395-Kraus and LeVota

SB 396-Holsman and Chappelle-Nadal

SB 397-Holsman and Curls

SB 398-Holsman

SB 399-Holsman and Curls	SB 439-Munzlinger
SB 400-Holsman	SB 440-Munzlinger
SB 401-Rupp	SB 441-Dempsey
SB 402-Rupp	SB 442-Silvey
SB 403-Rupp	SB 443-Silvey
SB 404-Munzlinger	SB 444-Schaaf
SB 405-Sater	SB 445-Wasson
SB 406-Wallingford	SB 446-Brown
SB 407-Wallingford	SB 447-Brown
SB 408-Emery	SB 448-Schmitt and Keaveny
SB 409-Keaveny	SB 449-Romine
SB 410-Kehoe	SB 450-Justus
SB 411-Kehoe	SB 451-Justus
SB 412-Kehoe	SB 452-Justus
SB 413-Wasson	SB 453-Cunningham
SB 414-Dixon	SB 454-Nieves
SB 415-Dixon	SB 455-Nieves
SB 416-Dixon	SB 456-Parson
SB 417-Lager	SB 457-Parson
SB 418-Lager	SB 458-Kehoe
SB 419-Lager	SB 459-Kehoe
SB 420-Lager	SB 460-Kehoe
SB 421-Walsh	SB 461-Wallingford
SB 422-Curls and LeVota	SB 462-Schaefer
SB 423-Nasheed	SB 463-Schaefer
SB 424-Nasheed	SB 464-Schaefer
SB 425-Nasheed	SB 465-Schaefer
SB 426-Nasheed	SB 466-Schaefer
SB 427-Sifton	SB 467-Schaefer
SB 428-Sifton	SB 468-Schaefer
SB 429-Chappelle-Nadal	SB 469-Chappelle-Nadal
SB 430-Chappelle-Nadal	SB 470-Rupp
SB 431-Cunningham	SB 471-Rupp
SB 432-Cunningham	SB 472-Rupp
SB 433-Lamping, et al	SB 473-Lamping and Lager
SB 434-Lamping, et al	SB 474-Lamping
SB 435-McKenna	SB 475-Lamping
SB 436-McKenna	SB 476-Lamping
SB 437-Pearce	SB 477-Lamping
SB 438-Munzlinger	SB 478-Lamping

SB 479-Dixon
SB 480-Richard
SB 481-Rupp
SB 482-Nasheed
SB 483-Nasheed
SB 484-Cunningham
SJR 17-Nieves

SJR 18-Schmitt
SJR 19-Lager
SJR 20-Curls
SJR 21-LeVota
SJR 22-Parson, et al
SJR 23-Cunningham
SJR 24-Emery

HOUSE BILLS ON SECOND READING

HCS for HJR 11 & 7
HJR 8-Solon, et al
HJR 16-McCaherty, et al
HJR 4-Neth, et al

HCS for HB 473
HCS for HB 117
HCS for HB 457

THIRD READING OF SENATE BILLS

SS for SCS for SB 29-Brown (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 292-Rupp
2. SB 207-Kehoe, et al, with SCS
3. SB 237-Emery
4. SB 294-Schmitt
5. SB 241-Lager, with SCS
6. SB 125-Nasheed, with SCS
7. SB 216-Silvey and Justus
8. SB 137-Sater
9. SJR 14-Schaefer, et al, with SCS
10. SB 72-Schaefer

11. SB 65-Dixon, with SCS
12. SB 116-Kraus, with SCS
13. SB 61-Keaveny, with SCA 1
14. SB 35-Wallingford
15. SB 178-Schaaf, with SCS
16. SB 186-Brown, with SCS
17. SB 230-Brown, et al
18. SB 252-Kraus
19. SB 222-Lamping
20. SB 350-Dempsey

HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SB 48-Lamping
SJR 16-Kehoe and McKenna, with SCS & SS
for SCS (pending)

CONSENT CALENDAR

Senate Bills

Reported 3/7

SB 224-Curls, et al, with SCS

SB 191-Lamping, with SCS

RESOLUTIONS

To be Referred

SCR 13-Brown
HCR 7-Pfautsch, et al

HCR 9-Curtman, et al

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIFTH DAY—WEDNESDAY, MARCH 13, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If we really want to pray, we have to give time to learning its lessons.” (Mother Mary Clare)

Gracious God, in the midst of this time called Lent we are particularly mindful of the time in prayer we ought to spend with You. But let us, Lord, not only take the time to pray that is needed but let us discover ourselves as we truly are before You in our prayers and be able to mature and deepen our relationship with You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 489, regarding Madison Bledsoe, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 490, regarding Stacy Bradley, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 491, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Virgil Carter, Longview, which was adopted.

Senator Sater offered Senate Resolution No. 492, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Bill Henson, Pierce City, which was adopted.

Senator Sater offered Senate Resolution No. 493, regarding Patrick L. Prewitt, which was adopted.

Senator Dixon offered Senate Resolution No. 494, regarding Patricia Flanagan, which was adopted.

Senator Schaaf offered Senate Resolution No. 495, regarding Andrea Hall, St. Joseph, which was adopted.

Senator Richard offered Senate Resolution No. 496, regarding Glenna Wallace, Seneca, which was adopted.

Senator Pearce offered Senate Resolution No. 497, regarding Alex Higginbotham, which was adopted.

Senator Pearce offered Senate Resolution No. 498, regarding the Ninetieth Birthday of Alta Jean Damron, Warrensburg, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Noelle C. Collins, Democrat, 7450 Overbrook Drive, Saint Louis, Saint Louis County, Missouri 63121, as a member of the Missouri Women's Council, for a term ending December 6, 2014, and until her successor is duly appointed and qualified; vice, Christine J. Bierman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert E. George, Republican, 1662 South Porter Avenue, Aurora, Lawrence County, Missouri 65605, as a member of the Public Defender Commission, for a term ending March 11, 2019, and until his successor is duly appointed and qualified; vice, Leonard M. Miller, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Boyd Harris, Republican, 19510 North Drew Road, Centralia, Boone County, Missouri 65240, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2014, and until his successor is duly appointed and qualified; vice, Boyd Harris, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sara Catherine Michael, Independent, 2008 Honeysuckle Lane, Jefferson City, Cole County, Missouri 65109, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2014, and until her successor is duly appointed and qualified; vice, Greg L. Roberts, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Elizabeth M. Pierson, 17806 County Road 320, Norborne, Carroll County, Missouri 64668, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2016, and until her successor is duly appointed and qualified; vice, Elizabeth M. Pierson, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael C. Rader, 1004 West 125th Terrace, Kansas City, Jackson County, Missouri 64145, as a member of the Kansas City Board of Police Commissioners, for a term ending March 11, 2017, and until his successor is duly appointed and qualified; vice, Patrick A. McInerney, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kathleen Tofall, 9806 Green Park Road, Saint Louis, Saint Louis County, Missouri 63123, as a member of the Sentencing and Corrections Oversight Commission, for a term ending March 11, 2016, and until her successor is duly appointed and qualified; vice, RSMo 217.147.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

At the request of Senator Rupp, **SB 292** was placed on the Informal Calendar.

SB 207, with **SCS**, was placed on the Informal Calendar.

Senator Emery moved that **SB 237** be taken up for perfection, which motion prevailed.

On motion of Senator Emery, **SB 237** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 294** be taken up for perfection, which motion prevailed.

On motion of Senator Schmitt, **SB 294** was declared perfected and ordered printed.

SB 241, with **SCS**, was placed on the Informal Calendar.

Senator Nasheed moved that **SB 125**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 125**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 125

An Act to repeal sections 161.092, 168.221, and 168.291, RSMo, and to enact in lieu thereof two new sections relating to duties of boards of education.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 125** be adopted.

Senator Nasheed offered **SS** for **SCS** for **SB 125**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 125

An Act to repeal sections 168.221 and 168.291, RSMo, and to enact in lieu thereof one new section relating to employment of school personnel in the metropolitan school district.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator Nasheed moved that **SS** for **SCS** for **SB 125** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 1, In the Title, Lines 4-5 of said title, by striking all of said lines and inserting in lieu thereof the following: “duties of boards of education.”; and

Further amend said bill and page, section A, line 3 of said page, by inserting immediately after said line the following:

“161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed

necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee except as provided in section 168.021, certificates of qualification and licenses to teach in any of the public schools of the state, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools of the state, subject to limitations provided by law **and subdivision (14) of this section**, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;

(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools; and

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) Promulgate rules under which the board shall classify the public schools of the state. Said rules shall include but not be limited to the standards, appropriate scoring guides, forms, instruments, and procedures used in determining the accreditation status of a district. The board shall make classification and accreditation determinations consistent with said rules, and shall not deviate from said rules without properly promulgating such rules pursuant to the provisions of chapter 536;

(15) Have other powers and duties prescribed by law.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed moved that **SS** for **SCS** for **SB 125**, as amended, be adopted, which motion prevailed.

On motion of Senator Nasheed, **SS** for **SCS** for **SB 125**, as amended, was declared perfected and ordered printed.

Senator Silvey moved that **SB 216** be taken up for perfection, which motion prevailed.

On motion of Senator Silvey, **SB 216** was declared perfected and ordered printed.

Senator Sater moved that **SB 137** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Sater, **SB 137** was declared perfected and ordered printed.

Senator Kehoe requested unanimous consent of the Senate to withdraw **SB 459**, which request was granted.

REFERRALS

President Pro Tem Dempsey referred **SCR 13**; **HCR 7**; and **HCR 9** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 237** and **SB 294**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 409**, entitled:

An Act to repeal sections 290.210 and 290.262, RSMo, and to enact in lieu thereof two new sections relating to prevailing wages.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SBs 20, 15 and 19**, entitled:

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo,

and to enact in lieu thereof eight new sections relating to certain benevolent tax credits, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 64**, entitled:

An Act to repeal section 130.028 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.028 as enacted by conference committee substitute for house committee substitute for senate bill no. 650, eighty-ninth general assembly, second regular session, and to enact in lieu thereof one new section relating to labor organizations, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SBs 10** and **25**.

Bill ordered enrolled.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 393—Judiciary and Civil and Criminal Jurisprudence.

SB 394—Jobs, Economic Development and Local Government.

SB 395—Financial and Governmental Organizations and Elections.

SB 396—Commerce, Consumer Protection, Energy and the Environment.

SB 397—Veterans' Affairs and Health.

SB 398—Ways and Means.

SB 399—Veterans' Affairs and Health.

SB 400—Commerce, Consumer Protection, Energy and the Environment.

SB 401—Small Business, Insurance and Industry.

SB 402—Small Business, Insurance and Industry.

SB 403—Small Business, Insurance and Industry.

SB 404—Transportation and Infrastructure.

SB 405—Financial and Governmental Organizations and Elections.

SB 406—Small Business, Insurance and Industry.

SB 407—Ways and Means.

SB 408—Education.

SB 409—Judiciary and Civil and Criminal Jurisprudence.

SB 410—Education.

SB 411—Transportation and Infrastructure.

SB 412—General Laws.

SB 413—Veterans' Affairs and Health.

SB 414—Judiciary and Civil and Criminal Jurisprudence.

SB 415—Ways and Means.

SB 416—Commerce, Consumer Protection, Energy and the Environment.

SB 417—Commerce, Consumer Protection, Energy and the Environment.

SB 418—Commerce, Consumer Protection, Energy and the Environment.

SB 419—Transportation and Infrastructure.

SB 420—Commerce, Consumer Protection, Energy and the Environment.

SB 421—Veterans' Affairs and Health.

SB 422—Transportation and Infrastructure.

SB 423—Jobs, Economic Development and Local Government.

SB 424—Judiciary and Civil and Criminal Jurisprudence.

SB 425—Judiciary and Civil and Criminal Jurisprudence.

SB 426—Education.

SB 427—Education.

SB 428—Judiciary and Civil and Criminal Jurisprudence.

SB 429—Ways and Means.

SB 430—Seniors, Families and Pensions.

SB 431—Governmental Accountability and Fiscal Oversight.

SB 432—Small Business, Insurance and Industry.

SB 433—Rules, Joint Rules, Resolutions and Ethics.

SB 434—Rules, Joint Rules, Resolutions and Ethics.

SB 435—Financial and Governmental Organizations and Elections.

SB 436—Jobs, Economic Development and Local Government.

SB 437—Education.

SB 438—Agriculture, Food Production and Outdoor Resources.

SB 439—Commerce, Consumer Protection, Energy and the Environment.

SB 440—Judiciary and Civil and Criminal Jurisprudence.

SB 441—Ways and Means.

SB 442—Jobs, Economic Development and Local Government.

SB 443—Judiciary and Civil and Criminal Jurisprudence.

SB 444—Veterans' Affairs and Health.

SB 445—Small Business, Insurance and Industry.

SB 446—Jobs, Economic Development and Local Government.

SB 447—Ways and Means.

SB 448—Judiciary and Civil and Criminal Jurisprudence.

SB 449—Ways and Means.

SB 450—Education.

SB 451—Judiciary and Civil and Criminal Jurisprudence.

SB 452—Judiciary and Civil and Criminal Jurisprudence.

SB 453—Veterans' Affairs and Health.

SB 454—Jobs, Economic Development and Local Government.

SB 455—Financial and Governmental Organizations and Elections.

SB 456—Appropriations.

SB 457—Governmental Accountability and Fiscal Oversight.

SB 458—Small Business, Insurance and Industry.

SB 460—Transportation and Infrastructure.

SB 461—Ways and Means.

SB 462—Judiciary and Civil and Criminal Jurisprudence.

SB 463—Jobs, Economic Development and Local Government.

SB 464—Appropriations.

SB 465—Appropriations.

SB 466—General Laws.

SB 467—General Laws.

SB 468—Ways and Means.

SB 469—General Laws.

SB 470—Rules, Joint Rules, Resolutions and Ethics.

SB 471—Governmental Accountability and Fiscal Oversight.

SB 472—Governmental Accountability and Fiscal Oversight.

SB 473—Small Business, Insurance and Industry.

SB 474—Education.

SB 475—Seniors, Families and Pensions.

SB 476—Seniors, Families and Pensions.

SB 477—Seniors, Families and Pensions.

SB 478—Governmental Accountability and Fiscal Oversight.

SB 479—Small Business, Insurance and Industry.

SB 480—Veterans' Affairs and Health.

SB 481—Commerce, Consumer Protection, Energy and the Environment.

SB 482—Judiciary and Civil and Criminal Jurisprudence.

SB 483—Education.

SB 484—Transportation and Infrastructure.

SJR 17—General Laws.

SJR 18—Rules, Joint Rules, Resolutions and Ethics.

SJR 19—Rules, Joint Rules, Resolutions and Ethics.

SJR 20—Jobs, Economic Development and Local Government.

SJR 21—Transportation and Infrastructure.

SJR 22—Agriculture, Food Production and Outdoor Resources.

HOUSE BILLS ON SECOND READING

The following Joint Resolution was read the 2nd time and referred to the Committee indicated:

HCS for **HJR**s 11 and 7—Agriculture, Food Production and Outdoor Resources.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

SENATE HEARING SCHEDULE
97th GENERAL ASSEMBLY
FIRST REGULAR SESSION
March 13, 2013

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation and Infrastructure SCR 1 (Kehoe)	
8:15 a.m.		Seniors, Families and Pensions SCR 1 (Lamping)		
8:30 a.m.			Gubernatorial Appointments SL (Dempsey)	Ways and Means SCR 1 (Kraus) Veterans' Affairs and Health SL (Brown)
9:00 a.m.		Progress and Development SCR 2 (Justus)		
12:00 p.m.		Small Business, Insurance and Industry SCR 1 (Rupp) Rules, Joint Rules, Resolutions and Ethics SL (Richard)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:30 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Lager) General Laws SCR 1 (Nieves)	Governmental Accountability and Fiscal Oversight SCR 1 (Parson) Education SL (Pearce)	
2:00 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			
7:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Dixon)			

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Silvey.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 125**; **SB 137**; and **SB 216**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

PRIVILEGED MOTIONS

Senator Dixon moved that **SS** for **SCS** for **SBs 20, 15 and 19**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SBs 20, 15 and 19**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 20, 15 and 19

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof eight new sections relating to certain benevolent tax credits, with an emergency clause.

Was taken up.

Senator Dixon moved that **HCS** for **SS** for **SCS** for **SBs 20, 15 and 19** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, **HCS** for **SS** for **SCS** for **SBs 20, 15 and 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SJR 16**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Kehoe, **SS** for **SCS** for **SJR 16** was withdrawn.Senator Kehoe offered **SS No. 2** for **SCS** for **SJR 16**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 16

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

Senator Kehoe moved that **SS No. 2** for **SCS** for **SJR 16** be adopted.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Joint Resolution No. 16, Page 6, Section 30(e), Line 1 of said page, by inserting immediately after the word “subsection” the following: “**. At least fifteen percent of the proceeds deposited in the transportation sales tax fund shall be used and expended by the highways and transportation commission for state transportation system purposes and uses**”.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Kehoe moved that **SS No. 2** for **SCS** for **SJR 16** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS No. 2** for **SCS** for **SJR 16** was declared perfected and ordered printed.

Senator Lager moved that **SB 241**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 241**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 241

An Act to amend chapter 67, RSMo, by adding thereto eight new sections relating to broadband.

Was taken up.

Senator Lager moved that **SCS** for **SB 241** be adopted.

Senator Lager offered **SS** for **SCS** for **SB 241**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 241

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof eighteen new sections relating to infrastructure facilities deployment.

Senator Lager moved that **SS** for **SCS** for **SB 241** be adopted.

Senator Schaefer requested unanimous consent of the Senate for the Joint Committee on Legislative Research Fiscal Oversight Subcommittee to meet while the Senate is in session, which request was granted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 21, Section 67.5096, Line 3 of said page, by striking the words “one hundred fifty” and inserting in lieu thereof the following: “**ninety**”; and further amend lines 17-18 of said page, by striking the words “one hundred fifty” and inserting in lieu thereof the following: “**ninety**”; and further amend lines 20-21 of said page, by striking the words “one hundred fifty” and inserting in lieu thereof the following: “**ninety**”; and further amend lines 27-28 of said page, by striking the words “one hundred fifty” and inserting in lieu thereof the following: “**ninety**”; and

Further amend said bill, page 27, section 67.5102, line 4 of said page, by striking the words “one hundred fifty” and inserting in lieu thereof the following: “**ninety**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 11, Section 67.1838, Line 12, by striking the words “In any such”; and further amend lines 13 to 16 by striking all of said lines.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 28, Section 389.585, Line 9, by striking the words “this section” and inserting in lieu thereof the following: “**sections 389.585 to 389.591**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 28, Section 67.5104, Line 6 of said page, by inserting immediately after the word “provider” the following: “**or municipal utility pole owner**”; and further amend line 8 of said page, by inserting immediately after the word “court” the following: “**if that entity believes the rates, terms, and conditions are not fair, just, and reasonable**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 27, Section 67.5102, Line 20 of said page, by inserting immediately after all of said line the following:

“67.5103. Notwithstanding any provision of sections 67.5090 through 67.5102, nothing herein shall provide any applicant the power of eminent domain or the right to compel any private or public property owner to lease or sell property for the construction of a new wireless support structure or collocation of a wireless facility.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 19, Section 67.5094, Line 21, by deleting the word “unreasonable” on said line; and

Further amend said bill, page 19, line 25 by adding at the end of said line the following: “if such regulations or obligations are unreasonable.”; and

Further amend said bill, page 26, line 8, section 67.5102, by adding at the end of said line the following:

“if such moratorium exceeds six months in length and if the legislative act establishing it fails to state reasonable grounds and good cause for such moratorium. No such moratorium shall affect an already pending application”.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **SB 241**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **SB 241**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SJR 16**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 10** and **25** and **HCS** for **SS** for **SCS** for **SBs 20, 15** and **19**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS No. 2** for **SCS** for **SJR 16** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SBs 10** and **25** and **HCS** for **SS** for **SCS** for **SBs 20, 15** and **19**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 499, regarding Richard Jury, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 500, regarding Darian Blake Murphy, Jefferson City, which was adopted.

Senator Nieves offered Senate Resolution No. 501, regarding Ryan David Zink, Chesterfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 502, regarding Bill Puricelli, Crestwood, which was adopted.

Senator Lamping offered Senate Resolution No. 503, regarding Laura Michelle Weis, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 504, regarding Meghan Eileen Shrewsbury, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 505, regarding Corinne Elise Davis, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 506, regarding Nikki Kristine Ownby, Chesterfield, which was adopted.

Senator Lamping offered Senate Resolution No. 507, regarding Alexis Brittany Cross, St. Louis, which was adopted.

Senator Silvey offered Senate Resolution No. 508, regarding Sierra Sheppard, which was adopted.

Senator Lamping offered Senate Resolution No. 509, regarding Carolyn Elizabeth Beard, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 510, regarding Ashley Nicole Banze, Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 511, regarding Emily Reu Moss, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 512, regarding Karen Marie Argent, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 513, regarding Madison Claire Berviller, Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 514, regarding Mary Carmel Baker, Chesterfield, which

was adopted.

Senator Lamping offered Senate Resolution No. 515, regarding Katherine Marie Hermsmeier, Chesterfield, which was adopted.

Senator Pearce offered Senate Resolution No. 516, regarding the University of Central Missouri speech and debate program, which was adopted.

Senator Dempsey offered Senate Resolution No. 517, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joseph Robert Weber, St. Peters, which was adopted.

Senator Emery offered Senate Resolution No. 518, regarding the Eightieth Birthday of Jean Louise Hull, Pleasant Hill, which was adopted.

Senator Wasson offered Senate Resolution No. 519, regarding Donna Schudy, Springfield, which was adopted.

Senator Wasson offered Senate Resolution No. 520, regarding Logan Christopher Kampa, which was adopted.

Senator Kehoe offered Senate Resolution No. 521, regarding the United Way of Central Missouri, which was adopted.

Senator Silvey offered Senate Resolution No. 522, regarding Ben Mays, Kansas City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Jim Pierce, Kari Maag, Stacey Park and Marcie Bennett, St. Joseph.

Senator Parson introduced to the Senate, Mrs. Meehan, Jane Grindley and thirty fourth and eighth grade students from Pettis County R-12, Sedalia.

Senator Silvey introduced to the Senate, Shawn and Stacy Williamson and their children, Ana and Aftyn, Kansas City; and Ana and Aftyn were made honorary pages.

Senator Rupp introduced to the Senate, Andrew Walli, Wildwood.

Senator McKenna introduced to the Senate, Todd Mahn, De Soto.

Senator Pearce introduced to the Senate, Brad Hogan, Richmond.

Senator Brown introduced to the Senate, the Physician of the Day, Dr. Dan Schmidt, Richland.

Senator Pearce introduced to the Senate, his wife, Teresa, Warrensburg; and Brenda Martien, Jane Webb, Leo Dunham and Anna Campbell, representatives of Missouri Speech and Hearing Association.

Senator Kraus introduced to the Senate, representatives of the Eighth District from Eastern Jackson County; and Taylor and Jordan Abercrombie were made honorary pages.

On behalf of the President, Senator Schmitt introduced to the Senate, former State Senator Delbert Scott and his wife, Donna, Lowry.

Senator Rupp introduced to the Senate, Matt Plank and his daughter, Sophia, Jefferson City; and Sophia was made an honorary page.

Senator Holsman introduced to the Senate, Betty Hathhorn and her children, Ben, Emily, and Henry; and Kyra, Garrett and Kallen Webster, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SIXTH DAY—THURSDAY, MARCH 14, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al

HJR 16-McCaherty, et al

HJR 4-Neth, et al

HCS for HB 473

HCS for HB 117

HCS for HB 457

HB 409-Love and Remole

HB 64-Burlison, et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 29-Brown
(In Fiscal Oversight)

SB 237-Emery

SB 294-Schmitt

SS for SCS for SB 125-Nasheed

SB 137-Sater

SB 216-Silvey and Justus

SS#2 for SCS for SJR 16-Kehoe
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SJR 14-Schaefer, et al, with SCS

2. SB 72-Schaefer

3. SB 65-Dixon, with SCS

4. SB 116-Kraus, with SCS

5. SB 61-Keaveny, with SCA 1

6. SB 35-Wallingford

7. SB 178-Schaaf, with SCS

8. SB 186-Brown, with SCS

9. SB 230-Brown, et al

10. SB 252-Kraus

11. SB 222-Lamping

12. SB 350-Dempsey

HOUSE BILLS ON THIRD READING

HCS for HB 14, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 48-Lamping

SB 207-Kehoe, et al, with SCS

SB 292-Rupp

CONSENT CALENDAR

Senate Bills

Reported 3/7

SB 224-Curls, et al, with SCS

SB 191-Lamping, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SIXTH DAY—THURSDAY, MARCH 14, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“God has called us to share in his creative power and our desire is an element in the creation of the world of tomorrow.” (J.H. Oldham)

We praise You, O God, that as we finish our work this day we will have time to be in the creative power of recreation. May it be a time of rejuvenation of mind, body and spirit spending time with our family and with You, our God. And may we truly enjoy the gift of life and love as You have given it to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 523, regarding Drs. Bert J. and Mary Ann

Kellerman, Cape Girardeau, which was adopted.

Senator Cunningham offered Senate Resolution No. 524, regarding Cody Jenkins, Ava, which was adopted.

Senator Cunningham offered Senate Resolution No. 525, regarding Darrel and Audean Watson, Nobel, which was adopted.

Senator Justus offered Senate Resolution No. 526, regarding Gregory L. Duckett, Holts Summit, which was adopted.

Senator Silvey offered Senate Resolution No. 527, regarding the One Hundredth Anniversary of North Kansas City School District, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS No. 2** for **SCS** for **SJR 16** and **SS** for **SCS** for **SB 29**, begs leave to report that it has considered the same and recommends that the joint resolution and the bill do pass.

HOUSE BILLS ON THIRD READING

HCS for **HB 14**, with **SCS**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 14**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 14

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

Was taken up.

Senator Lager assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 14** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SBs 10** and **25** and **HCS** for **SS** for **SCS** for **SBs 20, 15** and **19**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 29**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 29

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Was taken up.

On motion of Senator Brown, **SS** for **SCS** for **SB 29** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Walsh—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 237, introduced by Senator Emery, entitled:

An Act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Was taken up.

On motion of Senator Emery, **SB 237** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 294, introduced by Senator Schmitt, entitled:

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to public service commission intervention in certain legal proceedings.

Was taken up.

On motion of Senator Schmitt, **SB 294** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 125, introduced by Senator Nasheed, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 125

An Act to repeal sections 161.092, 168.221 and 168.291, RSMo, and to enact in lieu thereof two new sections relating to duties of boards of education.

Was taken up.

On motion of Senator Nasheed, **SS for SCS for SB 125** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Wasson—33							

NAYS—Senator Walsh—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

SB 137, introduced by Senator Sater, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for counties to decrease their budgets.

Was taken up.

On motion of Senator Sater, **SB 137** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 216, introduced by Senators Silvey and Justus, entitled:

An Act to repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SB 216** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SJR 16**, introduced by Senator Kehoe, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 16

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

Was taken up.

On motion of Senator Kehoe, **SS No. 2** for **SCS** for **SJR 16** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Rupp	Sifton	Silvey	Wallingford	Walsh	Wasson—24

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	Nieves	Sater	Schaaf
Schaefer	Schmitt—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Kehoe, title to the joint resolution was agreed to.

Senator Kehoe moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 224, with **SCS**, introduced by Senators Curls, Justus and Holsman, entitled:

An Act to repeal sections 84.480, 84.490, and 84.510, RSMo, and to enact in lieu thereof three new sections relating to the Kansas City police department.

Was called from the Consent Calendar and taken up by Senator Curls.

SCS for **SB 224**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 224

An Act to repeal sections 84.480, 84.490, and 84.510, RSMo, and to enact in lieu thereof three new sections relating to the Kansas City police department.

Was taken up.

Senator Curls moved that **SCS** for **SB 224** be adopted, which motion prevailed.

On motion of Senator Curls, **SCS** for **SB 224** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 191, with **SCS**, introduced by Senator Lamping, entitled:

An Act to repeal sections 386.170 and 386.180, RSMo, and to enact in lieu thereof two new sections relating to the public service commission.

Was called from the Consent Calendar and taken up.

SCS for **SB 191**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 191

An Act to repeal sections 386.170 and 386.180, RSMo, and to enact in lieu thereof two new sections

relating to the forms of publication issued by the public service commission.

Was taken up.

Senator Lamping moved that **SCS** for **SB 191** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 191** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 161**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 262**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred

SB 287, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 324**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 211**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 258**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 248**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 257**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 112**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 55**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 265**, begs leave to report

that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 329**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 342**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 82**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 254**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 302**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 303**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 304**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 305**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 306**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 330**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 370**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 235**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which were referred **SB 289** and **SB 314**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 170**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 126**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 188**, begs leave to report that it has considered the same and recommends that the bill do pass

and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 245**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 327**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, Senator Silvey submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 66**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 261**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 229**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 87**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 376**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 241**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 13, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Robert E. George as a member of the Public Defender Commission, submitted to you on March 13, 2013. Lines 3 and 4 should be amended to read:

March 11, 2019, and until his successor is duly appointed and qualified; vice, Miller M. Leonard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendum to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 16**.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledged for their military service and treated with equal respect:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed

copy of this resolution for the Missouri Veterans Commission.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 19**.

HOUSE CONCURRENT RESOLUTION NO. 19

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States accounts for 20% of world energy consumption and is the world's largest petroleum consumer. The United States consumes more than 15 million barrels of oil each day, with forecast suggesting that this will not change for decades; and

WHEREAS, even with new technology, oil discoveries, alternative fuels, and conservation efforts, the United States will remain dependent on imported energy for decades to come. A secure supply of crude oil is not only needed for Americans to continue to heat their homes, cook their food, and drive their vehicles, but to allow the United States economy to thrive and grow free from the potential threats and disruptions of crude oil supply from less secure parts of the world; and

WHEREAS, the growing production of conflict-free oil from Canada's oil sands and the Bakken formation in Saskatchewan, Montana, North Dakota, and South Dakota can replace crude imported from countries that do not share American values, but additional pipeline capacity to refineries in the United States Midwest and Gulf Coast is required; and

WHEREAS, increasing energy imports from Canada makes sense for the United States. Canada is a trusted neighbor with a stable democratic government, strong environmental standards equal to that of the United States, and some of the most stringent human rights and worker protection laws in the world; and

WHEREAS, improvements in production technology have reduced the carbon footprint of Canadian oil sands development by 26% on a per barrel basis since 1990. Oil sands production accounts for 6.9% of Canada's greenhouse gas (GHG) emissions and 0.1% (1/100th) of global GHG emissions. Total emissions from Canada's oil sands sector was 48 megatons in 2010, equivalent to 0.5% of United States GHG emissions. Oil sands crude has similar CO₂ emissions to other heavy oils and is 6% more carbon-intensive than the average crude refined in the United States on a wells-to-wheels basis; and

WHEREAS, the 57 refineries in the Gulf Coast region provide a total refining capacity of approximately 8.7 million barrels per day (bpd), or half of United States refining capacity. In 2011, these refineries imported approximately 5 million bpd of crude oil from more than 30 countries, with the top four suppliers being Mexico (22%), Saudi Arabia (17%), Venezuela (16%), and Nigeria (9%). Imports from Mexico and Venezuela are declining as production from those countries decreases and supply contracts expire. Once completed, TransCanada's Keystone XL Pipeline and Gulf Coast Expansion projects could displace roughly 40% of the oil the United States currently imports from the Persian Gulf and Venezuela; and

WHEREAS, the Keystone XL Pipeline project has been subject to the most thorough public consultation process of any proposed United States pipeline, and the subject of multiple environmental impacts statements and several United States Department of State studies which have concluded that it poses the least impact to the environment and is much safer than other modes of transporting crude oil; and

WHEREAS, the original Keystone Pipeline, which spans across the northern part of Missouri, supplies over 500,000 barrels of North American crude oil to American refiners in the Midwest. When completed, the Keystone XL Pipeline will carry 830,000 barrels of North American crude oil to American refineries in the Gulf Coast region which will make its way back to Missouri in the form of gasoline, diesel, and jet fuel; and

WHEREAS, the Keystone XL Pipeline project will create approximately 9,000 construction jobs. The Gulf Coast Expansion project is a \$2.3 billion project that has created approximately 4,000 construction jobs. Combined, these projects support yet another 7,000 manufacturing jobs. 75% of the pipe used to build the Keystone XL Pipeline in the United States will come from North American mills, including half made by United States workers. Goods for the pipeline valued at approximately \$800 million have already been sourced from United States

manufacturers:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly:

- (1) Support continued and increased development and delivery of oil derived from North American oil reserves to United States refineries;
- (2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States;
- (3) Urge the President of the United States to support the continued and increased importation of oil derived from the Bakken formation in Montana, North Dakota, and South Dakota, as well as Canadian oil sands;
- (4) Urge the United States Secretary of State to approve the newly routed pipeline application from TransCanada to reduce dependence on unstable governments, create new jobs, improve our national security, and strengthen ties with an important ally; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 85**, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to emergency utility response permits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 233**, entitled:

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, and 476.515, RSMo, and to enact in lieu thereof twenty-five new sections relating to the administration of state employee benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 528, regarding Jason Midyett, Salem, which was adopted.

Senator Kehoe offered Senate Resolution No. 529, regarding Ron Rackers, Jefferson City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Rupp introduced to the Senate, Julie Perry and her children, Jenna and Will, St. Charles; and Jenna and Will were made honorary pages.

On behalf of Senator Lager, the President introduced to the Senate, the Physician of the Day, Dr. Sally Bomar, M.D., her husband, Steve Hull, and their daughter, Tara, Maryville.

On motion of Senator Richard, the Senate adjourned until 10:00 a.m., Friday, March 22, 2013.

SENATE CALENDAR

THIRTY-SEVENTH DAY—FRIDAY, MARCH 22, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al

HJR 16-McCaherty, et al

HJR 4-Neth, et al

HCS for HB 473

HCS for HB 117

HCS for HB 457

HB 409-Love and Remole

HB 64-Burlison, et al

HB 85-Kelley (127), et al

HCS for HB 233

THIRD READING OF SENATE BILLS

SS for SCS for SB 241-Lager

SENATE BILLS FOR PERFECTION

1. SJR 14-Schaefer, et al, with SCS

2. SB 72-Schaefer

3. SB 65-Dixon, with SCS

4. SB 116-Kraus, with SCS

5. SB 61-Keaveny, with SCA 1

6. SB 35-Wallingford

7. SB 178-Schaaf, with SCS

8. SB 186-Brown, with SCS

9. SB 230-Brown, et al

10. SB 252-Kraus

11. SB 222-Lamping

12. SB 350-Dempsey

13. SB 147-Wasson, with SCS

14. SB 161-Pearce

15. SB 262-Curls

16. SB 211-Rupp

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|----------------------------------|------------------------------|
| 17. SB 258-LeVota, with SCS | 24. SB 82-Schaefer, with SCS |
| 18. SB 242-Kehoe | 25. SB 254-Pearce, with SCS |
| 19. SB 257-Silvey and Justus | 26. SB 142-Sifton |
| 20. SB 83-Parson, with SCS | 27. SB 126-Sater, with SCS |
| 21. SB 112-Rupp and Richard | 28. SB 261-Rupp |
| 22. SB 265-Nieves and Cunningham | 29. SB 229-Brown, with SCS |
| 23. SB 2-Rupp, with SCS | 30. SB 87-Schaaf, with SCS |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 48-Lamping
SB 13-Schaefer, with SCS	SB 207-Kehoe, et al, with SCS
SB 21-Dixon	SB 292-Rupp
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS	SB 330-Wasson
SB 324-Wallingford, with SCS	SB 370-Wasson
SB 248-Wasson, with SCS	SB 235-Cunningham
SB 329-Brown	SBs 289 & 314-Sifton, with SCS
SB 342-Parson, et al	SB 170-Chappelle-Nadal
SB 302-Wasson, with SCS	SB 188-Romine
SB 303-Wasson	SB 245-Justus
SB 304-Wasson	SB 327-Dixon
SB 305-Wasson, with SCS	SB 66-Dixon
SB 306-Wasson	SB 376-Sater, with SCS

RESOLUTIONS

To be Referred

HCR 16-Walton Gray, et al

HCR 19-Rowden, et al

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SEVENTH DAY—FRIDAY, MARCH 22, 2013

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 530, regarding Meah Wilburn, which was adopted.

On behalf of Senator Keaveny, Senator Kehoe offered Senate Resolution No. 531, regarding Dr. Dennis K. Boman, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 532, regarding Joseph L. Kuensting, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 533, regarding Gary A. Kuensting, Jefferson City, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 534, regarding Taylor Siebert, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 535, regarding Haley Sindel, which was adopted.

On behalf of Senator Sifton, Senator Kehoe offered Senate Resolution No. 536, regarding Mike Walsh, which was adopted.

On behalf of Senator Sifton, Senator Kehoe offered Senate Resolution No. 537, regarding Dorothy Jarvis-Kellett, which was adopted.

On behalf of Senator Sifton, Senator Kehoe offered Senate Resolution No. 538, regarding David D. Szatkowski, Crestwood, which was adopted.

On behalf of Senator LeVota, Senator Kehoe offered Senate Resolution No. 539, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Elzie Berry, Tightwad, which was adopted.

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 540, regarding Casteel Kirk, Urbana, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 541, regarding the

Missouri Association of Osteopathic Physicians and Surgeons, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 542, regarding W.T. “Ted” Scheets, Houston, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 543, regarding Katelynn Smith, Seymour, which was adopted.

Senator Kehoe offered Senate Resolution No. 544, regarding Kevin B. Douglas, Wardsville, which was adopted.

Senator Kehoe offered Senate Resolution No. 545, regarding Diane Braun, Jefferson City, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 25, 2013.

SENATE CALENDAR

THIRTY-EIGHTH DAY—MONDAY, MARCH 25, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al

HJR 16-McCaherty, et al

HJR 4-Neth, et al

HCS for HB 473

HCS for HB 117

HCS for HB 457

HB 409-Love and Remole

HB 64-Burlison, et al

HB 85-Kelley (127), et al

HCS for HB 233

THIRD READING OF SENATE BILLS

SS for SCS for SB 241-Lager

SENATE BILLS FOR PERFECTION

1. SJR 14-Schaefer, et al, with SCS

2. SB 72-Schaefer

3. SB 65-Dixon, with SCS

4. SB 116-Kraus, with SCS

5. SB 61-Keaveny, with SCA 1

6. SB 35-Wallingford

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|-----------------------------|----------------------------------|
| 7. SB 178-Schaaf, with SCS | 19. SB 257-Silvey and Justus |
| 8. SB 186-Brown, with SCS | 20. SB 83-Parson, with SCS |
| 9. SB 230-Brown, et al | 21. SB 112-Rupp and Richard |
| 10. SB 252-Kraus | 22. SB 265-Nieves and Cunningham |
| 11. SB 222-Lamping | 23. SB 2-Rupp, with SCS |
| 12. SB 350-Dempsey | 24. SB 82-Schaefer, with SCS |
| 13. SB 147-Wasson, with SCS | 25. SB 254-Pearce, with SCS |
| 14. SB 161-Pearce | 26. SB 142-Sifton |
| 15. SB 262-Curls | 27. SB 126-Sater, with SCS |
| 16. SB 211-Rupp | 28. SB 261-Rupp |
| 17. SB 258-LeVota, with SCS | 29. SB 229-Brown, with SCS |
| 18. SB 242-Kehoe | 30. SB 87-Schaaf, with SCS |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 48-Lamping
SB 13-Schaefer, with SCS	SB 207-Kehoe, et al, with SCS
SB 21-Dixon	SB 292-Rupp
SB 22-Dixon	

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS	SB 330-Wasson
SB 324-Wallingford, with SCS	SB 370-Wasson
SB 248-Wasson, with SCS	SB 235-Cunningham
SB 329-Brown	SBs 289 & 314-Sifton, with SCS
SB 342-Parson, et al	SB 170-Chappelle-Nadal
SB 302-Wasson, with SCS	SB 188-Romine
SB 303-Wasson	SB 245-Justus
SB 304-Wasson	SB 327-Dixon
SB 305-Wasson, with SCS	SB 66-Dixon
SB 306-Wasson	SB 376-Sater, with SCS

RESOLUTIONS

To be Referred

HCR 16-Walton Gray, et al

SCR 19-Rowden, et al

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-EIGHTH DAY—MONDAY, MARCH 25, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Give thanks to the Lord, for he is good: his mercy endures forever.” (Psalm 118:1)

We do give You thanks and praise, O Lord, for our Spring Break that we have had and now return refreshed, refashioned and ready to do the work that is set before us. May we use the time here to be about the work that You would have us do. So guide and direct our days so our time is used effectively and is helpful for the people we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 14, 2013 and Friday, March 22, 2013 were read and approved.

President Kinder assumed the Chair.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 546, regarding Dakota A. Saylor, which was adopted.

Senator Schmitt offered Senate Resolution No. 547, regarding the Ninetieth Birthday of Michael Weiss, Creve Coeur, which was adopted.

Senator Schmitt offered Senate Resolution No. 548, regarding Michael Paul Klussman, which was adopted.

Senator Munzlinger offered Senate Resolution No. 549, regarding Robert E. and Mona M. Brown, Louisiana, which was adopted.

Senator Brown offered Senate Resolution No. 550, regarding Walmart Transportation, Saint James, which was adopted.

Senator Lamping offered Senate Resolution No. 551, regarding Jeremy Stuart Craft, which was adopted.

Senator Lamping offered Senate Resolution No. 552, regarding Adam Donovan Michael Craft, which was adopted.

Senator Lamping offered Senate Resolution No. 553, regarding Alexander Nicholas Craft, which was adopted.

Senator Lamping offered Senate Resolution No. 554, regarding the Seventy-fifth Anniversary of the March of Dimes, which was adopted.

Senator Lager offered Senate Resolution No. 555, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Buster Newberry, Parnell, which was adopted.

Senator Lager offered Senate Resolution No. 556, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Roger Heck, Maitland, which was adopted.

Senator Lamping offered Senate Resolution No. 557, regarding Herbert W. Young, Overland, which was adopted.

THIRD READING OF SENATE BILLS

SS for SCS for SB 241, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 241

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof nineteen new sections relating to infrastructure facilities deployment.

Was taken up.

On motion of Senator Lager, **SS for SCS for SB 241** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna

Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Schaefer, **SJR 14**, with **SCS**, was placed on the Informal Calendar.

Senator Schaefer moved that **SB 72** be taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Schaefer, **SB 72** was declared perfected and ordered printed.

At the request of Senator Dixon, **SB 65**, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 116**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 116**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 116

An Act to repeal sections 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, and 115.292, RSMo, and to enact in lieu thereof twenty-six new sections relating to voting procedures for uniformed services and overseas voters, with penalty provisions.

Was taken up.

Senator Kraus moved that **SCS** for **SB 116** be adopted.

Senator Kraus offered **SS** for **SCS** for **SB 116**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 116

An Act to repeal sections 115.139, 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, 115.292, 115.425, 115.541, and 115.585, RSMo, and to enact in lieu thereof thirty new

sections relating to voting procedures for uniformed services and overseas voters, with penalty provisions.

Senator Kraus moved that **SS** for **SCS** for **SB 116** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SB 116** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 61**, with **SCA 1**, be taken up for perfection, which motion prevailed. **SCA 1** was taken up.

Senator Keaveny moved that the above committee amendment be adopted.

At the request of Senator Keaveny, **SB 61**, with **SCA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 19, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Aimee Gromowsky, Democrat, 2306 Red Bridge Terrace, Kansas City, Jackson County, Missouri 64131, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2017, and until her successor is duly appointed and qualified; vice, Stephen R. Bough, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 19, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Mintert, 30 Wynnston Woods Court, Wentzville, Saint Charles County, Missouri 63385, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2016, and until his successor is duly appointed and qualified; vice, John P. Tvrdik, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 19, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John J. Sheehan, 3138 Williamsburg Way, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri State Board of

Accountancy, for a term ending July 1, 2017, and until his successor is duly appointed and qualified; vice, Venable M. Houts, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 72**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **HCR 16** and **HCR 19** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **HB 55**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, Bob Kendrick, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 26, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al

HJR 16-McCaherty, et al

HJR 4-Neth, et al
HCS for HB 473
HCS for HB 117
HCS for HB 457

HB 409-Love and Remole
HB 64-Burlison, et al
HB 85-Kelley (127), et al
HCS for HB 233

THIRD READING OF SENATE BILLS

SB 72-Schaefer

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|----------------------------------|
| 1. SB 35-Wallingford | 14. SB 257-Silvey and Justus |
| 2. SB 178-Schaaf, with SCS | 15. SB 83-Parson, with SCS |
| 3. SB 186-Brown, with SCS | 16. SB 112-Rupp and Richard |
| 4. SB 230-Brown, et al | 17. SB 265-Nieves and Cunningham |
| 5. SB 252-Kraus | 18. SB 2-Rupp, with SCS |
| 6. SB 222-Lamping | 19. SB 82-Schaefer, with SCS |
| 7. SB 350-Dempsey | 20. SB 254-Pearce, with SCS |
| 8. SB 147-Wasson, with SCS | 21. SB 142-Sifton |
| 9. SB 161-Pearce | 22. SB 126-Sater, with SCS |
| 10. SB 262-Curls | 23. SB 261-Rupp |
| 11. SB 211-Rupp | 24. SB 229-Brown, with SCS |
| 12. SB 258-LeVota, with SCS | 25. SB 87-Schaaf, with SCS |
| 13. SB 242-Kehoe | |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|-------------------------------------|
| SB 3-Rupp, with SA 1 (pending) | SB 61-Keaveny, with SCA 1 (pending) |
| SB 13-Schaefer, with SCS | SB 65-Dixon, with SCS |
| SB 21-Dixon | SB 207-Kehoe, et al, with SCS |
| SB 22-Dixon | SB 292-Rupp |
| SB 48-Lamping | SJR 14-Schaefer, et al, with SCS |

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS
SB 324-Wallingford, with SCS
SB 248-Wasson, with SCS
SB 329-Brown
SB 342-Parson, et al
SB 302-Wasson, with SCS
SB 303-Wasson
SB 304-Wasson
SB 305-Wasson, with SCS
SB 306-Wasson

SB 330-Wasson
SB 370-Wasson
SB 235-Cunningham
SBs 289 & 314-Sifton, with SCS
SB 170-Chappelle-Nadal
SB 188-Romine
SB 245-Justus
SB 327-Dixon
SB 66-Dixon
SB 376-Sater, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-NINTH DAY—TUESDAY, MARCH 26, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Lord, give them the ability to work for what is necessary to keep the peace and let them exercise care, lest their laws become impossible burdens.” (Martin Luther’s legislative prayer)

Almighty God, we pray that You will help these men and women to fashion and shape laws that will encourage the people to live in harmony and may they create legislation that provides governing with strength and power tempered by justice. Inspire them with wisdom to write laws with integrity that promotes goodwill among all citizens. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 558, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard “Rick” Roberts, Agency, which was adopted.

Senator Schaaf offered Senate Resolution No. 559, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Kendall, St. Joseph, which was adopted.

Senator Schaefer offered Senate Resolution No. 560, regarding Nicolas T. Moser, which was adopted.

Senator Sater offered Senate Resolution No. 561, regarding Jean Cantwell, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 562, regarding Ruth Whitley, which was adopted.

Senator Sater offered Senate Resolution No. 563, regarding Alex Cullins, which was adopted.

Senator Sater offered Senate Resolution No. 564, regarding the 2012-2013 state champion Crane High School girls basketball program, which was adopted.

Senator Sater offered Senate Resolution No. 565, regarding Travis Ely Brown, Anderson, which was adopted.

Senator Sater offered Senate Resolution No. 566, regarding the One Hundredth Anniversary of the Powersite Post Office, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 116**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Kehoe assumed the Chair.

THIRD READING OF SENATE BILLS

SB 72, introduced by Senator Schaefer, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of motorcycle awareness month.

Was taken up.

On motion of Senator Schaefer, **SB 72** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SJR 14**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SJR 14**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 14

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

Was taken up.

Senator Schaefer moved that **SCS** for **SJR 14** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 14, Page 1, Section 23, Line 7, by inserting at the end of said line the following: “**Nothing in this section shall be construed to prevent the regulation or prohibition of the use of firearms in criminal activity.**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

At the request of Senator Schaefer, **SJR 14**, with **SCS** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SJR 14**, with **SCS** (pending), be called from the Informal Calendar and

again taken up for perfection, which motion prevailed.

SCS for **SJR 14** was again taken up.

Senator Schaefer moved that **SCS** for **SJR 14** be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Schaefer, **SCS** for **SJR 14** was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 26, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John W. Maupin, Republican, 567 North Spoede Road, Creve Coeur, Saint Louis County, Missouri 63141, as a member and Secretary of the St. Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Julie Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointment to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 342**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 303**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 304**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 370**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 170**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 245**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 327**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 116** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator McKenna offered Senate Resolution No. 567, regarding Thomas J. Ackfeld, High Ridge, which was adopted.

Senator McKenna offered Senate Resolution No. 568, regarding Chris and Linda Hagan, Festus, which was adopted.

Senator Justus offered Senate Resolution No. 569, regarding the National Churchill Museum, Fulton, which was adopted.

Senator Justus offered Senate Resolution No. 570, regarding Corrections Officer I George Worley, which was adopted.

Senator Cunningham offered Senate Resolution No. 571, regarding Herbert L. "Dock" Frazee, Mountain Grove, which was adopted.

Senator Cunningham offered Senate Resolution No. 572, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Neal Collins, Dora, which was adopted.

Senator Brown offered Senate Resolution No. 573, regarding Paula Volkmer, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 574, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Hollingsworth, Gravois Mills, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, President Chuck Ambrose and Hank Setser, representatives of University of Central Missouri, Warrensburg.

Senator Pearce introduced to the Senate, Mayor Justin W. Stephan, Appleton City; Taylor Elwell, Leeton; and former State Representative Gene Lang, Warrensburg.

Senator Holsman introduced to the Senate, Andrea Flinders, Kansas City.

Senator Kehoe introduced to the Senate, National American Missouri Miss, Kelsey Parrott, Jamestown.

Senator Dixon introduced to the Senate, President Paige Oxendine and forty-one students, representatives of Missouri State University Student Government Association, Springfield.

On behalf of Senators Sifton, Cunningham, Richard and himself, Senator Dixon introduced to the Senate, Lauren Bansbach, Amber Carr, Anthony Hendrix and Scott Turk, Citizen Scholar Award Recipients from Missouri State University, Springfield.

On behalf of Senator Libla and himself, Senator Wallingford introduced to the Senate, Gary Murphy, BJ Campbell, Alex Clark, Chris Berry, Sonny Martin and Tiffany Puritt, representatives of Missouri Rice Council.

Senator Emery introduced to the Senate, National American Miss Missouri Teen, Samantha Bowers, Harrisonville.

Senator Cunningham introduced to the Senate, National American Miss Missouri Princess, Katelynn Smith, Seymour.

Senator Brown introduced to the Senate, National American Miss Missouri Junior Teen, Sydne Arthur, Rolla; and National American Miss Missouri Junior Pre-Teen, Sofia Kelly, Cuba.

On behalf of Senator Kehoe, the President introduced to the Senate, Ms. Rachel Muenks, Ms. Brenda Raymer, parents and forty-five fourth grade students from St. Peter's Interparish Elementary School, Jefferson City.

Senator Wallingford introduced to the Senate, Ethan McMillan and his parents, Heather and Brian, Cape Girardeau; and Ethan was made an honorary page.

Senator Munzlinger introduced to the Senate, Colton DeVore and his family, Clarence.

Senator Schmitt introduced to the Senate, Shawn and Rachel McKillop and their daughter, Kiera and Caroline Depue, Valley Park; and Tom and Diane Lawrence, Ballwin; and Kiera was made an honorary page.

Senator Kraus introduced to the Senate, Stuart Quackenbush and his son, Archimedes, Eastern Jackson County, and Archimedes was made an honorary page.

On behalf of Senator Schaaf, the President introduced to the Senate, Dick and Wanda Anderson, DeKalb.

Senator Brown introduced to the Senate, Boy Scout Troop 434 and Club Scout Pack 434, Rolla and St. James.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTIETH DAY—WEDNESDAY, MARCH 27, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al
HJR 16-McCaherty, et al
HJR 4-Neth, et al
HCS for HB 473
HCS for HB 117

HCS for HB 457
HB 409-Love and Remole
HB 64-Burlison, et al
HB 85-Kelley (127), et al
HCS for HB 233

THIRD READING OF SENATE BILLS

SS for SCS for SB 116-Kraus
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 35-Wallingford
2. SB 178-Schaaf, with SCS
3. SB 186-Brown, with SCS
4. SB 230-Brown, et al
5. SB 252-Kraus
6. SB 222-Lamping
7. SB 350-Dempsey
8. SB 147-Wasson, with SCS
9. SB 161-Pearce
10. SB 262-Curls
11. SB 211-Rupp
12. SB 258-LeVota, with SCS
13. SB 242-Kehoe

14. SB 257-Silvey and Justus
15. SB 83-Parson, with SCS
16. SB 112-Rupp and Richard
17. SB 265-Nieves and Cunningham
18. SB 2-Rupp, with SCS
19. SB 82-Schaefer, with SCS
20. SB 254-Pearce, with SCS
21. SB 142-Sifton
22. SB 126-Sater, with SCS
23. SB 261-Rupp
24. SB 229-Brown, with SCS
25. SB 87-Schaaf, with SCS

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping

SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 207-Kehoe, et al, with SCS
SB 292-Rupp

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS
SB 324-Wallingford, with SCS
SB 248-Wasson, with SCS
SB 329-Brown
SB 302-Wasson, with SCS
SB 305-Wasson, with SCS
SB 306-Wasson

SB 330-Wasson
SB 235-Cunningham
SBs 289 & 314-Sifton, with SCS
SB 188-Romine
SB 66-Dixon
SB 376-Sater, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

FORTIETH DAY—WEDNESDAY, MARCH 27, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the days speak, and many years teach wisdom. But it is the spirit in a man, the breath of the Almighty, that makes him understand.”
(Job 32:7-8)

Help us, O Lord, to always be open to Your teachings and make ourselves available to learn Your Word. We pray for Your constant presence, and Your never failing grace that never fails us. And when it is hard for us to persist, Your spirit will prompt us to keep us on the path that makes good things happen. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 575, regarding Barb Griffith, Saint Charles, which was

adopted.

Senator Nieves offered Senate Resolution No. 576, regarding Taylor Marie Mueller, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 577, regarding Joseph Leo Mueller, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 578, regarding Brittani Danielle Jones, Wildwood, which was adopted.

CONCURRENT RESOLUTIONS

Senator Keaveny offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

WHEREAS, the state of Missouri has executed 353 people since becoming a state, and 47 more currently sit on death row; and

WHEREAS, a team assembled by the American Bar Association, in its review of the death penalty in Missouri, found the state in compliance with only 9 out of 95 best practices to ensure that innocent people are not executed; and

WHEREAS, several people have been wrongfully convicted of murder in the state because of eyewitness misidentification, false confessions, and untruthful jailhouse informant testimony; and

WHEREAS, other states, including Illinois in 2011, have abolished the death penalty and noted the significant number of people on death row who were later found innocent; and

WHEREAS, the state's deputy public defender has testified that abolishing the death penalty would alleviate attorney shortages within the state's public defender system without the need for additional appropriations because staff members currently assigned to capital cases could be reassigned to other divisions; and

WHEREAS, death penalty cases cost the underfunded Missouri state public defender system 7 to 10 times more to defend than other murder cases; and

WHEREAS, a comparison of the costs of death penalty cases to other murder cases in the state of Kansas found that costs of adjudicating the death penalty cases exceeded the costs of other homicide cases by 70 percent; and

WHEREAS, a study in Florida determined the state would save \$51 million each year if it abolished the death penalty; and

WHEREAS, the death penalty has been ranked by a national survey of police chiefs as the least effective tool for reducing violent crime and eighty-eight percent of criminologists have found the death penalty does not curtail incidents of murder; and

WHEREAS, a comprehensive study of the costs of the death penalty is necessary to determine how much this ineffective public policy is costing the state of Missouri in these times of significant budgetary shortages; and

WHEREAS, Section 23.170, RSMo, requires the Oversight Division of the Committee on Legislative Research to conduct audits as directed by any concurrent resolution duly adopted by the General Assembly:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the Oversight Division of the Committee on Legislative Research to study the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole, and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The comparison shall include, as estimated by the Oversight Division to be related to the cases, the costs of staff salaries, benefits, contracts for assistance, and operating expenses for: the attorney general's office; the department of corrections, including costs related to housing inmates sentenced to death and carrying out the death penalty; prosecuting and circuit attorneys, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, and additional investigations; the Missouri state public defender system; and the supreme court, courts of appeals, and circuit courts; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution to the Oversight Division of the Committee on Legislative Research.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SJR 14**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Wallingford moved that **SB 35** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Wallingford, **SB 35** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 178**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 178**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 178

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 178** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 178, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "to mental health facilities."; and

Further amend page 1, Section A, line 2, by inserting after all of said line the following:

"56.700. 1. The prosecuting attorney in each county of the second, third, or fourth class, **or any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**, which contains a mental health facility able to serve at least eighty persons on an overnight, inpatient basis at any one time, and which is operated by the state department of mental health, division of psychiatric services, **or the University of Missouri**, may employ an assistant prosecuting attorney to assist in carrying out the duties of the office of prosecuting attorney relating to mental health and mental health facilities. The assistant prosecuting attorney authorized by this subsection shall be in addition to any other assistant prosecuting attorney authorized by law. The assistant prosecuting attorney employed under this subsection shall receive an annual compensation of fifteen thousand dollars payable out of the state treasury from funds appropriated for that purpose.

2. The county counselor or circuit attorney in each county of the first class with a charter form of government containing part of a city with a population of over four hundred fifty thousand and in each city

not within a county may employ an assistant county counselor or circuit attorney to assist in carrying out the duties of the office of the county counselor or circuit attorney relating to mental health and mental health facilities. The assistant authorized by this subsection shall be in addition to any other assistants authorized by law. The assistant county counselor or circuit attorney employed under this subsection shall receive an annual compensation of fifteen thousand dollars payable out of the state treasury from funds appropriated for that purpose.

3. The prosecuting attorney in each county of the second, third, or fourth class, **or any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants**, which contains a mental health facility able to serve at least eighty persons on an overnight, inpatient basis at any one time, and which is operated by the state department of mental health, division of psychiatric services, **or the University of Missouri**, may employ additional investigative and clerical personnel to assist in carrying out the duties of the office of prosecuting attorney relating to mental health and mental health facilities. The investigative and clerical personnel authorized by this subsection shall be in addition to any other personnel authorized by law. The compensation for such additional investigative and clerical personnel, not to exceed a total of fifteen thousand dollars annually for each eligible county, shall be paid out of the state treasury from funds appropriated for that purpose.

4. The county counselor or circuit attorney in each county of the first class with a charter form of government containing part of a city with a population of over four hundred fifty thousand and in each city not within a county may employ additional investigative and clerical personnel to assist in carrying out the duties of the office of the county counselor or circuit attorney relating to mental health and mental health facilities. The investigative and clerical personnel authorized by this subsection shall be in addition to any other personnel authorized by law. The compensation for such additional investigative and clerical personnel, not to exceed a total of fifteen thousand dollars annually for each eligible county or city not within a county, shall be paid out of the state treasury from funds appropriated for that purpose.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SCS** for **SB 178**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 178**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 186**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 186**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 186

An Act to repeal sections 194.350 and 194.360, RSMo, and to enact in lieu thereof two new sections relating to unclaimed veterans’ remains.

Was taken up.

Senator Brown moved that **SCS** for **SB 186** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 186** was declared perfected and ordered printed.

Senator Brown moved that **SB 230** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 230** was declared perfected and ordered printed.

At the request of Senator Kraus, **SB 252** was placed on the Informal Calendar.

Senator Lamping moved that **SB 222** be taken up for perfection, which motion prevailed.

On motion of Senator Lamping, **SB 222** was declared perfected and ordered printed.

At the request of Senator Dempsey, **SB 350** was placed on the Informal Calendar.

Senator Wasson moved that **SB 147**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 147**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 147

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

Was taken up.

Senator Wasson moved that **SCS** for **SB 147** be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Wasson, **SCS** for **SB 147** was declared perfected and ordered printed.

Senator Pearce moved that **SB 161** be taken up for perfection, which motion prevailed.

On motion of Senator Pearce, **SB 161** was declared perfected and ordered printed.

Senator Curls moved that **SB 262** be taken up for perfection, which motion prevailed.

Senator Curls offered **SS** for **SB 262**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the reimbursement of covered health care services provided through telemedicine, with an effective date.

Senator Curls moved that **SS** for **SB 262** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 262, Page 1, In the Title, Line 3 of said title, by striking the word “covered”; and further amend line 4 of said title, by striking the following: “provided through telemedicine”; and further amend line 5 of said title, by inserting immediately after the word “date” the following: “for a certain section”; and

Further amend said bill, page 4, section 376.1900, line 12 of said page, by inserting immediately after said line the following:

“376.2020. 1. For purposes of this section, the following terms shall mean:

(1) “Enrollee”, shall have the same meaning ascribed to it in section 376.1350;

(2) “Health care provider”, shall have the same meaning ascribed to it in section 376.1350;

(3) “Health care service”, shall have the same meaning ascribed to it in section 376.1350;

(4) “Health carrier”, shall have the same meaning ascribed to it in section 376.1350.

2. No provision in a contract in existence or entered into, amended, or renewed on or after August 28, 2013, between a health carrier and a health care provider shall be enforceable if such contractual provision prohibits, conditions, or in any way restricts any party to such contract from disclosing to an enrollee, patient, potential patient, or such person’s parent or legal guardian, the contractual payment amount for a health care service if such payment amount is less than the health care provider’s usual charge for the health care service, and if such contractual provision prevents the determination of the potential out-of-pocket cost for the health care service by the enrollee, patient, potential patient, parent or legal guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator McKenna raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem.

President Pro Tem Dempsey took the point of order under advisement, which placed **SB 262**, with **SS**, **SA 1** and the point of order (pending) on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 191** and **182**, entitled:

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to the Missouri Angel Investment Incentive Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 222**, entitled:

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for technology business facilities and data storage centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 35**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SJR 14** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Lager.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 211** be taken up for perfection, which motion prevailed.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 211, Page 2, Section 167.803, Line 16, by inserting immediately after the word “by” the following: “**a**”; and

Further amend said bill and section, page 3, line 58, by inserting immediately after the word “a” the following: “**charter**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 211, Page 3, Section 167.803, Line 68, by inserting at the end of said line the following: “**Coordination, delegation, and supervision of care shall be performed by a school nurse or other qualified health care professional.**”; and

Further amend said bill, page 5, section 167.815, line 1, by striking the word “shall” and inserting in lieu thereof the following: “**may**”; and further amend line 2, by striking the following: “, and the diabetes”; and further amend lines 3-10, by striking all of said lines and inserting in lieu thereof the following: “**If the school does not have a full-time nurse or does not have a trained diabetes care professional, the parents of the student may agree with the district to send the student to another school within the district that has a full-time nurse or trained diabetes care professional. Nothing in this section shall exceed or conflict with the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 211, Page 6, Section 167.824, Line 13, by inserting after all of said section and line, the following:

“Section 1. The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Rupp, **SB 211**, as amended, was declared perfected and ordered printed.

Senator Curls moved that **SB 262**, with **SS**, **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator McKenna, the point of order was withdrawn.

SA 1 was again taken up.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Emery, Justus, Lamping and Schaefer.

Senator Schaaf offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 262, Page 1, Section 376.2020, Line 20, by striking the words “in existence or”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion failed by the following vote:

YEAS—Senators

Brown	Emery	Holsman	Kehoe	Kraus	Lager	Lamping	Nieves
Parson	Richard	Schaaf	Schaefer—12				

NAYS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Justus	Keaveny	LeVota
Libla	McKenna	Munzlinger	Nasheed	Pearce	Romine	Rupp	Sater
Schmitt	Sifton	Silvey	Wallingford	Wasson—21			

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—None

Senator Curls moved that **SS** for **SB 262** be adopted, which motion prevailed.

On motion of Senator Curls, **SS** for **SB 262** was declared perfected and ordered printed.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

Senator Dempsey moved that **SB 350** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus assumed the Chair.

On motion of Senator Dempsey, **SB 350** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 128**, entitled:

An Act to repeal sections 52.230 and 52.240, RSMo, and to enact in lieu thereof two new sections relating to property tax bills.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 133**, entitled:

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 212**, entitled:

An Act to repeal sections 400.4A-108, 400.9-102, 400.9-307, 400.9-316, 400.9-317, 400.9-326, 400.9-406, 400.9-408, 400.9-502, 400.9-503, 400.9-515, 400.9-516, 400.9-518, and 400.2A-103, RSMo, and to enact in lieu thereof twenty-three new sections relating to secured transactions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 329**, entitled:

An Act to repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan violations reporting, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 163**, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 349**, entitled:

An Act to repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plates for property-carrying commercial motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 184**, entitled:

An Act to repeal section 67.1010, RSMo, and to enact in lieu thereof one new section relating to the Pettis county transient guest tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 196**, entitled:

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof nine new sections relating to job training programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 301**, entitled:

An Act to repeal section 632.498, RSMo, and to enact in lieu thereof one new section relating to civil

commitment of sexually violent predators.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 307**, entitled:

An Act to repeal section 321.015, RSMo, and to enact in lieu thereof one new section relating to fire protection districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 312**, entitled:

An Act to repeal sections 174.700, 174.703, 174.706, and 544.157, RSMo, and to enact in lieu thereof six new sections relating to college or university police officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 401**, entitled:

An Act to amend chapter 186, RSMo, by adding thereto one new section relating to the Missouri Advisory Boards and Commissions Association.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 412**, entitled:

An Act to repeal section 348.521, RSMo, and to enact in lieu thereof one new section relating to agricultural loan guarantees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 432**, entitled:

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to the

public service commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 542**, entitled:

An Act to repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 586**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to rodeos.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 591**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 68**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of pancreatic cancer awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 142**, entitled:

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 159**, entitled:

An Act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 346**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for dental services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 262**; **SB 211**; **SB 230**; **SB 222**; **SCS** for **SB 186**; **SCS** for **SB 178**; **SB 161**; and **SCS** for **SB 147**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 579, regarding Madison Harper, Springfield, which was adopted.

Senator LeVota offered Senate Resolution No. 580, regarding Leslie Cole, Raytown, which was adopted.

Senator Lamping offered Senate Resolution No. 581, regarding Brigitte Barnhart, which was adopted.

Senator Lamping offered Senate Resolution No. 582, regarding Christian Edward Wiese, which was adopted.

Senator Dixon offered Senate Resolution No. 583, regarding Anne Spence, Springfield, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, April Gramenz, Preston Moore, Christina Parle, Marie

Unterreiner, Kyle Shell, Alex Lindenbosch, Brad Banowertz, Kelli Miller, Joe Volz, Cecelia Britz, Lucas Pauley, Shari Bax, Katie Weber and Beth Rutt, representatives of University of Central Missouri Student Government Association, Warrensburg.

Senator Munzlinger introduced to the Senate, Dr. Rex Lee and Dr. Justin Puckett, Kirksville.

Senator Schaaf introduced to the Senate, Mike Deering, Columbia.

Senator Dempsey introduced to the Senate, Landen Scott, Columbia; and Landen was made an honorary page.

Senator Walsh introduced to the Senate, Jasonee Foster and her son Jeffrey Foster, III, St. Louis; and Jeffrey was made an honorary page.

Senator Lamping introduced to the Senate, Mayor Keith Krieg and Gigi Mahley, Frontenac; and Gigi was made an honorary page.

Senator Lamping introduced to the Senate, State Director Mary Elizabeth Grimes, Missouri March of Dimes, St. Louis.

Senator Schmitt introduced to the Senate, Maya Rideout, Fenton; and Maya was made an honorary page.

Senator Wallingford introduced to the Senate, Kelly Potter and her sons, Mike and Nick; and Christy Johnson and her son, Josh, Piedmont.

Senator Holsman introduced to the Senate, Aimee Gromowsky and Jackson County Legislator Theresa Garza Ruiz, Kansas City.

Senator Kehoe introduced to the Senate, Missouri State Trucking Association 2012 Drivers of the Month: Steven Fields, Danny Womack, Remy Braun, Jerry Pate, Daniel Willett, Ron Hoover, Glen Horack, Thomas Miller, Henry Grider, Michael Dye, Todd Bogatzke and Darvin Campbell; and Maintenance Honorees: Stacy Bradley, Don Smith, Rick Busse, Madison Bledsoe and Cody Jenkins.

Senator Dempsey introduced to the Senate, Arturo Latimer, St. Charles.

Senator Brown introduced to the Senate, former State Senator Dr. James Noland, Osage Beach.

Senator Dempsey introduced to the Senate, President Bob Gough and representatives of the State Pachyderm Club.

Senator Wallingford introduced to the Senate, Holly Lintner, Jim Roche and Brian Bollmann, Jackson; and Ryan Conway, St. Charles.

Senator Keaveny introduced to the Senate, Mayor Francis Slay, St. Louis.

Senator Sifton introduced to the Senate, Elise Herwig, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, representatives of Hispanic Day.

Senator Rupp introduced to the Senate, his children, Noelle, Scottie, Hayley and Christian, Wentzville; and Noelle, Scottie, Hayley and Christian were made honorary pages.

Senator Nasheed introduced to the Senate, Martin Baker, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FIRST DAY—THURSDAY, MARCH 28, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SJR 23-Cunningham

SJR 24-Emery

HOUSE BILLS ON SECOND READING

HJR 8-Solon, et al

HJR 16-McCaherty, et al

HJR 4-Neth, et al

HCS for HB 473

HCS for HB 117

HCS for HB 457

HB 409-Love and Remole

HB 64-Burlison, et al

HB 85-Kelley (127), et al

HCS for HB 233

HCS for HBs 191 & 182

HCS for HB 222

HCS for HB 128

HB 133-Gosen, et al

HB 212-Cox, et al

HB 329-Dugger and Crawford

HB 163-Fitzpatrick and Dugger

HCS for HB 349

HB 184-Cox, et al

HB 196-Lauer, et al

HB 301-Engler

HB 307-Riddle, et al

HCS for HB 312

HCS for HB 401

HB 412-Reiboldt, et al

HB 432-Funderburk, et al

HB 542-Love, et al

HCS for HB 586

HB 591-Hubbard, et al

HB 68-Kelley (127), et al

HB 142-Dugger

HCS for HB 159

HB 346-Molendorp

THIRD READING OF SENATE BILLS

1. SS for SCS for SB 116-Kraus

(In Fiscal Oversight)

2. SCS for SJR 14-Schaefer, et al

(In Fiscal Oversight)

3. SB 35-Wallingford

4. SS for SB 262-Curls

5. SB 211-Rupp

6. SB 230-Brown, et al

7. SB 222-Lamping

8. SCS for SB 186-Brown

9. SCS for SB 178-Schaaf
10. SB 161-Pearce

11. SCS for SB 147-Wasson

SENATE BILLS FOR PERFECTION

1. SB 258-LeVota, with SCS
2. SB 242-Kehoe
3. SB 257-Silvey and Justus
4. SB 83-Parson, with SCS
5. SB 112-Rupp and Richard
6. SB 265-Nieves and Cunningham
7. SB 2-Rupp, with SCS

8. SB 82-Schaefer, with SCS
9. SB 254-Pearce, with SCS
10. SB 142-Sifton
11. SB 126-Sater, with SCS
12. SB 261-Rupp
13. SB 229-Brown, with SCS
14. SB 87-Schaaf, with SCS

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping

SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 207-Kehoe, et al, with SCS
SB 252-Kraus
SB 292-Rupp

CONSENT CALENDAR

Senate Bills

Reported 3/14

SB 287-Rupp, with SCS
SB 324-Wallingford, with SCS
SB 248-Wasson, with SCS
SB 329-Brown

SB 302-Wasson, with SCS
SB 305-Wasson, with SCS
SB 306-Wasson
SB 330-Wasson

SB 235-Cunningham

SBs 289 & 314-Sifton, with SCS

SB 188-Romine

SB 66-Dixon

SB 376-Sater, with SCS

RESOLUTIONS

To be Referred

SCR 14-Keaveny

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIRST DAY—THURSDAY, MARCH 28, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“My soul will be satisfied as with the richest of foods; with singing lips my mouth will praise you.” (Psalm 63:5)

Heavenly Father, as we finish our business here we will have time to reflect on what these three holy days mean to many Americans and to us. We hear and are prepared to celebrate Your promise of victory over death and the hope that springs forth in our souls. We thank You for the time to witness to this joy we receive daily from Your gracious hand. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

President Pro Tem Dempsey assumed the Chair.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 584, regarding Dennis J. Hancock, Fenton, which was adopted.

Senator Kehoe offered Senate Resolution No. 585, regarding Dylan Roach, Jefferson City, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 14** and has taken up and passed **SCS** for **HCS** for **HB 14**.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **HCS** for **HB 14**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

SENATE BILLS FOR PERFECTION

At the request of Senator LeVota, **SB 258**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 242** was placed on the Informal Calendar.

At the request of Senator Silvey, **SB 257** was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 55**, with **SCS**, and **SS** for **SCS** for **SB 116**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 350**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 116**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 116

An Act to repeal sections 115.139, 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283,

115.287, 115.291, 115.292, 115.425, 115.541, and 115.585, RSMo, and to enact in lieu thereof thirty new sections relating to voting procedures for uniformed services and overseas voters, with penalty provisions.

Was taken up.

On motion of Senator Kraus, **SS** for **SCS** for **SB 116** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

SB 35, introduced by Senator Wallingford, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to the designation of tax refunds to certain funds.

Was taken up.

On motion of Senator Wallingford, **SB 35** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 262**, introduced by Senator Curls, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the reimbursement of covered health care services provided through telemedicine, with an effective date.

Was taken up.

On motion of Senator Curls, **SS** for **SB 262** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 211, introduced by Senator Rupp, entitled:

An Act to amend chapter 167, RSMo, by adding thereto ten new sections relating to the management of diabetes in elementary and secondary schools.

Was taken up.

On motion of Senator Rupp, **SB 211** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 230, introduced by Senator Brown, et al, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to newborn screenings.

Was taken up.

On motion of Senator Brown, **SB 230** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 222, introduced by Senator Lamping, entitled:

An Act to repeal sections 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, and 527.290, RSMo, and to enact in lieu thereof nineteen new sections relating to domestic violence, with existing penalty provisions.

Was taken up.

On motion of Senator Lamping, **SB 222** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 186**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 186

An Act to repeal sections 194.350 and 194.360, RSMo, and to enact in lieu thereof two new sections relating to unclaimed veterans' remains.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 186** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine

Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 178**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 178

An Act to repeal sections 56.700 and 630.175, RSMo, and to enact in lieu thereof two new sections relating to mental health facilities.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 178** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 161, introduced by Senator Pearce, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders.

Was taken up.

On motion of Senator Pearce, **SB 161** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators

Kraus Richard—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 147**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 147

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SB 147** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 287, with **SCS**, introduced by Senator Rupp, entitled:

An Act to repeal sections 379.1300, 379.1306, 379.1310, 379.1312, and 379.1326, RSMo, and to enact in lieu thereof six new sections relating to captive insurance companies.

Was called from the Consent Calendar and taken up.

SCS for **SB 287**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 287

An Act to repeal sections 379.1300, 379.1306, 379.1310, 379.1312, and 379.1326, RSMo, and to enact in lieu thereof six new sections relating to captive insurance companies.

Was taken up.

Senator Rupp moved that **SCS** for **SB 287** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 287** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 324, with **SCS**, introduced by Senator Wallingford, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to limited lines travel insurance producer licensing.

Was called from the Consent Calendar and taken up.

SCS for **SB 324**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 324

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to limited lines travel insurance producer licensing.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 324** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 324** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Nieves—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 248, with **SCS**, introduced by Senator Wasson, entitled:

An Act to repeal section 67.457, RSMo, and to enact in lieu thereof one new section relating to notice of neighborhood improvement districts.

Was called from the Consent Calendar and taken up.

SCS for **SB 248**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 248

An Act to repeal section 67.457, RSMo, and to enact in lieu thereof one new section relating to notice of neighborhood improvement districts.

Was taken up.

Senator Wasson moved that **SCS** for **SB 248** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 248** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 329, introduced by Senator Brown, entitled:

An Act to repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.

Was called from the Consent Calendar and taken up.

On motion of Senator Brown, **SB 329** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators

Emery	Nieves—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 302, with **SCS**, introduced by Senator Wasson, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to emergency prescription refills.

Was called from the Consent Calendar and taken up.

SCS for **SB 302**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 302

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to emergency prescription refills.

Was taken up.

Senator Wasson moved that **SCS** for **SB 302** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 302** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 305, with **SCS**, introduced by Senator Wasson, entitled:

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to examination requirements for physicians.

Was called from the Consent Calendar and taken up.

SCS for **SB 305**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 305

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to examination requirements for physicians.

Was taken up.

Senator Wasson moved that **SCS** for **SB 305** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 305** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 306, introduced by Senator Wasson, entitled:

An Act to repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

Was called from the Consent Calendar and taken up.

Senator Schaaf assumed the Chair.

On motion of Senator Wasson, **SB 306** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 330, introduced by Senator Wasson, entitled:

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to collaborative practice arrangements between a physician and an advanced practice registered nurse.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 330** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 235, introduced by Senator Cunningham, entitled:

An Act to repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan reporting.

Was called from the Consent Calendar and taken up.

On motion of Senator Cunningham, **SB 235** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 289, introduced by Senator Sifton and **SB 314**, introduced by Senator Wallingford, with **SCS**, entitled respectively:

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

Were called from the Consent Calendar and taken up by Senator Sifton.

SCS for **SBs 289** and **314**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 289 and 314

An Act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

Was taken up.

Senator Sifton moved that **SCS** for **SBs 289** and **314** be adopted, which motion prevailed.

On motion of Senator Sifton, **SCS** for **SBs 289** and **314** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 188, introduced by Senator Romine, entitled:

An Act to repeal section 632.498, RSMo, and to enact in lieu thereof one new section relating to petitions for conditional release of sexually violent predators.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 188** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 66, introduced by Senator Dixon, entitled:

An Act to repeal sections 21.800, 21.830, 21.910, 301.129, 620.602, and 630.461, RSMo, relating to the repeal of certain committees.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 66** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 376, with **SCS**, introduced by Senator Sater, entitled:

An Act to repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the powers of hospital districts.

Was called from the Consent Calendar and taken up.

SCS for **SB 376**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 376

An Act to repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the

powers of hospital districts.

Was taken up.

Senator Sater moved that **SCS** for **SB 376** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 376** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John Allen Collier, Republican, as a member of the University of Central Missouri Board of Governors;

Also,

Derek E. Williams, as a member of the Missouri State Foster Care and Adoption Board;

Also,

Carolyn R. Mahoney, Democrat, as a member of the Coordinating Board for Higher Education;

Also,

Donna L. Birks, Democrat, as a member of the Missouri Commission on Human Rights; and

Brian McIntyre, as a member of the Missouri State Board of Chiropractic Examiners.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 159**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 364**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 275**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 297**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 357**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 381**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 67**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 99**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 239**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 272**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 267**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 342**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 373**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 57**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 303**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 304**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 170**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 118**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 251**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 327**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 245**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 291**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 231**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 226**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, Senator Richard submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 282**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 366**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 205**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **SB 256**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Senator Schaaf assumed the Chair.

SECOND READING OF SENATE BILLS

The following Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SJR 23—Financial and Governmental Organizations and Elections.

SJR 24—Ways and Means.

HOUSE BILLS ON SECOND READING

The following Joint Resolutions and Bills were read the 2nd time and referred to the Committees indicated:

HJR 8—Veterans' Affairs and Health.

HJR 16—Judiciary and Civil and Criminal Jurisprudence.

HJR 4—Rules, Joint Rules, Resolutions and Ethics.

HCS for HB 473—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 117—Financial and Governmental Organizations and Elections.

HCS for HB 457—Judiciary and Civil and Criminal Jurisprudence.

HB 409—Small Business, Insurance and Industry.

HB 64—Governmental Accountability and Fiscal Oversight.

HB 85—Transportation and Infrastructure.

HCS for HB 233—Seniors, Families and Pensions.

REFERRALS

President Pro Tem Dempsey referred **SCR 14** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 112**, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 5**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 6**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 7**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration,

Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 8**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 9**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 10**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 11**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 12**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator LeVota introduced to the Senate, Kim Kimbough and Stan Shurmantine, representatives of Independence Chamber of Commerce.

Senator Holsman introduced to the Senate, Lillian Shireman, Grandview.

Senator Wasson introduced to the Senate, Katherine Hankins and Tanner Willis, Republic; Jessica Stacy and Katie Rogers, Willard; and Tammy Lowery, Fairgrove, representatives of Farm Bureau Youth Leadership Day, Greene County.

Senator Schmitt introduced to the Senate, Abby Everhard, parents and twenty-seven fourth grade students from Twin Oaks Christian School, Ballwin.

Senator Romine introduced to the Senate, the Physician of the Day, Dr. Greg Terpstra, Potosi.

Senator Pearce introduced to the Senate, Todd Gibson and Lacey Rucker, Tina; Quincey Copple, Hale; Angie Hamilton, Norborne; and Tiffany Cooper and Victoria Lock, Carrollton, representatives of Farm Bureau Youth Leadership Day, Carroll County.

Senator Emery introduced to the Senate, Mattie Moore, Paige Kurzwert, Mark Willy, Gracyn Walter, Levi Anderson, Cody Lancaster, Taylor Hiefmann, Jason Dieckhoff and Patrick Anderson, representatives of Farm Bureau Youth Leadership Day, Cass County.

Senator Emery introduced to the Senate, Sheila and Hagen Fischer, Rich Hill; and Tyler Shaffer, Butler, representatives of Farm Bureau Youth Leadership Day, Bates County.

On behalf of Senator Kehoe, the President introduced to the Senate, Sandy Knipp, Blaise Stuedle and Jessica Petree, Tipton; Kelly Branham and Robyn Eschenbrenner, Jamestown; and William Inglish, California, representatives of Farm Bureau Youth Leadership Day, Moniteau County.

Senator Sater introduced to the Senate, Caylee Sooter, Pierce City; Jessica Youngberg, Verona; Terri Ratliff, Marionville; Rachel Kaylene Mareth, Mt. Vernon; and Ty Whittaker, Miller, representatives of Farm Bureau Youth Leadership Day.

Senator Pearce introduced to the Senate, Emma Dyer, Rachel Simmons and Cara Riekhof, Higginsville; and Jessica Evans and Kiley Williams, Alma, representatives of Farm Bureau Youth Leadership Day.

Senator Cunningham introduced to the Senate, Jon Wilson, Tanner Trivitt, Sara Jo Cunningham, Kelsie Myers and Tali Rose, Gainesville, representatives of Farm Bureau Youth Leadership Day.

Senator Wallingford introduced to the Senate, Jerry Marquis, Bollinger County; Dale Steffens, Cape Girardeau County; Dakota Long, Marble Hill; Lane Reed, Zalma; Ellie McGruder, Meadow Heights; Teagan Schnurbush, Amanda Krewson and Rachel Stueve, Jackson; and Sarah Olson, Sikeston, representatives of Farm Bureau Youth Leadership Day.

Senator Schaaf introduced to the Senate, Jason Gerke, Olivia Paden, Cody Manville and Devon Harkness, North Platte High School, representatives of Farm Bureau Youth Leadership Day.

Senator Walsh introduced to the Senate, former State Representative Ed Wildberger and his wife, Connie; and Kristan Lorenze, Councilwoman Pat Jones and students: Zach Leader, Brooklyn Jones, Braxton

Hardy and Mason Murphy; John J. Pershing Elementary, St. Joseph.

Senator Romine introduced to the Senate, Hannah Fritsche-Donze, Tori Yates, Danielle Boland, Darianne Donze and Erica Burney, representatives of Farm Bureau Youth Leadership Day, Ste. Genevieve.

Senator Schaefer introduced to the Senate, his wife, Stacia and their children, Magdalena, Wolfgang and Maximilian, Columbia.

Senator LeVota introduced to the Senate, Lester Williamson, Independence.

Senator Wallingford introduced to the Senate, Natalie Fritsche-Kasten, Levi Bachmann, Alexis Doza, Cody Hadler, Beth Heise and Grant Voelker, representatives of Farm Bureau Youth Leadership Day, Perryville.

Senator Romine introduced to the Senate, Alix Copeland, A.J. Stallins, Amanda Kirkpatrick, Bailey Allgier, Richard Brummett and Tony Harlison, Arcadia Valley Career Technical Center, Ironton.

Senator Pearce introduced to the Senate, Darren Farmer, Justin Thompson and Alex Johnson, Polo, representatives of Farm Bureau Youth Leadership Day, Caldwell County.

Senator Cunningham introduced to the Senate, RaMona Andrus, Morgan Reed, Megan Fry and Austyn Shannon, representatives of Farm Bureau Youth Leadership Day, Wright County.

Senator Schaaf introduced to the Senate, Kellen Dunn, Jefferson City; and Kellen was made an honorary page.

Senator Nieves introduced to the Senate, Bryce McDonald, Tyler Goodman, James Sappington, Sarah Kwast, Morgan Vanleer and Ashley Connor, representatives of Farm Bureau Youth Leadership Day, Franklin County.

Senator Cunningham introduced to the Senate, Amber Campbell and Sierra Roberts, Koshkonong; Dustin Shaw and Kaitlin Jones, Alton, representatives of Farm Bureau Youth Leadership Day, Oregon County.

Senator Cunningham introduced to the Senate, Mrs. Kaci Mitchell, Emma R. Wilkerson, Dalton Harris, Megan Mitchell and Brice Cramer, representatives of Farm Bureau Youth Leadership Day, Wright County.

Senator Pearce introduced to the Senate, Miss America 2008, Kirsten Haglund.

Senator Parson introduced to the Senate, Dayle Nelson, Jim Hamilton, Bailey Crouch, Kayla Gann, Wyatt Hinds, Ariel Lindsey, Collin Crouch and Stephanie Daves, representatives of Farm Bureau Youth Leadership Day, Dallas County.

On behalf of Senator Kehoe, the President introduced to the Senate, Janice Martin, Taylor Murray and Laura Thompson, Iberia; Alexis Ash and Tristen Patterson, Tuscumbia; and Brian Lehman, representatives of Farm Bureau Youth Leadership Day, Miller and Morgan County.

On behalf of Senator Kehoe, the President introduced to the Senate, Doug Ritter, Allie Foster, Emily Thompson, Megan Brockting, Sarah Fahrenholtz, Ethan Brandt and Katlyn Hoener, representatives of Farm Bureau Youth Leadership Day, Hermann High School.

Senator Pearce introduced to the Senate, Sherry Jones, Ben Burtch, Maggie Graves, Jami Loney,

Anthony Peniston, Walker Thomas and Haley Thompson, Chillicothe, representatives of Farm Bureau Youth Leadership Day, Livingston County.

On behalf of Senator Schmitt and himself, Senator Schaefer introduced to the Senate, Jean Paul Bradshaw, Kansas City.

Senator Nieves introduced to the Senate, Stacey Henderson and her daughters, Shelbie and Sloane Dallas, Home Schoolers from Union.

Senator Rupp introduced to the Senate, his daughter, Emily, Wentzville.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, April 2, 2013.

SENATE CALENDAR

FORTY-SECOND DAY—TUESDAY, APRIL 2, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 191 & 182	HB 68-Kelley (127), et al
HCS for HB 222	HB 142-Dugger
HCS for HB 128	HCS for HB 159
HB 133-Gosen, et al	HB 346-Molendorp
HB 212-Cox, et al	HB 112-Burlison, et al
HB 329-Dugger and Crawford	HCS for HB 1
HB 163-Fitzpatrick and Dugger	HCS for HB 2
HCS for HB 349	HCS for HB 3
HB 184-Cox, et al	HCS for HB 4
HB 196-Lauer, et al	HCS for HB 5
HB 301-Engler	HCS for HB 6
HB 307-Riddle, et al	HCS for HB 7
HCS for HB 312	HCS for HB 8
HCS for HB 401	HCS for HB 9
HB 412-Reiboldt, et al	HCS for HB 10
HB 432-Funderburk, et al	HCS for HB 11
HB 542-Love, et al	HCS for HB 12
HCS for HB 586	HCS for HB 13
HB 591-Hubbard, et al	

THIRD READING OF SENATE BILLS

SCS for SJR 14-Schaefer, et al
(In Fiscal Oversight)

SB 350-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|--------------------------------------|
| 1. SB 83-Parson, with SCS | 21. SB 272-Nieves |
| 2. SB 112-Rupp and Richard | 22. SB 267-Nieves |
| 3. SB 265-Nieves and Cunningham | 23. SB 342-Parson, et al |
| 4. SB 2-Rupp, with SCS | 24. SB 373-Munzlinger, with SCS |
| 5. SB 82-Schaefer, with SCS | 25. SB 57-Romine |
| 6. SB 254-Pearce, with SCS | 26. SB 303-Wasson |
| 7. SB 142-Sifton | 27. SB 304-Wasson |
| 8. SB 126-Sater, with SCS | 28. SB 170-Chappelle-Nadal |
| 9. SB 261-Rupp | 29. SB 118-Kraus, with SCS |
| 10. SB 229-Brown, with SCS | 30. SB 251-Kraus and Chappelle-Nadal |
| 11. SB 87-Schaaf, with SCS | 31. SB 327-Dixon |
| 12. SB 159-Schmitt, et al, with SCS | 32. SB 245-Justus |
| 13. SB 364-Parson | 33. SB 291-Rupp |
| 14. SB 275-Walsh | 34. SB 231-Munzlinger |
| 15. SB 297-Lager, with SCS | 35. SB 226-Schaefer, with SCS |
| 16. SB 357-Romine | 36. SB 282-Wasson |
| 17. SB 381-Kraus, with SCS | 37. SB 366-Lamping, et al |
| 18. SB 67-Dixon | 38. SB 205-Sater |
| 19. SB 99-Keaveny | 39. SB 256-Silvey, with SCS |
| 20. SB 239-Emery, with SCS | |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS

SB 21-Dixon
SB 22-Dixon

SB 48-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 207-Kehoe, et al, with SCS

SB 242-Kehoe

SB 252-Kraus

SB 257-Silvey and Justus

SB 258-LeVota, with SCS

SB 292-Rupp

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—TUESDAY, APRIL 2, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Is not the Lord among us?” (Micah 3:11b)

Gracious God, we seek Your presence among us and ask that we might hear Your word and live our lives in harmony with You; so we will live today as You desire and be the better for it. Help us to hear each other clearly and make effective decisions that makes today better than yesterday. And Lord we pray for Your Spirit to move among Your people to express the courage that comes from a vibrant faith. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 28, 2013 was read and approved.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Dixon—1

Vacancies—None

RESOLUTIONS

Senator Rupp offered Senate Resolution No. 586, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. George Guelbert, St. Louis, which was adopted.

Senator Parson offered Senate Resolution No. 587, regarding Kelly “Travis” Inman, Sedalia, which was adopted.

Senator Schmitt offered Senate Resolution No. 588, regarding Mary Catherine “Kay” Sullivan, Glendale, which was adopted.

Senator Richard offered Senate Resolution No. 589, regarding the Missouri Alliance of Boys & Girls Clubs, which was adopted.

Senator Richard offered Senate Resolution No. 590, regarding Richard Meyers, Ph.D., which was adopted.

Senator Dempsey offered Senate Resolution No. 591, regarding Dr. Daniel G. Dozier, which was adopted.

Senator Silvey offered Senate Resolution No. 592, regarding Christopher Allen Kandlbinder, which was adopted.

Senator Silvey offered Senate Resolution No. 593, regarding Joseph Daniel Bodenheimer, Kansas City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 594, regarding Skyler Evan Thomas, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 595, regarding Kevin Joseph Noyes, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 596, regarding John “Jack” Dwiggin, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 597, regarding Jacob R. Beauchamp, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 598, regarding Grant Douglas, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 599, regarding Beth Kenney, R.N., Canton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 600, regarding the 2012-2013 Class 2 state champion Salisbury High School Boys Basketball Panthers, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 1—Appropriations.

HCS for HB 2—Appropriations.

HCS for HB 3—Appropriations.

HCS for HB 4—Appropriations.

HCS for HB 5—Appropriations.

HCS for HB 6—Appropriations.

HCS for HB 7—Appropriations.

HCS for HB 8—Appropriations.

HCS for HB 9—Appropriations.

HCS for HB 10—Appropriations.

HCS for HB 11—Appropriations.

HCS for HB 12—Appropriations.

HCS for HB 13—Appropriations.

SENATE BILLS FOR PERFECTION

Senator LeVota moved that **SB 258**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for SB 258, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 258

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

Was taken up.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

Senator LeVota moved that **SCS for SB 258** be adopted, which motion prevailed.

On motion of Senator LeVota, **SCS for SB 258** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 242** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 242** was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SB 350, introduced by Senator Dempsey, entitled:

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

Was taken up.

On motion of Senator Dempsey, **SB 350** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lager	Libla
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaefer	Schmitt	Silvey	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Lamping	LeVota	McKenna
Nasheed	Schaaf	Sifton	Walsh—12				

Absent—Senators—None

Absent with leave—Senator Dixon—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTIONSenator Parson moved that **SB 83**, with **SCS**, be taken up for perfection, which motion prevailed.**SCS** for **SB 83**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 83

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof seventeen new sections relating to procedures for collecting local government funds.

Was taken up.

Senator Parson moved that **SCS** for **SB 83** be adopted.Senator Parson offered **SS** for **SCS** for **SB 83**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 83

An Act to repeal sections 52.250, 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for collecting local government funds.

Senator Parson moved that **SS** for **SCS** for **SB 83** be adopted.Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 1, Section 52.250, Line 9, by striking the word “third class” and inserting in lieu thereof the following: “**all**”; and

Further amend said bill and section, page 2, line 2 by inserting immediately before the word “Notwithstanding” the following: “[”]; and further amend lines 5-6 by striking all the underlined language;

and further amend line 17, by inserting immediately after the number “139.031.” the following: “J”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS** for **SCS** for **SB 83**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SCS** for **SB 83**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 53**, entitled:

An Act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to insurance coverage.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 58**, entitled:

An Act to repeal section 379.1510, RSMo, and to enact in lieu thereof one new section relating to portable electronics insurance, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 60**, entitled:

An Act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to the removal of weeds and trash in certain cities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 79**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri International Business Advertising Fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 81**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the Missouri international agriculture exchange website.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 116**, entitled:

An Act to repeal sections 50.055 and 50.057, RSMo, and to enact in lieu thereof two new sections relating to county government accounts audits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 199**, entitled:

An Act to repeal sections 115.003, 115.005, 115.007, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, and 115.493, RSMo, and to enact in lieu thereof eighteen new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 235**, entitled:

An Act to repeal sections 52.010, 54.040, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to county candidate qualifications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 278**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to federal holidays.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred SCS for **SB 258** and **SB 242**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 29, 2013

TO THE SECRETARY OF THE SENATE

97TH GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bills Nos. 10 & 25 entitled:

AN ACT

To amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

On March 29, 2013, I approved said Senate Committee Substitute for Senate Bills Nos. 10 & 25.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 29, 2013

TO THE SECRETARY OF THE SENATE

97TH GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 & 19 entitled:

AN ACT

To repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof eight new sections relating to certain benevolent tax credits, with an emergency clause.

On March 29, 2013, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 20, 15 & 19.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-THIRD DAY—WEDNESDAY, APRIL 3, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 191 & 182	HCS for HB 586
HCS for HB 222	HB 591-Hubbard, et al
HCS for HB 128	HB 68-Kelley (127), et al
HB 133-Gosen, et al	HB 142-Dugger
HB 212-Cox, et al	HCS for HB 159
HB 329-Dugger and Crawford	HB 346-Molendorp
HB 163-Fitzpatrick and Dugger	HB 112-Burlison, et al
HCS for HB 349	HB 53-Gatschenberger
HB 184-Cox, et al	HCS for HB 58
HB 196-Lauer, et al	HB 60-Engler
HB 301-Engler	HCS for HB 79
HB 307-Riddle, et al	HCS for HB 81
HCS for HB 312	HB 116-Dugger
HCS for HB 401	HCS for HB 199
HB 412-Reiboldt, et al	HCS for HB 235
HB 432-Funderburk, et al	HB 278-Brattin, et al
HB 542-Love, et al	

THIRD READING OF SENATE BILLS

SCS for SJR 14-Schaefer, et al (In Fiscal Oversight)	SCS for SB 258-LeVota SB 242-Kehoe
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SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|----------------------------|
| 1. SB 112-Rupp and Richard | 6. SB 142-Sifton |
| 2. SB 265-Nieves and Cunningham | 7. SB 126-Sater, with SCS |
| 3. SB 2-Rupp, with SCS | 8. SB 261-Rupp |
| 4. SB 82-Schaefer, with SCS | 9. SB 229-Brown, with SCS |
| 5. SB 254-Pearce, with SCS | 10. SB 87-Schaaf, with SCS |

- | | |
|-------------------------------------|--------------------------------------|
| 11. SB 159-Schmitt, et al, with SCS | 25. SB 303-Wasson |
| 12. SB 364-Parson | 26. SB 304-Wasson |
| 13. SB 275-Walsh | 27. SB 170-Chappelle-Nadal |
| 14. SB 297-Lager, with SCS | 28. SB 118-Kraus, with SCS |
| 15. SB 357-Romine | 29. SB 251-Kraus and Chappelle-Nadal |
| 16. SB 381-Kraus, with SCS | 30. SB 327-Dixon |
| 17. SB 67-Dixon | 31. SB 245-Justus |
| 18. SB 99-Keaveny | 32. SB 291-Rupp |
| 19. SB 239-Emery, with SCS | 33. SB 231-Munzlinger |
| 20. SB 272-Nieves | 34. SB 226-Schaefer, with SCS |
| 21. SB 267-Nieves | 35. SB 282-Wasson |
| 22. SB 342-Parson, et al | 36. SB 366-Lamping, et al |
| 23. SB 373-Munzlinger, with SCS | 37. SB 205-Sater |
| 24. SB 57-Romine | 38. SB 256-Silvey, with SCS |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|-------------------------------|
| SB 3-Rupp, with SA 1 (pending) | SB 65-Dixon, with SCS |
| SB 13-Schaefer, with SCS | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon | SB 252-Kraus |
| SB 22-Dixon | SB 257-Silvey and Justus |
| SB 48-Lamping | SB 292-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | |

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-THIRD DAY—WEDNESDAY, APRIL 3, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For you have not received the spirit of bondage, whereby we cry, Abba, Father.” (Romans 8:5)

Holy Lord, let us never be afraid to kneel before You and confess our need of Your help and forgiveness. In times of sorrow and hurt, troubles and heartaches and especially those times we have failed You, help us to remember that You are truly our Father and we are Your children. Let us with boldness and with confidence ask as dear children to trust always in Your love and mercy and find grace in times of need. And we pray for Senator McKenna’s family at the death of his grandmother. We pray for Your comfort to be with them through their grief, remembering the grace and mercy You have for Your children. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 601, regarding Cathy Bowerman, Wildwood, which was adopted.

Senator Sifton offered Senate Resolution No. 602, regarding Matt Phoenix, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 603, regarding Kimberly Rapp, Bloomsdale, which was adopted.

Senator Sifton offered Senate Resolution No. 604, regarding Karen Colombo, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 605, regarding Erin Baumann, High Ridge, which was adopted.

Senator Sifton offered Senate Resolution No. 606, regarding Susan Montgomery, Crestwood, which was adopted.

Senator Sifton offered Senate Resolution No. 607, regarding Amy Bush, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 608, regarding Stephanie Torbeck, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 609, regarding Brian Murphy, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 610, regarding Krista Dunn, Fenton, which was adopted.

Senator Sifton offered Senate Resolution No. 611, regarding Julie Kelleher, Saint Louis, which was adopted.

Senator Schaefer offered Senate Resolution No. 612, regarding John C. Cleek, III, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 613, regarding Caleb Andrew Murray, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 614, regarding Darric Woodley, Ferguson, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 615, regarding Eric Woodley, Ferguson, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 616, regarding Makil Walker, Ferguson, which was adopted.

Senator Libla offered Senate Resolution No. 617, regarding the Welcome Home Vietnam Veterans Day program in Poplar Bluff, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 83**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 112** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Rupp offered **SS** for **SB 112**, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 112**

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof one new section relating to the new markets tax credit, with an emergency clause.

Senator Rupp moved that **SS** for **SB 112** be adopted.

Senator Pearce assumed the Chair.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 112, Page 1, In the Title, Lines 3 and 4 of the title, by striking the words “the new markets tax credit” and inserting in lieu thereof the following: “tax credits”; and

Further amend said bill, Page 19, Section 135.680, Line 23, by inserting after all of said line the following:

“348.273. 1. This section and section 348.274 shall be known and may be cited as the “Missouri Angel Investment Incentive Act”.

2. As used in this section and section 348.274, the following terms mean:

(1) “Cash investment”, money or money equivalent contribution;

(2) “Department”, the department of economic development;

(3) “Investor”:

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) “Permitted entity investor”, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(6) “Qualified knowledge-based company”, a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) “Qualified Missouri business”, the Missouri businesses that are approved and certified as qualified knowledge-based companies by the regional SBTDC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business’s production in Missouri;

(8) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument’s term;

(9) “SBTDC”, the Missouri small business and technology development center; and

(10) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri

business and allocating the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The director of the department of revenue shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the department shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the department any unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the

allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the department, but shall include at least the following:

(a) The name of the business and certified copies of the organizational documents of the business;

(b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;

(c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;

(d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;

(e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and

(f) Such other information as the regional SBTDC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;

(b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

- a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;**
 - b. The provision of professional services, such as legal, accounting, or engineering services;**
 - c. Governmental, charitable, religious, or trade organizations;**
 - d. The ownership, development brokerage, sales, or leasing of real estate;**
 - e. Insurance;**
 - f. Construction or construction management or contracting;**
 - g. Business consulting or brokerage;**
 - h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;**
 - i. Any activity that is in violation of the law;**
 - j. Any business raising money primarily to purchase real estate, land, or fixtures; and**
 - k. Any gambling related business;**
 - (f) The business has a reasonable chance of success;**
 - (g) The business has the reasonable potential to create measurable employment within the region, this state, or both;**
 - (h) The business has an innovative and proprietary technology, product, or service;**
 - (i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;**
 - (j) The securities to be issued and purchased are qualified securities;**
 - (k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;**
 - (l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and**
 - (m) The business shall satisfy all other requirements of this section and section 348.274.**
- (4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.**
- (5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.**

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the region, the state, or both. The regional SBTDC may allocate, and the department may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated tax credits to the qualified Missouri business and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the

department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the department, as applicable. For the purposes of this section and section 348.273, “trade secrets” means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee’s Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before

February first. The regional SBTDC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the department may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the department on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the regional SBTDC received;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits; and

(e) Such other information as reasonably agreed upon by each regional SBTDC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out-of-region or out-of-state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Notwithstanding sections 23.250 to 23.298 of the Missouri sunset act, sections 348.273 and 348.274 shall expire on December 31, 2019.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

At the request of Senator Rupp, **SB 112**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 303** and **304**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 306**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto two new sections relating to the designation of the state dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 331**, entitled:

An Act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 334**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to children performing agricultural work.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 406**, entitled:

An Act to repeal section 454.530, RSMo, and to enact in lieu thereof one new section relating to the family support payment center.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 428**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to the issuance of salvage motor vehicle titles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 429**, entitled:

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of salvage motor vehicle titles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 433**, entitled:

An Act to repeal section 196.055, RSMo, and to enact in lieu thereof two new sections relating to inspection of meat processors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 438**, entitled:

An Act to repeal section 301.449, RSMo, and to enact in lieu thereof one new section relating to license plates, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 442**, entitled:

An Act to repeal section 209.200, RSMo, and to enact in lieu thereof one new section relating to professional therapy dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 445**, entitled:

An Act to repeal section 227.303, RSMo, and to enact in lieu thereof one new section relating to the designation of memorial highways.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 451**, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for counties to decrease their budgets.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 498**, entitled:

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 460**, entitled:

An Act to authorize the conveyance of certain state properties.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 471**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of engineer awareness week in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 478**, entitled:

An Act to repeal sections 370.283 and 370.287, RSMo, and to enact in lieu thereof two new sections relating to credit unions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 525**, entitled:

An Act to repeal section 34.042, RSMo, and to enact in lieu thereof two new sections relating to reverse auctions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 568**, entitled:

An Act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 625**, entitled:

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to collaborative practice arrangements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 634**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Turner Syndrome awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 673**, entitled:

An Act to repeal sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, RSMo, and to enact in lieu thereof seventeen new sections relating to the renaming of Linn State Technical College, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 650**, entitled:

An Act to repeal section 60.570, RSMo, and to enact in lieu thereof one new section relating to land survey program headquarters.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 715**, entitled:

An Act to repeal section 307.075, RSMo, and to enact in lieu thereof one new section relating to motorcycle brake lights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 440**, entitled:

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the sale of cottage foods.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 702**, entitled:

An Act to repeal sections 447.559 and 447.560, RSMo, and to enact in lieu thereof two new sections relating to the sale of unclaimed military medals, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 656**, entitled:

An Act to repeal section 82.485, RSMo, and to enact in lieu thereof one new section relating to powers of the supervisor of parking meters in certain cities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 632**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Alpha Phi Alpha day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 585**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Stan Musial day in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 450**, entitled:

An Act to repeal sections 42.170, 42.200, and 42.220, RSMo, and to enact in lieu thereof three new sections relating to military medallions, medals, and certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 182**, entitled:

An Act to repeal sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, RSMo, and to enact in lieu thereof thirteen new sections relating to local taxes on motor vehicle sales, with an emergency clause.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, Page 1, Line 4 of the Title, by striking the word “local”; and

Further amend said bill, page 6, section 144.020, line 4, by deleting the words “**paragraph (9) hereof**” and inserting in lieu thereof the following: “**subdivision (9) of this subsection**”; and

Further amend said bill and section, page 7, line 10, by deleting the words “**subsection (1) of section 144.020**” and inserting in lieu thereof the following: “**this subsection**”; and

Further amend said bill, page 10, section 144.450, line 6, by deleting the number “144.440” and inserting in lieu thereof the following: “[144.440] **144.020**”; and

Further amend said bill, page 12, section 144.610, line 12, by inserting immediately after “**subsection 1**” the following: “**of this section**”; and

Further amend said bill, page 13, section 1, line 2, by deleting the words “**and 144.757**” and inserting in lieu thereof the following: “, **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**”; and

Further amend said section and page, line 4, by deleting the words “**and 144.757**” and inserting in lieu thereof the following: “, **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 152**, entitled:

An Act to repeal sections 160.261, 162.215, and 210.115, RSMo, and to enact in lieu thereof four new sections relating to school officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Silvey.

PRIVILEGED MOTIONS

Senator Kehoe moved that **SCS** for **SB 182**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 182**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 182

An Act to repeal sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, RSMo, and to enact in lieu thereof thirteen new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Was taken up.

Senator Kehoe moved that **HCS** for **SCS** for **SB 182**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Kehoe, **HCS** for **SCS** for **SB 182**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
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Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senator McKenna—1

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

SENATE BILLS FOR PERFECTION

Senator Nieves moved that **SB 265** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 265, Page 1, Section 1.370, Line 20, by inserting after all of said line, the following:

“Section B. Because of the need to protect property rights, Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title accordingly.

At the request of Senator Justus, **SA 1** was withdrawn.

On motion of Senator Nieves, **SB 265** was declared perfected and ordered printed.

Senator Rupp moved that **SB 2**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 2**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 2

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions.

Was taken up.

Senator Rupp moved that **SCS** for **SB 2** be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

On motion of Senator Rupp, **SCS** for **SB 2** was declared perfected and ordered printed.

SB 82, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 254**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 254**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 254

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to loan fees.

Was taken up.

Senator Pearce moved that **SCS** for **SB 254** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 254, Page 3, Section 408.140, Line 58, by inserting immediately after the word “of”, the following: “**up to**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 254, Page 1, In the Title, Line 3, by striking the words “loan fees”, and inserting in lieu thereof, the following: “loans”; and

Further amend page 3, section 408.140, line 79, by inserting after all of said line, the following:

“431.215. No lender shall seek to enforce any loan contract for a business that contains a personal guarantee, with respect to a party to the contract that has sold, assigned, or in any way transferred all of the party’s interest in the business to another party, after five years from such sale, assignment,

or transfer.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion failed.

Senator Pearce moved that **SCS** for **SB 254**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 254**, as amended, was declared perfected and ordered printed.

Senator Sifton moved that **SB 142** be taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 142, Page 1, Section 351.210, Line 3, by striking the following: “and in the following manner”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Sifton, **SB 142**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 126**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 126**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 126

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

Was taken up.

Senator Sater moved that **SCS** for **SB 126** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 126** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 265**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 581**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto two new sections relating to the designation of memorial highways.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 169**, entitled:

An Act to repeal sections 56.807, 488.026, and 488.5320, RSMo, and to enact in lieu thereof three new sections relating to court cost funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 618, regarding Spring River Christian Village, Joplin, which was adopted.

Senator Munzlinger offered Senate Resolution No. 619, regarding Aaron Joel Laughlin, which was adopted.

Senator Wasson offered Senate Resolution No. 620, regarding James Ray “J.T.” Turner, II, which was adopted.

Senator Wasson offered Senate Resolution No. 621, regarding Jonathan Cox, which was adopted.

Senator Brown offered Senate Resolution No. 622, regarding Terry J. Cunningham, Salem, which was adopted.

Senator Cunningham offered Senate Resolution No. 623, regarding Tonya Pogue, Licking, which was adopted.

Senator Cunningham offered Senate Resolution No. 624, regarding Paul J. Foster, Houston, which was adopted.

Senator Romine offered Senate Resolution No. 625, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Tom Boyer, Potosi, which was adopted.

On motion of Senator Richard, the Senate recessed until 8:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

SB 261 was placed on the Informal Calendar.

Senator Brown moved that **SB 229**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 229**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 229

An Act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the mental health employment disqualification registry.

Was taken up.

Senator Brown moved that **SCS** for **SB 229** be adopted.

Senator Brown offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 229, Page 3, Section 630.170, Line 78, by striking “9” and inserting in lieu thereof the following: “**10**”.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **SB 229**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 229**, as amended, was declared perfected and ordered printed.

Senator Rupp moved that **SB 261** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Rupp, **SB 261** was declared perfected and ordered printed.

Senator Rupp moved that **SB 112**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Keaveny, Lamping, Schaaf and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Justus	Keaveny	LeVota	Pearce	Romine
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh—14		

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Richard	Rupp
Sater	Schmitt	Wasson—19					

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

At the request of Senator Rupp, **SS** for **SB 112** was withdrawn.

SB 112 was again taken up.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 112, Page 9, Section 135.680, Line 275, by striking the number “twenty-five” and inserting in lieu thereof the following: “**fifteen**”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 112, Page 2, Section 135.680, Lines 45-47, by striking all of said lines; and

Further amend said bill and section, pages 6-7, lines 197-217, by striking all of said lines and inserting in lieu thereof the following: “**of 1986, as amended;**”.

Senator Schaefer moved that the above amendment be adopted, which motion failed.

On motion of Senator Rupp, **SB 112**, as amended, was declared perfected and ordered printed.

Senator Kehoe assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 261**; **SCS for SB 229**; **SCS for SB 2**; **SCS for SB 126**; **SB 142**; and **SCS for SB 254**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Amy and Katie Miles and Amanda Struchtemeyer, Saline County; and Debbie Lueck, Angela Limback, Kathy Bondy and Whitney Wiegel, Lafayette County.

Senator Justus introduced to the Senate, her parents, Judge James K. and Jennifer Justus, Branson.

Senator Richard introduced to the Senate, Dr. Bazzano and Dr. Langevin, Joplin.

Senator Schmitt introduced to the Senate, Jeanne Marshall and her son, Logan, Wildwood, and Logan was made an honorary page.

Senator Silvey introduced to the Senate, Travis Zimmer, Justine Jones and Paige Carter, Clay County.

Senator Keaveny introduced to the Senate, Bevy Beimdiek, Lisa Herder and Nancy Mogab, St. Louis.

Senator Keaveny introduced to the Senate, Reuben Shelton, St. Louis.

Senator LeVota introduced to the Senate, the Physician of the Day, Dr. Don Potts, Independence.

Senator Munzlinger introduced to the Senate, Linda Geist, Monroe City; Scott Brown, Dave Patterson and Mary Leuci, Columbia; and Mike Kasten, Cape Girardeau.

Senator Munzlinger introduced to the Senate, Head Coach Kenny Wyatt, Assistant Coach Mitchell Green and members of the Class 2A State Champion Salisbury High School boys basketball team.

Senator Parson introduced to the Senate, his wife, Teresa, Shannon and Janice Hancock, Shirley Allison and Jan Richner, Bolivar.

Senator Kehoe introduced to the Senate, Heather Dixon, Sheri Holland, Kimberly Pragman, Aimee Schmidt, parents and fourth grade students from Blair Oaks Elementary.

Senator Wallingford introduced to the Senate, John Grimm and Michael Gardner, Cape Girardeau.

Senator Richard introduced to the Senate, Jeremy Elliott-Engel, Bill Cook, Debbie Seufert, Ted Dana, Renee Russell, Dana and Kaleb Vangunda, David Russell, Jesse Shilling, Madelaine Giebler, Michala Peterman and Jacob Boeglin, Newton County; and Aaron Thacker and Katrina Hine, McDonald County.

Senator Brown introduced to the Senate, Rodney Edwards, Rolla; and Kathy Bess Holloway, Cape Girardeau.

Senator Curls introduced to the Senate, former State Representative Judy Baker, Columbia.

Senator Richard introduced to the Senate, Dave Adams, Brian Atnip, Karen Bradshaw, Mike Brower, Elisa Bryant, Scott Clayton, Joshua Clements, Derek Cole, Jared Dickey, Spencer Dobbs, Cassidee Edwards, Rob Gust, Allen Hall, Shaun Hampton, Robin Harrison, Terri Hart, Brian Henderson, Stephanie Hopkins, Shirley Hylton, Edie Ingram, Justin Kamplain, Ashley King, Miranda Lewis, Judy Lowe, John Motazed, Sherry Noller, Eric Otten, Kelli Perigo, Lora Phelps, Carrie Puffinbarger, Teresa Roche, Jason Spangler, Heather Surbrugg, Julie Voelker, Sheila Waggoner, Justin Wagner, Fred Warden, Jr. and Dave Woods, representatives of Leadership Joplin.

Senator Lamping introduced to the Senate, his wife, Caryn.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FOURTH DAY—THURSDAY, APRIL 4, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 191 & 182

HCS for HB 222

HCS for HB 128

HB 133-Gosen, et al

HB 212-Cox, et al

HB 329-Dugger and Crawford

HB 163-Fitzpatrick and Dugger

HCS for HB 349

HB 184-Cox, et al

HB 196-Lauer, et al

HB 301-Engler

HB 307-Riddle, et al

HCS for HB 312

HCS for HB 401

HB 412-Reiboldt, et al

HB 432-Funderburk, et al

HB 542-Love, et al

HCS for HB 586

HB 591-Hubbard, et al

HB 68-Kelley (127), et al

HB 142-Dugger

HCS for HB 159

HB 346-Molendorp

HB 112-Burlison, et al

HB 53-Gatschenberger

HCS for HB 58

HB 60-Engler

HCS for HB 79

HCS for HB 81
 HB 116-Dugger
 HCS for HB 199
 HCS for HB 235
 HB 278-Brattin, et al
 HCS for HBs 303 & 304
 HCS for HB 306
 HB 331-Miller and Funderburk
 HB 334-Dugger, et al
 HB 406-Wieland
 HB 428-Schatz
 HB 429-Schatz
 HB 433-Korman, et al
 HCS for HB 438
 HB 442-Hoskins, et al
 HB 445-Engler and Black
 HB 451-Fraker, et al
 HB 498-Jones (50), et al
 HB 460-Engler

HB 471-Spencer, et al
 HB 478-Wieland, et al
 HB 525-Franklin, et al
 HB 568-Lauer and Gatschenberger
 HB 625-Burlison
 HB 634-Elmer
 HB 673-Schatz
 HB 650-Ross, et al
 HB 715-McCaherty
 HCS for HB 440
 HB 702-Englund, et al
 HCS for HB 656
 HB 632-Dunn, et al
 HB 585-Schieffer, et al
 HB 450-Carpenter, et al
 HB 152-Solon, et al
 HB 581-Roord, et al
 HCS for HB 169

THIRD READING OF SENATE BILLS

- | | |
|--|---------------------------|
| 1. SCS for SJR 14-Schaefer, et al
(In Fiscal Oversight) | 6. SB 261-Rupp |
| 2. SCS for SB 258-LeVota | 7. SCS for SB 229-Brown |
| 3. SB 242-Kehoe | 8. SCS for SB 2-Rupp |
| 4. SS for SCS for SB 83-Parson | 9. SCS for SB 126-Sater |
| 5. SB 265-Nieves and Cunningham | 10. SB 142-Sifton |
| | 11. SCS for SB 254-Pearce |

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------------|--------------------------------------|
| 1. SB 87-Schaaf, with SCS | 12. SB 267-Nieves |
| 2. SB 159-Schmitt, et al, with SCS | 13. SB 342-Parson, et al |
| 3. SB 364-Parson | 14. SB 373-Munzlinger, with SCS |
| 4. SB 275-Walsh | 15. SB 57-Romine |
| 5. SB 297-Lager, with SCS | 16. SB 303-Wasson |
| 6. SB 357-Romine | 17. SB 304-Wasson |
| 7. SB 381-Kraus, with SCS | 18. SB 170-Chappelle-Nadal |
| 8. SB 67-Dixon | 19. SB 118-Kraus, with SCS |
| 9. SB 99-Keaveny | 20. SB 251-Kraus and Chappelle-Nadal |
| 10. SB 239-Emery, with SCS | 21. SB 327-Dixon |
| 11. SB 272-Nieves | 22. SB 245-Justus |

23. SB 291-Rupp
24. SB 231-Munzlinger
25. SB 226-Schaefer, with SCS
26. SB 282-Wasson

27. SB 366-Lamping, et al
28. SB 205-Sater
29. SB 256-Silvey, with SCS

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping
SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS
SB 82-Schaefer, with SCS
SB 207-Kehoe, et al, with SCS
SB 252-Kraus
SB 257-Silvey and Justus
SB 292-Rupp

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FOURTH DAY—THURSDAY, APRIL 4, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“So acknowledge today and take to heart that the Lord is God in heaven above and on the earth beneath; there is no other.”
(Deuteronomy 4:39)

Heavenly Father, may we remember and live our lives knowing that during the most difficult times You are our God. May we return to our families after our work is done this day and share the joy, peace, love and abundance that comes to us from You our God, with confidence in Your presence. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curles	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 626, regarding Dr. Tammy D. Condren, Bolivar, which

was adopted.

Senator Cunningham offered Senate Resolution No. 627, regarding Lynn T. Jones, Cabool, which was adopted.

Senator Pearce offered Senate Resolution No. 628, regarding Lindsay Lettow, which was adopted.

Senator Walsh offered Senate Resolution No. 629, regarding Dennis Edwards, Florissant, which was adopted.

Senator Dixon offered Senate Resolution No. 630, regarding Evangel University, Springfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 112**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SCS** for **SB 182**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **SCS** for **SB 182**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SCS** for **SJR 14**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

President Kinder assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SJR 14**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 14

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of

article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS** for **SJR 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators

Chappelle-Nadal Keaveny—2

Absent—Senators

Justus Walsh—2

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Schaefer, title to the joint resolution was agreed to.

Senator Schaefer moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 258**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 258

An Act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

Was taken up by Senator LeVota.

On motion of Senator LeVota, **SCS** for **SB 258** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Curls—1

Absent—Senator Justus—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator LeVota, title to the bill was agreed to.

Senator LeVota moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaaf assumed the Chair.

SB 242, introduced by Senator Kehoe, entitled:

An Act to repeal section 171.181, RSMo, and to enact in lieu thereof one new section relating to the sale or provision of certain commodities to seven director school districts, with existing penalty provisions.

Was taken up.

On motion of Senator Kehoe, **SB 242** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—32

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SCS** for **SB 182**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 83**, introduced by Senator Parson, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 83

An Act to repeal sections 52.250, 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for collecting local government funds.

Was taken up.

On motion of Senator Parson, **SS** for **SCS** for **SB 83** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 265, introduced by Senators Nieves and Cunningham, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibition on certain policies that infringe on private property rights.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **SB 265** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 261, introduced by Senator Rupp, entitled:

An Act to repeal section 138.431, RSMo, and to enact in lieu thereof one new section relating to the assignment of hearing officers by the state tax commission.

Was taken up.

On motion of Senator Rupp, **SB 261** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 229**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 229

An Act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the mental health employment disqualification registry.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 229** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 2**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 2

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS** for **SB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Chappelle-Nadal Curls Keaveny—3

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 126**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 126

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS** for **SB 126** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 142, introduced by Senator Sifton, entitled:

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

Was taken up.

On motion of Senator Sifton, **SB 142** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh
 Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 254**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 254

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to loan fees.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 254** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nasheed Rupp—3

Absent—Senators—None

Absent with leave—Senator McKenna—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 316**, entitled:

An Act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to the division of tourism supplemental revenue fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 168**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto two new sections relating to residency at public institutions of higher education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 432**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which were referred **SB 317** and **SB 319**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 401**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 396**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 378**, begs leave to report that

it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 410**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 133**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 210**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HJR**s **11** and **7**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 455**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 167**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 343**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 250**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 175**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 285**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 339**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 174**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 441**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 2**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 315**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 419**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 411**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **SB 141**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HBs 191** and **182**—Jobs, Economic Development and Local Government.

HCS for **HB 222**—Jobs, Economic Development and Local Government.

HCS for HB 128—Ways and Means.

HB 133—Small Business, Insurance and Industry.

HB 212—Financial and Governmental Organizations and Elections.

HB 329—Financial and Governmental Organizations and Elections.

HB 163—Financial and Governmental Organizations and Elections.

HCS for HB 349—Transportation and Infrastructure.

HB 184—Jobs, Economic Development and Local Government.

HB 196—Jobs, Economic Development and Local Government.

HB 301—Judiciary and Civil and Criminal Jurisprudence.

HB 307—Jobs, Economic Development and Local Government.

HCS for HB 312—Transportation and Infrastructure.

HCS for HB 401—Financial and Governmental Organizations and Elections.

HB 412—Agriculture, Food Production and Outdoor Resources.

HB 432—Commerce, Consumer Protection, Energy and the Environment.

HB 542—Agriculture, Food Production and Outdoor Resources.

HCS for HB 586—Agriculture, Food Production and Outdoor Resources.

HB 591—Transportation and Infrastructure.

HB 68—General Laws.

HB 142—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 159—Veterans' Affairs and Health.

HB 346—Small Business, Insurance and Industry.

HB 112—Small Business, Insurance and Industry.

HB 53—Small Business, Insurance and Industry.

HCS for HB 58—Small Business, Insurance and Industry.

HB 60—Jobs, Economic Development and Local Government.

HCS for HB 79—Jobs, Economic Development and Local Government.

HCS for HB 81—Agriculture, Food Production and Outdoor Resources.

HB 116—Jobs, Economic Development and Local Government.

HCS for HB 199—Financial and Governmental Organizations and Elections.

HCS for HB 235—Financial and Governmental Organizations and Elections.

HB 278—General Laws.

HCS for HBs 303 and 304—Transportation and Infrastructure.

HCS for HB 306—General Laws.

HB 331—Commerce, Consumer Protection, Energy and the Environment.

HB 334—Agriculture, Food Production and Outdoor Resources.

HB 406—Seniors, Families and Pensions.

HB 428—Transportation and Infrastructure.

HB 429—Small Business, Insurance and Industry.

HB 433—Agriculture, Food Production and Outdoor Resources.

HCS for HB 438—Transportation and Infrastructure.

HB 442—Seniors, Families and Pensions.

HB 445—Transportation and Infrastructure.

HB 451—Jobs, Economic Development and Local Government.

HB 498—Financial and Governmental Organizations and Elections.

HB 460—Governmental Accountability and Fiscal Oversight.

HB 471—Transportation and Infrastructure.

HB 478—Financial and Governmental Organizations and Elections.

HB 525—Governmental Accountability and Fiscal Oversight.

HB 568—Jobs, Economic Development and Local Government.

HB 625—Financial and Governmental Organizations and Elections.

HB 634—General Laws.

HB 673—Education.

HB 650—General Laws.

HB 715—Transportation and Infrastructure.

HCS for HB 440—Agriculture, Food Production and Outdoor Resources.

HB 702—Veterans' Affairs and Health.

HCS for HB 656—Jobs, Economic Development and Local Government.

HB 632—General Laws.

HB 585—General Laws.

HB 450—Veterans’ Affairs and Health.

REFERRALS

President Pro Tem Dempsey referred **SB 112** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 446** and **211**, entitled:

An Act to amend chapter 443, RSMo, by adding thereto one new section relating to real estate loans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 315**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, President Chuck Ambrose, University of Central Missouri, Warrensburg.

Senator Pearce introduced to the Senate, Alex Muger, Chicago, Illinois; and Nicholas Charalambides, St. Louis.

Senator Nieves introduced to the Senate, President Joan Magruder, Elizabeth Roethlisberger, Lynn Schmidt, Maria Largura, Elizabeth Schwartz and Renne Bell, St. Louis Children’s Hospital.

Senator Schmitt introduced to the Senate, Megan Allen, Webster Groves; and Megan was made an honorary page.

Senator Pearce introduced to the Senate, Trisha Whitehead, and students from Leeton R-X Middle School.

Senator Brown introduced to the Senate, representatives of Leadership Camden County.

Senator Sifton introduced to the Senate, forty fourth grade students from Avery Elementary School, Webster Groves.

Senator Cunningham introduced to the Senate, Sherry Manning, and eighth grade students from Cabool Middle School.

On motion of Senator Richard the Senate adjourned until 4:00 p.m., Monday, April 8, 2013.

SENATE CALENDAR

FORTY-FIFTH DAY—MONDAY, APRIL 8, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 152-Solon, et al	HCS for HB 168
HB 581-Roorda, et al	HCS for HBs 446 & 211
HCS for HB 169	HCS for HB 315
HB 316-Phillips, et al	

THIRD READING OF SENATE BILLS

SB 112-Rupp and Richard
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------------|---|
| 1. SB 87-Schaaf, with SCS | 19. SB 118-Kraus, with SCS |
| 2. SB 159-Schmitt, et al, with SCS | 20. SB 251-Kraus and Chappelle-Nadal |
| 3. SB 364-Parson | 21. SB 327-Dixon |
| 4. SB 275-Walsh | 22. SB 245-Justus |
| 5. SB 297-Lager, with SCS | 23. SB 291-Rupp |
| 6. SB 357-Romine | 24. SB 231-Munzlinger |
| 7. SB 381-Kraus, with SCS | 25. SB 226-Schaefer, with SCS |
| 8. SB 67-Dixon | 26. SB 282-Wasson |
| 9. SB 99-Keaveny | 27. SB 366-Lamping, et al |
| 10. SB 239-Emery, with SCS | 28. SB 205-Sater |
| 11. SB 272-Nieves | 29. SB 256-Silvey, with SCS |
| 12. SB 267-Nieves | 30. SB 432-Cunningham, with SCS |
| 13. SB 342-Parson, et al | 31. SBs 317 & 319-Romine, with SCS |
| 14. SB 373-Munzlinger, with SCS | 32. SB 401-Rupp |
| 15. SB 57-Romine | 33. SB 396-Holsman and Chappelle-Nadal,
with SCS |
| 16. SB 303-Wasson | 34. SB 378-Pearce, with SCS |
| 17. SB 304-Wasson | 35. SB 410-Kehoe |
| 18. SB 170-Chappelle-Nadal | |

- | | |
|--|-----------------------------|
| 36. SB 133-Keaveny and Holsman, with SCS | 44. SB 339-Romine |
| 37. SB 210-Lamping and Nieves, with SCS | 45. SB 174-Parson, with SCS |
| 38. SB 455-Nieves, with SCS | 46. SB 441-Dempsey |
| 39. SB 167-Sater and Wallingford, with SCS | 47. SJR 2-Lager |
| 40. SB 343-Parson | 48. SB 315-Pearce |
| 41. SB 250-Schaaf, with SCS | 49. SB 419-Lager, with SCS |
| 42. SB 175-Wallingford | 50. SB 411-Kehoe, with SCS |
| 43. SB 285-Romine | 51. SB 141-Dempsey |

HOUSE BILLS ON THIRD READING

- | | |
|--|-----------------------------|
| HB 55-Flanigan and Allen, with SCS
(Schaefer) | HCS for HJR 11 & 7 (Parson) |
|--|-----------------------------|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|-------------------------------|
| SB 3-Rupp, with SA 1 (pending) | SB 65-Dixon, with SCS |
| SB 13-Schaefer, with SCS | SB 82-Schaefer, with SCS |
| SB 21-Dixon | SB 207-Kehoe, et al, with SCS |
| SB 22-Dixon | SB 252-Kraus |
| SB 48-Lamping | SB 257-Silvey and Justus |
| SB 61-Keaveny, with SCA 1 (pending) | SB 292-Rupp |

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIFTH DAY—MONDAY, APRIL 8, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make a joyful noise to God, all the earth, sing the glory of his name.” (Psalm 66:1, 2)

Almighty God, we are thankful for the beauty of this day and our safe travel to continue the work You have called each of us to do here. Bless us with Your presence and guide our hearts and minds as we discern the bills that are brought before us. Help us to make wise and purposeful decisions that keep us on the path You have led us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 4, 2013 was read and approved.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator LeVota—1

Vacancies—None

RESOLUTIONS

Senator Brown offered Senate Resolution No. 631, regarding Jim Besancenez, which was adopted.

Senator Brown offered Senate Resolution No. 632, regarding Linda Holland, which was adopted.

Senator Kraus offered Senate Resolution No. 633, regarding Auston Thomas Ruddell, which was adopted.

Senator Kraus offered Senate Resolution No. 634, regarding Zachary Scott Turner, which was adopted.

Senator Kraus offered Senate Resolution No. 635, regarding Aaron Michael Ratigan, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 636, regarding Daniel Patrick Ratigan, Lee's Summit, which was adopted.

Senator Emery offered Senate Resolution No. 637, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Bill Day, Harrisonville, which was adopted.

Senator Kehoe offered Senate Resolution No. 638, regarding Faith Ann Balkenbush, Jefferson City, which was adopted.

Senator Lamping offered Senate Resolution No. 639, regarding Maria Flick, which was adopted.

Senator Schaefer offered Senate Resolution No. 640, regarding Nathan J. Blake, Clark, which was adopted.

Senator Walsh offered Senate Resolution No. 641, regarding James O. Carlson, Saint Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 642, regarding Aaron Banks, which was adopted.

Senator Dempsey offered Senate Resolution No. 643, regarding Bryan Jefferson, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 644, regarding Bill Willbard, which was adopted.

Senator Dempsey offered Senate Resolution No. 645, regarding Alan and Jeannie Dickherber, which was adopted.

Senator Dempsey offered Senate Resolution No. 646, regarding John Clark, which was adopted.

Senator Dempsey offered Senate Resolution No. 647, regarding Carol Hurst, which was adopted.

Senator Holsman offered Senate Resolution No. 648, regarding Sam Little, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 87**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 87**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 87**

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 87** be adopted.

Senator Emery offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 87, Page 1, Section 191.918, Line 1, by striking “1.”; and further amend lines 5-16, by striking all of said lines.

Senator Emery moved that the above amendment be adopted.

At the request of Senator Emery, **SA 1** was withdrawn.

Senator Schaaf moved that **SCS** for **SB 87** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 87** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 159**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 159**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 159

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 159** be adopted.

At the request of Senator Schmitt, **SB 159**, with **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Parson, **SB 364** was placed on the Informal Calendar.

Senator Walsh moved that **SB 275** be taken up for perfection, which motion prevailed.

On motion of Senator Walsh, **SB 275** was declared perfected and ordered printed.

Senator Lager moved that **SB 297**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 297**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 297

An Act to repeal sections 393.320, 393.760, 393.1000, and 393.1003, RSMo, and to enact in lieu thereof four new sections relating to ratemaking for water utilities.

Was taken up.

Senator Lager moved that **SCS** for **SB 297** be adopted.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 297, Page 8, Section 393.1003, Line 33, by inserting after all of said line the following:

“4. Notwithstanding any provision of law to the contrary, no water corporation or sewer

corporation shall impose an ISRS after August 27, 2017, and any ISRS in effect shall also terminate and be of no further effect after such date.”.

Senator Parson moved that the above amendment be adopted.

Senator Rupp assumed the Chair.

Senator Emery offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 297, Page 8, Section 393.1003, Line 33, by inserting after all of said line the following:

“4. As of August 28, 2019, the provisions of this section shall only apply to a water or sewer corporation in a county with a charter form of government and with more than one million inhabitants.”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 297, Page 7, Section 393.1003, Lines 9-10, by striking the following: “,on an annualized basis,” and further amend line 10 by inserting after the word “dollars” the following: “,**on an annualized basis,**”; and further amend line 11 by inserting after the word “percent” the following: “**over a three year period**” and further amend line 13 by inserting after the word “percent” the following: “**over a three year period**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 297, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“249.424. 1. If approved by a majority of the voters voting on the proposal, and upon the adoption of a resolution by a majority of the sewer district’s board of trustees, any sewer district established and organized under this chapter, may levy and impose annually a fee not to exceed fifty dollars per year within its boundaries for the repair of lateral sewer service lines on or connecting residential property having six or less dwelling units, except that the fee shall not be imposed on property in the sewer district that is located within any city, town, village, or unincorporated areas of a county that already imposes a fee under section 249.422. Any sewer district that establishes or increases the fee used to repair any portion of the lateral sewer service line shall include all defective portions of the lateral sewer service line from the residential structure to its connection with the public sewer system line. Notwithstanding any provision of chapter 448, the fee imposed pursuant to this chapter shall be imposed upon condominiums that have six or fewer condominium units per building and each

condominium unit shall be responsible for its proportionate share of any fee charged pursuant to this chapter, and in addition, any condominium unit shall, if determined to be responsible for and served by its own individual lateral sewer line, be treated as an individual residence regardless of the number of units in the development. It shall be the responsibility of the condominium owner or condominium association who are of the opinion that they are not properly classified as provided in this section to notify the sewer district.

2. The question shall be submitted to the registered voters who reside within the boundaries of the sewer district, excluding any voters who live within the boundaries of any city, town, village, or unincorporated areas of a county that already imposes a fee under section 249.422. The question shall be submitted in substantially the following form:

Shall a maximum charge not to exceed fifty dollars be assessed annually on residential property for each lateral sewer service line serving six or less dwelling units on that property and condominiums that have six or less condominium units per building and any condominium responsible for its own individual lateral sewer line to provide funds to pay the cost of certain repairs of those lateral sewer service lines which may be billed quarterly or annually?

☐ YES

☐ NO

3. If a majority of the voters voting thereon approve the proposal provided for in subsection 2 of this section, any sewer district established and organized under this chapter may, upon the adoption of a resolution by a majority of the sewer district's board of trustees, collect and administer such fee in order to protect the public health, welfare, peace, and safety. The funds collected shall be deposited in a special account to be used solely for the purpose of paying for all or a portion of the costs reasonably associated with and necessary to administer and carry out the defective lateral sewer service line repairs. All interest generated on deposited funds shall be accrued to the special account established for the repair of lateral sewer service lines.

4. The collector in any county containing a sewer district that adopts a resolution under this section to collect a fee for the repair of lateral sewer service lines may add such fee to the general tax levy bills of property owners within the boundaries of the sewer district, excluding property located in any city, town, village, or unincorporated areas of the county that already imposes a fee under section 249.422. All revenues received on such combined bill for the purpose of providing for the repair of lateral sewer service lines shall be separated from all other revenues so collected and credited to the special account established by the sewer district under subsection 3 of this section.

5. If a city, town, village, or county, which is within the sewer district and imposed a fee under section 249.422, later rescinds such fee after voters authorized the fee provided under this section, the sewer district may submit the question provided under subsection 2 of this section to the registered voters of such city, town, village, or county that have property within the boundaries of the sewer district. If a majority of votes voting on the proposal approve, the sewer district may levy and impose the fee as provided under this section on property within such city, town, village, or county.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 297, Page 1, Section A, Line 3, by inserting after all of said line the following:

“67.312. 1. Notwithstanding any law to the contrary, in any county with a charter form of government and with more than three hundred thousand but with fewer than four hundred fifty thousand inhabitants, if any water supply district contracts with a for profit management company focusing on contract management and operations, the water supply district shall not charge or collect from its customers any increase in rates, charges, or fees, including but not limited to water rates, testing fees, inspection fees, administrative fees, service charges, minimum bill charges, flat rate charges, customer charges, billing charges, attendance fees, primacy fees, and user fees without a majority vote of the qualified voters of the water supply district voting thereon on any public election day in August or November. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the question shall not be resubmitted under this section sooner than twelve months from the date of the last submission opposed by voters. Any actual charges or fees by a state or local governmental entity not associated in any way with the water supply district may be passed on to their customers without a vote.

2. In any county with a charter form of government and with more than three hundred thousand but with fewer than four hundred fifty thousand inhabitants, if any water supply district does not actually process or treat sewage or wastewater but pays another governmental entity for providing such service, the water supply district shall not charge and collect from its customers a premium, fee, tax, assessment, or other charge however denominated more than the rate it actually pays to such other entity without a majority vote of the qualified voters of the water supply district voting thereon on any public election day in August or November. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the question shall not be resubmitted under this section sooner than twelve months from the date of the last submission opposed by voters.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 297, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“249.645. 1. Any public sewer district created under the provisions of sections 249.430 to 249.660 or established pursuant to article VI, section 30(a) of the Missouri Constitution may establish, make and collect charges for sewage services, including tap-on fees. The charges may be set as a flat fee or based upon the amount of water supplied to the premises and shall be in addition to those charges which may be levied and collected for maintenance, repair and administration expenses as provided for in section 249.640. Any private water company, public water supply district, or municipality supplying water to the premises located within a sewer district shall, upon reasonable request, make available to such sewer district its records and books so that such sewer district may obtain therefrom such data as may be necessary to calculate the charges for sewer service. Prior to establishing any such sewer charges, public hearings shall be held thereon

and at least thirty days' notice shall be given thereof.

2. Any charges made under this section shall be due at such time or times as specified by the county commission, and shall, if not paid by the due date, become delinquent and shall bear interest from the date of delinquency until paid. If such charges become delinquent, they shall be a lien upon the land charged, upon the county commission filing with the recorder of deeds in the county where the land is situated a notice of delinquency. The county commission shall file with the recorder of deeds a similar notice when the delinquent amounts, plus interest and any recording fees or attorney's fees, have been paid in full. The lien hereby created may be enforced by suit or foreclosure.

3. Should a lien be placed upon a customer's property by a public sewer district for unpaid sewer charges, the lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes.

4. Should the sewer charges remain unpaid for a period in excess of three months, the district, after notice to the customer [by certified mail], shall have the authority at its discretion to disconnect the customer's sewer line from the district's line or request any private water company, public water supply district, or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SCS** for **SB 297**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 297**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 87** and **SB 275**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HJR**s **11** and **7** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 46**, entitled:

An Act to amend chapter 305, RSMo, by adding thereto four new sections relating to aerial surveillance, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 3, 2013

The Honorable Tom Dempsey
President Pro Tem
Missouri Senate
State Capitol
Room 326

Please accept my resignation from the Missouri Task Force on Prematurity and Infant Mortality.

Sincerely,
/s/ Will Kraus
Senator Will Kraus
District 8

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SIXTH DAY—TUESDAY, APRIL 9, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 152-Solon, et al	HCS for HB 168
HB 581-Roorda, et al	HCS for HBs 446 & 211
HCS for HB 169	HCS for HB 315
HB 316-Phillips, et al	HCS for HB 46

THIRD READING OF SENATE BILLS

SB 112-Rupp and Richard (In Fiscal Oversight)	SB 275-Walsh
SCS for SB 87-Schaaf	

SENATE BILLS FOR PERFECTION

1. SB 357-Romine	6. SB 272-Nieves
2. SB 381-Kraus, with SCS	7. SB 267-Nieves
3. SB 67-Dixon	8. SB 342-Parson, et al
4. SB 99-Keaveny	9. SB 373-Munzlinger, with SCS
5. SB 239-Emery, with SCS	10. SB 57-Romine

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| 11. SB 303-Wasson | 29. SB 378-Pearce, with SCS |
| 12. SB 304-Wasson | 30. SB 410-Kehoe |
| 13. SB 170-Chappelle-Nadal | 31. SB 133-Keaveny and Holsman, with SCS |
| 14. SB 118-Kraus, with SCS | 32. SB 210-Lamping and Nieves, with SCS |
| 15. SB 251-Kraus and Chappelle-Nadal | 33. SB 455-Nieves, with SCS |
| 16. SB 327-Dixon | 34. SB 167-Sater and Wallingford, with
SCS |
| 17. SB 245-Justus | 35. SB 343-Parson |
| 18. SB 291-Rupp | 36. SB 250-Schaaf, with SCS |
| 19. SB 231-Munzlinger | 37. SB 175-Wallingford |
| 20. SB 226-Schaefer, with SCS | 38. SB 285-Romine |
| 21. SB 282-Wasson | 39. SB 339-Romine |
| 22. SB 366-Lamping, et al | 40. SB 174-Parson, with SCS |
| 23. SB 205-Sater | 41. SB 441-Dempsey |
| 24. SB 256-Silvey, with SCS | 42. SJR 2-Lager |
| 25. SB 432-Cunningham, with SCS | 43. SB 315-Pearce |
| 26. SBs 317 & 319-Romine, with SCS | 44. SB 419-Lager, with SCS |
| 27. SB 401-Rupp | 45. SB 411-Kehoe, with SCS |
| 28. SB 396-Holsman and Chappelle-Nadal,
with SCS | 46. SB 141-Dempsey |

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

HCS for HJR 11 & 7 (Parson)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS
SB 159-Schmitt, et al, with SCS (pending)
SB 207-Kehoe, et al, with SCS
SB 252-Kraus
SB 257-Silvey and Justus
SB 292-Rupp
SB 364-Parson

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY—TUESDAY, APRIL 9, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Is anything too wonderful for the Lord?” (Genesis 18:14a)

We know, O Lord, that life is filled with challenges and obstacles and tunnels that seem to have no light at the end of them. Yet hearing Your Word, we know that You are with us and there is nothing too hard for us to accomplish with Your assistance. So guide us this week with our doubts knowing that all things are possible with Your help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Pearce assumed the Chair.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 649, regarding the Wheaton R-III School District, which was adopted.

Senator Sater offered Senate Resolution No. 650, regarding the Taneyville R-II School District, which was adopted.

Senator Sater offered Senate Resolution No. 651, regarding the Shell Knob 78 School District, which was adopted.

Senator Sater offered Senate Resolution No. 652, regarding the Reeds Spring R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 653, regarding the Pierce City R-VI School District, which was adopted.

Senator Sater offered Senate Resolution No. 654, regarding the Mount Vernon R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 655, regarding the Monett R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 656, regarding the McDonald County R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 657, regarding the Mark Twain R-VIII School District, which was adopted.

Senator Sater offered Senate Resolution No. 658, regarding the Marionville R-IX School District, which was adopted.

Senator Sater offered Senate Resolution No. 659, regarding the Hurley R-I School District, which was adopted.

Senator Sater offered Senate Resolution No. 660, regarding the Hollister R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 661, regarding the Forsyth R-III School District, which was adopted.

Senator Sater offered Senate Resolution No. 662, regarding the Cassville R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 663, regarding the Branson R-IV School District, which was adopted.

Senator Sater offered Senate Resolution No. 664, regarding the Blue Eye R-V School District, which was adopted.

Senator Sater offered Senate Resolution No. 665, regarding the Aurora R-VIII School District, which was adopted.

Senator Sater offered Senate Resolution No. 666, regarding the Kirbyville R-VI School District, which was adopted.

Senator Sater offered Senate Resolution No. 667, regarding the Miller R-II School District, which was adopted.

Senators Schmitt and Nieves offered Senate Resolution No. 668, regarding the Academy of St. Louis, Chesterfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 669, regarding David J. Kraeling, which was adopted.

Senator LeVota offered Senate Resolution No. 670, regarding Matthew Tyler Allen, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 671, regarding the Missouri State Association of Parliamentarians, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 672

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 4:00 p.m. Thursday, October 10, 2013 and 8:00 am to 12:00 noon on Friday, October 11, 2013.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 672** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 672** was adopted.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 159**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SCS** for **SB 159**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 159

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

Senator Schmitt moved that **SS** for **SCS** for **SB 159** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 159** was declared perfected and ordered printed.

Senator Kehoe assumed the Chair.

Senator Kraus moved that **SB 252** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 252**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 252

An Act to repeal section 302.183, and to enact in lieu thereof three new sections relating to the receipt, collection, and retention of certain information related to the issuance and renewal of driver's licenses and nondriver's licenses by the department of revenue, with an emergency clause.

Senator Kraus moved that **SS** for **SB 252** be adopted.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 252, Page 1, In the Title, Line 3 of said page, by striking "the receipt, collection,"; and

Further amend said bill and page, section A, line 3 of said page, by inserting immediately after all of said line the following:

"50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected pursuant to subsections 10 and 11 of section 571.101 shall be deposited by the county treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at the direction of the county or city sheriff or his or her designee as provided in this section.

2. No prior approval of the expenditures from this fund shall be required by the governing body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund be required before any expenditure is made by the sheriff from this fund. This fund shall only be used by law enforcement agencies for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry [endorsements] **permits** or renewals, including but not limited to the purchase of equipment, information and data exchange, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action under section 571.114 or 571.117. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year. This fund may be audited by the state auditor's office or the appropriate auditing agency.

3. Notwithstanding any provision of this section to the contrary, the sheriff of every county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all reasonable and necessary costs and expenses for activities or services occasioned by compliance with sections 571.101 to 571.121. Such was the intent of the general assembly in original enactment of this section and sections 571.101 to 571.121, and it is made express by this section in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct. February 26, 2004). The application and renewal fees to be charged pursuant to section 571.101 shall be based on the sheriff's good faith estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred by reason of compliance with sections 571.101 to 571.121. If the maximum fee permitted by section 571.101 is inadequate to cover the actual reasonable and necessary expenses in a given year, and there are not sufficient accumulated unexpended funds in the revolving fund, a sheriff may present specific and verified evidence of the unreimbursed expenses to the office of administration, which upon certification by the attorney general shall reimburse such sheriff for those expenses from an appropriation made for that purpose.

4. If pursuant to subsection [12] **13** of section 571.101, the sheriff of a county of the first classification

designates one or more chiefs of police of any town, city, or municipality within such county to accept and process applications for [certificates of qualification to obtain a concealed carry endorsement] **concealed carry permits**, then that sheriff shall reimburse such chiefs of police, out of the moneys deposited into this fund, for any reasonable expenses related to accepting and processing such applications.”; and

Further amend said bill and page, section 302.065, line 17 of said page, by striking all of said line; and

Further amend said bill and section, page 2, lines 1-26 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 3, line 10 of said page, by inserting immediately after all of said line the following:

“302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee’s Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee’s attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant’s Social Security number shall serve as the applicant’s license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor.

Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver’s license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number

on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101 **as section 571.101 existed prior to August 28, 2013**. The fee for nondriver's licenses issued for a period exceeding three years is six dollars or three dollars for nondriver's licenses issued for a period of three years or less. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a [U.S.] **United States** citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of

revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536.”; and

Further amend said bill, page 6, section 302.189, line 15 of said page, by inserting immediately after all of said line the following:

“571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; **or**

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons,

when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement **issued prior to August 28, 2013, or a valid concealed carry permit** under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon

premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **a valid concealed carry endorsement issued before August 28, 2013**, or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section “qualified retired peace officer” means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement **issued prior to August 28, 2013, or a valid concealed carry permit**, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self defense.

571.101. 1. All applicants for concealed carry [endorsements] **permits** issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a [certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver’s license or nondriver’s license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver’s license or nondriver’s license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle] **concealed carry permit authorizing the carrying of a concealed firearm on or about the applicant’s person or within**

a vehicle. A concealed carry [endorsement] **permit** shall be valid for a period of three years from the date of issuance or renewal. The concealed carry [endorsement] **permit** is valid throughout this state. **A concealed carry endorsement issued prior to August 28, 2013 shall continue for a period of three years from the date of issuance or renewal to authorize the carrying of a concealed firearm on or about the applicant's person or within a vehicle in the same manner as a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.**

2. A **concealed carry permit** [of qualification for a concealed carry endorsement certificate] issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;

(2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;

(b) Is a member of the Armed Forces stationed in Missouri; or

(c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;

(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**;

(5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

(7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

(8) Is not adjudged mentally incompetent at the time of application or for five years prior to application,

or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

(9) Submits a completed application for a [certificate of qualification] **permit** as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification to obtain a concealed carry endorsement] **permit** or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification to obtain a concealed carry endorsement] **permit**;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state,

occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable [certificate of qualification] **permit** fee as provided by subsection [10] **11** or [11] **12** of this section.

5. Before an application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit**. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** within three working days. The sheriff shall issue the [certificate] **permit** within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such [certificate and endorsement] **permit** within twenty-four hours of receipt of any background check that results in a disqualifying record[, and shall notify the department of revenue].

6. The sheriff may refuse to approve an application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the

applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the [certificate of qualification] **concealed carry permit** in the presence of the sheriff or his or her designee [and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and]. The [certificate of qualification] **permit** issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such [certificate] **concealed carry permit** to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 [in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004,] unless such [certificate of qualification] **permit** has been suspended or revoked for cause.

8. **The concealed carry permit shall specify only the following information: name, address, date of birth, gender, height, weight, color of hair, color of eyes, and signature of the permit holder; the signature of the sheriff issuing the permit; the date of issuance; and the expiration date. The permit shall be no larger than two inches wide by three and one-fourth inches long and shall be of a uniform style prescribed by the department of public safety.**

9. The sheriff shall keep a record of all applications for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** and his or her action thereon. The sheriff shall report the issuance of a [certificate of qualification] **concealed carry permit** to the Missouri uniform law enforcement system. All information on any such [certificate] **permit** that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a [certificate of qualification] **concealed carry permit**, or a concealed carry endorsement **issued prior to August 28, 2013**, shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

[9.] **10. Information regarding any holder of a [certificate of qualification] concealed carry permit, or a concealed carry endorsement issued prior to August 28, 2013, is a closed record. Any state agency that has retained any documents or records, including fingerprint records provided by an applicant for a concealed carry endorsement prior to August 28, 2013, shall destroy such documents or records.**

[10.] **11. For processing an application for a [certificate of qualification for a concealed carry endorsement] concealed carry permit pursuant to sections 571.101 to 571.121, the sheriff in each county**

shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

[11.] **12.** For processing a renewal for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

[12.] **13.** For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.104. 1. (1) A concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **and, if applicable, a concealed carry endorsement issued prior to August 28, 2013,** shall be suspended or revoked if the concealed carry **permit or** endorsement holder becomes ineligible for such [concealed carry] **permit or** endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013,** upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry **permit or** endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry **permit or** endorsement shall surrender the **permit, and, if applicable, the** driver's license or nondriver's license containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) **In cases involving a concealed carry endorsement issued prior to August 28, 2013,** the official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the order, warrant, discharge, or commitment. The concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **and, if applicable, the concealed carry endorsement issued prior to August 28, 2013,** shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding the **permit, and, if applicable, the** driver's license or nondriver's license containing the concealed carry endorsement shall return [it] **such permit or license** to the individual.

(4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the **permit to the issuing county sheriff. If a concealed carry endorsement issued prior to August 28, 2013, is revoked, the court shall forward the notice and the** driver's license or nondriver's license with the concealed carry endorsement to the department of revenue. The department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement [and]. **The sheriff that issued the concealed carry permit, or the certificate of qualification prior to August**

28, 2013, shall report the change in status of the concealed carry **permit or** endorsement to the Missouri uniform law enforcement system. The director of revenue shall immediately remove the endorsement issued [pursuant to sections 571.101 to 571.121] **prior to August 28, 2013**, from the individual's driving record within three days of the receipt of the notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

2. A concealed carry [endorsement] **permit** shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and the required renewal fee by the sheriff of the county of the applicant's residence. The renewal application shall contain the same required information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit**. Upon successful completion of all renewal requirements, the sheriff shall issue a [certificate of qualification] **new concealed carry permit** which contains the date such [certificate] **permit** was renewed. **The process for renewing a concealed carry endorsement issued prior to August 28, 2013, shall be the same as the process for renewing a permit, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current driver's license or nondriver's license containing an endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a new concealed carry permit as provided under this subsection.**

3. A person who has been issued a [certificate] **concealed carry permit, or a certificate** of qualification for a concealed carry endorsement **prior to August 28, 2013**, who fails to file a renewal application **for a concealed carry permit** on or before its expiration date must pay an additional late fee of ten dollars per month for each month it is expired for up to six months. After six months, the sheriff who issued the expired **concealed carry permit or certificate of qualification** shall notify the **Missouri uniform law enforcement system and the individual that such permit is expired and cancelled. If the person has a concealed carry endorsement issued prior to August 28, 2013, the sheriff that issued the certificate of qualification for the endorsement shall notify the** director of revenue that such certificate is expired **regardless of whether the endorsement holder has applied for a concealed carry permit under subsection 2 of this section.** The director of revenue shall immediately [cancel the concealed carry endorsement and] remove such endorsement from the individual's driving record and notify the individual [of such cancellation] **that his or her driver's license or nondriver's license has expired.** The notice [of cancellation of the endorsement] shall be conducted in the same manner as described in subsection 1 of this section. Any person who has been issued a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013**, who fails to renew his or her application within the six-month period must reapply for a new [certificate of qualification for a concealed carry endorsement] **concealed carry permit** and pay the fee for a new application. [The director of revenue shall not issue an endorsement on a renewed driver's license or renewed nondriver's license unless the applicant for such license provides evidence that he or she has renewed the certification of qualification for a concealed carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his

or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the director shall renew the driver's license or nondriver's license without the endorsement appearing on the license if the applicant is otherwise qualified for such renewal.]

4. Any person issued a concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall notify [the department of revenue and] the sheriffs of both the old and new jurisdictions of the **permit or** endorsement holder's change of residence within thirty days after the changing of a permanent residence. The **permit or** endorsement holder shall furnish proof to [the department of revenue and] the sheriff in the new jurisdiction that the **permit or** endorsement holder has changed his or her residence. The sheriff of the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with notification of a change in residence. **If the person has a concealed carry endorsement issued prior to August 28, 2013, the endorsement holder shall also furnish proof to the department of revenue of his or her residence change. In such cases,** the change of residence shall be made by the department of revenue onto the individual's driving record [and]. **The sheriff shall report the residence change to the Missouri uniform law enforcement system and** the new address shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

5. Any person issued a [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall notify the sheriff or his or her designee of the **permit or** endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her **permit or** driver's license or nondriver's license containing a concealed carry endorsement. The **permit or** endorsement holder shall furnish a statement to the sheriff that the **permit or** driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a **permit or** driver's license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue a new [certificate of qualification] **concealed carry permit** within three working days of being notified by the concealed carry **permit or** endorsement holder of its loss or destruction. The [reissued certificate of qualification] **new concealed carry permit** shall contain the same personal information, including expiration date, as the original [certificate of qualification]. The applicant shall then take the certificate to the department of revenue, and the department of revenue shall proceed on the certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, the director of revenue shall issue a driver's license or nondriver's license containing a concealed carry endorsement if the applicant is otherwise eligible to receive such license] **concealed carry permit**.

6. If a person issued a concealed carry **permit, or** endorsement **issued prior to August 28, 2013**, changes his or her name, the person to whom the **permit or** endorsement was issued shall obtain a corrected [certificate of qualification for a concealed carry endorsement] **or new concealed carry permit** with a change of name from the sheriff who issued [such certificate] **the original concealed carry permit or the original certificate of qualification for an endorsement** upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected [certificate of qualification] **or new concealed carry permit**. The **permit or** endorsement holder shall furnish proof of the name change to the [department of revenue and the] sheriff within thirty days of changing his or her name and display his or her **concealed carry permit or** current

driver's license or nondriver's license containing a concealed carry endorsement. [The endorsement holder shall apply for a new driver's license or nondriver's license containing his or her new name. Such application for a driver's license or nondriver's license shall be made pursuant to chapter 302. The director of revenue shall issue a driver's license or nondriver's license with concealed carry endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such license. The director of revenue shall take custody of the old driver's license or nondriver's license. The name change shall be made by the department of revenue onto the individual's driving record] **The sheriff shall report the name change to the Missouri uniform law enforcement system** and the new name shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

7. A concealed carry **permit, and, if applicable,** endorsement shall be automatically invalid after thirty days if the **permit or** endorsement holder has changed his or her name or changed his or her residence and not notified the department of revenue and sheriff [of a change of name or residence] as required in subsections 4 and 6 of this section.

571.107. 1. A concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **a valid concealed carry endorsement issued prior to August 28, 2013,** or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **valid concealed carry endorsement issued prior to August 28, 2013,** or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from

carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry **permit or** endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under section 17, article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry **permit or** endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by **permit or** endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry **permit or** endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board.

Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a [driver's license or nondriver's license containing a] concealed carry **permit or endorsement**;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry **permit or endorsement** from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry **permit or endorsement** from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry **permit or endorsement** from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such

person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her **permit, and, if applicable,** endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry **permit, and, if applicable,** endorsement revoked and such person shall not be eligible for a concealed carry [endorsement] **permit** for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the **concealed carry permit or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the** certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the **concealed carry permit or, if applicable, the** certificate of qualification for a concealed carry endorsement [and]. **If the person holds an endorsement,** the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. [A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license.] The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

571.111. 1. An applicant for a concealed carry [endorsement] **permit** shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry [endorsement] **permit**:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

- (1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;
- (2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;
- (3) The basic principles of marksmanship;
- (4) Care and cleaning of concealable firearms;
- (5) Safe storage of firearms at home;
- (6) The requirements of this state for obtaining a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** from the sheriff of the individual's county of residence [and a concealed carry endorsement issued by the department of revenue];
- (7) The laws relating to firearms as prescribed in this chapter;
- (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
- (9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;
- (10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry [endorsement] **permit** who:

- (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or
- (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or
- (3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry [endorsement] **permit** shall:

- (1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;
- (2) Maintain all course records on students for a period of no less than four years from course completion date; and
- (3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any

sheriff issuing a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.

571.114. 1. In any case when the sheriff refuses to issue a [certificate of qualification] **concealed carry permit** or to act on an application for such [certificate] **permit**, the denied applicant shall have the right to appeal the denial within thirty days of receiving written notice of the denial. Such appeals shall be heard in small claims court as defined in section 482.300, and the provisions of sections 482.300, 482.310 and 482.335 shall apply to such appeals.

2. A denial of or refusal to act on an application for a [certificate of qualification] **concealed carry permit** may be appealed by filing with the clerk of the small claims court a copy of the sheriff's written refusal and a form substantially similar to the appeal form provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of....., Missouri
 , Denied Applicant

)

)

vs.) Case Number

)

)

....., Sheriff

Return Date

APPEAL OF A DENIAL
 OF [CERTIFICATE OF
 QUALIFICATION FOR A
 CONCEALED CARRY ENDORSEMENT] **CONCEALED CARRY PERMIT**

The denied applicant states that his or her properly completed application for a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** was denied by the sheriff of County, Missouri, without just cause. The denied applicant affirms that all of the statements in the application are true.

....., Denied Applicant

3. The notice of appeal in a denial of a [certificate of qualification for a concealed carry endorsement] **concealed carry permit** appeal shall be made to the sheriff in a manner and form determined by the small claims court judge.

4. If at the hearing the person shows he or she is entitled to the requested [certificate of qualification for a] concealed carry [endorsement] **permit**, the court shall issue an appropriate order to cause the issuance of the [certificate of qualification for a] concealed carry [endorsement] **permit**. Costs shall not be assessed against the sheriff unless the action of the sheriff is determined by the judge to be arbitrary and capricious.

5. Any person aggrieved by any final judgment rendered by a small claims court in a denial of a [certificate of qualification for a] concealed carry [endorsement] **permit** appeal may have a right to trial de novo as provided in sections 512.180 to 512.320.

571.117. 1. Any person who has knowledge that another person, who was issued a [certificate of qualification for a] concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121, **or concealed carry endorsement prior to August 28, 2013**, never was or no longer is eligible for such **permit or** endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's [certificate of qualification for a concealed carry endorsement and such person's] concealed carry **permit or** endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry **permit or** endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry **Permit or** Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF [CERTIFICATE OF QUALIFICATION] **CONCEALED CARRY PERMIT** OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**, and that the defendant's [certificate of qualification] **concealed carry permit** or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a [certificate] **permit** or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such [certificate] **permit** or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON
THAT APPLIES TO THIS DEFENDANT)

- ☐ Defendant is not at least twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- ☐ Defendant is not a citizen of the United States.
- ☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- ☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a [certificate of qualification or] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**.
- ☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- ☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- ☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in

another state, occurred more than five years ago without subsequent recommitment may apply.

- ☐ Defendant failed to submit a completed application for a [certificate of qualification or] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued prior to August 28, 2013.**
- ☐ Defendant failed to submit to or failed to clear the required background check.
- ☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the [certificate of qualification or the] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013** at the time of issuance or renewal or is no longer eligible for a [certificate of qualification] **concealed carry permit** or the concealed carry endorsement [issued pursuant to the provisions of sections 571.101 to 571.121], the court shall issue an appropriate order to cause the revocation of the [certificate of qualification or] **concealed carry permit, and, if applicable, the** concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against [an] **a permit or** endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the **permit or** endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a [certificate of qualification] **concealed carry permit** or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a [certificate of qualification or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **or a certificate of qualification for a concealed carry endorsement issued prior to August 28, 2013**, so long as the sheriff acted in good faith.

571.121. 1. Any person issued a concealed carry [endorsement] **permit** pursuant to sections 571.101 to 571.121 **or a concealed carry endorsement issued prior to August 28, 2013**, shall carry the concealed carry **permit or** endorsement at all times the person is carrying a concealed firearm and shall display the concealed carry **permit and a state or federal government-issued photo identification or the**

endorsement upon the request of any peace officer. Failure to comply with this subsection shall not be a criminal offense but the concealed carry **permit or** endorsement holder may be issued a citation for an amount not to exceed thirty-five dollars.

2. Notwithstanding any other provisions of law, the director of revenue, by carrying out his or her requirement to issue a driver's or nondriver's license reflecting that a concealed carry permit has been granted **under the law as it existed prior to August 28, 2013**, shall bear no liability and shall be immune from any claims for damages resulting from any determination made regarding the qualification of any person for such permit or for any actions stemming from the conduct of any person issued such a permit. By issuing the permit on the driver's or nondriver's license, the director of revenue **[is] was** merely acting as a scrivener for any determination made by the sheriff that the person **[is] was** qualified for the permit.

[571.102. The repeal and reenactment of sections 302.181 and 571.101 shall become effective on the date the director of the department of revenue begins to issue nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued, or on January 1, 2013, whichever occurs first. If the director of revenue begins issuing nondriver licenses with conceal carry endorsements that expire three years from the dates the certificates of qualification were issued under the authority granted under sections 302.181 and 571.101 prior to January 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.]; and

Further amend said bill and page, section B, line 18 of said page, by striking the following: "section A" and inserting in lieu thereof the following: "the enactment of sections 302.065 and 302.189 and the repeal and reenactment of section 302.183"; and further amend line 21 of said page, by striking the following: "section A" and inserting in lieu thereof the following: "the enactment of sections 302.065 and 302.189 and the repeal and reenactment of section 302.183"; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.

Senator Emery offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 1, Line 2, by inserting at the end of said line the following: "further amend lines 4 to 7 of the title, by striking all of said lines and inserting in lieu thereof the following: "licenses issued by the department of revenue, with an emergency clause for certain sections."; and".

Senator Emery moved that the above amendment be adopted.

At the request of Senator Kraus, **SB 252**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 10**.

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, there are currently more than 105,000 people waiting for an organ donation, with the largest waiting group being persons 18 to 49 years of age; and

WHEREAS, more than 7,000 people die each year due to the lack of organs, with an average of 18 people dying each day while on the waiting list for an organ donation; and

WHEREAS, approximately 30,000 people a year have begun new lives thanks to an organ transplant; and

WHEREAS, organs and tissue from a single nonliving donor can be used to benefit more than 50 people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

WHEREAS, raising and promoting awareness and information about the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor is vitally important to increase the number of lives saved and changed for the better through organ donation; and

WHEREAS, every person must be advised of their option to donate an organ. By focusing on education and donor awareness, every person can be informed on the need for organ donors; and

WHEREAS, the following excerpt is from “To Remember Me - I Will Live Forever”, written by American Poet Robert Noel Test (1926 - 1994):

“...And don’t call this my deathbed. Let it be called the bed of life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby’s face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to the one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fiber and nerve in my body and find a way to make a crippled child walk. Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that, someday a speechless boy will shout at the crack of a bat and a deaf girl will hear the sound of rain against her window...”; and

WHEREAS, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby designate April 2013 as “Donate Life Month” in Missouri.

BE IT FURTHER RESOLVED that the General Assembly encourages and recommends that people of the State of Missouri observe Organ Donor Life Month through activities which will increase awareness of organ donation and the need for organ donors.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 25**.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the Interim Committee on Local Governance of the Missouri House of Representatives (the Committee) submitted a report to the Speaker of the House dated December 31, 2012; and

WHEREAS, this report contained a synopsis of the issues presented to the Committee, as well as its recommendations; and

WHEREAS, the Committee reported on the governance and taxation issues in the St. Louis Metropolitan Statistical Area (MSA); and

WHEREAS, the report details the changes in the laws that make the St. Louis area unique; and

WHEREAS, no other municipality or county in Missouri is governed by the sales tax and governance provisions unique to St. Louis

County and its municipalities, so that the other counties in Missouri focus on county responsibilities, while the municipalities focus on municipal duties; and

WHEREAS, the Committee recognized that any type of change to the St. Louis MSA's sales tax and governance system is part of a larger overall discussion of issues which should be undertaken, such as merging or consolidating political subdivisions which offer duplicative or inefficient services, and the use of tax increment financing by municipalities to attract retail establishments from neighboring municipalities, as well as the issues surrounding the sales tax distribution system and the financial ramifications to local government of any changes; and

WHEREAS, the Committee stated its belief that these issues are best resolved by local stakeholders, but that where the local stakeholders fail to resolve these issues, the state would be forced to offer solutions through statute or referendum during the 2014 legislative session; and

WHEREAS, the Committee recommends that an independent study be commissioned to research the larger overall discussion of issues which should be undertaken in the St. Louis MSA, such as merging or consolidating political subdivisions which offer duplicative or inefficient services, and the use of tax increment financing by municipalities to attract retail establishments from neighboring municipalities, as well as the issues surrounding the sales tax distribution system and the financial ramifications to local government of any changes.

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House Ninety-Seventh General Assembly, First Regular Session, the Senate concurring therein, hereby establish the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation (Joint Committee); and

BE IT FURTHER RESOLVED that the Joint Committee shall be composed of four majority party members to be appointed by the Speaker of the House of Representatives, two minority party members to be appointed by the Minority Leader of the House of Representatives, four majority party members to be appointed by the President Pro Tem of the Senate, and two minority party members to be appointed by the Minority Leader of the Senate; and

BE IT FURTHER RESOLVED that the Joint Committee shall interview and select an appropriate entity to conduct the independent study called for in the report and make recommendations to secure the appropriate commitments to fund the independent study at no direct cost to the state; and

BE IT FURTHER RESOLVED that the Joint Committee shall receive the independent study and, upon receipt, review the study as well as conduct a comprehensive analysis of the taxation and governance issues facing the St. Louis MSA, and make recommendations on proposed legislation for the 2014 legislative session; and

BE IT FURTHER RESOLVED that if this Joint Committee is not in receipt of an independent study by September 1, 2013, it shall proceed on its own and perform its own investigation and analysis of the circumstances so that this Joint Committee shall be able to make its recommendation for proposed legislative changes no later than December 31, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to hold hearing as it deems advisable and may solicit any input or information necessary to fulfill its obligations, including but not limited to any agency of the state or any political subdivision of the state which the committee may find helpful; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Joint Committee, its members, and any staff assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Joint Committee will report its recommendations and findings to the Missouri General Assembly by December 21, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to function during the interim between the First Regular Session of the 97th General Assembly through the end of the Second Regular Session of the 97th General Assembly; and

BE IT FURTHER RESOLVED that the Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the House of Representatives and the President Pro Tem of the Senate.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, the Army 2020 Force Structure Realignment Programmatic Environmental Assessment (PEA) includes a plan to reduce the Army's end strength and realign its forces over the coming years which will affect 21 Army installations across the country, including Fort Leonard Wood in Missouri; and

WHEREAS, these Army reductions and realignments that may occur from Fiscal Year 2013-2020 will result in significant impacts to a variety of economic measures in communities neighboring these 21 installations; and

WHEREAS, the PEA specifically references the impact of force structure reductions at Fort Leonard Wood in Missouri, including reduction in employment, income, regional population, and sales; and

WHEREAS, Fort Leonard Wood currently has a permanent workforce of approximately 9,500 soldiers and Army civilians, not including trainees, students, family members, other service members, contractors, and non-full time employees; and

WHEREAS, the Programmatic Environmental Assessment proposes a loss of up to 3,900 of these soldiers and Army civilians, which is a loss of 41% of permanent staff and an added loss of 450 direct and 504 indirect jobs across the community; and

WHEREAS, the economic impact across the three-county region, as defined in the study, would be devastating. The study shows a loss of 8% in annual sales, 6.75% in tax revenue, 11.21% in employment, and 7.5% in population; and

WHEREAS, as the study notes, only a portion of the potential loss is considered in the study. The study states that there may also be a loss of 10% of training load and an unknown percentage of other services not factored into the analysis. With this additional loss, the overall loss would be catastrophic for the region; and

WHEREAS, the majority of the impact would be felt in Pulaski County, Missouri; and

WHEREAS, the study projects a loss of almost 3,700 K-12 school students in the region, with a majority of the loss in the Waynesville School District that provides K-12 schools on Fort Leonard Wood and the immediate vicinity; and

WHEREAS, Waynesville School District has approximately 6,000 students enrolled today. Assuming 85% of the loss in that school district, the district would realize a 52% loss of its current enrollment; and

WHEREAS, to continue to provide the highest level of quality education, the Waynesville School District has recently invested in several new facilities, a high school, elementary school, and career center. These facilities are heavily dependent on continuing federal impact aid for construction bond funding. Based on the projected level of impact aid loss, the district would be placed in serious financial jeopardy; and

WHEREAS, the impact of these losses would be felt not only in the communities surrounding Fort Leonard Wood, but the entire State of Missouri. The full impact of the state if the troop reduction goes forward has yet to be determined, but it is certain it would be significant, because Fort Leonard Wood is one of the largest employers in the State of Missouri; and

WHEREAS: Fort Leonard Wood is an important asset for the Army and the Department of Defense through pioneering the concepts of multiple schools at one location, and multi-service training and education; and

WHEREAS, the Army has made a multi-billion dollar investment in new infrastructure at the installation and its operating costs are among the lowest in the country. Fort Leonard Wood should be considered for additional mission growths, not reductions; and

WHEREAS, final decisions will be made over the next several years. The projected \$233 million in economic loss and 6,441 jobs affected as a result of the proposed Army reductions will have a significant impact to the State of Missouri and catastrophic to the region:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the Department of Defense to reconsider the reduction and realignment of Army forces at Fort Leonard Wood, Missouri, and continue full operation at this installation, which has one of the lowest installation operating costs in the county; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of Defense, the United States Army Environment Command, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 159** and **SCS** for **SB 297**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 297** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Lager.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 673, regarding the Joplin Sports Complex, which was adopted.

Senator Lamping offered Senate Resolution No. 674, regarding Morris Moss, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 675, regarding Scott Brinkman “Brink” Thompson, which was adopted.

Senator Walsh offered Senate Resolution No. 676, regarding David C. Miller, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 677, regarding Joshua David Cross, Bellefontaine Neighbors, which was adopted.

Senator Schaaf offered Senate Resolution No. 678, regarding Michelle Marshall, Saint Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 679, regarding Jacob D. Lindburg, which was adopted.

Senator Emery offered Senate Resolution No. 680, regarding Micah Cox, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 252**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 to **SA 1** was again taken up.

Senator Kehoe assumed the Chair.

Senator Emery moved that **SA 1** to **SA 1** be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 16, Line 18, by striking the word “three” and inserting in lieu thereof the following: **“five”**.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3** to **SA 1**:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 25, Section 571.101, Lines 22-23 of said amendment page, by striking: “not to exceed one hundred dollars” and inserting in lieu thereof the following: “, **in an amount to be determined by the sheriff,**”; and further amend lines 28 and 29 of said amendment page, by striking: “not to exceed fifty dollars” and inserting in lieu thereof the following: “, **in an amount to be determined by the sheriff,**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator LeVota offered **SA 4** to **SA 1**, which was read:

SENATE AMENDMENT NO. 4 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 252, Page 24, Section 571.101, Line 24 of said amendment, by inserting at the end of said line the following: **“The permit shall include a photograph of the permit holder.”**.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator Emery moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Holsman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 252, Page 1, Section A, Line 3, by inserting immediately after said line the following:

301.3031. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War II memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund. **Beginning August 28, 2013, the director of revenue shall no longer collect the contribution authorized by this section.**

2. There is established in the state treasury the “World War II Memorial Trust Fund”. The state treasurer shall credit to and deposit in the World War II memorial trust fund all amounts received pursuant to this section, and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for purposes of this section.

3. The Missouri veterans’ commission shall administer the trust fund. The trust fund shall be used to participate in the funding of the National World War II Memorial to be located at a site dedicated on

November 11, 1995, on the National Mall in Washington, D.C.

4. The state treasurer shall invest moneys in the trust fund in the same manner as surplus state funds are invested pursuant to section 30.260. All earnings resulting from the investment of moneys in the trust fund shall be credited to the trust fund. The general assembly may appropriate moneys annually from the trust fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 1 of this section. The provisions of section 33.080 requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the trust fund.

301.3033. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War I memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund.

2. There is established in the state treasury the "World War I Memorial Trust Fund". The state treasurer shall credit to and deposit in the World War I memorial trust fund all amounts received pursuant subsection 1 of this section and any other amounts which may be received from grants, gifts, bequests, the federal government, or other sources granted or given for purposes of this section.

3. The Missouri veterans' commission shall administer the trust fund established pursuant to this section. The trust fund shall be used for the sole purpose of the restoration, renovation, and maintenance of a memorial or museum or both dedicated to World War I in any home rule city with more than four hundred thousand inhabitants and located in more than one county.

4. The state treasurer shall invest moneys in the trust fund in the same manner as surplus state funds are invested pursuant to section 30.260. All earnings resulting from the investment of moneys in the trust fund shall be credited to the trust fund. The general assembly may appropriate moneys annually from the trust fund to the department of revenue to offset costs incurred for collecting and transferring contributions pursuant to subsection 1 of this section. The provisions of section 33.080 requiring all unexpended balances remaining in various state funds to be transferred and placed to the credit of the ordinary revenue fund of this state at the end of each biennium shall not apply to the trust fund.

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 252, Page 5, Section 302.183, Line 15 of said page, by inserting immediately after said line the following:

"6. The department of revenue shall indemnify and hold harmless any person who is selected or appointed by the director of revenue to act as a fee office under section 136.055 from all costs, liabilities, and expenses, including reasonable attorneys' fee expenses, incurred by the fee office for defending a legal action brought against the fee office for an alleged violation of this section."

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 252, Page 1, In the Title, Line 3 of said title, by striking the following: “receipt, collection,”; and further amend lines 4-5 of said title, by striking all of said lines; and further amend line 6 of said title, by striking the following: “nondriver’s licenses by the”; and

Further amend said bill and page, section A, line 3 of said page, by inserting immediately after said line the following:

“32.403. 1. Notwithstanding the provisions of chapter 610 or any other provision of law, the department of revenue shall not sell or otherwise disclose any information consisting of a person’s name, address, date of birth, sex, height, weight, eye color, driver license number, driving history showing speeding tickets or other violations, Social Security number, photograph, telephone number, electronic mail address, or medical or disability information including restrictions.

2. Information restricted under subsection 1 of this section may be disclosed if allowed under 18 U.S.C. Sections 2721 to 2725 as amended, however, such information shall not be disclosed to a business entity except for the purpose of verifying information voluntarily provided to the business.

3. Any person may bring a claim against the department of revenue in a court of proper jurisdiction alleging a violation of this section and asking for civil damages in an amount not to exceed ten thousand dollars, attorney fees and costs, and such injunctive relief as a court deems proper. A violation shall consist of the unauthorized release of information with regard to a particular person, without regard to the type or quantity of information released.

4. If the department of revenue chooses to release information in accordance with subsection 2 of this section, the department shall charge only such actual fees as necessary to process the request for information, but in no case shall the fees charged exceed the amount that is charged for a substantially similar information request under chapter 610.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Kraus moved that **SS** for **SB 252**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 252**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 357** be taken up for perfection, which motion prevailed.

Senator Romine offered **SS** for **SB 357**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 357

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

Senator Romine moved that **SS** for **SB 357** be adopted, which motion prevailed.

On motion of Senator Romine, **SS** for **SB 357** was declared perfected and ordered printed.

Senator Kraus moved that **SB 381**, with **SCS**, be taken up for perfection, which motion prevailed.
SCS for **SB 381**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 381

An Act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

Was taken up.

Senator Kraus moved that **SCS** for **SB 381** be adopted.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 381, Page 1, Section 178.1100, Line 8, by inserting immediately after the word “public” the words “**or private**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 381**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 381**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 8:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Silvey.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 134**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 159** to the Committee on Governmental Accountability and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 381** and **SS** for **SB 357**, begs leave to report that it has examined the same and finds that the

bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 381** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

SB 67 was placed on the Informal Calendar.

Senator Keaveny moved that **SB 99** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 99** was declared perfected and ordered printed.

Senator Emery moved that **SB 239**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 239**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 239

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof two new sections relating to elementary and secondary education.

Was taken up.

Senator Emery moved that **SCS** for **SB 239** be adopted.

Senator Curls offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 239, Page 1, Section 167.168, Lines 3-5, by striking all of said lines and inserting in lieu thereof the following: “**technology, or similar technology, unless such identification device is used solely for the purposes of student safety or student security.**”.

Senator Curls moved that the above amendment be adopted, which motion failed on a standing division vote.

President Pro Tem Dempsey assumed the Chair.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 239, Page 6, Section 168.021, Line 170, by inserting after all of said line the following:

“**Section 1. 1. There is hereby established a joint interim committee of the general assembly to function during the legislative interim between the first and second regular sessions of the ninety-seventh general assembly to examine the current elementary and secondary education foundation formula.**

2. The joint interim committee shall do the following:

(1) Study the impact of cuts to the foundation formula on hold harmless school districts;

(2) Study how other states fund elementary and secondary education and how they have addressed

elementary and secondary education budgets during difficult fiscal times; and

(3) Identify ways in which the foundation formula might be improved.

3. The joint interim committee shall report its recommendations to the president pro tempore of the senate and the speaker of the house of representatives by January 8, 2014.

4. The joint interim committee shall be composed of ten members, three majority party members, and two minority party members of the senate, to be appointed by the president pro tempore of the senate, and three majority party members and two minority party members of the house of representatives, to be appointed by the speaker of the house of representatives.

5. The joint interim committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the joint interim committee deems relevant, political subdivisions of this state, and the general public.

6. The staffs of senate appropriations, senate research, house appropriations, house research, the joint committee on education and the committee on legislative research shall provide such legal, research, clerical, technical, and bill drafting services as the joint interim committee may require in the performance of its duties.

7. The actual and necessary expenses of the joint interim committee, its members, and any staff assigned to the joint interim committee incurred by the joint interim committee shall be paid by the joint contingent fund.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Emery, **SB 239**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Nieves moved that **SB 272** be taken up for perfection, which motion prevailed.

Senator Walsh offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 272, Page 2, Section 320.402, Line 2, by striking “may” and inserting in lieu thereof the following: “**shall**”.

Senator Walsh moved that the above amendment be adopted, which motion failed.

Senator Walsh offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 272, Page 2, Section 320.402, Line 1, by inserting after “contractor” the following: “**or installer**”.

Senator Walsh moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 272**, with **SA 2** (pending), was placed on the Informal Calendar.

Senator Nieves moved that **SB 267** be taken up for perfection, which motion prevailed.

Senator Schaaf assumed the Chair.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 267, Page 1, Section 506.600, Lines 1-19, by striking all of said lines from the bill; and

Further amend said bill and section, page 2, lines 20-39 by striking all of said lines from the bill and further amend line 40 by striking the number “5.” and inserting in lieu thereof the following: **“506.600. 1.”**; and further amend lines 47 to 51 by striking all of said lines and inserting in lieu thereof the following: **“dispute at issue, that is repugnant to or inconsistent with the United States and Missouri constitutions.”**; and

Further amend said bill and section, page 3, lines 59-63 by striking all of said lines and inserting in lieu thereof the following: **“issue, that is repugnant to or inconsistent with the United States and Missouri constitutions;”**

Further amend line 69 by striking the words “granted under” and inserting in lieu thereof the following: **“protected by”**; and

Further amend lines 72-89 by striking all of said lines; and

Further amend said bill and section, page 4, lines 90-92 by striking all of said lines; and

Further renumber the remaining subsections accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Nieves, **SB 267**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Parson moved that **SB 342** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 342** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 252** and **SB 99**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 252** to the Committee on Governmental Accountability and Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

April 3, 2013

The Honorable Tom Dempsey
President Pro-Tem
Missouri Senate
201 W Capitol Avenue, Room 326
Jefferson City, Missouri 65101

Dear Senator Dempsey,

Please accept this letter of request to be removed from the Missouri Consolidated Health Care Plan Board (MCHCP).

Serving on the MCHCP Board for the past two (2) years has afforded me an even greater understanding and appreciation of the State's health care system.

I am grateful for the opportunity to have served in such an important capacity.

Respectfully submitted,
/s/ S. Kiki Curls
Shalonn "Kiki" Curls
Ninth Senatorial District

INTRODUCTIONS OF GUESTS

The President introduced to the Senate, former State Senator Betty Sims, Ladue.

The President and Senator Munzlinger introduced to the Senate, University of Missouri Extension Excel Leadership Class, Randolph County.

Senator Nasheed introduced to the Senate, David Chilenski, Crystal Hayden, Stanley Edwards, Lauren McComb, Sam Maynard, John Shafer, Max Moline, Isaac Reading, Andrew Moline, Jared Miller, David Aubuchon, Tom Martin, Jim Current, Grayston Eby, Shawn Hayden, Rich Hopkins, Jeffery Cunningham, Andrea Edwards, Evan Nevenschwander and Josiah Horn, representatives of Civil Air Patrol-Missouri.

Senator Richard introduced to the Senate, his wife, Patty, Gwen Delano, Paula Baker, Sharon Beshore, Jane Cage, Jane Lant and Nancy Morton, Joplin.

Senator Chappelle-Nadal introduced to the Senate, Mrs. Cheryl Jones, Mrs. Gail Sharpe, Ms. Barbi Click, Ms. Sheila Irving, and Mariah Moore, Ayanna King, Dominique Lewis, Gabrielle Brown, Jamoni Richardson, Alora Brown, Breyannah Parker, Symphoni Hollis, Amya Davis, Montia Evans, Taylor Brown, Tailyer Oden, Mya Brown, Trinity Smith, Darryan Smith, Aaliah Sperman, Jordyn Williams, Kayla Payne and Essence Green, representatives of Girls Inc., St. Louis; and Montia, Tailyer, Darryan and Aaliah were made honorary pages.

Senator Parson introduced to the Senate, Keith and Beverly Stevens, Bolivar; and Beth Crouch, Lincoln.

Senator Dixon introduced to the Senate, Marilyn Broaddus, parents and twenty fourth grade students from Greenwood Laboratory, Springfield.

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, Bill Owen, Springfield; and Gene Hanson, Kansas City.

On behalf of Senator Holsman and himself, Senator Pearce introduced to the Senate, Bob Madeo, Kansas City.

Senator Emery introduced to the Senate, Nancy Ross, Valo Jones, Mikayla Bartlett, Melissa Handle and

Courtney Herren, representatives of Sophomore Pilgrimage, Vernon County.

Senator Sater introduced to the Senate, Bob and Ruth Callahan, Cassville.

On behalf of Senator Kehoe, the President introduced to the Senate, Dan Campbell and students from Helias High School Civics Class, Jefferson City.

Senator Cunningham introduced to the Senate, Haley McCall and Anne Ream, West Plains.

Senator Silvey introduced to the Senate, the Physician of the Day, Dr. Brad Barth, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 10, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 152-Solon, et al	HCS for HBs 446 & 211
HB 581-Roorda, et al	HCS for HB 315
HCS for HB 169	HCS for HB 46
HB 316-Phillips, et al	HCS for HB 134
HCS for HB 168	

THIRD READING OF SENATE BILLS

SB 112-Rupp and Richard (In Fiscal Oversight)	SCS for SB 297-Lager (In Fiscal Oversight)
SCS for SB 87-Schaaf	SCS for SB 381-Kraus (In Fiscal Oversight)
SB 275-Walsh	SS for SB 357-Romine
SS for SCS for SB 159-Schmitt	SS for SB 252-Kraus (In Fiscal Oversight)
(In Fiscal Oversight)	SB 99-Keaveny

SENATE BILLS FOR PERFECTION

1. SB 373-Munzlinger, with SCS	3. SB 303-Wasson
2. SB 57-Romine	4. SB 304-Wasson

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|---|--|
| 5. SB 170-Chappelle-Nadal | 22. SB 410-Kehoe |
| 6. SB 118-Kraus, with SCS | 23. SB 133-Keaveny and Holsman, with SCS |
| 7. SB 251-Kraus and Chappelle-Nadal | 24. SB 210-Lamping and Nieves, with SCS |
| 8. SB 327-Dixon | 25. SB 455-Nieves, with SCS |
| 9. SB 245-Justus | 26. SB 167-Sater and Wallingford, with SCS |
| 10. SB 291-Rupp | 27. SB 343-Parson |
| 11. SB 231-Munzlinger | 28. SB 250-Schaaf, with SCS |
| 12. SB 226-Schaefer, with SCS | 29. SB 175-Wallingford |
| 13. SB 282-Wasson | 30. SB 285-Romine |
| 14. SB 366-Lamping, et al | 31. SB 339-Romine |
| 15. SB 205-Sater | 32. SB 174-Parson, with SCS |
| 16. SB 256-Silvey, with SCS | 33. SB 441-Dempsey |
| 17. SB 432-Cunningham, with SCS | 34. SJR 2-Lager |
| 18. SBs 317 & 319-Romine, with SCS | 35. SB 315-Pearce |
| 19. SB 401-Rupp | 36. SB 419-Lager, with SCS |
| 20. SB 396-Holsman and Chappelle-Nadal,
with SCS | 37. SB 411-Kehoe, with SCS |
| 21. SB 378-Pearce, with SCS | 38. SB 141-Dempsey |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| HB 55-Flanigan and Allen, with SCS
(Schaefer) | HCS for HJR 11 & 7 (Parson)
(In Fiscal Oversight) |
|--|--|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 82-Schaefer, with SCS |
| SB 13-Schaefer, with SCS | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 257-Silvey and Justus |
| SB 48-Lamping | SB 267-Nieves, with SA 1 (pending) |
| SB 61-Keaveny, with SCA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 65-Dixon, with SCS | SB 292-Rupp |
| SB 67-Dixon | SB 364-Parson |

RESOLUTIONS

To be Referred

HCR 10-Walton Gray, et al
HCR 25-Allen

HCR 28-Lynch, et al

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY—WEDNESDAY, APRIL 10, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You desire truth in the inward being, therefore teach me wisdom in my secret heart.” (Psalm 51:6)

Heavenly Father, help us to seek wisdom and understanding as we go about our daily living and are confronted by so many decisions that have to be made. We invite You, therefore, to help us know the truth and to live and act the truth, in our thinking, in our decisions and in our actions, so we may pass on the wisdom of our hearts to help our people live more effective lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 681, regarding Kimberley Diane Beeson, Wildwood, which was adopted.

Senator Lamping offered Senate Resolution No. 682, regarding Rachel Anne Broom, Wildwood, which was adopted.

Senator Lamping offered Senate Resolution No. 683, regarding Kelsey C. Buford, Wentzville, which was adopted.

Senator Lamping offered Senate Resolution No. 684, regarding Hollis Weathers Wright, Ballwin, which was adopted.

Senator Lamping offered Senate Resolution No. 685, regarding Alex Elizabeth Lambrecht, Chesterfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HJR**s **11** and **7**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

HOUSE BILLS ON THIRD READING

HB 55, with **SCS**, was placed on the Informal Calendar.

HCS for **HJR**s **11** and **7**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right to farm.

Was taken up by Senator Parson.

Senator Parson offered **SS** for **HCS** for **HJR**s **11** and **7**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NOS. 11 and 7

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to farm.

Senator Parson moved that **SS** for **HCS** for **HJR**s **11** and **7** be adopted.

Senator Kehoe assumed the Chair.

Senator LeVota offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 and 7, Page 2, Section 35, Line 4 of said page, by inserting at the end of said line the following: **“This section shall not apply to animals. “Animal” shall be defined as any dog or cat, which is being used, or is**

intended for use, for research, teaching, testing, breeding, or exhibition purposes, or as a pet.”.

Senator LeVota moved that the above amendment be adopted.

At the request of Senator Parson, **HCS** for **HJR**s 11 and 7, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 342**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Dempsey referred **HCR 10**; **HCR 25**; and **HCR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

Photographers from KMOV-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Nieves moved that **SB 267**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Dixon, **SA 1** was withdrawn.

Senator Nieves offered **SS** for **SB 267**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 267

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

Senator Nieves moved that **SS** for **SB 267** be adopted.

Senator Schmitt assumed the Chair.

Senator Kraus assumed the Chair.

Senator Nieves offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 267, Page 4, Section 506.600, Line 9, by striking the word “adjudicating,” and inserting in lieu thereof the following: “**adjudicating**”.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Nieves moved that **SS** for **SB 267**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SS** for **SB 267**, as amended, was declared perfected and ordered printed.

Senator Silvey moved that **SB 257** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Silvey, **SB 257** was declared perfected and ordered printed.

Senator Dixon moved that **SB 67** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 67, Page 1, In the Title, Lines 4-5, by striking all of said lines and inserting in lieu thereof the words “sections relating to higher education.”; and

Further amend said bill, page 16, section 173.778, line 42, by inserting after all of said line the following:

“174.231. 1. On and after August 28, 2005, the institution formerly known as Missouri Southern State College located in Joplin, Jasper County, shall be known as “Missouri Southern State University”. [Missouri Southern State University is hereby designated and shall hereafter be operated as a statewide institution of international or global education.] The Missouri Southern State University is hereby designated a moderately selective institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. [The institution shall develop such academic support programs and public service activities it deems necessary and appropriate to establish international or global education as a distinctive theme of its mission.] Consistent with the provisions of section 174.324, Missouri Southern State University is authorized to offer master’s level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.

2. As of July 1, 2008, Missouri Southern State University shall discontinue any and all associate degree programs unless the continuation of such associate degree programs is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section 173.005.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 67, Page 16, Section 173.778, Line 42, by inserting after all of said line the following:

“174.700. The board of regents or board of governors of any state college or university may appoint and employ as many college or university police officers as it may deem necessary to **enforce regulations established under section 174.709 and general motor vehicle laws of this state in accordance with section 174.712**, protect persons, property, and to preserve peace and good order only in the public buildings, properties, grounds, and other facilities and locations over which it has charge or control and to respond to emergencies or natural disasters outside of the boundaries of university property and provide services if requested by the law enforcement agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties, shall take and subscribe an oath of office before some officer authorized to administer oaths, to faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the board, and the secretary of the board shall give each college police officer so appointed and qualified a certificate of appointment, under the seal of the board, which certificate shall empower him or her with the same authority to maintain order, preserve peace and make arrests as is now held by peace officers.

2. The college or university police officers shall have the authority to enforce the regulations established in section 174.709 and general motor vehicle laws in accordance with section 174.712 on the campus as prescribed in chapter 304. The college or university police officer may in addition expel from the public buildings, campuses, and grounds, persons violating the rules and regulations that may be prescribed by the board or others under the authority of the board.

3. Such officer or employee of the state college or university as may be designated by the board shall have immediate charge, control and supervision of police officers appointed by authority of this section. Such college or university police officers shall have satisfactorily completed before appointment a training course for police officers as prescribed by chapter 590 for state peace officers or, by virtue of previous experience or training, have met the requirements of chapter 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board the right to appoint guards or watchmen who shall not be given the authority and powers authorized by sections 174.700 to [174.706] **174.712.**

174.709. 1. For the purpose of promoting public safety, health, and general welfare and to protect life and property, the board of regents or board of governors of any state college or university may establish regulations to control vehicular traffic, including speed regulations, on any thoroughfare owned or maintained by the state college or university and located within any of its campuses. Such regulations shall be consistent with the provisions of the general motor vehicle laws of this state. Upon adoption of such regulations, the state college or university shall have the authority to place official traffic control signals, as defined in section 300.010, on campus property.

2. The regulations established by the board of regents or board of governors of any state college or university under subsection 1 of this section shall be codified, printed, and distributed for public use. Adequate signs displaying the speed limit shall be posted along such thoroughfares.

3. Violations of any regulation established under this section shall have the same effect as a

violation of municipal ordinances adopted under section 304.120, with penalty provisions as provided in section 304.570. Points assessed against any person under section 302.302, for a violation of this section shall be the same as provided for a violation of a county or municipal ordinance.

4. The provisions of this section shall apply only to moving violations.

174.712. All motor vehicles operated upon any thoroughfare owned or maintained by the state college or university and located within any of its campuses shall be subject to the provisions of the general motor vehicle laws of this state, including chapters 301, 302, 303, 304, 307, and 577. Violations shall have the same effect as though such had occurred on public roads, streets, or highways of this state.”; and

Further amend said bill, Page 17, Section 174.770, Line 28, by inserting after all of said line the following:

“544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any political subdivision of this state, any authorized agent of the department of conservation, any commissioned member of the Missouri capitol police, **any college or university police officer**, and any commissioned member of the Missouri state park rangers in fresh pursuit of a person who is reasonably believed by such officer to have committed a felony in this state or who has committed, or attempted to commit, in the presence of such officer or agent, any criminal offense or violation of a municipal or county ordinance, or for whom such officer holds a warrant of arrest for a criminal offense, shall have the authority to arrest and hold in custody such person anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace officer’s, conservation agent’s, capitol police officer’s, **college or university police officer’s**, or state park ranger’s jurisdiction and shall be terminated once the pursuing peace officer is outside of such officer’s jurisdiction and has lost contact with the person being pursued. If the offense is a traffic violation, the uniform traffic ticket shall be used as if the violator had been apprehended in the municipality or county in which the offense occurred.

2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense; if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court with original criminal jurisdiction in the county wherein such arrest was made or before a municipal judge thereof having original jurisdiction to try such offense, who may release the person as provided in section 544.455, conditioned upon such person’s appearance before the court having jurisdiction to try the offense. The person so arrested need not be taken before a judge as herein set out if given a summons by the arresting officer.

3. The term “fresh pursuit”, as used in this section, shall include hot or fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or is reasonably suspected of having committed a felony in this state, or who has committed or attempted to commit in this state a criminal offense or violation of municipal or county ordinance in the presence of the arresting officer referred to in subsection 1 of this section or for whom such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. “Fresh pursuit” as used herein shall imply instant pursuit.

4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum standards:

(1) There shall be supervisory control of the pursuit;

(2) There shall be procedures for designating the primary pursuit vehicle and for determining the total number of vehicles to be permitted to participate at one time in the pursuit;

(3) There shall be procedures for coordinating operation with other jurisdictions; and

(4) There shall be guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be initiated or should be terminated.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SB 67**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

Senator Parson moved that **HCS** for **HJR**s **11** and **7**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Sifton offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 and 7, Page 2, Section 35, Line 4, by adding the following at the end of said line:

“This section shall not apply to any dog or cat.”.

Senator Sifton moved that the above substitute amendment be adopted.

Senator LeVota requested a roll call vote be taken on the adoption of **SSA 1** for **SA 1**. He was joined in his request by Senators Justus, Keaveny, McKenna and Sifton.

At the request of Senator Sifton, **SSA 1** for **SA 1** was withdrawn.

At the request of Senator LeVota, **SA 1** was withdrawn.

Senator Nasheed offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 and 7, Page 2, Section 35, Line 4, by inserting after all of said line the following:

“Nothing in this section shall be interpreted to prohibit the enactment of a law to require the labeling of genetically modified meats and fishes. There shall be enacted a general law that requires any meats and fishes that are genetically modified to be labeled as genetically modified with such exceptions as may be provided by general law.”.

Senator Nasheed moved that the above amendment be adopted.

Senator Richard raised the point of order that **SA 2** is out of order as it goes beyond the scope of the

subject matter of the underlying resolution.

The point of order was referred to the President Pro Tem.

At the request of Senator Nasheed, **SA 2** was withdrawn rendering the point of order moot.

Senator Lamping offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 and 7, Page 1, Section 35, Lines 9-10, by striking all of said line; and further amend said bill and section, page 2, lines 1-2, by striking all of said lines and inserting in lieu thereof the following: **“this state. Nothing in this section shall be interpreted to”**.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS** for **HCS** for **HJR**s **11** and **7**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **HCS** for **HJR**s **11** and **7**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nasheed—1

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Parson, title to the joint resolution was agreed to.

Senator Parson moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 373**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 373**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 373

An Act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 373** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 373**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 373

An Act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

Senator Munzlinger moved that **SS** for **SCS** for **SB 373** be adopted.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 373, Page 2, Section 323.100, Line 5 of said page, by striking “fifty” and inserting in lieu thereof “**twenty-five**”; and further amend lines 6-19 of said page, by striking all of said lines and inserting in lieu thereof the following: “**at fifty dollars. On January 1, 2016, and thereafter, the testing fee shall be set at seventy-five dollars.**”.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Munzlinger moved that **SS** for **SCS** for **SB 373**, as amended, be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 373**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 57** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 57, Page 3, Section 71.285, Line 83, by striking “or”; and further amend line 87, by inserting after “inhabitants,” the following: “**or in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants,**”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Romine, **SB 57**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 303** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 303** was declared perfected and ordered printed.

Senator Wasson moved that **SB 304** be taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 304** was declared perfected and ordered printed.

Senator Chappelle-Nadal moved that **SB 170** be taken up for perfection, which motion prevailed.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 170, Page 1, Section 610.015, Line 14, by striking the word “quorum” and inserting in lieu thereof the following: “**quorange**”; and further amend line 15 by inserting after the second use of the word “and” the following: “**at least one but**”; and

Further amend said bill and section, page 2, line 21 by inserting at the end of said line the following: “**As used in this section, the term “quorange” shall mean one less than a quorum.**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

On motion of Senator Chappelle-Nadal, **SB 170** was declared perfected and ordered printed.

Senator Kraus moved that **SB 118**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 118**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 118

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

Was taken up.

Senator Kraus moved that **SCS** for **SB 118** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 118** was declared perfected and ordered printed.

Senator Kraus moved that **SB 251** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 251**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 251

An Act to repeal sections 578.375, 578.377, 578.379, 578.381, 578.383, 578.389, and 578.390, RSMo, and to enact in lieu thereof nine new sections relating to public assistance fraud and abuse, with penalty provisions.

Senator Kraus moved that **SS** for **SB 251** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 251** was declared perfected and ordered printed.

Senator Dixon moved that **SB 327** be taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 327** was declared perfected and ordered printed.

Senator Justus moved that **SB 245** be taken up for perfection, which motion prevailed.

Senator Justus offered **SS** for **SB 245**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 245

An Act to repeal section 514.040, RSMo, and to enact in lieu thereof one new section relating to waiver

of court costs and expenses in civil cases.

Senator Justus moved that **SS** for **SB 245** be adopted, which motion prevailed.

On motion of Senator Justus, **SS** for **SB 245** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 257** and **SS** for **SB 267**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 42**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibition on certain policies that infringe on private property rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 686, regarding Dr. Henry D. Petry, Carl Junction, which was adopted.

Senator Parson offered Senate Resolution No. 687, regarding Brenda Owens, which was adopted.

Senator Keaveny offered Senate Resolution No. 688, regarding John Michael Palumbo, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 689, regarding Kyle Matthew Daledovich, which was adopted.

Senator Lager offered Senate Resolution No. 690, regarding Shirley Zieber, which was adopted.

Senator Lager offered Senate Resolution No. 691, regarding Peggy Harwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 692, regarding Alvin A. Sparkman, Valley Park, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Abigail Gillum, Warrensburg.

Senator Pearce introduced to the Senate, Kurt Steidley, Knob Noster; Duane and Carolyn Harms, Leeton; and Virginia Toole, Holden.

Senator Libla introduced to the Senate, Breanna Davison, Chris Rushin and Robbie Toth, representatives of Boys and Girls Club, Poplar Bluff.

Senator Walsh introduced to the Senate, Amanda Kosty, King City, California.

Senator Rupp introduced to the Senate, Bram Sable-Smith, St. Louis County.

Senator Kehoe introduced to the Senate, Falycady Spence, Stephanie Johnson and staff, representatives of Boys and Girls Club, Jefferson City.

Senator Munzlinger introduced to the Senate, Tony Reiss, South Dakota.

Senator Dixon introduced to the Senate, Judge William W. Francis, Jr. and his wife, Beverly, Springfield.

Senator Dixon introduced to the Senate, Sid Needham and Pat Gartland, representatives of Boys and Girls Clubs, Springfield.

Senator Chappelle-Nadal introduced to the Senate, April Pezzolla and forty-two students from University City High School.

Senator Curls introduced to the Senate, Samuel Smith, Courtney Calhoun, Aleecia Piggie, Takiela Hyler and X'Brie Morrow, representatives of Boys and Girls Clubs of Greater Kansas City.

Senator Pearce introduced to the Senate, Mayor Mike Wright and Ron Brohammer, Richmond.

Senator Schaaf introduced to the Senate, Nathan Garrett, Chicago, Illinois.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Kit Young, St. Louis.

Senator Sifton introduced to the Senate, Brandon Sanders and his parents, Robert and Kim; and Tyler Horner, Homeschoolers from Webster Groves and Wentzville.

Senator Dempsey introduced to the Senate, John O'Mara and his daughter, Abby, St. Charles; and Erin Strickland, Lebanon.

Senator Richard introduced to the Senate, fourth grade students from Cecil Floyd Elementary School, Joplin.

Senator Nieves introduced to the Senate, Director Marc Beckman and John Dane, D.D.S., representatives of Missouri Elks Dental Program, Lee's Summit.

Senator Pearce introduced to the Senate, Scott Cady and representatives of Missouri Pharmacy Day, Chillicothe.

Senator Schaaf introduced to the Senate, Patrick McShane, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY—THURSDAY, APRIL 11, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 169
HB 316-Phillips, et al
HCS for HB 168
HCS for HBs 446 & 211

HCS for HB 315
HCS for HB 46
HCS for HB 134
HB 42-Rowland

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SB 112-Rupp and Richard
(In Fiscal Oversight) | 7. SS for SB 357-Romine |
| 2. SCS for SB 87-Schaaf | 8. SS for SB 252-Kraus
(In Fiscal Oversight) |
| 3. SB 275-Walsh | 9. SB 99-Keaveny |
| 4. SS for SCS for SB 159-Schmitt
(In Fiscal Oversight) | 10. SB 342-Parson, et al |
| 5. SCS for SB 297-Lager
(In Fiscal Oversight) | 11. SB 257-Silvey and Justus |
| 6. SCS for SB 381-Kraus
(In Fiscal Oversight) | 12. SS for SB 267-Nieves |

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 291-Rupp | 15. SB 210-Lamping and Nieves, with SCS |
| 2. SB 231-Munzlinger | 16. SB 455-Nieves, with SCS |
| 3. SB 226-Schaefer, with SCS | 17. SB 167-Sater and Wallingford, with SCS |
| 4. SB 282-Wasson | 18. SB 343-Parson |
| 5. SB 366-Lamping, et al | 19. SB 250-Schaaf, with SCS |
| 6. SB 205-Sater | 20. SB 175-Wallingford |
| 7. SB 256-Silvey, with SCS | 21. SB 285-Romine |
| 8. SB 432-Cunningham, with SCS | 22. SB 339-Romine |
| 9. SBs 317 & 319-Romine, with SCS | 23. SB 174-Parson, with SCS |
| 10. SB 401-Rupp | 24. SB 441-Dempsey |
| 11. SB 396-Holsman and Chappelle-Nadal,
with SCS | 25. SJR 2-Lager |
| 12. SB 378-Pearce, with SCS | 26. SB 315-Pearce |
| 13. SB 410-Kehoe | 27. SB 419-Lager, with SCS |
| 14. SB 133-Keaveny and Holsman, with SCS | 28. SB 411-Kehoe, with SCS |
| | 29. SB 141-Dempsey |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS

SB 21-Dixon
SB 22-Dixon

SB 48-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS

SB 207-Kehoe, et al, with SCS

SB 239-Emery, with SCS & SA 2 (pending)

SB 272-Nieves, with SA 2 (pending)

SB 292-Rupp

SB 364-Parson

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS

(Schaefer)

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-EIGHTH DAY—THURSDAY, APRIL 11, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“You show me the path of life. In your presence there is fullness of you; in your right hands are pleasures forevermore.” (Psalm 16:11)

Creator God, in our daily lives we experience You and know life and the fullness of Your joy. As we finish our work this day and return to our loved ones, make us mindful of the gifts they are in our lives and the completeness they bring to them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 693, regarding Pearl Kramer, University City, which was adopted.

Senator Schaefer offered Senate Resolution No. 694, regarding Walter L. “Wally” Pfeffer, II, which was adopted.

Senators Pearce and LeVota offered Senate Resolution No. 695, regarding the death of Harold Hollingsworth, which was adopted.

Senator McKenna offered Senate Resolution No. 696, regarding the Fiftieth Anniversary of Jefferson College, Hillsboro, which was adopted.

Senator Cunningham offered Senate Resolution No. 697, regarding the One Hundredth Anniversary of Cabool State Bank, which was adopted.

Senator Cunningham offered Senate Resolution No. 698, regarding Willow Springs High School, which was adopted.

Senator Cunningham offered Senate Resolution No. 699, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Patrick McFarland, West Plains, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Mariea Snell, as a member of the Missouri State Board of Nursing;

Also,

Michael L. Hodges, as a member of the Interior Design Council;

Also,

Brian C. Maddux, as a member of the Board of Boiler and Pressure Vessel Rules;

Also,

Forrest Miller Jr., Republican, as a member of the Missouri Community Service Commission; and

Archie Camden, Democrat, as a member of the State Board of Embalmers and Funeral Directors.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Kinder assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SB 87**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 87**

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 87** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Romine	Rupp	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—30		

NAYS—Senators

Cunningham	Richard	Sater	Wasson—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 275, introduced by Senator Walsh, entitled:

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utility regulation, with existing penalty provisions.

Was taken up.

On motion of Senator Walsh, **SB 275** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaaf assumed the Chair.

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 357**, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 357

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

Was taken up.

On motion of Senator Romine, **SS** for **SB 357** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 99, introduced by Senator Keaveny, entitled:

An Act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof three new sections relating to public administrators.

Was taken up.

On motion of Senator Keaveny, **SB 99** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 342, introduced by Senator Parson, et al, entitled:

An Act to repeal section 348.521, RSMo, and to enact in lieu thereof one new section relating to agricultural loans.

Was taken up by Senator Parson.

On motion of Senator Parson, **SB 342** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford—27					

NAYS—Senators

Cunningham	Lamping	LeVota	Nieves	Richard	Walsh	Wasson—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 257, introduced by Senators Silvey and Justus, entitled:

An Act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SB 257** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SB 267, introduced by Senator Nieves, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 267

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

Was taken up.

On motion of Senator Nieves, **SS for SB 267** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
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Walsh—9

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 403**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 373**; **SB 327**; **SB 304**; **SB 303**; **SS** for **SB 251**; **SS** for **SB 245**; **SB 170**; **SCS** for **SB 118**; **SB 67**; and **SB 57**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 251** and **SS** for **SCS** for **SB 373** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 152—Education.

HB 581—Transportation and Infrastructure.

HCS for **HB 169**—Seniors, Families and Pensions.

HB 316—Appropriations.

HCS for **HB 168**—Veterans' Affairs and Health.

HCS for **HBs 446** and **211**—Financial and Governmental Organizations and Elections.

HCS for **HB 315**—Small Business, Insurance and Industry.

HCS for HB 46—General Laws.

HCS for HB 134—Education.

HB 42—General Laws.

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, Megan Pfannenstiel, Judge Joe Locashio, Marty Means and Judge Ardie Bland, Kansas City.

Senator Wallingford introduced to the Senate, fourth grade students from Alma Schrader Elementary School, Cape Girardeau.

On behalf of Senator Libla and himself, the President introduced to the Senate, Butler County Prosecuting Attorney Russ Oliver.

Senator Wallingford introduced to the Senate, Crystal Richey and eleven fourth grade students from Cape Christian School, Cape Girardeau.

Senator Chappelle-Nadal introduced to the Senate, representatives from the University of Missouri-St. Louis.

Senator Pearce introduced to the Senate, Betsy Marshall and students from Richmond R-XVI School.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, April 15, 2013.

SENATE CALENDAR

FORTY-NINTH DAY—MONDAY, APRIL 15, 2013

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 112-Rupp and Richard
(In Fiscal Oversight) | 7. SB 327-Dixon |
| 2. SS for SCS for SB 159-Schmitt
(In Fiscal Oversight) | 8. SB 304-Wasson |
| 3. SCS for SB 297-Lager (In Fiscal Oversight) | 9. SB 303-Wasson |
| 4. SCS for SB 381-Kraus (In Fiscal Oversight) | 10. SS for SB 251-Kraus (In Fiscal Oversight) |
| 5. SS for SB 252-Kraus (In Fiscal Oversight) | 11. SS for SB 245-Justus |
| 6. SS for SCS for SB 373-Munzlinger
(In Fiscal Oversight) | 12. SB 170-Chappelle-Nadal |
| | 13. SCS for SB 118-Kraus |
| | 14. SB 67-Dixon |
| | 15. SB 57-Romine |

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 291-Rupp | 16. SB 455-Nieves, with SCS |
| 2. SB 231-Munzlinger | 17. SB 167-Sater and Wallingford, with SCS |
| 3. SB 226-Schaefer, with SCS | 18. SB 343-Parson |
| 4. SB 282-Wasson | 19. SB 250-Schaaf, with SCS |
| 5. SB 366-Lamping, et al | 20. SB 175-Wallingford |
| 6. SB 205-Sater | 21. SB 285-Romine |
| 7. SB 256-Silvey, with SCS | 22. SB 339-Romine |
| 8. SB 432-Cunningham, with SCS | 23. SB 174-Parson, with SCS |
| 9. SBs 317 & 319-Romine, with SCS | 24. SB 441-Dempsey |
| 10. SB 401-Rupp | 25. SJR 2-Lager |
| 11. SB 396-Holsman and Chappelle-Nadal,
with SCS | 26. SB 315-Pearce |
| 12. SB 378-Pearce, with SCS | 27. SB 419-Lager, with SCS |
| 13. SB 410-Kehoe | 28. SB 411-Kehoe, with SCS |
| 14. SB 133-Keaveny and Holsman, with SCS | 29. SB 141-Dempsey |
| 15. SB 210-Lamping and Nieves, with SCS | 30. SB 403-Rupp, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 82-Schaefer, with SCS |
| SB 13-Schaefer, with SCS | SB 207-Kehoe, et al, with SCS |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 48-Lamping | SB 292-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | SB 364-Parson |
| SB 65-Dixon, with SCS | |

HOUSE BILLS ON THIRD READING

- HB 55-Flanigan and Allen, with SCS
(Schaefer)

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-NINTH DAY—MONDAY, APRIL 15, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

St. Augustine of Hippo offers this prayer. Let us pray.

“O loving God, to turn away from you is to fall, to turn towards you is to rise, and to stand before you is to abide forever. Grant us, dear God, in all our duties your help; in all our uncertainties your guidance; in all our dangers your protection; and in all our sorrows your peace; . . .”. And Father, we add to these petitions that You will provide healing to the victims in Boston’s bombing; and comfort to the people terrorized by this event. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 11, 2013 was read and approved.

Senator Richard announced photographers from KCTV5-Kansas City were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 700, regarding the Jackson County Adult Drug Court, which was adopted.

Senators Keaveny and Sifton offered Senate Resolution No. 701, regarding Brentwood High School, which was adopted.

Senator Sifton offered Senate Resolution No. 702, regarding Alfred H. Eppestine, Mehlville, which was adopted.

Senator Sifton offered Senate Resolution No. 703, regarding the Twenty-fifth Anniversary of the Self Help Center, Affton, which was adopted.

Senator Wasson offered Senate Resolution No. 704, regarding the Class 1 state champion Walnut Grove Lady Tigers basketball team, which was adopted.

Senator Munzlinger offered Senate Resolution No. 705, regarding the Ninetieth Birthday of Harlie A. Spratt, Ewing, which was adopted.

Senator Schaaf offered Senate Resolution No. 706, regarding Cheryl A. Sheets, St. Joseph, which was adopted.

Senators Sifton and Schmitt offered Senate Resolution No. 707, regarding Sappington Elementary School, Saint Louis, which was adopted.

Senator Curls offered Senate Resolution No. 708, regarding Alpha Kappa Alpha Sorority, which was adopted.

Senator Cunningham offered Senate Resolution No. 709, regarding the Ninety-fifth Birthday of Majorie Hjelmeng, Marshfield, which was adopted.

Senator Parson offered Senate Resolution No. 710, regarding the 45th Anniversary Brumley Gospel Sing, Lebanon, which was adopted.

Senator Pearce offered Senate Resolution No. 711, regarding Dr. Marianne E. Inman, Fayette, which was adopted.

Senator Pearce offered Senate Resolution No. 712, regarding the Johnson County Historical Society, Warrensburg, which was adopted.

Senator Sater offered Senate Resolution No. 713, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Boyd Arthur, La Russell, which was adopted.

Senator Schaefer offered Senate Resolution No. 714, regarding Corrections Officer I Cindy Aholt, which was adopted.

Senator Lager offered Senate Resolution No. 715, regarding Darryl Johnson, Smithville, which was adopted.

Senator Libla offered Senate Resolution No. 716, regarding Jan Bell, which was adopted.

Senator Libla offered Senate Resolution No. 717, regarding the Gorty and Bob Aslin family, which was adopted.

Senator Libla offered Senate Resolution No. 718, regarding Granny Pickers, which was adopted.

Senator Libla offered Senate Resolution No. 719, regarding Kevin Eskew, which was adopted.

Senator Libla offered Senate Resolution No. 720, regarding the Bloomfield Public Library, which was adopted.

Senator Libla offered Senate Resolution No. 721, regarding Kenneth Allen, which was adopted.

Senator Libla offered Senate Resolution No. 722, regarding Doris Carter, which was adopted.

Senator McKenna offered Senate Resolution No. 723, regarding Gary W. Kilb, Cedar Hill, which was adopted.

Senator Wasson offered Senate Resolution No. 724, regarding Class 4 state champion Republic High School Boys basketball team, which was adopted.

Senator Wasson offered Senate Resolution No. 725, regarding Spokane High School, which was adopted.

Senator Wasson offered Senate Resolution No. 726, regarding Dennise Potter, Springfield, which was adopted.

Senator Emery offered Senate Resolution No. 727, regarding Glenda Lenox, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 291** be taken up for perfection, which motion prevailed.

President Kinder assumed the Chair.

At the request of Senator Rupp, **SB 291** was placed on the Informal Calendar.

Senator Munzlinger moved that **SB 231** be taken up for perfection, which motion prevailed.

Senator Lager assumed the Chair.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 231, Page 1, In the Title, Line 3 of the title, by striking “debt setoffs for unpaid healthcare expenses” and inserting in lieu thereof the following: “emergency services”; and

Further amend said bill, Page 10, Section 143.790, Line 321, by inserting after all of said line the following:

“190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician’s license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements;

(4) Continuing education and relicensure requirements; [and]

(5) Ability to speak, read and write the English language; **and**

(6) For emergency medical technicians practicing in a city with a population of more than three hundred thousand, the ability to communicate with and treat hearing impaired patients.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Munzlinger, **SB 231**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Schaefer moved that **SB 226**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 226**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 226

An Act to repeal sections 56.700, 631.165, 632.005, 632.150, 632.155, 632.300, 632.305, 632.330, 632.335, 632.337, 632.340, 632.350, 632.355, 632.375, 632.390, and 632.430, RSMo, and to enact in lieu

thereof sixteen new sections relating to mental health services.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 226** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 226, Page 1, Section 56.700, Lines 4-5, by striking said lines and inserting in lieu thereof the following: **“inhabitants, which contains an inpatient mental health facility which is operated”**; and further amend line 6, by inserting after “services,” the following: **“or the University of Missouri,”**; and

Further amend said bill and section, page 2, lines 27-28, by striking said lines and inserting in lieu thereof the following: **“inhabitants, which contains an inpatient mental health facility which is operated”**; and further amend line 29, by inserting after “services,” the following: **“or the University of Missouri,”**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 226, Page 3, Section 632.005, Lines 24-25, by striking the following: “by reason of the person's developmental disability alone” and inserting in lieu thereof the following: **“unless such person also has a mental illness or mental disorder. The determination of gravely disabled shall be based upon the person’s mental illness or mental disorder”**.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **SB 226**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 226**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 282** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 282**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 282

An Act to repeal sections 174.700, 174.703, 174.706, 302.302, and 544.157, RSMo, and to enact in lieu thereof ten new sections relating to the regulation of motor vehicles, with penalty provisions.

Senator Wasson moved that **SS** for **SB 282** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 282, Page 12, Section 304.894, Line 27, by inserting immediately after said line the following:

“307.178. 1. As used in this section, the term “passenger car” means every motor vehicle designed for

carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff’s failure to wear a safety belt in violation of this section contributed to the plaintiff’s claimed injuries, and may reduce the amount of the plaintiff’s recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed **[ten] fifty** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle

unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Wasson moved that **SS** for **SB 282**, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 282**, was declared perfected and ordered printed.

The Senate observed a moment of silence for the victims of the Boston Marathon bombings.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 673**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 212**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 235**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 498**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans’ Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans’ Affairs and Health, to which was referred **HCS** for **HB 159**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans’ Affairs and Health, to which was referred **HB 702**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the

following report:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 233**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 787**, entitled:

An Act to repeal sections 32.090 and 136.055, RSMo, and to enact in lieu thereof four new sections relating to the department of revenue, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 533**, entitled:

An Act to repeal section 571.030, RSMo, and to enact in lieu thereof two new sections relating to a state employee keeping a firearm in his or her vehicle, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 345**, entitled:

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof thirteen new sections relating to broadband and wireless deployment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 28**, entitled:

An Act to repeal sections 44.080 and 49.266, RSMo, and to enact in lieu thereof two new sections relating to natural disaster ordinances, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 30**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 47**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 137**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to state implementation of federal programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 217**, entitled:

An Act to repeal sections 33.300, 34.378, and 37.850, RSMo, and to enact in lieu thereof four new sections relating to the transparency and accountability of public funds, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 35**.

HOUSE CONCURRENT RESOLUTION NO. 35

WHEREAS, Senate Bill 749 was passed by the Ninety-sixth General Assembly, Second Regular Session, to protect our state from provisions of federal law which would essentially force religious institutions to provide insurance coverage for procedures and medications

which violate their core beliefs; and

WHEREAS, on July 12, 2012, the Honorable Jeremiah W. (Jay) Nixon, Governor of the state of Missouri, vetoed Senate Bill 749; and

WHEREAS, on September 12, 2012, the General Assembly voted to override the Governor's veto of Senate Bill 749 in order to protect the First Amendment rights of Missouri's citizens; and

WHEREAS, on March 18, 2013, a United States District Judge, the Honorable Audrey Fleissig, ruled that Senate Bill 749 was unconstitutional and issued a temporary restraining order preventing the state from enforcing statutory provisions contained in the bill; and

WHEREAS, as a result of Judge Fleissig's ruling numerous Missouri citizens, businesses, and religious organizations will be forced to either pay massive fines or provide insurance coverage for their employees for procedures that run counter to their religious beliefs; and

WHEREAS, the federal government lacks the authority to mandate that a business provide a commodity at no cost; and

WHEREAS, recently a federal judge in Michigan enjoined enforcement of the contraception mandate and prohibited the federal government from violating the religious freedom of business owners in that state.

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby requests the Honorable Chris Koster, Attorney General of the state of Missouri, to immediately appeal Judge Fleissig's decision on behalf of our state and argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act, as well as the First Amendment right to freedom of religion.

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Chris Koster, Attorney General of the state of Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 215**, entitled:

An Act to repeal sections 43.518, 56.807, 488.026, 488.2250, 559.100, 559.105, 570.120, 600.042, 600.044, and 600.090, RSMo, and to enact in lieu thereof fourteen new sections relating to criminal procedure, with penalty provisions, an effective date and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 103**, entitled:

An Act to repeal sections 304.013, 304.032, and 304.034, RSMo, and to enact in lieu thereof three new sections relating to all-terrain and utility vehicle use in municipalities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 114**, entitled:

An Act to repeal sections 42.170, 42.200, 42.220, 167.020, and 301.020, RSMo, and to enact in lieu thereof nine new sections relating to benefits for members of the military, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 621**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto four new sections relating to port facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 505**, entitled:

An Act to repeal sections 160.261, 210.115, 556.061, 568.060, and 595.220, RSMo, and to enact in lieu thereof five new sections relating to child abuse and neglect, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 148**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 257**, entitled:

An Act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and 199.270, RSMo, and to enact in lieu thereof twelve new sections relating to tuberculosis testing, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 326**, entitled:

An Act to repeal section 566.093, RSMo, and to enact in lieu thereof one new section relating to the crime of sexual misconduct in the second degree, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 418**, entitled:

An Act to repeal sections 86.900, 86.990, 86.1000, 86.1010, 86.1030, 86.1100, 86.1110, 86.1150, 86.1180, 86.1210, 86.1220, 86.1230, 86.1240, 86.1250, 86.1270, 86.1310, 86.1380, 86.1420, 86.1500, 86.1530, 86.1540, 86.1580, 86.1590, 86.1610, and 86.1630, RSMo, and to enact in lieu thereof twenty-seven new sections relating to Kansas City police retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 850**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the bring jobs home act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 374** and **434**, entitled:

An Act to repeal sections 478.320, 478.370, 478.375, 478.385, 478.387, 478.437, 478.463, 478.513, 478.527, 478.550, 478.570, 478.600, 478.610, 478.625, 478.630, 478.690, 478.700, 478.705, 478.710, 478.715, 478.730, and 478.750, RSMo, and to enact in lieu thereof twenty-three new sections relating to the transfer of judicial positions by the supreme court.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 373** and **435**, entitled:

An Act to repeal sections 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120,

478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, and 487.010, RSMo, and to enact in lieu thereof two new sections relating to the alteration of judicial boundaries by the supreme court, with an effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 322**, entitled:

An Act to repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to the modernization of certain information provided by insurance companies, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 722**, entitled:

An Act to repeal section 86.257, RSMo, and to enact in lieu thereof one new section relating to police retirement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 728, regarding Gordon Johnston, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 729, regarding Lavah Lowe, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Justus introduced to the Senate, Henry Allen, Ryan Flood, Jadon Lewis, Colin McDonald, Will Roske, Connor Rush, Sam Silva, Augie Sonnenberg, Brett Twenter, John Vohs and Noulín Voravong, members of Webelos Pack 150, St. Elizabeth Parish, Kansas City.

Senator Pearce introduced to the Senate, Assessor Mark Reynolds, Johnson County; and Collector Margie Bowman, Ray County, and her husband, Norm.

Senator Nieves introduced to the Senate, Tim Brinker, Washington.

Senator Sater introduced to the Senate, Assessors: Laura Pope, McDonald County; Sherry Sears, Barry County; Doug Bowerman, Lawrence County; and Rodger Ready, Benton County.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTIETH DAY—TUESDAY, APRIL 16, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 787	HCS for HB 621
HB 533-Riddle, et al	HCS for HB 505
HCS for HB 345	HB 148-Davis, et al
HCS for HB 28	HCS for HB 257
HCS for HB 30	HB 326-Fitzwater
HB 47-Cross	HCS for HB 418
HCS for HB 137	HCS for HB 850
HB 217-Cox, et al	HCS for HBs 374 & 434
HCS for HB 215	HCS for HBs 373 & 435
HB 103-Kelley (127), et al	HB 322-Gosen, et al
HCS for HB 114	HCS for HB 722

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SB 112-Rupp and Richard
(In Fiscal Oversight) | 7. SB 327-Dixon |
| 2. SS for SCS for SB 159-Schmitt
(In Fiscal Oversight) | 8. SB 304-Wasson |
| 3. SCS for SB 297-Lager (In Fiscal Oversight) | 9. SB 303-Wasson |
| 4. SCS for SB 381-Kraus (In Fiscal Oversight) | 10. SS for SB 251-Kraus (In Fiscal Oversight) |
| 5. SS for SB 252-Kraus (In Fiscal Oversight) | 11. SS for SB 245-Justus |
| 6. SS for SCS for SB 373-Munzlinger
(In Fiscal Oversight) | 12. SB 170-Chappelle-Nadal |
| | 13. SCS for SB 118-Kraus |
| | 14. SB 67-Dixon |
| | 15. SB 57-Romine |

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------|--------------------------------|
| 1. SB 366-Lamping, et al | 3. SB 256-Silvey, with SCS |
| 2. SB 205-Sater | 4. SB 432-Cunningham, with SCS |

- | | |
|--|-----------------------------|
| 5. SBs 317 & 319-Romine, with SCS | 15. SB 250-Schaaf, with SCS |
| 6. SB 401-Rupp | 16. SB 175-Wallingford |
| 7. SB 396-Holsman and Chappelle-Nadal,
with SCS | 17. SB 285-Romine |
| 8. SB 378-Pearce, with SCS | 18. SB 339-Romine |
| 9. SB 410-Kehoe | 19. SB 174-Parson, with SCS |
| 10. SB 133-Keaveny and Holsman, with SCS | 20. SB 441-Dempsey |
| 11. SB 210-Lamping and Nieves, with SCS | 21. SJR 2-Lager |
| 12. SB 455-Nieves, with SCS | 22. SB 315-Pearce |
| 13. SB 167-Sater and Wallingford, with
SCS | 23. SB 419-Lager, with SCS |
| 14. SB 343-Parson | 24. SB 411-Kehoe, with SCS |
| | 25. SB 141-Dempsey |
| | 26. SB 403-Rupp, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 207-Kehoe, et al, with SCS |
| SB 13-Schaefer, with SCS | SB 231-Munzlinger, with SA 1 (pending) |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 48-Lamping | SB 291-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | SB 292-Rupp |
| SB 65-Dixon, with SCS | SB 364-Parson |
| SB 82-Schaefer, with SCS | |

HOUSE BILLS ON THIRD READING

- HB 55-Flanigan and Allen, with SCS
(Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

- | | |
|-----------------------------|------------------------------------|
| HB 673-Schatz | HCS for HB 235 |
| HB 212-Cox, et al (Keaveny) | HB 498-Jones (50), et al, with SCS |

HCS for HB 159 (Kraus)
HB 702-Englund, et al, with SCS

HCS for HB 233, with SCS (Lamping)

RESOLUTIONS

To be Referred

HCR 35-Jones (110), et al

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Journal of the Senate

FIRST REGULAR SESSION

FIFTIETH DAY—TUESDAY, APRIL 16, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Comfort, O comfort my people, says your God.” (Isaiah 40:1)

Lord, we continue to pray for the people of Boston, the one hundred forty hurt and three dead. We pray for healing and comfort for the victims and their families; may Your mercy and grace be with them. We give thanks for the first responders, the police and military personnel who were there to give aid and protection. We pray for the investigators in their efforts to find the person or persons who perpetrated this act of terror. We pray for understanding and learning from this tragedy and pray for justice to prevail. All this and whatever else You see we need please provide. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 730, regarding Bolivar High School, which was adopted.

Senator Parson offered Senate Resolution No. 731, regarding the Sixtieth Anniversary of the Boonslick Regional Library, which was adopted.

Senator Parson offered Senate Resolution No. 732, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Tyre, Lebanon, which was adopted.

Senator Dempsey offered Senate Resolution No. 733, regarding Peggy Manternach, Saint Charles, which was adopted.

Senator Schaefer offered Senate Resolution No. 734, regarding the Patriot Guard Riders of Central Missouri, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 381**; **SS** for **SCS** for **SB 373**; **SCS** for **SB 297**; **SS** for **SB 252**; **SS** for **SB 251**; **SS** for **SCS** for **SB 159**; and **SB 112**, begs leave to report that it has considered the same and recommends that the bills do pass.

SENATE BILLS FOR PERFECTION

At the request of Senator Lamping, **SB 366** was placed on the Informal Calendar.

Senator Sater moved that **SB 205** be taken up for perfection, which motion prevailed.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 205, Page 1, Section A, Line 2, by inserting after all of said line the following:

“211.036. If a [child] **youth** under the age of [eighteen] **twenty-one** is released from the custody of the **children’s** division [of family services] and after such release it appears that it would be in such [child’s] **youth’s** best interest to have his **or her** custody returned to the **children’s** division [of family services], the juvenile officer, the **children’s** division [of family services] or the [child] **youth** may petition the court to return custody of such [child] **youth** to the division until the child is [eighteen] **twenty-one** years of age.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Emery offered **SA 1** to **SA 1**, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1**

Amend Senate Amendment No. 1 to Senate Bill No. 205, Page 1, Line 3, by striking the word “a” and

inserting lieu thereof the following “**an**”; and further amend said line, by striking the word “youth” and inserting in lieu thereof the following: “**individual**” and further amend line 6 by striking the word “youth’s” and inserting in lieu thereof the following: “**individual’s**” and further amend line 9 by striking the word “youth” and inserting in lieu thereof the following: “**individual**” and further amend line 10 by striking the word “youth” and inserting in lieu thereof the following: “**individual**”; and further amend line 11 by striking the word “child” and inserting in lieu thereof the word “**individual**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Justus moved that **SA 1**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SB 205**, as amended, was declared perfected and ordered printed.

Senator Silvey moved that **SB 256**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 256**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 256

An Act to repeal sections 210.950 and 211.447, RSMo, and to enact in lieu thereof two new sections relating to the safe place for newborns act.

Was taken up.

Senator Silvey moved that **SCS** for **SB 256** be adopted.

Senator Silvey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section 210.950, Line 8, by striking “135.608” and inserting in lieu thereof the following: “**135.600**”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, In the Title, Line 3, by striking the following: “the safe place for newborns act” and inserting in lieu thereof the following: “child abuse and neglect”; and

Further amend said bill, page 9, section 211.447, line 176, by inserting after all of said line the following:

“595.220. 1. The department of public safety shall make payments to appropriate medical providers, out of appropriations made for that purpose, to cover the reasonable charges of the forensic examination of persons who may be a victim of a sexual offense if:

(1) The victim or the victim’s guardian consents in writing to the examination; and

(2) The report of the examination is made on a form approved by the attorney general with the advice of the department of public safety. The department shall establish maximum reimbursement rates for charges submitted under this section, which shall reflect the reasonable cost of providing the forensic exam.

2. A minor may consent to examination under this section. Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination. The appropriate medical provider making the examination shall give written notice to the parent or guardian of a minor that such an examination has taken place.

3. The attorney general, with the advice of the department of public safety, shall develop the forms and procedures for gathering evidence during the forensic examination under the provisions of this section. The department of health and senior services shall develop a checklist, protocols, and procedures for appropriate medical providers to refer to while providing medical treatment to victims of a sexual offense, including those specific to victims who are minors.

4. Evidentiary collection kits shall be developed and made available, subject to appropriation, to appropriate medical providers by the highway patrol or its designees and eligible crime laboratories. Such kits shall be distributed with the forms and procedures for gathering evidence during forensic examinations of victims of a sexual offense to appropriate medical providers upon request of the provider, in the amount requested, and at no charge to the medical provider. All appropriate medical providers shall, with the written consent of the victim, perform a forensic examination using the evidentiary collection kit, or other collection procedures developed for victims who are minors, and forms and procedures for gathering evidence following the checklist for any person presenting as a victim of a sexual offense.

5. In reviewing claims submitted under this section, the department shall first determine if the claim was submitted within ninety days of the examination. If the claim is submitted within ninety days, the department shall, at a minimum, use the following criteria in reviewing the claim: examination charges submitted shall be itemized and fall within the definition of forensic examination as defined in subdivision (3) of subsection [7] 8 of this section.

6. All appropriate medical provider charges for eligible forensic examinations shall be billed to and paid by the department of public safety. No appropriate medical provider conducting forensic examinations and providing medical treatment to victims of sexual offenses shall charge the victim for the forensic examination. For appropriate medical provider charges related to the medical treatment of victims of sexual offenses, if the victim is an eligible claimant under the crime victims' compensation fund, the victim shall seek compensation under sections 595.010 to 595.075.

7. The department of public safety shall establish rules regarding the reimbursement of the costs of forensic examinations for children under fourteen years of age, including establishing conditions and definitions for emergency and non-emergency forensic examinations and may by rule establish additional qualifications for appropriate medical providers performing non-emergency forensic examinations for children under fourteen years of age.

8. For purposes of this section, the following terms mean:

(1) "Appropriate medical provider",

(a) Any licensed nurse, physician, or physician assistant, and any institution employing licensed nurses, physicians, or physician assistants, provided that such licensed professionals are the only persons at such institution to perform tasks under the provisions of this section; **or**

(b) **For the purposes of any non-emergency forensic examination of a child under fourteen years of age, the department of public safety may establish additional qualifications for any provider listed in paragraph (a) of this subdivision by the rules authorized under subsection 7 of this section;**

(2) “Evidentiary collection kit”, a kit used during a forensic examination that includes materials necessary for appropriate medical providers to gather evidence in accordance with the forms and procedures developed by the attorney general for forensic examinations;

(3) “Forensic examination”, an examination performed by an appropriate medical provider on a victim of an alleged sexual offense to gather evidence for the evidentiary collection kit or using other collection procedures developed for victims who are minors;

(4) “Medical treatment”, the treatment of all injuries and health concerns resulting directly from a patient’s sexual assault or victimization;

(5) **“Emergency forensic examination”, an examination of a person under fourteen years of age that occurs within five days of the alleged sexual offense. The department of public safety may further define the term “emergency forensic examination” by rule;**

(6) **“Non-emergency forensic examination”, an examination of a person under fourteen years of age that occurs more than five days after the alleged sexual offense. The department of public safety may further define the term “non-emergency forensic examination” by rule.**

[8.] 9. The department shall have authority to promulgate rules and regulations necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 256, Page 9, Section 211.447, Line 176, by inserting after all of said line the following:

“Section 1. 1. A school district or charter school may provide annually to high school students enrolled in health education at least thirty minutes of age and grade appropriate classroom instruction relative to the safe place for newborns act of 2002 under section 210.950, which provides a mechanism whereby any parent may relinquish the care of an infant to the state in safety and anonymity and without fear of prosecution under certain specified conditions.

2. A school district or charter school that elects to offer such information pursuant to this section shall include the following:

(1) An explanation that relinquishment of an infant means to give over possession or control of the infant to other specified persons as provided by law with the settled intent to forego all parental responsibilities;

(2) The process to be followed by a parent in making a relinquishment;

(3) The general locations where an infant may be left in the care of certain people;

(4) The available options if a parent is unable to travel to a designated emergency care facility; and

(5) The process by which a relinquishing parent may reclaim parental rights to the infant and the time lines for taking this action.”; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 256, Section A, Line 3, by inserting after all of said section and line the following:

“210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall be the board members for the community children’s services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the

board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; **preventive services designed to prevent substance abuse and emotional abuse**; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings

(4) Programs intended to improve children's and families' well-being by including juvenile delinquency prevention services to support families and enhance the positive development of youth, including up to one month of start-up fees for such programs.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“167.638. 1. The department of health and senior services shall develop an informational brochure relating to meningococcal disease, and that an immunization against meningococcal disease is available. The department shall make the brochure available on its website and shall notify each school district and charter school in this state of the availability of the brochure. Each school district and charter school shall provide a copy of the brochure to parents. Such information in the brochure shall include:

(1) The risk factors for developing meningococcal disease, the symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on the immunization against meningococcal disease and the immunization's effectiveness;

(4) A statement that any questions or concerns regarding immunizing the child against meningococcal disease could be answered by contacting the family's health care provider.

2. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to

all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

174.335. 1. Beginning with the 2004-2005 school year and for each school year thereafter, every public institution of higher education in this state shall require all students who reside in on-campus housing to [sign a written waiver stating that the institution of higher education has provided the student, or if the student is a minor, the student's parents or guardian, with detailed written information on the risks associated with meningococcal disease and the availability and effectiveness of] **have received the meningococcal vaccine unless a signed statement of medical or religious exemption is on file with the institution's administration. A student shall be exempted from the immunization requirement of this section upon signed certification by a doctor licensed under chapter 334, indicating that either the immunization would seriously endanger the student's health or life or the student has documentation of disease or laboratory evidence of immunity to the disease. A student shall be exempted from the immunization requirement of this section if he or she objects in writing to the institution's administration that immunization violates his or her religious beliefs.**

2. [Any student who elects to receive the meningococcal vaccine shall not be required to sign a waiver referenced in subsection 1 of this section and shall present a record of said vaccination to the institution of higher education.

3.] Each public university or college in this state shall maintain records on the meningococcal vaccination status of every student residing in on-campus housing at the university or college[, including any written waivers executed pursuant to subsection 1 of this section]. **The department of health and senior services shall oversee, supervise, and secure the enforcement of this section. The department of health and senior services may promulgate rules and regulations governing the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.**

[4.] 3. Nothing in this section shall be construed as requiring any institution of higher education to provide or pay for vaccinations against meningococcal disease.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 6:**

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting after all of said line the following:

“160.2110. 1. The task force on the prevention of sexual abuse of children established in section

160.2100 may adopt and implement a policy addressing sexual abuse of children that may include:

- (1) Age-appropriate curriculum for students in pre-K through fifth grade;
- (2) Training for school personnel on child sexual abuse;
- (3) Educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information;
- (4) Available counseling and resources for students affected by sexual abuse; and
- (5) Emotional and educational support for a child of abuse to continue to be successful in school.

2. Any policy adopted may address without limitation:

- (1) Methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;
- (2) Actions that a child who is a victim of sexual abuse could take to obtain assistance and intervention; and
- (3) Available counseling options for students affected by sexual abuse.

3. Once the task force has adopted the policy as described under subsection 1 of this section, the department of elementary and secondary education shall implement the provisions of said policy including the promulgation of rules to accomplish such implementation.” and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 256, Page 2, Section 210.950, Line 36, by striking the words: “a parent voluntarily relinquishing a child under this section”; and further amend lines 37-41 by striking all of said lines and further amend line 42 by striking the word “addition,”.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Silvey moved that **SCS** for **SB 256**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SB 256**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 218**, entitled:

An Act to repeal sections 195.246 and 195.417, RSMo, and to enact in lieu thereof four new sections relating to controlled substances, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 197**, entitled:

An Act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof six new sections relating to sales tax and revenue bonds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 526**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to rural regional development grants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 404** and **614**, entitled:

An Act to repeal sections 287.067 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 343**, entitled:

An Act to repeal sections 208.010, 208.022, 208.027, 208.042, 208.048, 208.152, and 208.182, RSMo, and to enact in lieu thereof twelve new sections relating to public assistance, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 194**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for job creation for new home purchasers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Photographers from ABC 17 News were given permission to take pictures in the Senate Chamber.

REPORT OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 282** and **SCS** for **SB 226**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

THIRD READING OF SENATE BILLS

SB 112, introduced by Senators Rupp and Richard, entitled:

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof one new section relating to the new markets tax credit, with an emergency clause.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SB 112** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Rupp	Sater	Schmitt	Sifton	Silvey	Walsh	Wasson—23	

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	LeVota	Libla	Nieves
Schaaf	Schaefer	Wallingford—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine
Rupp	Sater	Schmitt	Sifton	Silvey	Walsh	Wasson—23	

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	LeVota	Libla	Nieves
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Schaaf Schaefer Wallingford—11

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 159, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 159

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

Was taken up.

On motion of Senator Schmitt, **SS for SCS for SB 159** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

SCS for SB 297, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 297

An Act to repeal sections 249.645, 393.320, 393.760, 393.1000, and 393.1003, RSMo, and to enact in lieu thereof seven new sections relating to ratemaking for water utilities.

Was taken up by Senator Lager.

Senator Lager moved that **SCS for SB 297** be read the 3rd time and finally passed, which motion failed to receive the necessary two thirds majority by the following vote:

YEAS—Senators

Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe	Kraus	Lager
McKenna	Munzlinger	Richard	Rupp	Sater	Schaefer	Walsh	Wasson—16

NAYS—Senators

Brown	Curls	Holsman	Justus	Lamping	LeVota	Libla	Nasheed
Nieves	Parson	Pearce	Romine	Schaaf	Schmitt	Sifton	Silvey

Wallingford—17

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

SCS for SB 381, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 381

An Act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS for SB 381** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 252**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 252

An Act to repeal sections 50.535, 301.3031, 302.181, 302.183, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, and 571.121, and to enact in lieu thereof sixteen new sections relating to licenses issued by the department of revenue, with an emergency clause for certain sections.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 252** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Curls	Justus	Keaveny	Nasheed	Sifton—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Curls	Justus	Keaveny	LeVota	Nasheed	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 373**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 373

An Act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 373** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Kraus	Lager	Lamping	LeVota	McKenna	Nieves	Rupp	Schaaf—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 327, introduced by Senator Dixon, entitled:

An Act to repeal sections 544.455 and 557.011, RSMo, and to enact in lieu thereof two new sections relating to the cost of electronic monitoring, with existing penalty provisions.

Was taken up.

On motion of Senator Dixon, **SB 327** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 304, introduced by Senator Wasson, entitled:

An Act to repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

Was taken up.

On motion of Senator Wasson, **SB 304** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 303, introduced by Senator Wasson, entitled:

An Act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to pharmacy permits.

Was taken up.

On motion of Senator Wasson, **SB 303** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 251**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 251

An Act to repeal sections 578.375, 578.377, 578.379, 578.381, 578.383, 578.389, and 578.390, RSMo, and to enact in lieu thereof nine new sections relating to public assistance fraud and abuse, with penalty provisions.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 251** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 245**, introduced by Senator Justus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 245

An Act to repeal section 514.040, RSMo, and to enact in lieu thereof one new section relating to waiver of court costs and expenses in civil cases.

Was taken up.

On motion of Senator Justus, **SS** for **SB 245** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Justus, title to the bill was agreed to.

Senator Justus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 170, introduced by Senator Chappelle-Nadal, entitled:

An Act to repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to

participation by members of public governmental bodies in roll call votes.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 170** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 118**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 118

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 118** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 67, introduced by Senator Dixon, entitled:

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.770, and 544.157, RSMo, and to enact in lieu thereof seventeen new sections relating to higher education.

Was taken up.

On motion of Senator Dixon, **SB 67** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 57, introduced by Senator Romine, entitled:

An Act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to the removal of weeds or trash in certain cities.

Was taken up.

On motion of Senator Romine, **SB 57** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 256** and **SB 205**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 19**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 13**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 256** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 35** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 735, regarding Shirley Jefferis Essary, Fair Grove, which was adopted.

Senator Kehoe offered Senate Resolution No. 736, regarding Warren P. Brandt, Holts Summit, which was adopted.

Senator LeVota offered Senate Resolution No. 737, regarding Dr. Jim Hinson, which was adopted.

Senator Nasheed offered Senate Resolution No. 738, regarding Epsilon Lambda Chapter of Alpha Phi Alpha Fraternity, Incorporated, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Christopher Kendrick, Michael James, Michael D. Pope, Kurt Himmelmann and students: Ethan Harper, Jack Schoephoerster, Charlie Ebbesmeyer, Lilly Tarakai, Annaliese Moore and Rachael Bishop, representatives of Fayette High School Student Government.

Senator Richard introduced to the Senate, Dr. Phillip Cook, Superintendent, Carl Junction School District and his daughter, Kylee; and Kylee was made an honorary page.

Senator LeVota introduced to the Senate, the Physician of the Day, Dr. Bridget McCandless, Independence.

Senator Lamping introduced to the Senate, Denise Kuse and fourth grade students from Drummond Elementary School, St. Louis.

Senator Pearce introduced to the Senate, Hanah Janik, Concordia.

Senator Richard introduced to the Senate, coaches Jeremy Phillips and Josh Sonis, Andy Pille and members of the Class 3 State Champion Neosho High School wrestling team: Kyler Rea, John Williams, River Buttram, Dakota McGarrah, Nate Rodriquez, Jason Box, Kyle Hostetter, Sam Williams, Chance Branstetter, Jacob Brock, Ben Elledge, Christian Lopez, and Aaron Clardy.

Senator Sater introduced to the Senate, Larry Moennig, Randy Henderson and Landon Fletcher, Monett.

Senator Schmitt introduced to the Senate, Kim Drury, Lynn Lopez, parents and fourth grade students from St. Peters School, Kirkwood; and Sara Werner, Joe Kammer, Lily Bayer, Jackson Fortner, Ella and Grace Kertz, and Teddy Sudekum were made honorary pages.

Senator Munzlinger introduced to the Senate, Dennis Miller and ten students, Home Schoolers from Kirksville.

Senator Pearce introduced to the Senate, Rita Hildebrand and third and fourth grade students from New York Elementary, Hamilton.

Senator Holsman introduced to the Senate, Mayor Steve Dennis, Grandview; and Brandon Boulware and Jeremy Suhr, Kansas City.

Senator Curls introduced to the Senate, Dr. John Gianino, Dr. Michael O'Dell, Dr. Mark Steele, Truman Medical Center, Kansas City.

Senator Pearce introduced to the Senate, Dan and Debbie Janik, Concordia.

Senator Justus introduced to the Senate, fifth and sixth grade students from St. Ignatius, Marthasville.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIRST DAY—WEDNESDAY, APRIL 17, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 787	HCS for HB 257
HB 533-Riddle, et al	HB 326-Fitzwater
HCS for HB 345	HCS for HB 418
HCS for HB 28	HCS for HB 850
HCS for HB 30	HCS for HBs 374 & 434
HB 47-Cross	HCS for HBs 373 & 435
HCS for HB 137	HB 322-Gosen, et al
HB 217-Cox, et al	HCS for HB 722
HCS for HB 215	HB 218-Cox, et al
HB 103-Kelley (127), et al	HCS for HB 197
HCS for HB 114	HB 526-Franklin, et al
HCS for HB 621	HCS for HBs 404 & 614
HCS for HB 505	HCS for HB 343
HB 148-Davis, et al	HCS for HB 194

THIRD READING OF SENATE BILLS

SS for SB 282-Wasson	SCS for SB 256-Silvey (In Fiscal Oversight)
SCS for SB 226-Schaefer	SB 205-Sater

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| 1. SB 432-Cunningham, with SCS | 8. SB 210-Lamping and Nieves, with SCS |
| 2. SBs 317 & 319-Romine, with SCS | 9. SB 455-Nieves, with SCS |
| 3. SB 401-Rupp | 10. SB 167-Sater and Wallingford, with SCS |
| 4. SB 396-Holsman and Chappelle-Nadal,
with SCS | 11. SB 343-Parson |
| 5. SB 378-Pearce, with SCS | 12. SB 250-Schaaf, with SCS |
| 6. SB 410-Kehoe | 13. SB 175-Wallingford |
| 7. SB 133-Keaveny and Holsman, with SCS | 14. SB 285-Romine |
| | 15. SB 339-Romine |

16. SB 174-Parson, with SCS
17. SB 441-Dempsey
18. SJR 2-Lager
19. SB 315-Pearce

20. SB 419-Lager, with SCS
21. SB 411-Kehoe, with SCS
22. SB 141-Dempsey
23. SB 403-Rupp, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 48-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 82-Schaefer, with SCS

SB 207-Kehoe, et al, with SCS
SB 231-Munzlinger, with SA 1 (pending)
SB 239-Emery, with SCS & SA 2 (pending)
SB 272-Nieves, with SA 2 (pending)
SB 291-Rupp
SB 292-Rupp
SB 364-Parson
SB 366-Lamping, et al

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz
HB 212-Cox, et al (Keaveny)
HCS for HB 235
HB 498-Jones (50), et al, with SCS

HCS for HB 159 (Kraus)
HB 702-Englund, et al, with SCS
HCS for HB 233, with SCS (Lamping)

RESOLUTIONS

Reported from Committee

HCR 5-Phillips
HCR 19-Rowden, et al

SCR 13-Brown

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIRST DAY—WEDNESDAY, APRIL 17, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Is it not true that when we have God we have everything?” (St. Peter Julian)

Heavenly Father, we place ourselves and all that we are into Your loving hands. May our minds, our hearts and our wills abide in You and express to one another that which Your Holy Spirit prompts and leads us to do. And may Your right judgments be in all our decisions. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 739, regarding Nixa High School, which was adopted.

Senator Wasson offered Senate Resolution No. 740, regarding Aria Bell, which was adopted.

Senator Wasson offered Senate Resolution No. 741, regarding Beverly Tuter, Springfield, which was adopted.

Senator Curls offered Senate Resolution No. 742, regarding the Fiftieth Wedding Anniversary of Pastor L. Henderson Bell and First Lady Ethel Like-Bell, which was adopted.

Senator Munzlinger offered Senate Resolution No. 743, regarding David W. Hane, Brookfield, which was adopted.

Senator Schmitt offered Senate Resolution No. 744, regarding W.W. Keysor Elementary School, Kirkwood R-VII School District, which was adopted.

CONCURRENT RESOLUTIONS

Senator Pearce moved that **HCR 19** be taken up for adoption, which motion prevailed.

On motion of Senator Pearce, **HCR 19** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Holsman	Justus	Keaveny	Sifton—5
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Absent—Senators

Curls	Nieves—2
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Absent with leave—Senators—None

Vacancies—None

Senator Brown moved that **SCR 13** be taken up for adoption, which motion prevailed.

On motion of Senator Brown, **SCR 13** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

Senator Sater moved that **HCR 5** be taken up for adoption, which motion prevailed.

On motion of Senator Sater, **HCR 5** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

Senator Schmitt assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 366** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Lamping offered **SS** for **SB 366**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 366

An Act to repeal sections 33.080 and 360.045, RSMo, and to enact in lieu thereof three new sections relating to rebuilding damaged infrastructure, with an existing penalty provision and an emergency clause.

Senator Lamping moved that **SS** for **SB 366** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 366, Pages 1-3, Section 33.080, by striking all of said section from the bill; and

Further amend said bill and page, section 33.295, line 28 by striking the words “any amount”; and

Further amend said bill and section, page 4, lines 1-4 by striking all of said lines and inserting in lieu

thereof the following: **“The state”**; and

Further amend said bill, pages 4-9, section 360.045 by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Holsman offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 366, Page 9, Section 360.045, Line 11, by inserting immediately after all of said line the following:

“Section 1. 1. In addition to all other state sales taxes collected, there shall be imposed and collected an additional one-tenth of a cent sales tax to be collected on all sales on which the sales taxes under chapter 144 are collected. Revenues derived from this additional sales tax amount shall be deposited into the disaster relief fund created in subsection 2 of this section.

2. There is hereby created in the state treasury the “Disaster Relief Fund”, which shall consist of money appropriated or collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for disaster relief in presidentially declared natural disaster areas in this state. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Rupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 366, Page 9, Section 360.045, Line 11, by inserting immediately after all of said line the following:

“374.150. 1. All fees due the state under the provisions of the insurance laws of this state shall be paid to the director of revenue and deposited in the state treasury to the credit of the insurance dedicated fund unless otherwise provided for in subsection 2 of this section.

2. There is hereby established in the state treasury a special fund to be known as the “Insurance Dedicated Fund”. The fund shall be subject to appropriation of the general assembly and shall be devoted solely to the payment of expenditures incurred by the department attributable to duties performed by the department for the regulation of the business of insurance, regulation of health maintenance organizations and the operation of the division of consumer affairs as required by law which are not paid for by another source of funds. Other provisions of law to the contrary notwithstanding, beginning on January 1, 1991, all

fees charged under any provision of chapter 325, 354, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385 due the state shall be paid into this fund. The state treasurer shall invest moneys in this fund in the same manner as other state funds and any interest or earnings on such moneys shall be credited to the insurance dedicated fund. The provisions of section 33.080 notwithstanding, moneys in the fund shall not lapse, be transferred to or placed to the credit of the general revenue fund unless and then only to the extent to which the unencumbered balance at the close of the biennium year exceeds two times the total amount appropriated, paid, or transferred to the fund during such fiscal year.

3. Notwithstanding provisions of this section to the contrary, five hundred thousand dollars of the insurance dedicated fund shall annually be transferred and placed to the credit of the state general revenue fund on July first beginning with fiscal year 2014.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted.

At the request of Senator Lamping, **SB 366**, with **SS** and **SA 3** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 745, regarding Alexander J. “A.J.” Stone, which was adopted.

Senator Holsman offered Senate Resolution No. 746, regarding Pamela Pinkerton, which was adopted.

Senator Lamping offered Senate Resolution No. 747, regarding Dagmar Smith, which was adopted.

Senator Lamping offered Senate Resolution No. 748, regarding Ariana Stein, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 366**, with **SS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Chappelle-Nadal offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 366, Page 3, Section 33.295, Lines 16-20, by striking all of said lines and inserting in lieu thereof the following: “**disaster, including, but not limited to, the**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 366, Page 4, Section 33.295, Line 15, by inserting immediately after all of said line the following:

“67.1020. Nongovernmental agencies congressionally mandated to provide disaster relief services shall be exempt from paying a transient guest tax imposed under this chapter and chapters 66, 92, and 94. No such tax shall be imposed on any person where payment is being made by such an agency.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public

highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total

cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations

which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or

unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by

the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or

college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, “neutral site” means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority’s cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) Sales made to any person where payment is being made by a nongovernmental agency as part of a disaster relief service.”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS** for **SB 366**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS** for **SB 366**, as amended, was declared perfected and ordered printed.

Senator Cunningham moved that **SB 432**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 432**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 432

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 432** be adopted.

Senator Cunningham offered **SS** for **SCS** for **SB 432**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 432

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

Senator Cunningham moved that **SS** for **SCS** for **SB 432** be adopted.

Senator McKenna offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 432, Page 2, Section 196.056, Line 3, by inserting after all of said line the following:

“5. This section shall not apply to any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants.”.

Senator McKenna moved that the above amendment be adopted.

At the request of Senator McKenna, **SA 1** was withdrawn.

Senator McKenna offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 432, Page 2, Section 196.050, Line 3, by inserting after all of said line the following:

“5. This section shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any city not within a county, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, and any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.”.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 432, Page 1, Section 196.056, Lines 12-13, by striking the following: “at least seven calendar days”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SS** for **SCS** for **SB 432**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 432**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 366**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 366** to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 317** and **SB 319**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 317** and **319**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 317 and 319

An Act to repeal section 303.024, RSMo, and to enact in lieu thereof four new sections relating to providing and presenting certain insurance documents through electronic means, with penalty provisions.

Was taken up.

Senator Romine moved that **SCS** for **SBs 317** and **319** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 317 and 319, Page 6, Section 379.011, Line 96, by striking the word “from” and inserting in lieu thereof the following: “**between the insurer and**”; and

Further amend said bill, page 7, section 379.012, line 20, by inserting immediately after the word “endorsements” the following: “**for a period of five years**”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 317 and 319, Page 1, In the Title, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following: “relating to the regulation of motor vehicles.”; and

Further amend said bill, page 2, section 301.149, line 22, by inserting immediately after said line the following:

“301.301. [1. Any person replacing a stolen license plate tab issued on or after January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a police report that is corresponding with the stolen license plate tab.

2.] Any person replacing a stolen license plate tab [issued prior to January 1, 2009,] may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **SBs 317** and **319**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SBs 317** and **319**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 749, regarding Professor Gerald L. Early, which was adopted.

COMMUNICATIONS

Senator Brown submitted the following:

April 17, 2013

Ms. Terry Spieler
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler,

Pursuant to Rule 45, I hereby request that SCS for HB 702 be removed from the Consent Calendar.

Sincerely,
/s/ Dan W. Brown
DAN W. BROWN
STATE SENATOR, 16th DISTRICT

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Carol Gregg, Chillicothe.

Senator Richard introduced to the Senate, Kirby Newport, Walter Wickland and students: Holly Powell, Joseph Perdomo, Mackenzie Smart, Clarence Hill, Carhryn Siebert, Mary Riley, Mercedes Murray and Angela Davis, Carthage High School.

Senator Romine introduced to the Senate, Doug Watson, Ste. Genevieve.

Senator Lamping introduced to the Senate, Mindy Rugger, Chip Lanaki and fourth grade students from Drummond Elementary, St. Louis.

Senator Schaaf introduced to the Senate, 2012-2013 Leadership Academy from Breckenridge, Lawson, Maryville, Mid Buchanan, North Daviess, Richmond, Savannah, Southwest Livingston and Winston school districts.

Senator Pearce introduced to the Senate, Licensed Practical Nurses from Lex-La Ray Technical Center, Lexington.

Senator Richard introduced to the Senate, fourth grade students from McKinley Elementary School, Joplin.

Senator Silvey introduced to the Senate, former State Representative Tim Flook, Liberty; and eighth grade students from St. Andrew the Apostle School, Gladstone.

Senator Munzlinger introduced to the Senate, Robert Scanlon, D.O., Margaret Wilson, D.O., Mark Hahn, D.O., Justin Puckett, D.O., Jeff Kerr, Malorie Howe and Dr. James Tucker, representatives of Osteopath Week.

Senator Justus introduced to the Senate, Miss Missouri USA Ellie Holtman and her father, Jack Holtman, Montgomery County.

Senator Sater introduced to the Senate, Harrison Jobes, Springfield; and Harrison was made an honorary page.

Senator Kehoe introduced to the Senate, Ms. Laura Van Dyke and Ms. Dayna Limbach, parents and thirty-five fourth grade students from Eugene Elementary School.

Senator Curls introduced to the Senate, Liz Flook and her daughter, Cassie Flook, Kansas City.

Senator Brown introduced to the Senate, Jenny Pherigo and Licenced Practical Nurses from Rolla Technical Center.

Senator Richard introduced to the Senate, Coach Brian Scott, Mr. Aldrich and Mrs. Thogmartin and FFA students: Nate Van Dorn, Nickolas Manley, Zayne Aldrich, Amanda Gannan and Kaitlyn Sage, Neosho.

Senator Walsh introduced to the Senate, Rose Sigeas, Melissa Rechtien and thirty-one eighth grade students from St. Rose Philippine Duchesne, Florissant; and Andrew Flynn, Veronica Loomis, Derek Rechtien and Kendra Southard were made honorary pages.

Senator Sater introduced to the Senate, students from College of the Ozarks, Point Lookout.

Senator Pearce introduced to the Senate, Superintendent Aerin O'Dell, Orrick School District.

Senator Nieves introduced to the Senate, the Physican of the Day, Dr. Stephen R. Smith, Chesterfield.

On behalf of Senator Pearce, the President introduced to the Senate, his brother, Mark and Eddie Osborne, Lisa Irle, Kayla Mathews, Anne Mallinson and Paula Hertwig Hopkins, representatives of Johnson County Historical Society.

Senator Schmitt introduced to the Senate, representatives of West County Chamber of Commerce, St. Louis.

Senator Kehoe introduced to the Senate, Laura Hardecke, Jefferson City; and Jessica Dudenhoeffer, Freeburg.

Senator Libla introduced to the Senate, Barry Aycock, Parma; Ted Maltbia, New Madrid; and Burley McIntyre, Bell City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SECOND DAY—THURSDAY, APRIL 18, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 787
HB 533-Riddle, et al
HCS for HB 345
HCS for HB 28

HCS for HB 30
HB 47-Cross
HCS for HB 137
HB 217-Cox, et al

HCS for HB 215	HCS for HBs 374 & 434
HB 103-Kelley (127), et al	HCS for HBs 373 & 435
HCS for HB 114	HB 322-Gosen, et al
HCS for HB 621	HCS for HB 722
HCS for HB 505	HB 218-Cox, et al
HB 148-Davis, et al	HCS for HB 197
HCS for HB 257	HB 526-Franklin, et al
HB 326-Fitzwater	HCS for HBs 404 & 614
HCS for HB 418	HCS for HB 343
HCS for HB 850	HCS for HB 194

THIRD READING OF SENATE BILLS

SS for SB 282-Wasson	SB 205-Sater
SCS for SB 226-Schaefer	SS for SB 366-Lamping (In Fiscal Oversight)
SCS for SB 256-Silvey (In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

1. SB 401-Rupp	11. SB 175-Wallingford
2. SB 396-Holsman and Chappelle-Nadal, with SCS	12. SB 285-Romine
3. SB 378-Pearce, with SCS	13. SB 339-Romine
4. SB 410-Kehoe	14. SB 174-Parson, with SCS
5. SB 133-Keaveny and Holsman, with SCS	15. SB 441-Dempsey
6. SB 210-Lamping and Nieves, with SCS	16. SJR 2-Lager
7. SB 455-Nieves, with SCS	17. SB 315-Pearce
8. SB 167-Sater and Wallingford, with SCS	18. SB 419-Lager, with SCS
9. SB 343-Parson	19. SB 411-Kehoe, with SCS
10. SB 250-Schaaf, with SCS	20. SB 141-Dempsey
	21. SB 403-Rupp, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 21-Dixon
SB 13-Schaefer, with SCS	SB 22-Dixon

SB 48-Lamping	SB 239-Emery, with SCS & SA 2 (pending)
SB 61-Keaveny, with SCA 1 (pending)	SB 272-Nieves, with SA 2 (pending)
SB 65-Dixon, with SCS	SB 291-Rupp
SB 82-Schaefer, with SCS	SB 292-Rupp
SB 207-Kehoe, et al, with SCS	SB 364-Parson
SB 231-Munzlinger, with SA 1 (pending)	

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
(Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)	HB 498-Jones (50), et al, with SCS
HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SECOND DAY—THURSDAY, APRIL 18, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Rest. Rest. Rest in God’s love. The only work you are required now to do is to give your most intense attention to His still, small voice within.” (Madame Jeanne Guyon)

Gracious God, as we finish a full week and travel to loved ones, be with us so we arrive safely home. Help us to be mindful that our minds and bodies do need rest so that we may be capable to lead healthy and full lives; with sharp minds and energized bodies, rested in You so we can hear Your voice and be obedient. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 750, regarding the Sixtieth Anniversary of Sullivan County Memorial Hospital, Milan, which was adopted.

Senator Nieves offered Senate Resolution No. 751, regarding Mary Kleekamp, which was adopted.

Senator Nieves offered Senate Resolution No. 752, regarding James Allen Eagan, Union, which was adopted.

Senator Kehoe offered Senate Resolution No. 753, regarding Sally Hartman, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 754, regarding Kenneth Hartman, Jefferson City, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 256** and **SS** for **SB 366**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for **SB 282**, introduced by Senator Wasson, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 282**

An Act to repeal sections 174.700, 174.703, 174.706, 302.302, and 544.157, RSMo, and to enact in lieu thereof ten new sections relating to the regulation of motor vehicles, with penalty provisions.

Was taken up.

On motion of Senator Wasson, **SS** for **SB 282** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None**Absent—Senators—None****Absent with leave—Senators—None****Vacancies—None**

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 226, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 226

An Act to repeal sections 56.700, 631.165, 632.005, 632.150, 632.155, 632.300, 632.305, 632.330, 632.335, 632.337, 632.340, 632.350, 632.355, 632.375, 632.390, and 632.430, RSMo, and to enact in lieu thereof sixteen new sections relating to mental health services.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS for SB 226** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 256, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 256

An Act to repeal sections 160.2110, 174.335, 210.861, 210.950, 211.447, and 595.220, RSMo, and to enact in lieu thereof eight new sections relating to child abuse and neglect.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SCS for SB 256** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schmitt
Sifton	Silvey	Walsh	Wasson—28				

NAYS—Senators

Emery	Kraus	Lager	Nieves	Wallingford—5
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Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

SB 205, introduced by Senator Sater, entitled:

An Act to repeal section 211.036, RSMo, and to enact in lieu thereof two new sections relating to foster children.

Was taken up.

On motion of Senator Sater, **SB 205** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schmitt
Sifton	Silvey	Walsh	Wasson—28				

NAYS—Senators

Kraus	Lager	Nieves	Schaaf	Wallingford—5
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Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SB 366, introduced by Senator Lamping, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 366

An Act to repeal sections 33.080, 144.030, 360.045, and 374.150, RSMo, and to enact in lieu thereof six new sections relating to rebuilding damaged infrastructure, with an existing penalty provision and an emergency clause.

Was taken up.

On motion of Senator Lamping, **SS for SB 366** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 18, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jeanne Marie Dee, 418 Mission Court, Saint Louis, Saint Louis County, Missouri 63130, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2013, and until her successor is duly appointed and qualified; vice, Sandra L. Thomas, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 18, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Travis Ford, 1919 Brady Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2017, and until his successor is duly appointed and qualified; vice, Richard R. Popp, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 34**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS**

for **HB 315**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 53**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 112**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 308**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 473**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 383**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 437**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 423**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HB 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 371**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 53**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 163**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 199**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 457**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 377**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 448**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 109**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 259**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following report:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HBs 303** and **304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 317** and **319** and **SS** for **SCS** for **SB 432**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 443**, entitled:

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to a pilot project for increasing children's access to incarcerated parents.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 813**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to early stage business development corporations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 468**, entitled:

An Act to repeal sections 43.265, 174.700, 174.703, 174.706, 302.302, 544.157, 566.093, 566.135, 575.060, 575.070, 575.130, 610.021, 632.505, 650.120, and 650.350, RSMo, and to enact in lieu thereof twenty-eight new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 787**—Transportation and Infrastructure.

HB 533—General Laws.

HCS for **HB 345**—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 28—Jobs, Economic Development and Local Government.

HCS for HB 30—Small Business, Insurance and Industry.

HB 47—General Laws.

HCS for HB 137—Governmental Accountability and Fiscal Oversight.

HB 217—Governmental Accountability and Fiscal Oversight.

HCS for HB 215—Judiciary and Civil and Criminal Jurisprudence.

HB 103—Transportation and Infrastructure.

HCS for HB 114—Veterans' Affairs and Health.

HCS for HB 621—Jobs, Economic Development and Local Government.

HCS for HB 505—Education.

HB 148—Veterans' Affairs and Health.

HCS for HB 257—Veterans' Affairs and Health.

HB 326—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 418—Seniors, Families and Pensions.

HCS for HB 850—Jobs, Economic Development and Local Government.

HCS for HBs 374 and 434—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 373 and 435—Judiciary and Civil and Criminal Jurisprudence.

HB 322—Small Business, Insurance and Industry.

HCS for HB 722—Seniors, Families and Pensions.

HB 218—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 197—Jobs, Economic Development and Local Government.

HB 526—Jobs, Economic Development and Local Government.

HCS for HBs 404 and 614—Small Business, Insurance and Industry.

HCS for HB 343—Governmental Accountability and Fiscal Oversight.

HCS for HB 194—Progress and Development.

RE-REFERRALS

President Pro Tem Dempsey re-referred **HCS for HB 46** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senators Dixon and Wasson offered Senate Resolution No. 755, regarding Coach Steve Hesser, Drury University Men's basketball program, Springfield, which was adopted.

Senators Dixon and Wasson offered Senate Resolution No. 756, regarding Drury University Women's Swimming and Diving Team, Springfield, which was adopted.

Senators Dixon and Wasson offered Senate Resolution No. 757, regarding Drury University Men's Swimming and Diving Team, Springfield, which was adopted.

Senators Dixon and Wasson offered Senate Resolution No. 758, regarding Drury University Men's Basketball Team, Springfield, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Bill Reynolds, Nixa.

Senator Romine introduced to the Senate, Jason and Amy Arens and their children, Jonathan, Logan and Asher, De Soto.

On behalf of Senator Dempsey and himself, Senator Rupp introduced to the Senate, his daughter, Noelle, and fifty-seven fourth grade students from Academy of the Sacred Heart, St. Charles.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Friday, April 19, 2013.

SENATE CALENDAR

FIFTY-THIRD DAY—FRIDAY, APRIL 19, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 443-Hubbard, et al
HCS for HB 813

HCS for HB 468

THIRD READING OF SENATE BILLS

SCS for SBs 317 & 319-Romine

SS for SCS for SB 432-Cunningham

SENATE BILLS FOR PERFECTION

1. SB 401-Rupp
2. SB 396-Holsman and Chappelle-Nadal,
with SCS
3. SB 378-Pearce, with SCS
4. SB 410-Kehoe
5. SB 133-Keaveny and Holsman, with SCS
6. SB 210-Lamping and Nieves, with SCS
7. SB 455-Nieves, with SCS

8. SB 167-Sater and Wallingford, with SCS
9. SB 343-Parson
10. SB 250-Schaaf, with SCS
11. SB 175-Wallingford
12. SB 285-Romine
13. SB 339-Romine
14. SB 174-Parson, with SCS
15. SB 441-Dempsey

- 16. SJR 2-Lager
- 17. SB 315-Pearce
- 18. SB 419-Lager, with SCS
- 19. SB 411-Kehoe, with SCS
- 20. SB 141-Dempsey
- 21. SB 403-Rupp, with SCS
- 22. SB 308-Schaaf
- 23. SB 383-Wallingford

- 24. SB 437-Pearce, with SCS
- 25. SB 423-Nasheed
- 26. SB 371-Munzlinger, with SCS
- 27. SB 53-Lamping
- 28. SB 377-Dixon
- 29. SB 448-Schmitt and Keaveny
- 30. SB 109-Brown, with SCS
- 31. SB 259-Schaaf, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--------------------------------|--|
| 1. HB 34-Guernsey (Brown) | 6. HB 68-Kelley (127), et al (Lamping) |
| 2. HCS for HB 315 (Wasson) | 7. HB 163-Fitzpatrick and Dugger |
| 3. HB 53-Gatschenberger (Rupp) | 8. HCS for HB 199 (Lamping) |
| 4. HB 112-Burlison (Brown) | 9. HCS for HB 457, with SCS |
| 5. HCS for HB 473 | 10. HCS for HBs 303 & 304, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 207-Kehoe, et al, with SCS |
| SB 13-Schaefer, with SCS | SB 231-Munzlinger, with SA 1 (pending) |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 48-Lamping | SB 291-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | SB 292-Rupp |
| SB 65-Dixon, with SCS | SB 364-Parson |
| SB 82-Schaefer, with SCS | |

HOUSE BILLS ON THIRD READING

- HB 55-Flanigan and Allen, with SCS
(Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)

HB 212-Cox, et al (Keaveny)

HCS for HB 235 (Parson)
HB 498-Jones (50), et al, with SCS

HCS for HB 159 (Kraus)
HCS for HB 233, with SCS (Lamping)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-THIRD DAY—FRIDAY, APRIL 19, 2013

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 759, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Cantwell, Cassville, which was adopted.

Senator Kehoe offered Senate Resolution No. 760, regarding Master Sergeant Carl Van Dinteren Nilges, Jefferson City, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 761, regarding Christopher d'Amboise, which was adopted.

On behalf of Senator Schmitt, Senator Kehoe offered Senate Resolution No. 762, regarding Hank Barrere, Saint Louis, which was adopted.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Schaefer, Chairman of the Committee on Appropriations, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 22, 2013.

SENATE CALENDAR

FIFTY-FOURTH DAY—MONDAY, APRIL 22, 2013

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 443-Hubbard, et al
HCS for HB 813

HCS for HB 468

THIRD READING OF SENATE BILLS

SCS for SBs 317 & 319-Romine

SS for SCS for SB 432-Cunningham

SENATE BILLS FOR PERFECTION

1. SB 401-Rupp
2. SB 396-Holsman and Chappelle-Nadal,
with SCS
3. SB 378-Pearce, with SCS
4. SB 410-Kehoe
5. SB 133-Keaveny and Holsman, with SCS
6. SB 210-Lamping and Nieves, with SCS
7. SB 455-Nieves, with SCS
8. SB 167-Sater and Wallingford, with SCS
9. SB 343-Parson
10. SB 250-Schaaf, with SCS
11. SB 175-Wallingford
12. SB 285-Romine

13. SB 339-Romine
14. SB 174-Parson, with SCS
15. SB 441-Dempsey
16. SJR 2-Lager
17. SB 315-Pearce
18. SB 419-Lager, with SCS
19. SB 411-Kehoe, with SCS
20. SB 141-Dempsey
21. SB 403-Rupp, with SCS
22. SB 308-Schaaf
23. SB 383-Wallingford
24. SB 437-Pearce, with SCS
25. SB 423-Nasheed

26. SB 371-Munzlinger, with SCS
 27. SB 53-Lamping
 28. SB 377-Dixon

29. SB 448-Schmitt and Keaveny
 30. SB 109-Brown, with SCS
 31. SB 259-Schaaf, with SCS

HOUSE BILLS ON THIRD READING

1. HB 34-Guernsey (Brown)
 2. HCS for HB 315 (Wasson)
 3. HB 53-Gatschenberger (Rupp)
 4. HB 112-Burlison (Brown)
 5. HCS for HB 473 (Lager)
 6. HB 68-Kelley (127), et al (Lamping)
 7. HB 163-Fitzpatrick and Dugger (Sater)
 8. HCS for HB 199 (Lamping)
 9. HCS for HB 457, with SCS (Rupp)
 10. HCS for HBs 303 & 304, with SCS (Schmitt)
 11. HCS for HB 1, with SCS (Schaefer)
 12. HCS for HB 2, with SCS (Schaefer)

13. HCS for HB 3, with SCS (Schaefer)
 14. HCS for HB 4, with SCS (Schaefer)
 15. HCS for HB 5, with SCS (Schaefer)
 16. HCS for HB 6, with SCS (Schaefer)
 17. HCS for HB 7, with SCS (Schaefer)
 18. HCS for HB 8, with SCS (Schaefer)
 19. HCS for HB 9, with SCS (Schaefer)
 20. HCS for HB 10, with SCS (Schaefer)
 21. HCS for HB 11, with SCS (Schaefer)
 22. HCS for HB 12, with SCS (Schaefer)
 23. HCS for HB 13, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
 SB 13-Schaefer, with SCS
 SB 21-Dixon
 SB 22-Dixon
 SB 48-Lamping
 SB 61-Keaveny, with SCA 1 (pending)
 SB 65-Dixon, with SCS
 SB 82-Schaefer, with SCS

SB 207-Kehoe, et al, with SCS
 SB 231-Munzlinger, with SA 1 (pending)
 SB 239-Emery, with SCS & SA 2 (pending)
 SB 272-Nieves, with SA 2 (pending)
 SB 291-Rupp
 SB 292-Rupp
 SB 364-Parson

HOUSE BILLS ON THIRD READING

HB 55-Flanigan and Allen, with SCS
 (Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)

HB 212-Cox, et al (Keaveny)

HCS for HB 235 (Parson)

HB 498-Jones (50), et al, with SCS (Sifton)

HCS for HB 159 (Kraus)

HCS for HB 233, with SCS (Lamping)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—MONDAY, APRIL 22, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“May integrity and uprightness preserve me for I wait for you.” (Psalm 25:21)

Almighty God, we return for another week, rested and ready for all that will call for our best as we will try to be upright mindful of what we are here to do. Let us be men and women of integrity as we serve our people addressing the issues that confront them and that call us to action. Bless us with wisdom and discernment so we may prove to be faithful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, April 18, 2013 and Friday, April 19, 2013 were read and approved.

Senator Richard announced photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

President Kinder assumed the Chair.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 763, regarding Fred “Wimpy” Schaljo, Saint Louis, which was adopted.

Senator LeVota offered Senate Resolution No. 764, regarding Beth Vernon, which was adopted.

Senator LeVota offered Senate Resolution No. 765, regarding Michael Warnock, Lee’s Summit, which was adopted.

Senator Wallingford offered Senate Resolution No. 766, regarding Steve Wachter, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 767, regarding Renee Deken, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 768, regarding Casey LeMay Brennan, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 769, regarding Paul Fliege, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 770, regarding Cindy Rodgers, Whitewater, which was adopted.

Senator Munzlinger offered Senate Resolution No. 771, regarding Brian R. Pagliai, Kirksville, which was adopted.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 19, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 entitled:

AN ACT

To repeal sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, RSMo, and to enact in lieu thereof thirteen new sections relating to taxes on motor vehicle sales, with an emergency clause.

I disapprove of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182. My reasons for disapproval are as follows:

House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 is intended to address the Missouri Supreme Court’s 2012 decision in *Street v. Director of Revenue*. In that case, the Supreme Court held that a local sales tax could not be collected on the out-of-state purchase of motor vehicles, boats, trailers and outboard motors (“vehicles”). Instead, the Court found that such transactions were, under existing law, subject to a local use tax.

The *Street* decision does not affect cities and counties where voters have approved a local use tax; however, jurisdictions without a local use tax have been unable to collect taxes on out-of-state vehicle purchases as well as non-retail (“private”) vehicle transactions. As a result, associated revenues have since declined in those jurisdictions and auto dealers – particularly those situated near our borders – have experienced a decline in sales because more customers are buying from out-of-state dealers in order to avoid local taxes.

The General Assembly first attempted to address the *Street* decision last session with passage of Senate Substitute for House Committee Substitute for House Bill No. 1329. I vetoed that legislation for two fundamental reasons: (1) it circumvented the authority of local voters to approve matters concerning local taxation; and (2) it imposed the tax retroactively on already completed transactions. House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 again seeks to restore the collection of local tax revenues to pre-*Street* amounts and to level the playing field for Missouri auto dealers. Both of these goals are understandable. And, consistent with my veto message from last year, House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 would not retroactively tax transactions and, appropriately, does mandate a vote in jurisdictions that have not previously passed a local use tax.

Mandated Local Referendum Too Narrow

Unfortunately, the mandated local vote, as written in House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, does not cover the full breadth of the expanded local sales tax. Rather, the referendum only permits voters in jurisdictions without a local use tax to repeal the sales tax on vehicles “purchased from vendors not located in Missouri”; it would not enable voters to repeal the local sales tax on non-retail (“private”) sales.

Regardless of whether this oversight was intentional or inadvertent, it is significant. In 2012, there were 112,000 vehicles purchased from out-of-state dealers. During that same time, non-retail sales exceeded that number by nearly six times (approx. 650,000). Therefore, while requiring a referendum properly recognizes that local voters should approve matters concerning local taxation, the mandated referendum would not apply to 85% of the transactions that would become subject to the local sales tax as the result of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182.

Voter participation in determining local tax policy was central to my prior veto of Senate Substitute for House Committee Substitute for House Bill No. 1329 and is again the focus of my action today. If a local tax is going to be imposed – even one that was previously collected prior to the *Street* decision – voter involvement must be our guiding principle. Denying the voters the ability to be heard on the entire scope of this tax is unacceptable and requires my disapproval.

Jeopardizes Local Sales Tax Revenues

As previously acknowledged, the partial impetus behind House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 was to put local taxing jurisdictions in the position they were in prior to the *Street* decision. And the General Assembly was correct to provide voters in these jurisdictions with the opportunity to repeal this extension of the local sales tax. However, the General Assembly, perhaps unwittingly, used language that places counties and municipalities in jeopardy of losing even greater sales tax revenue. The perilous language, contained in the proposed Sec. 32.087.5(5), RSMo, would direct the governing body of a local taxing jurisdiction – that imposes a local sales tax on vehicle sales – to place a proposal on the ballot to repeal the application of the “local sales tax to such titling” if it receives a petition calling for such a proposal.

This language is problematic. Because all vehicle sales would be taxed upon titling under House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, local voters could not repeal the local sales tax on out-of-state and non-retail vehicle transactions under the proposed Sec. 32.087.5(5), RSMo, without repealing the local sales tax on all vehicle transactions, including vehicles purchased in-state at retail.

Again, inadvertent or not, this would result in a loss of local revenue in an amount that would dwarf the economic impact caused by the *Street* decision, and would significantly hamper the ability of counties and cities to fund and perform critical functions and services. What’s more, in the event the titling tax is repealed by a majority of voters, there would be no mechanism to allow voters to reinstate the tax on all or even a portion of vehicle transactions.

Conclusion

It is noted that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182 is an effort to address both the *Street* decision’s economic impact on Missouri car dealers and local taxing jurisdictions as well as the principled objections concerning voter approval and retroactivity that I laid out in my veto message of Senate Substitute for House Committee Substitute for House Bill No. 1329. However, it falls short in both regards. The mandated referendum extends voters the opportunity to disapprove only a portion of the expanded local sales tax, and the repeal language put forth in Sec. 32.087.5(5) fails to parse transactions already covered by the local sales tax law from those that would be imposed by House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, haphazardly placing counties and cities at risk of losing an even greater amount of local revenue. Because these are significant concerns, I disapprove of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 253**, entitled:

An Act to repeal sections 143.071, 143.221, 144.020, and 144.030, RSMo, and to enact in lieu thereof five new sections relating to the taxation of businesses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 389**, entitled:

An Act to repeal section 620.1039, RSMo, and to enact in lieu thereof one new section relating to tax credits for qualified research expenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 175**, entitled:

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for the collection of local government funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 400**, entitled:

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to administration of abortion-inducing drugs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 510**, entitled:

An Act to repeal sections 347.039 and 347.153, RSMo, and to enact in lieu thereof three new sections relating to series limited liability companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 290**, entitled:

An Act to repeal sections 453.070 and 453.080, RSMo, and to enact in lieu thereof two new sections relating to adoption investigations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 252**, entitled:

An Act to repeal sections 211.444, 453.010, 453.065, and 453.080, RSMo, and to enact in lieu thereof seven new sections relating to adoption.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 733**, entitled:

An Act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 351**, entitled:

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 436**, entitled:

An Act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof fourteen new sections relating to firearms, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON THIRD READING

HCS for **HB 1**, with **SCS**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators

Lager Rupp—2

Absent with leave—Senators

Chappelle-Nadal Holsman—2

Vacancies—None

Senator Kehoe assumed the Chair.

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 2, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Holsman	Justus	Keaveny	LeVota	Nasheed—5
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 3, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 3, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 3** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 3** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Lager LeVota—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 4**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 4** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed—6
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 5, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 5, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 5** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Justus	Keaveny	Kraus	Nasheed	Nieves—5
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HCS for HB 6, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 6** be adopted.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Lines 43-44, by striking all of said lines from the bill; and
further amend said page and section, line 45 by striking the number “1,600,000” and inserting in lieu thereof the number “22,200,000”; and further amend said page and section, line 46 by striking the number “1,600,000” and inserting in lieu thereof the number “3,000,000”; and
further amend section and bill totals according.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Curls, Justus, Keaveny and LeVota.

Senator Nasheed offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Lines 43-44, by striking all of said lines from the bill; and
further amend said page and section, line 45 by striking the number “1,600,000” and inserting in lieu thereof the number “21,750,000”; and further amend said page and section, line 46 by striking the number “1,600,000” and inserting in lieu thereof the number “3,000,000”; and
further amend section and bill totals according.

Senator Nasheed moved that the above substitute amendment be adopted, which motion failed.

Senator Schaefer offered **SSA 2** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Line 42, by inserting immediately after said line, the following “provided that \$700,000 shall be used by the department”; and

Further amend said section, lines 43-44 by striking all of said lines from the bill; and

Further amend said page and section, line 45 by striking the number “1,600,000” and inserting in lieu thereof the number “4,050,000”; and

Further amend said page and section, line 46 by striking the number “1,600,000” and inserting in lieu thereof the number “3,000,000”; and

Further amend section and bill totals accordingly.

Senator Schaefer moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Justus, Keaveny and LeVota.

President Pro Tem Dempsey assumed the Chair.

Senator Nasheed offered **SA 1** to **SSA 2** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 1, Section 6.230, Line 5 by striking “5,605,000” and inserting in lieu thereof the following “22,000,100”.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators LeVota, Schaaf, Justus and Sater.

Senator Sater raised the point of order that **SA 1 to SSA 2 for SA 1** is out of order as it is incorrectly drafted.

At the request of Senator Nasheed, **SA 1 to SSA 2 for SA 1** was withdrawn rendering the point of order moot.

Senator Nasheed offered **SA 2 to SSA 2 for SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Section 6.230, Line 8 by striking “4,050,000” and inserting in lieu thereof “22,000,100”.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Justus, Keaveny, LeVota and Schaaf.

SA 2 to SSA 2 for SA 1 failed of adoption by the following vote:

YEAS—Senators

Holsman	Justus	Keaveny	LeVota	Nasheed	Schaaf	Wallingford—7
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NAYS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Walsh

Wasson—25

Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

SSA 2 for SA 1 was again taken up.

At the request of Senator Schaefer, the request for a roll call vote was withdrawn.

Senator Schaefer moved that **SSA 2 for SA 1** be adopted, which motion prevailed.

SCS for **HCS** for **HB 6**, as amended, was again taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 6**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 6**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Holsman	Justus	Keaveny	LeVota	Nasheed	Schaaf—6
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Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 7**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 7**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among

certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 7** be adopted.

Senator Schaaf assumed the Chair.

Senator Sater offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 11, Section 7.145, Lines 8-9, by striking all said lines; and

Further amend section and bill totals accordingly.

Senator Sater moved that the above amendment be adopted.

Senator Schaefer requested a roll call vote be taken and was joined in his request by Senators Justus, McKenna, Dempsey and Schmitt.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Emery	Holsman	Justus	Keaveny	LeVota	McKenna	Parson	Sater
Schaaf	Wallingford—10						

NAYS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine
Schaefer	Schmitt	Sifton	Silvey	Walsh	Wasson—22		

Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

Senator Wallingford offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 9, Section 7.110, Line 16, by striking the number “100,000” and inserting in lieu thereof the following “200,000”; and

Further amend said section and bill totals accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion failed.

Senator Schmitt assumed the Chair.

Senator Schaefer offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 5, Section 7.035, Line 9, by deleting the number “\$1,360,000” and inserting in lieu thereof the following: “\$6,360,000”; and

Further amend said bill and page, section 7.036, lines 1-3, by striking all of said section from the bill; and

Further amend said bill and page, section 7.040, line 5, by deleting the number “\$1,360,000” and inserting in lieu thereof the following: “\$6,360,000”; and

Further amend said bill and page, section 7.042, lines 1-5, by striking all of said section from the bill; and

Further amend section and bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 7**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 7**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Emery LeVota—2

Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 8**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

Was taken up by Senator Schaefer.

SCS for HCS for HB 8, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 8** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 9, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 9, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 9** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 10**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 10** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 10** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed	Nieves
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Emery	Justus	LeVota—3
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Absent—Senators

Parson	Rupp—2
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 11**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 11**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11** be adopted.

Senator Kehoe assumed the Chair.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 34, Section 11.555, Line 33, by inserting after all of said line the following:

“Section 11.560. To the Department of Social Services

For the MO HealthNet Division

For Medicaid services for low-income adults

From Federal Funds \$890,474,624”

and further amend bill totals accordingly.

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Keaveny, LeVota and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

Absent—Senators

Parson	Rupp—2
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 2, by inserting immediately after the word “Director”, the following: “provided that no funds shall be used for the salary of the legislative liaison”; and

Further amend said page and section, line 3, by deleting the number: “\$178,541” and insert in lieu thereof the number: “\$106,041”; and

Further amend said section, page 2, line 14, by deleting the number: “4.25” and insert in lieu thereof the number: “3.25”; and

Further amend said bill, page 12, section 11.200, line 4, by deleting the number: “\$27,542,105” and insert in lieu thereof the number: “\$27,614,605”; and

Further amend said section, page 13, line 20, by deleting the number: “1,931.38” and insert in lieu thereof the number: “1,933.38”; and

Further amend sections and bill totals accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 11**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Kehoe	Kraus	Lamping	Libla
Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Wasson—20				

NAYS—Senators

Curls	Emery	Holsman	Justus	Keaveny	Lager	LeVota	McKenna
Nasheed	Sifton	Walsh—11					

Absent—Senators

Parson	Rupp—2
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Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 12, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

Was taken up by Senator Schaefer.

SCS for HCS for HB 12, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 12** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Parson Rupp—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 13, with SCS, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 13, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 13** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Parson Rupp—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 339**, entitled:

An Act to amend chapter 303, RSMo, by adding thereto one new section relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 274**, entitled:

An Act to amend chapters 167 and 191, RSMo, by adding thereto two new sections relating to newborn screenings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1035**, entitled:

An Act to repeal sections 137.073 and 137.720, RSMo, and to enact in lieu thereof two new sections

relating to amended property tax rate filings with the office of the state auditor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 747**, entitled:

An Act to repeal sections 313.800, 313.812, 313.817, and 313.830, RSMo, and to enact in lieu thereof four new sections relating to financial transactions of gaming establishments, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 593** and **695**, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri oral chemotherapy parity interim committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 340**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to daylight saving time elimination.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 698**, entitled:

An Act to repeal sections 32.115, 99.1205, 100.850, 135.305, 135.350, 135.352, 135.460, 135.484, 135.535, 135.679, 135.680, 135.700, 135.710, 135.750, 135.967, 143.119, 208.770, 217.905, 253.545, 253.550, 253.557, 253.559, 348.434, 447.708, 620.1039, and 620.1881, RSMo, and to enact in lieu thereof forty-one new sections relating to tax incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **HB 34** and **HCS** for **HB 473** to the Committee on Governmental

Accountability and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

On behalf of Senator Kehoe, the President introduced to the Senate, Hunter Wyss, and his parents, Bryan and Linda, Vienna.

On motion of Senator Richard, the Senate adjourned until 11:00 a.m., Tuesday, April 23, 2013.

SENATE CALENDAR

FIFTY-FIFTH DAY—TUESDAY, APRIL 23, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HB 443-Hubbard, et al

HCS for HB 813

HCS for HB 468

HB 253-Berry, et al

HCS for HB 389

HCS for HB 175

HB 400-Riddle, et al

HB 510-Torpey and Wieland

HCS for HB 290

HCS for HB 252

HB 733-Berry, et al

HCS for HB 351

HCS for HB 436

HB 339-Wieland, et al

HB 274-Brattin, et al

HCS for HB 1035

HB 747-Scharnhorst

HCS for HBs 593 & 695

HCS for HB 340

HCS#2 for HB 698

THIRD READING OF SENATE BILLS

SCS for SBs 317 & 319-Romine

SS for SCS for SB 432-Cunningham

SENATE BILLS FOR PERFECTION

1. SB 401-Rupp

2. SB 396-Holsman and Chappelle-Nadal,
with SCS

3. SB 378-Pearce, with SCS

4. SB 410-Kehoe

5. SB 133-Keaveny and Holsman, with SCS

- | | |
|---|---------------------------------|
| 6. SB 210-Lamping and Nieves, with SCS | 19. SB 411-Kehoe, with SCS |
| 7. SB 455-Nieves, with SCS | 20. SB 141-Dempsey |
| 8. SB 167-Sater and Wallingford, with SCS | 21. SB 403-Rupp, with SCS |
| 9. SB 343-Parson | 22. SB 308-Schaaf |
| 10. SB 250-Schaaf, with SCS | 23. SB 383-Wallingford |
| 11. SB 175-Wallingford | 24. SB 437-Pearce, with SCS |
| 12. SB 285-Romine | 25. SB 423-Nasheed |
| 13. SB 339-Romine | 26. SB 371-Munzlinger, with SCS |
| 14. SB 174-Parson, with SCS | 27. SB 53-Lamping |
| 15. SB 441-Dempsey | 28. SB 377-Dixon |
| 16. SJR 2-Lager | 29. SB 448-Schmitt and Keaveny |
| 17. SB 315-Pearce | 30. SB 109-Brown, with SCS |
| 18. SB 419-Lager, with SCS | 31. SB 259-Schaaf, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 34-Guernsey (Brown)
(In Fiscal Oversight) | 6. HB 68-Kelley (127), et al (Lamping) |
| 2. HCS for HB 315 (Wasson) | 7. HB 163-Fitzpatrick and Dugger (Sater) |
| 3. HB 53-Gatschenberger (Rupp) | 8. HCS for HB 199 (Lamping) |
| 4. HB 112-Burlison (Brown) | 9. HCS for HB 457, with SCS (Rupp) |
| 5. HCS for HB 473 (Lager)
(In Fiscal Oversight) | 10. HCS for HBs 303 & 304, with SCS
(Schmitt) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 207-Kehoe, et al, with SCS |
| SB 13-Schaefer, with SCS | SB 231-Munzlinger, with SA 1 (pending) |
| SB 21-Dixon | SB 239-Emery, with SCS & SA 2 (pending) |
| SB 22-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 48-Lamping | SB 291-Rupp |
| SB 61-Keaveny, with SCA 1 (pending) | SB 292-Rupp |
| SB 65-Dixon, with SCS | SB 364-Parson |
| SB 82-Schaefer, with SCS | |

HOUSE BILLS ON THIRD READING

- HB 55-Flanigan and Allen, with SCS
(Schaefer)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)
HB 212-Cox, et al (Keaveny)
HCS for HB 235 (Parson)

HB 498-Jones (50), et al, with SCS (Sifton)
HCS for HB 159 (Kraus)
HCS for HB 233, with SCS (Lamping)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIFTH DAY—TUESDAY, APRIL 23, 2013

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 443—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 813—Jobs, Economic Development and Local Government.

HCS for HB 468—Governmental Accountability and Fiscal Oversight.

HB 253—Ways and Means.

HCS for HB 389—Jobs, Economic Development and Local Government.

HCS for HB 175—Ways and Means.

HB 400—Judiciary and Civil and Criminal Jurisprudence.

HB 510—Small Business, Insurance and Industry.

HCS for HB 290—Financial and Governmental Organizations and Elections.

HCS for HB 252—Seniors, Families and Pensions.

HB 733—Jobs, Economic Development and Local Government.

HCS for HB 351—Veterans' Affairs and Health.

HCS for HB 436—General Laws.

HB 339—Small Business, Insurance and Industry.

HB 274—Veterans' Affairs and Health.

HCS for HB 1035—Jobs, Economic Development and Local Government.

HB 747—Commerce, Consumer Protection, Energy and the Environment.

HCS for HBs 593 and 695—Small Business, Insurance and Industry.

HCS for HB 340—General Laws.

HCS No. 2 for HB 698—Jobs, Economic Development and Local Government.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

Reverend Carl Gauck offered the following prayer:

“This is the day the Lord has made; let us rejoice and be glad in it.” (Psalm 118:24)

Gracious God, we are truly glad and see ourselves blessed that these days are so wonderful, in spite of the abundance of rain. We rejoice that the beauty of each day doesn’t escape our notice and we embrace this time of year for the work we can accomplish and yet be refreshed in it. As we spend time in this chamber, let us still be aware of Your creation and do all we can so others less fortunate may also have reason to rejoice. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 772, regarding Christina Shaw, which was adopted.

Senator Lamping offered Senate Resolution No. 773, regarding Megan Willingham, which was adopted.

Senator Schaaf offered Senate Resolution No. 774, regarding Grace S. Day, which was adopted.

Senator Sater offered Senate Resolution No. 775, regarding the Ninety-eighth Birthday of Bernice Mathis Smith, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 776, regarding the One Hundred Third Birthday of Lena Smith Vaughan, Pineville, which was adopted.

Senator Chappelle-Nadal offered the following resolution:

SENATE RESOLUTION NO. 777

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the 21st Century Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, Leadership Academy "Fellows" are selected from nine participating state universities; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the 21st Century Leadership Academy use of the Senate Chamber for the purpose of conducting a mock legislative session from 10:00 am to 12:00 noon on Wednesday, May 22, 2013.

Senator Chappelle-Nadal requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 777** up for adoption, which request was granted.

On motion of Senator Chappelle-Nadal, **SR 777** was adopted.

Senator Schaaf offered Senate Resolution No. 778, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Bob McDonald, Smithville, which was adopted.

Senator Schaaf offered Senate Resolution No. 779, regarding Deborah J. Walker, which was adopted.

Senator Schaaf offered Senate Resolution No. 780, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ken Adams, St. Joseph, which was adopted.

Senator LeVota offered Senate Resolution No. 781, regarding Admiral Mike Mullen, which was adopted.

HOUSE BILLS ON THIRD READING

HCS for **HB 315**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

Was taken up by Senator Wasson.

Senator Wasson offered **SS** for **HCS** for **HB 315**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 315

An Act to repeal sections 334.040, 334.715, 334.735, 335.066, 338.150, 338.220, RSMo, and to enact in lieu thereof ten new sections relating to health care services.

Senator Kraus assumed the Chair.

Senator Wasson moved that **SS** for **HCS** for **HB 315** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 315, Page 35, Section 338.220, Line 25 of said page, by inserting immediately after said line the following:

“354.535. 1. If a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee’s right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No health maintenance organization, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every health maintenance organization shall apply the same coinsurance, co-payment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the health maintenance organization’s network if the provider meets the contract’s explicit product cost determination. If any such contract is rejected by any pharmacy provider, the health maintenance organization may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this section shall be construed to prohibit the health maintenance organization from applying different coinsurance, co-payment and deductible factors between generic and brand name drugs.

4. If the co-payment applied by a health maintenance organization exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.

5. Health maintenance organizations shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the health maintenance organization’s network.

[5.] 6. Health maintenance organizations shall not insist or mandate any physician or other licensed health care practitioner to change an enrollee’s maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444. Notwithstanding other provisions of law to the contrary, health maintenance organizations that change an enrollee’s maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056.

376.387. If the co-payment for prescription drugs applied by a health insurer or health carrier, as defined in section 376.1350, exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Wasson moved that **SS** for **HCS** for **HB 315** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **HCS** for **HB 315** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 53 was placed on the Informal Calendar.

At the request of Senator Brown, **HB 112** was placed on the Informal Calendar.

HB 68, introduced by Representative Kelley (127), et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of pancreatic cancer awareness month.

Was taken up by Senator Lamping.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 68, Page 1, In the Title, Lines 2-3, by striking the following: “the designation of pancreatic cancer awareness month” and inserting in lieu thereof the following: “state designations”; and

Further amend said bill and page, section 9.155, line 5, by inserting after all of said line the following:

“9.190. The last full week in October is hereby designated as “Respiratory Syncytial Virus (RSV) Awareness Week” in the state of Missouri. The citizens of this state are encouraged to observe the week with appropriate activities and events.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Lamping, **HB 68**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senator Kehoe—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 163, introduced by Representatives Fitzpatrick and Dugger, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

Was taken up by Senator Sater.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 163, Page 1, Section A, Line 2, by inserting after all of said line the following:

“77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered SA 2:

SENATE AMENDMENT NO. 2

Amend House Bill No. 163, Page 1, In the Title, Line 2, by striking the word “primary”; and

Further amend page 2, Section 78.090, line 23, by inserting immediately after all of said line the following:

“96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120,

shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

“Shall the city council of _____, Missouri and the board of trustees of _____ hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of _____ hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?”

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.

Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend House Bill No. 163, Page 2, Section 78.090, Line 23, by inserting immediately after said line the following:

“115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person’s election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established

political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, [two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city] **members of the committee shall be elected from the districts of each state representative that are in any way contained in the county in the following manner: within six months after each legislative reapportionment, each portion of a legislative district contained in the county shall constitute a single committee district. Two men and two women shall be elected from each committee district formed from a legislative district that is wholly contained in the county as members of the committee, two men and two women shall be elected from each committee district formed from a legislative district that is predominantly contained in the county as members of the committee, and one man and one woman shall be elected from each committee district formed from a legislative district that is partially but not predominantly contained in the county as members of the committee.**

3. [In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4.] In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

[5.] 4. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

[6.] 5. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after

August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

[7.] 6. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend House Bill No. 163, Page 1, In the Title, Line 2, by striking the word “primary”; and

Further amend said bill, page 2, section 78.090, line 23, by inserting after all of said line the following:

“473.730. 1. Every county in this state, [and] **except** the city of St. Louis, shall elect a public administrator at the general election in the year 1880, and every four years thereafter, who shall be ex officio public guardian and conservator in and for the public administrator’s county. A candidate for public administrator shall be at least twenty-one years of age and a resident of the state of Missouri and the county in which he or she is a candidate for at least one year prior to the date of the general election for such office. The candidate shall also be a registered voter and shall be current in the payment of all personal and business taxes. Before entering on the duties of the public administrator’s office, the public administrator shall take the oath required by the constitution, and enter into bond to the state of Missouri in a sum not less than ten thousand dollars, with two or more securities, approved by the court and conditioned that the public administrator will faithfully discharge all the duties of the public administrator’s office, which bond shall be given and oath of office taken on or before the first day of January following the public administrator’s election, and it shall be the duty of the judge of the court to require the public administrator to make a statement annually, under oath, of the amount of property in the public administrator’s hands or under the public administrator’s control as such administrator, for the purpose of ascertaining the amount of bond necessary to secure such property; and such court may from time to time, as occasion shall require, demand additional security of such administrator, and, in default of giving the same within twenty days after such demand, may remove the administrator and appoint another.

2. The public administrator in all counties, in the performance of the duties required by chapters 473, 474, and 475, is a public officer. The duties specified by section 475.120 are discretionary. The county shall defend and indemnify the public administrator against any alleged breach of duty, provided that any such alleged breach of duty arose out of an act or omission occurring within the scope of duty or employment.

3. After January 1, 2001, all salaried public administrators shall be considered county officials for purposes of section 50.333, subject to the minimum salary requirements set forth in section 473.742.

4. The public administrator for the city of St. Louis shall be appointed by a majority of the circuit judges and associate circuit judges of the twenty-second judicial circuit, en banc. Such public administrator shall meet the same qualifications and requirements specified in subsection 1 of this

section for elected public administrators. The elected public administrator holding office on the effective date of this section shall continue to hold such office for the remainder of his or her term.

473.733. The public administrator's certificate of election, **if applicable**, official oath and bond shall be filed and recorded with the probate clerk, and copies thereof, certified under the seal of such court, shall be evidence. Any person injured by the breach of such bond may sue upon the same in the name of the state for his own use.

473.737. 1. Each public administrator elected **or appointed**, as now or as hereafter provided for in sections 473.730 to 473.767, is hereby declared to be an officer for the county in which such administrator is elected [and for the city of St. Louis, if elected therein] **or appointed**. The county commissions of each county in this state shall make suitable provision for an office for the public administrator in the courthouse of the county if suitable space may be had for such an office, and shall be provided as soon as the county commission shall be of the opinion that the business in charge of the public administrator is such as to reasonably require a separate office for the convenience of the public. The public administrator of the city of St. Louis shall have suitable and convenient offices provided for him or her in the civil courts building by that city.

2. Each public administrator of a county, except a county of the first classification having a charter form of government, in which a state mental hospital is located, or any county of the second classification which contains a habilitation center operated by the department of mental health and which does not adjoin a county of the first classification shall be entitled to one secretary for one hundred cases or more handled by the office of the public administrator in the immediately preceding calendar year. Each secretary employed pursuant to the provisions of this subsection shall be paid in the same pay range as a court clerk II in the circuit court personnel system. All compensation paid secretaries employed pursuant to the provisions of this subsection shall be paid out of the county treasury and the commissioner of administration shall annually reimburse each county for the compensation so paid upon proper demand being made out of appropriations made for that purpose. The public administrator in such counties may also appoint a person to act as public administrator to serve during the absence of the public administrator.

3. The governing bodies of each county and each city not within a county of this state may provide clerical personnel, not qualifying as status of deputy, for the public administrator of the county, and such personnel shall be provided when the governing body is of the opinion that the business in charge of the public administrator is such as to reasonably require such personnel for the welfare of the public.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend House Bill No. 163, Page 1, In the Title, Line 2, by striking the word “primary”; and

Further amend said bill, page 2, section 78.090, line 23 by inserting immediately after said line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other

emergency services, including emergency telephone services, which shall be collectively referred to herein as “emergency services”, and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial

members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. **Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.**

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this

chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Sater, **HB 163**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh—32

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HCS for HB 199, entitled:

An Act to repeal sections 115.003, 115.005, 115.007, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, and 115.493, RSMo, and to enact in lieu thereof eighteen new sections relating to elections.

Was taken up by Senator Lamping.

Senator Lamping offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 199, Page 10, Section 115.493, Line 3, by striking the word “twelve” and inserting in lieu thereof the following: “**twenty-two**”.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Lamping, **HCS for HB 199**, as amended, was placed on the Informal Calendar.

HCS for HB 457, with **SCS**, was placed on the Informal Calendar.

HCS for HBs 303 and 304, with **SCS**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the new Mississippi River bridge, with a contingent effective date.

Was taken up by Senator Schmitt.

Senator Schaaf assumed the Chair.

SCS for HCS for HBs 303 and 304, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 303 and 304**

An Act to repeal section 227.303, RSMo, and to enact in lieu thereof nine new sections relating to highway designations, with a contingent effective date for a certain section.

Was taken up.

Senator Schmitt moved that **SCS for HCS for HBs 303 and 304** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 303 and 304, Page 1, Section 227.314, Line 5, by inserting immediately after “Clay” the following “, **Sr.**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 303 and 304, Page 1, In the Title, Lines 3-4, by striking the following: “, with a contingent effective date for a certain

section”; and

Further amend said bill, page 2, section 227.421, line 1, by inserting immediately after “The” the following: **“Missouri portion of the”**; and

Further amend said bill, page 3, section B, lines 1-4, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 303 and 304, Page 1, In the Title, Line 3, by striking the following: “highway designations” and inserting in lieu thereof the following: “transportation”; and

Further amend said bill, page 3, section 227.519, line 6, by inserting after all of said line the following:

“Section 1. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Taney County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

Tract One

Right of way for a Federal road 80 feet wide, except as noted.

That part of the SE¼ of the NW¼ and also of the NE¼ of SW¼ and also of the NW¼ of SE¼ and also of the SW¼ of SE¼ and also of the SE¼ of SW¼ all in Sec. 6, and also the NE¼ of NW¼ and also of the NW¼ of NE¼ in Sec. 7, all in T21N, R21W lying within a strip of land 80 feet wide, except as noted, 40 feet thereof, except as noted, being on each side of, parallel to and measured from a surveyed center line which is described as follows:

Beginning on the north line of and 720 feet east of the north west corner of the SE¼ of NW¼ of Sec. 6, T21N, R21W; thence south easterly on a curve to the right with 1146.3 feet radius, the tangent to which bears S 31°56'E, 243 feet; thence S 19°47'E a distance of 391 feet; thence continuing S 19°47'E with 40 feet on the right side and 55 feet on the left side of the said center line, a distance of 200 feet; thence continuing S 19°47'E with 40 feet on each side of the said center line, a distance of 240 feet; thence continuing S 19°47'E with 60 feet on the right side of and 40 feet on the left side of the said center line, a distance of 110 feet; thence continuing S 19°47'E with 40 feet on both sides of the center line, a distance of 1405.4 feet; thence on a curve to the right with 819 feet radius, a distance of 534.8 feet; thence S 17°39'W a distance of 683.5 feet; thence on a curve to the left with 637.8 feet radius, a distance of 421.1 feet; thence S 20°15'E a distance of 560.3 feet; thence on a curve to the left with 955.4 feet radius, a distance of 366.7 feet; thence S 42°15'E with 40 feet on the right side of and 60 feet on the left side of the said center line, a distance of 118.3 feet; thence S 42°15'E with 40 feet on each side of the said center line, a distance of 230 feet, to the south line of and 270 feet more or less east of the south west corner of the said NW¼ of NE¼ of Sec. 7.

Containing right of way old 4.60 acres, more or less

new 5.68 "	"
total 10.28 "	"

Tract Two

Right of way for a Federal road 80 feet wide, except as noted.

That part of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W lying on the west side of the present road and included within a tract of land 80 feet wide, except as noted, 40 feet of which, except as noted, is on each side of, parallel to and measured from a surveyed center line which is described as follows:

Beginning on the north line of and 270 feet east of the north west corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W; thence S 42° 15'E a distance of 245 feet; thence continuing S 42°15'E with 40 feet on the right side of and 55 feet on the left side of the said center line, a distance of 48.8 feet; thence on a curve to the right with 716.8 feet radius and continuing 40 feet on the right side of and 55 feet on the left side of the said center line, a distance of 76.2 feet; thence continuing on the same curve with 40 feet on both sides of the said center line, a distance of 250 feet to the property line between W.R. Carey and C.N. McElfresh, being approximately 540 feet south of and 570 feet east of the north west corner of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7.

Containing right of way old 0.16 acres, more or less

new 0.03 "	"
total 0.21 "	"

Tract Three

Right of way for a Federal road 80 feet wide, except as noted.

That part of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W lying on the east side of the present road, and included within a tract of land 80 feet wide, except as noted, 40 feet of which, except as noted, is on each side of, parallel to and measured from a surveyed center line, which is described as follows:

Beginning on the north line of and 270 feet east of the north west corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W; thence S 42°15'E a distance of 245 feet; thence continuing S 42°15'E with 40 feet on the right side of and 55 feet on the left side of the said center line a distance of 25 feet to a point on the property line between V.T. Jones and C.N. McElfresh, being about 210 feet south of and 420 feet east of the northwest corner of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7.

Containing right of way old 0.09 acres, more or less

new 0.30 "	"
total 0.39 "	"

Tract Four

Right of way for a Federal road 80 feet wide, except as noted.

That part of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W lying within a tract of land 80 feet wide, except as noted, 40 feet of which, except as noted, is on each side of, parallel to and measured

from a surveyed center line. Said tract is bounded and described as follows:

Beginning 210 feet south of and 420 feet east of the north west corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 7, T21N, R21W at survey station 1133+00; thence N 55°30'E on the property line between C.N. McElfresh and V.T. Jones, a distance of 57 feet; thence S 42°15'E a distance of 23.8 feet; thence on a curve to the right with 771.8 feet radius, parallel to and 55 feet from the said center line, a distance of 95 feet; thence S 53°51'W a distance of 15 feet; thence south eastward on a curve to the right with 756.8 feet radius, the tangent to which bears S 36°09'E a distance of 550 feet; thence S 6°08'W a distance of 171.4 feet; thence S 83°52'E a distance of 10 feet; thence S 6°08'W a distance of 250 feet; thence N 83°52'W a distance of 10 feet; thence S 6°08'W a distance of 100 feet, more or less to the south line of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$; thence west on said south line a distance of 82 feet; thence N 6°08'E parallel to and 40 feet from the said center line, a distance of 530 feet; thence on a curve to the left with 676.8 feet radius, a distance of 260 feet, to the property line between C.N. McElfresh and W.R. Cary; thence eastward on said property line, a distance of 37 feet to the center of the present road; thence north westerly along said present road a distance of 360 feet; thence N 55°30'E a distance of 25 feet more or less to the beginning place.

Containing right of way old 0.66 acres, more or less

new 1.45 "	"
total 2.11 "	"

Tract Five

Right of way for Federal road 80 feet wide, except as noted.

That part of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 7 and also of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18, all in T21N, R21W lying within tracts of land 80 feet wide, except as noted, 40 feet of which, except as noted is on each side of, parallel to and measured from a surveyed center line which is described as follows:

(1) Beginning on the north line of and 470 feet east of the north west corner of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 7, T21N, R21W; thence S 6°08'W with 40 feet on both sides of the said center line, a distance of 512.1 feet; thence on a curve to the left with 1432.7 feet radius, a distance of 418.7 feet; thence S 10°37'E a distance of 70 feet; thence continuing S 10°37'E with 40 feet on the right side of and 50 feet on the left side of the said center line, a distance of 150 feet; thence continuing S 10°37'E with 40 feet on each side of the said center line, a distance of 150 feet, to the south line of and 956 feet west of the south east corner of the said NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 7

Containing right of way old 1.00 acres, more or less

new 1.42 "	"
total 2.42 "	"

(2) Beginning on the west line of and 460 feet south of the north west corner of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18, T21N, R21W; thence S 44°10'E a distance of 155.9 feet; thence on a curve to the left with 1432.7 feet radius, a distance of 517.5 feet; thence S 64°52'E a distance of 166.9 feet; thence on a curve to the right with 637.3 feet radius, a distance of 414.7 feet, to the south line of and 890 feet east of the south west corner of the said NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 18.

Containing right of way old 0.14 acres, more or less

new 2.13 ” ”

total 2.27 ” ”

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in real property located in St. Clair County, Appleton City, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

All of Lots Nine (9), ten (10), eleven (11), twelve (12), Thirteen (13), Fourteen (14), fifteen (15) and Sixteen (16), Block two (2); also Lots three (3), four (4), five (5), six (6), seven (7), eight (8), twelve (12), thirteen (13), fourteen (14), fifteen (15), sixteen (16) and seventeen (17), Block three (3), Grantley’s Addition to Appleton City, Missouri.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in real property located in Osage County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

A strip of land 95 ft. wide being 40 ft. wide on the left or north side of, and 55 ft. wide on the right or south side of, parallel to and adjoining the centerline of State Highway Route U.S. 50, leading from Kansas City to St. Louis, Missouri beginning at the west property line of said first party or Sta. 503+50 and continuing to Sta. 512+00, a distance of 830.8 ft. thence widening to a strip of land 100 ft. wide being 45 ft. wide on the left or north side of and 55 ft. wide on the right or south side of said centerline from Sta. 512+00 to Sta. 516+00, a distance of 400 ft. thence narrowing to a strip of land 80 ft. wide being 40 ft. wide on each side of said centerline from Sta. 516+00 to the south property line of said first party or Sta. 520+00 being a distance of 400 ft., also a strip of land 50 ft. wide for connection of said highway and the present road, said strip of land extending a distance of 75 ft. more or less in an easterly direction from said left or north right-of-way line at or near Sta. 520+ and as shown on the plans for said highway, as surveyed, located and platted by the State Highway Department thru the S.½ of N.W.¼ of Sec. 7 T 43 N-R 8 W; as shown by a plat of said survey now on file with the Clerk of the County Court of Osage County, Missouri.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all in Madison County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

Beginning at a point 114.7 feet south 82 1/2° east of the southwest corner of U.S.P.S. 350, Township 33 north, Range 7 east, and on the centerline of the survey made by the State Highway Commission for Route 67, Madison County, and shown on the plan thereof – a copy of which is on file with the Clerk of the County Court of Madison County – the said point being known as Station 250+74 and on the arc of a 0° 30' curve to the right; the tangent of which bears north 0° 18' east at this point, thence along the said arc 2041.6 feet thence north 10° 30' east, 1458.4 feet to a point on the said centerline known as Station 215+74 and there terminating.

A strip of land lying on each side of, and adjacent to the above described centerline as follows:

Station to Station		Distance		Width Right	Width Left
				(East)	(West)
250+74	235+00	1574 Feet		50 Feet	
235+00	230+00	500 "		65 "	50 Feet
230+00	228+80	120 "		80 "	50 "
228+80	224+50	430 "		80 "	80 "
224+50	224+00	50 "		80 "	50 "
224+00	215+74	826 "		50 "	50 "

and all of U.S.P.S. 350 lying west of the said centerline from Station 250+74 to Station 235+00.

Also strips of land 10 feet wide lying on each side of and adjacent to the above described right-of-way being on the right (east) side from Station 224+00 to Station 217+00 and on the left (west) side from Station 220+50 to Station 218+00, upon which the parties of the first part grant, convey and warrant for themselves, and their heirs, successors and assigns, unto the State, its agents, successors or assigns, the right, easement and privilege to construct and maintain on the land described in this paragraph all such extensions of any slopes from roadbed cuts or fills which may be necessary to taper out such slopes; only the above rights in, and not the fee title to, such land is hereby conveyed, and the grantors shall have the unrestricted right to fence, use and control such land in any way they desire, so long as the same does not interfere with the rights hereby granted.

Also 0.20 acre being a tract or parcel of land lying on the right (east) side of and adjacent to the right-of-way described above being 70 feet wide from Station 226+50 to Station 225+25, upon which the party of the second part is granted only the right to enter for the purpose of constructing and opening a channel and using the excavation therefrom in grading the State Highway. The said party of the second part is also granted the right to enter upon the said land of the parties of the first part as often as may be necessary for the purpose of maintaining and keeping open the said channel, the parties of the first part or their successors otherwise

to have the free, uninterrupted and absolute use of said land.

All lying in U.S.P.S. 350, Township 33 north, Range 7 east of the 5th P.M. in Madison County, Missouri and containing 10.15 acres.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 5. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Greene County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

Right of way for State Highway Route 60.

That part of the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, Twp. 28N, R23W, south and east of the Frisco Railroad right of way and southwest of State Highway Route M, being in a tract of land 172 feet wide, except as noted, 57 feet of which, except as noted, is on the left or northwesterly side, and 115 feet, except as noted, on the right or southeasterly side of, adjacent to, parallel with and measured from the surveyed center line of the survey of the Missouri State Highway Department for said Route 60, which surveyed center line is described as follows:

1. Beginning at a point approximately 47 feet south and 16 feet east of the southwest corner of the said NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, at survey station 178+50, thence N 56°14'E 1635 feet to station 194+85, which station is approximately 462 feet south and 30 feet east of the northeast corner of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10.

Containing 5.74 acres, more or less, new right of way.

2. Also beginning on the left side of item 1, opposite station 191+28.3, thence N 4°02'E 255 feet, thence S 85°43'W approximately 77.5 feet to the southeasterly boundary of the railroad right of way, thence in a southwesterly direction with said boundary to the south side of the said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Sec. 10, thence east approximately 20 feet to item 1, thence N 56°14'E with item 1, 1375 feet to the point of beginning.

Containing 3.04 acres, more or less, new right of way.

3. Also a tract beginning on the left side of item 1, opposite station 193+28.3, thence northerly to the southwesterly right of way boundary of said Route M as it is now located and established, 30 feet from and opposite station 3+98.7 of said route, thence southeasterly with Route M to the east boundary of the property, thence south with said east property boundary to item 1, thence southwesterly with item 1 to the point of beginning.

Containing 0.28 acre, more or less, new right of way.

4. Also a tract beginning on the right side of item 1, opposite station 193+28.3, thence easterly approximately 35 feet to the east property boundary, thence north approximately 26 feet to item 1, thence southwesterly with item 1 approximately 40 feet to the point of beginning.

Containing 0.01 acre, more or less, new right of way.

Items 1, 2, 3 and 4 contain a total of 9.07 acres, more or less, new right of way.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 6. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Andrew County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

Tract 1

A parcel of land bounded by a line beginning at a point on the centerline of the surveyed State highway at Station 195+98, said point also being two hundred thirty-five (235) feet north of the northeast corner of the southeast quarter of the southwest quarter of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west, thence south fifty (50) feet, thence northeasterly on a curve having a radius of one thousand one hundred eight-six and twenty-eight hundredths (1186.28) feet, and extending two hundred twenty-eight (228) feet, thence north 47° 19' east one thousand twenty-nine and two tenths (1029.2) feet, thence easterly on a curve having a radius of one thousand one hundred six and twenty-eight hundredths (1106.28) feet, and extending eight hundred forty-eight and sixty-seven hundredths (848.67) feet, thence easterly twenty-five and thirteen hundredths (25.13) feet, thence north forty (40) feet, thence west three hundred fifty (350) feet, thence southwesterly on a curve having a radius of one thousand one hundred eighty-six and twenty-eight hundredths (1186.28) feet, and extending two hundred seventy (270) feet, thence northwesterly five (5) feet, thence southeasterly on a curve having a radius of one thousand one hundred ninety-one and twenty-eight hundredths (1191.28) feet, and extending two hundred ninety (290) feet, thence south 47° 19' west a distance of forty-five (45) feet, thence southeasterly five (5) feet, thence south 47° 19' west four hundred eighty (480) feet, thence westerly twenty-four (24) feet thence south fifteen (15) feet, thence easterly ten (10) feet, thence south 47° 19' west a distance of four hundred fifty-three (453) feet thence southwesterly on a curve having a radius of one thousand one hundred six and twenty-eight hundredths (1106.28) feet a distance of one-hundred seventy (170) feet, thence south fifty (50) feet to the point of beginning.

Said parcel of land being in and a part of the north one-half of the southeast quarter of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west and comprising three and ninety hundredths (3.90) acres.

Tract 2

A parcel of land bounded by a line beginning at a point on the centerline of the surveyed State highway at Station 217+00, said point being eight hundred ninety-seven and forty-nine hundredths (897.49) feet west of the quarter section corner east side of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west, thence west three hundred fifty (350) feet to the north right of way line of the surveyed State highway, thence northeasterly

along the said north right of way line on a curve having a radius of one thousand one hundred eighty-six and twenty-eight hundredths (1186.28) feet and extending three hundred twenty-eight (328) feet, thence east twenty-five (25) feet, thence south forty (40) feet to the point of beginning.

Said parcel of land being in and a part of the southeast quarter of the northeast quarter of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west and comprising sixteen hundredths (0.16) of an acre.

Tract 3

That part of the northeast quarter of Section thirty-four (34), Township sixty-one (61) north, Range thirty-five (35) west and being more particularly described as follows: Bounded by a line beginning at a point, said point being one thousand two hundred twenty-two (1222) feet east of the quarter section corner center of said Section thirty-four (34), thence north three hundred seventy (370) feet, to the south bank of 102 River, thence easterly along the south bank of said River forty (40) feet, thence south $17^{\circ}30'$ east three hundred fifty (350) feet, thence west one hundred forty (140) feet to the point of beginning and comprising fifty-nine hundredths (0.59) of an acre.

Tract 4

That part of the southeast quarter of Section thirty-five (35), Township sixty-one (61) north, Range thirty-five (35) west, more particularly described as

Tract #1, being bounded by a line beginning at a point on the centerline of State Highway Route 48 at Station 212+71.2, which is approximately one thousand three hundred fifty-seven and six tenths (1357.6) feet west of the northeast corner of the southeast quarter of said Section thirty-five (35), thence west fifty-four and five tenths (54.5) feet to this westerly right of way line of said State Highway Route 48, thence south $47^{\circ}11'$ west along said westerly right of way line three hundred (300) feet, thence northeasterly to the right on the arc of a curve having a radius of one thousand one hundred ninety-one and twenty-eight hundredths (1191.28) feet, and extending a distance of one hundred eighty (180) feet, thence southeasterly and at right angles a distance of five (5) feet, thence northeasterly to right on the arc of a curve having a radius of one thousand one hundred eight-six and twenty-eight hundredths (1186.28) feet and extending a distance of two hundred seventy (270) feet to a point on the north line of the southeast quarter of said Section thirty-five (35), thence west to said point of beginning. Said tract is for right of way and contains thirty-three hundredths (0.33) of an acre.

Tract 5

That part of the northeast quarter of Section thirty-five (35), Township sixty-one (61), Range thirty-five (35) west, found by

Starting at a point on the centerline of State Highway Route 48, at Station 212+71.2, which is approximately one thousand three hundred fifty-seven and six tenths (1357.6) feet west of the southeast corner of the northeast quarter of said section thirty-five (35), thence following said centerline north $47^{\circ}11'$ east one thousand twenty-eight and seven tenths (1028.7) feet to Station 222+99.9, a P.C., thence northerly to the left on the arc of a $5^{\circ}00'$ curve seven hundred sixty-two (762) feet to Station 250+61.9, a P.T., thence north $9^{\circ}05'$ east one thousand two hundred

ninety-seven and one tenth (1297.1) feet to Station 245+59, which is on defendants' north property line, and is approximately forty (40) feet west of the northeast corner of said Section thirty-five (35).

Tract #1, being all of defendants' land lying within forty (40) feet to each side of the above described centerline from said Station 212+71.2 to Station 219+00, thence continuing with sixty (60) feet to left and widening uniformly to fifty (50) feet to right of said centerline at Station 220+00, thence continuing with sixty (60) feet to left and fifty (50) feet to right of said centerline to Station 220+50, thence continuing with forty (40) feet to left and narrowing uniformly to forty (40) feet to right of said centerline at Station 221+50, thence continuing with forty (40) feet to each side of said centerline to said Station 245+59, Said tract is for right of way and contains five and seventy-seven hundredths (5.77) acres.

Tract #2, being thirty (30) feet wide by one hundred (100) feet long to left of the above described right of way (or Tract #1) from opposite Station 235+00 to opposite Station 254+00, at an angle of 90° from said centerline. Said tract contains seven hundredths (0.07) of an acre, and is for changing the channel of a stream and providing for drainage ditches necessary for the proper construction and maintenance of said State Highway. Plaintiff only seeks the right to enter upon said tract of land for the purpose of constructing and opening said drainage ditches and channel change, using the excavation therefrom in grading said highway and for filling portions of the old channel; also the right to enter upon said parcel of land when necessary to maintain and keep open said ditches; the defendants, their successors or assigns to otherwise have the free, uninterrupted and absolute use of said Tract #2.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 7. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Ozark County to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:

Tract 1

All that part of the following tract:

Northwest quarter of the southeast quarter (NW¼ SE¼)

Of Section 15, Township 22 North, Range 16 West

Which lies within a distance of 40 feet on each side of the centerline of State highway designated as Route SC, leading from Route 5, west of Gainesville, westerly to the Ozark-Taney County line, as the same was located, surveyed and platted by the State Highway Department, as shown on plans duly approved by the State Highway Commission, a copy of which is now on file with the Clerk of the County Court in and for Ozark County.

Said centerline being described as follows:

Beginning at a point on the west boundary of said tract, distant 650 feet, more or less, north

of the southwest corner thereof, at or near Station 201+60; thence run north 49° 14' east, 526.9 feet; thence deflect to the right on a 4° curve, (delta angle 40° 22') 1009.2 feet; thence on tangent to said curve north 89° 36' east, 18.9 feet, more or less, to a point on the east boundary of said tract, distant 5 feet, more or less, south of the northeast corner thereof, and there terminating at or near Station 217+15.

Containing 2.86 acres, more or less.

2. Also the following parcel of land adjoining the above described right of way tract, extending between the stations indicated to the widths shown below:

Left: Station 202+01 to 202+27, 26 feet long by 30 feet wide on a 40° skew to the right

3. Also all that part of said tract lying northerly of the above described strip, and easterly of a line described as follows:

Beginning at a point on the left or northerly line of said above described strip, opposite Station 211+00; thence run northwesterly normal to said centerline to its intersection with the northerly boundary of said tract, and there terminating.

Item 2 has an area of 0.02 acre, more or less, and is for the purpose of a ditch outlet, to which the State Highway Department only seeks the right to enter upon land of said owners for the purpose of constructing and opening said ditch, using excavation therefrom in grading said highway, and entering upon the said parcel of land as often as may be necessary to maintain and keep open said ditch; providing the owners shall otherwise have the free, absolute and uninterrupted use of said land.

Item 3 has an area of 0.29 acre, more or less, and is for the purpose of permanent right of way.

Tract 2

All that part of the following tract:

South half of the northeast quarter (S½ NE¼)

Of Section 15, Township 22 North, Range 16 West

Which lies within a distance of 40 feet on the northerly side of the centerline of State highway designated as Route SC, leading from Route 5, west of Gainesville, westerly to the Ozark-Taney County line, as the same was located, surveyed and platted by the State Highway Department, as shown on plans duly approved by the State Highway Commission, a copy of which is now on file with the Clerk of the County Court in and for Ozark County.

Said centerline being described as follows:

Beginning at a point distant 38 feet, more or less, south and 330 feet, more or less, west of the southeast corner of the southwest quarter of the northeast quarter of said Section 15, at or near Station 213+80; thence from a tangent bearing north 76° 58' east, deflect to the right on a 4° curve, 316.1 feet; thence on tangent to said curve north 89° 36' east, 1368.9 feet, more or less, to a point on the extended east boundary of the southeast quarter of the northeast quarter of said Section 15, distant 10 feet, more or less, south of the southeast corner thereof, and there terminating at or near Station 230+65

Containing 0.25 acre, more or less, new right of way

and 0.99 acre, more or less, old right of way

(There is excepted from the above described strip, a strip of land 10 feet in width, lying adjacent to and southerly of the northerly line of said strip, and extending from Station 227+00 to the east boundary of the property).

2. Also the following parcel of land adjoining the above described right of way tract, extending between the stations indicated to the widths shown below:

Left: Station 222+50 to 225+50, 300 feet long by 5 feet wide

Item 2 has an area of 0.03 acre, more or less, and is for the purpose of permanent right of way.

2. The commissioner of administration shall set the terms and conditions for the sale as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the sale.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt raised the point of order that **SA 3** is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Schmitt moved that **SCS** for **HCS** for **HBs 303** and **304**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS** for **HBs 303** and **304**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Curls Silvey—2

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

SB 401 was placed on the Informal Calendar.

At the request of Senator Holsman, **SB 396**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 378**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 410** was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 133**, with **SCS**, was placed on the Informal Calendar.

SB 210, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Nieves, **SB 455**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 167**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 343** was placed on the Informal Calendar.

SB 250, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 175** was placed on the Informal Calendar.

At the request of Senator Romine, **SB 285** was placed on the Informal Calendar.

At the request of Senator Romine, **SB 339** was placed on the Informal Calendar.

At the request of Senator Parson, **SB 174**, with **SCS**, was placed on the Informal Calendar.

SB 441 was placed on the Informal Calendar.

At the request of Senator Lager, **SJR 2** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 315** was placed on the Informal Calendar.

At the request of Senator Lager, **SB 419**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 411**, with **SCS**, was placed on the Informal Calendar.

SB 141 was placed on the Informal Calendar.

SB 403, with **SCS**, was placed on the Informal Calendar.

SB 308 was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 383** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 437**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Nasheed, **SB 423** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 371**, with **SCS**, was placed on the Informal Calendar.

SB 53 was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 377** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 448** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 109**, with **SCS**, was placed on the Informal Calendar.

SB 259, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 437**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 437**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 437

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

Was taken up.

Senator Pearce moved that **SCS** for **SB 437** be adopted.

Senator Pearce offered **SS** for **SCS** for **SB 437**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 437

An Act to repeal section 163.191, RSMo, and to enact in lieu thereof eleven new sections relating to higher education.

Senator Pearce moved that **SS** for **SCS** for **SB 437** be adopted.

Senator Kehoe assumed the Chair.

At the request of Senator Pearce, **SB 437**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 782, regarding Don Dallas, Overland, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Superintendent Sherry Heavin, Edgar Springs School District.

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Margaret Nickell, Kansas City.

Senator Walsh introduced to the Senate, Cal Rudsinski and twenty-five fourth grade students from Grace Chapel Lutheran School, Bellefontaine Neighbors.

Senator Richard introduced to the Senate, Brandi Bogle, Tim Crawley, Nina Eads, Gib Garrow, Blake Heirholzer, Tressia Kelly, Casey Owens, Melissa Patterson, Jason Poe, Angela Thomas and Jared Vandsandt, representatives of Leadership Neosho.

Senator Lamping introduced to the Senate, Joan Patton and thirty-one eighth grade students from Christ Prince of Peace School, St. Louis.

Senator Schaaf introduced to the Senate, Kris Larson and AP Government Class students from Central High School, St. Joseph.

On behalf of Senator Dixon, the President introduced to the Senate, Tammy Ames and thirteen eighth

grade students from St. Joseph Catholic Academy, Springfield.

Senator Dixon introduced to the Senate, Fire Chief David Hall, Springfield.

Senator Pearce introduced to the Senate, Drew Mreen and Taiylor Llewellyn.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 24, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

THIRD READING OF SENATE BILLS

SCS for SBs 317 & 319-Romine

SS for SCS for SB 432-Cunningham

HOUSE BILLS ON THIRD READING

HB 34-Guernsey (Brown) (In Fiscal Oversight)

HCS for HB 473 (Lager) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 48-Lamping

SB 53-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS

SB 109-Brown, with SCS

SB 133-Keaveny and Holsman, with SCS

SB 141-Dempsey

SB 167-Sater and Wallingford, with SCS

SB 174-Parson, with SCS

SB 175-Wallingford

SB 207-Kehoe, et al, with SCS

SB 210-Lamping and Nieves, with SCS	SB 378-Pearce, with SCS
SB 231-Munzlinger, with SA 1 (pending)	SB 383-Wallingford
SB 239-Emery, with SCS & SA 2 (pending)	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 250-Schaaf, with SCS	SB 401-Rupp
SB 259-Schaaf, with SCS	SB 403-Rupp, with SCS
SB 272-Nieves, with SA 2 (pending)	SB 410-Kehoe
SB 285-Romine	SB 411-Kehoe, with SCS
SB 291-Rupp	SB 419-Lager, with SCS
SB 292-Rupp	SB 423-Nasheed
SB 308-Schaaf	SB 437-Pearce, with SCS & SS for SCS (pending)
SB 315-Pearce	SB 441-Dempsey
SB 339-Romine	SB 448-Schmitt and Keaveny
SB 343-Parson	SB 455-Nieves, with SCS
SB 364-Parson	SJR 2-Lager
SB 371-Munzlinger, with SCS	
SB 377-Dixon	

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HCS for HB 199 (Lamping)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HCS for HB 457, with SCS (Rupp)
HB 112-Burlison (Brown)	

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)	HB 498-Jones (50), et al, with SCS (Sifton)
HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 24, 2013

The Senate met pursuant to adjournment.

Senator Schaaf in the Chair.

Reverend Carl Gauck offered the following prayer:

“Peace, peace to you and peace to the one who helps you!” (1 Chronicles 12:18b)

Merciful Lord, on this National Secretaries Day we give thanks and kudos for all those who work for us, helping us to get so much done and making us look competent and helpful. Too often we take their good work and support for granted; so it is good for us to remember and show our appreciation for all that they do that makes our work so much easier. Bless them and us as we each seek to serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 783, regarding the death of Olin L. Parks, Sr., Windsor, which was adopted.

Senator Lager offered Senate Resolution No. 784, regarding Laurie A. Mefford, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 785, regarding Paula M. George, Osborn, which was adopted.

Senator Lager offered Senate Resolution No. 786, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joe Wilmes, Maryville, which was adopted.

Senator Sater offered Senate Resolution No. 787, regarding Dr. Fred Grogan, Lee's Summit, which was adopted.

Senator Sifton offered Senate Resolution No. 788, regarding Samuel Obermeyer, St. Louis, which was adopted.

Senator Schaefer offered Senate Resolution No. 789, regarding the 2012-2013 Class 5 state champion Rock Bridge High School girls basketball program, which was adopted.

Senator Schaefer offered Senate Resolution No. 790, regarding the 2012 Class 2 state champion Rock Bridge High School girls golf program, which was adopted.

Senator Schaefer offered Senate Resolution No. 791, regarding Amber Carmichael, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 437**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Curls requested unanimous consent of the Senate to allow members of law enforcement to enter the Chamber with side arms, which request was granted.

SS for **SCS** for **SB 437** was again taken up.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 437, Page 7, Section 173.1500, Line 15 of said page, by striking the word "exception" and inserting in lieu thereof the word "**exceptions**"; and further amend said line by inserting immediately after the word "College" the following: "**and Truman State University**"; and further amend line 21 of said page, by inserting immediately after the word "income" the following: "**, except for institutions categorized in the statewide liberal arts and sciences institution sector, for which peer states shall be selected as provided in subsection 4 of section 173.1505**"; and

Further amend said bill and section, page 8, line 12 of said page, by striking the word "exception" and inserting in lieu thereof the word "**exceptions**"; and further amend said line by inserting immediately after the word "of" the following: ":

(a)"; and

Further amend line 14 by inserting at the end said line the following: **“and**

(b) Truman State University, which is designated in the statewide liberal arts and sciences institution sector;”; and

Further amend said bill, page 9, section 173.1505, line 17 of said page, by striking the following: “Truman State University,”; and further amend line 18 of said page, by inserting after the semicolon “,” the following:

“(5) The statewide liberal arts and sciences institution sector shall include Truman State University;”; and further amend said subsection by renumbering the remaining subdivision accordingly; and

Further amend said bill and section, page 10, line 1 of said page, by inserting after all of said line the following:

“4. The peer comparison group for Truman State University shall consist of institutions with similar missions, degree programs, and a similar level of selectivity in admissions requirements, chosen by the coordinating board for higher education from the group of thirty states comprised of the fifteen states next higher than Missouri and the fifteen states next lower than Missouri, based on rank-ordering of all states according to the Bureau of Economic Analysis based on the 2011 midyear population estimates of the census data for the per capita personal income, or an equal number of states above and below Missouri in order to obtain a minimum of ten institutions in the statewide liberal arts and sciences institution sector peer comparison group. The rank-ordering of all states according to the Bureau of Economic Analysis using midyear population estimates of the census data for the per capita personal income shall be recalculated decennially based on the previous census.”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Lager offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 437, Page 20, Section 173.1530, Line 4, by inserting immediately after said line the following:

“173.1532. 1. When the general assembly appropriates funds for public institutions of higher education during the appropriations process, ten percent of each institution's funding shall be earmarked and designated as career placement incentive funding. An institution shall only receive such funding if it satisfies the career placement rates established by the department of higher education pursuant to this section.

2. By July 1, 2014, the department of higher education shall develop and adopt a methodology and system that the public institutions shall use for tracking and verifying the career placement rates for their graduates.

3. The department's methodology shall also:

(1) Track and verify acceptance rates at graduate schools, professional schools, or for institutions in the associate's sector or the statewide technical education institution sector, acceptance rates at a public or private four-year institution; and

(2) Identify such acceptance rates in a manner that does not negatively impact an institution's career placement rate.

4. The department shall establish benchmarks and parameters against which the public institutions shall be measured.

5. The department's methodology shall consider the different conditions and circumstances of the sectors in which the public institutions are categorized.

6. The department of higher education shall promulgate such methodology, benchmarks, and parameters through rules and regulations. The department shall update and revise its methodology, benchmarks, and parameters as necessary.

7. The coordinating board for higher education and the institutions shall implement the methodology developed pursuant to this section when measuring institutional performance under section 173.1520.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

On motion of Senator Pearce, **SB 437**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 455** and **297**, entitled:

An Act to repeal section 208.182, RSMo, and to enact in lieu thereof three new sections relating to food stamps, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 335**, entitled:

An Act to repeal sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.430, 84.490, 84.830, 85.551, 106.010, 106.270, 190.100, 190.165, 191.630, 191.631, 192.800, 192.802, 192.804, 192.806, 192.808, 287.067, 287.243, 320.151, 321.017, 321.210, 590.080, 595.020, 595.030, and 610.021, RSMo, and to enact in lieu thereof thirty-five new sections relating to public safety, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 756**, entitled:

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to prisoner re-entry services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 808**, entitled:

An Act to repeal sections 168.021, 169.070, and 169.670, RSMo, and to enact in lieu thereof three new sections relating to sunset provisions related to education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 170**, entitled:

An Act to repeal sections 571.030, 571.063, 571.101, and 571.117, RSMo, and to enact in lieu thereof five new sections relating to firearms, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 437**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Schaaf offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 437, Page 1, Section 173.1532, Line 5 of said amendment by striking the word “ten” and inserting in lieu thereof the word “**five**”.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Lager moved that **SA 2** be adopted, which motion prevailed.

Senator Dixon offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 437, Page 5, Section 163.191, Line 24, by inserting after all of said line the following:

“173.616. 1. The following schools, training programs, and courses of instruction shall be exempt from the provisions of sections 173.600 to 173.618:

(1) A public institution;

(2) Any college or university represented directly or indirectly on the advisory committee of the coordinating board for higher education as provided in subsection 3 of section 173.005;

(3) An institution that is certified by the board as an “approved private institution” under subdivision (2) of section 173.1102;

(4) A not-for-profit religious school that is accredited by the American Association of Bible Colleges, the Association of Theological Schools in the United States and Canada, or a regional accrediting association, such as the North Central Association, which is recognized by the Council on Postsecondary Accreditation and the United States Department of Education; and

(5) Beginning July 1, 2008, all out-of-state public institutions of higher education, as such term is defined in subdivision (12) of subsection 2 of section 173.005.

2. The coordinating board shall exempt the following schools, training programs and courses of instruction from the provisions of sections 173.600 to 173.618:

(1) A not-for-profit school owned, controlled and operated by a bona fide religious or denominational organization which offers no programs or degrees and grants no degrees or certificates other than those specifically designated as theological, bible, divinity or other religious designation;

(2) A not-for-profit school owned, controlled and operated by a bona fide eleemosynary organization which provides instruction with no financial charge to its students and at which no part of the instructional cost is defrayed by or through programs of governmental student financial aid, including grants and loans, provided directly to or for individual students;

(3) A school which offers instruction only in subject areas which are primarily for avocational or recreational purposes as distinct from courses to teach employable, marketable knowledge or skills, which does not advertise occupational objectives and which does not grant degrees;

(4) A course of instruction, study or training program sponsored by an employer for the training and preparation of its own employees;

(5) A course of study or instruction conducted by a trade, business or professional organization with a closed membership where participation in the course is limited to bona fide members of the trade, business or professional organization, or a course of instruction for persons in preparation for an examination given by a state board or commission where the state board or commission approves that course and school;

(6) A school or person whose clientele are primarily students aged sixteen or under.

3. A school which is otherwise licensed and approved under and pursuant to any other licensing law of

this state shall be exempt from sections 173.600 to 173.618, but a state certificate of incorporation shall not constitute licensing for the purpose of sections 173.600 to 173.618.

4. Any school, training program or course of instruction exempted herein may elect by majority action of its governing body or by action of its director to apply for approval of the school, training program or course of instruction under the provisions of sections 173.600 to 173.618. **Notwithstanding the provisions of subsections 1 and 2 of section 173.606 to the contrary, any approval granted under this section to an otherwise exempt school, training program, or course of instruction shall expire at the end of five years.** Upon application to and approval by the coordinating board, such school training program or course of instruction may become exempt from the provisions of sections 173.600 to 173.618 at any subsequent time, except the board shall not approve an application for exemption if the approved school is then in any status of noncompliance with certification standards and a reversion to exempt status shall not relieve the school of any liability for indemnification or any penalty for noncompliance with certification standards during the period of the school's approved status."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 437, Page 20, Section 173.1535, Line 20, by inserting after all of said line the following:

"Section 1. Any person living in this state aged 8 and under may wear seersucker suits at their leisure. Any person over the age of 8 living in this state may not wear seersucker suits because adults look ridiculous in seersucker suits, with the exception of Koolaid."

Senator Schaaf raised the point of order that **SA 4** is out of order.

The point of order was referred to the President Pro Tem.

At the request of Senator McKenna, **SA 4** was withdrawn rendering the point of order moot.

Senator Pearce moved that **SS** for **SCS** for **SB 437**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **SB 437**, as amended, was declared perfected and ordered printed.

Senator Pearce moved that **SB 378**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 378**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 378

An Act to repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

Was taken up.

Senator Pearce moved that **SCS** for **SB 378** be adopted.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 378, Page 12, Section 173.1104, Line 55, by striking all of said line and inserting in lieu thereof the following: **“of ten semesters or fifteen quarters or their”**.

Senator Wallingford moved that the above amendment be adopted.

President Pro Tem Dempsey assumed the Chair.

Coach Dick Vermeil of the National Football League assumed the dais and addressed the members of the Senate.

Senator Kehoe assumed the Chair.

SA 1 was again taken up.

Senator Wallingford moved that the above amendment be adopted, which motion failed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 378, Page 1, In the Title, Line 3, by striking the word “higher”; and further amend said line, by striking the word “scholarship”; and

Further amend said bill, page 6, section 160.545, line 189, by inserting immediately after said line the following:

“160.1995. 1. This section shall be known and may be cited as the “Math and Science Tutoring Act”.

2. There is hereby established a pilot program for the establishment and support of nonprofit math and science tutoring centers serving any metropolitan district schools. The math and science tutoring center shall provide service primarily to schools at any grade level whose schoolwide average assessment scores are less than fifty percent proficient. The programs at the centers shall utilize master teachers who fulfill the criteria of being state certified and exhibit leadership, focused collaboration, distinguished teaching in both content area and the student as a whole person, and continued professional growth. Master teachers shall select and train volunteer tutors. The center shall provide services customized to complement the student’s school math and science assignments during the school day and for extended hours on nights, weekends, and during the summer. The center shall provide transportation for the student’s return trip after a tutoring session.

3. There is hereby created in the state treasury the “Mathematics and Science Tutoring Center Fund”, which shall consist of three hundred thousand dollars appropriated by the general assembly to start up such center and any gifts, grants, bequests, and devises. The state treasurer shall be custodian of the fund and shall, along with the workforce development division and the department of economic development, approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The workforce development division with the department of economic development shall develop an application process to certify approved math and science tutoring centers under this section for distribution of appropriated funds.

5. Beginning January 1, 2014, any business in the state engaged in an occupation categorized as a science, technology, engineering, or mathematics occupation may make a donation to a math and science tutoring center created under this section and retain half of the value of its donation from its withholding tax under sections 143.191 to 143.265. The department of revenue shall develop a form to accompany the tax return of any business that retains withholding taxes under this section.

6. Under section 23.253 of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce raised the point of order that SA 2 is out of order as it goes beyond the scope of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Romine offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 378, Page 5, Section 160.545, Line 139, by inserting at the end of said line the following: **“If an eligible student is unable to successfully complete at least twenty-four semester credit hours in a twelve-month period due to serious and unusual personal circumstances, such student may seek a waiver of this provision by appealing to the person or committee the institution the student attends has designated to consider appeals from students who are not in compliance with federal requirements regarding satisfactory academic progress.”**; and

Further amend said bill, page 10, section 173.250, line 145, by inserting immediately after said line the following:

“10. If an eligible student is unable to successfully complete at least twenty-four semester credit hours in a twelve-month period due to serious and unusual personal circumstances, such student may seek a waiver of this provision by appealing to the person or committee the institution the student attends has designated to consider appeals from students who are not in compliance with federal requirements regarding satisfactory academic progress.”; and

Further amend said bill, page 13, section 173.1104, line 96, by inserting immediately after said line the following:

“5. If an eligible student is unable to successfully complete the number of hours required in

subsection 3 of this section due to serious and unusual personal circumstances, such student may seek a waiver of this provision by appealing to the person or committee the institution the student attends has designated to consider appeals from students who are not in compliance with federal requirements regarding satisfactory academic progress.”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 378, Page 5, Section 160.545, Line 142, by inserting immediately after the word “need” the following: “, **upon verification to the institution by a healthcare provider,**”; and

Further amend said bill, page 12, section 173.1104, line 70, by inserting immediately after the word “need” the following: “, **upon verification to the institution by a healthcare provider,**”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 378, Page 4, Section 160.545, Line 98, by inserting at the end of said line the following: “**and**”; and further amend lines 99-127, by striking all of said lines; and

Further amend said bill and section, page 5, lines 128-134, by striking all of said lines; and further amend said section by renumbering the remaining subdivision accordingly.

Senator Wasson moved that the above amendment be adopted, which motion failed.

President Kinder assumed the Chair.

Senator Pearce moved that **SCS** for **SB 378**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 378**, as amended, was declared perfected and ordered printed.

Senator Rupp moved that **SB 401** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Rupp offered **SS** for **SB 401**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 401

An Act to amend chapter 376, RSMo, by adding thereto nine new sections relating to the regulation and licensure of navigators, with penalty provisions and an emergency clause.

Senator Schaaf assumed the Chair.

Senator Pearce assumed the Chair.

Senator Rupp moved that **SS** for **SB 401** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 401, Page 1, In the Title, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following: “sections relating to health insurance exchanges, with penalty provisions and an emergency”; and

Further amend said bill, page 10, Section 376.2014, line 7, by inserting immediately after said line the following:

“Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings, consumer complaints, and investigations into compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SS** for **SB 401**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SB 401**, as amended, was declared perfected and ordered printed.

Senator Kehoe moved that **SB 411**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 411**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 411

An Act to repeal sections 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and section 302.700 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, and to enact in lieu thereof six new sections relating to the operation of commercial motor vehicles, with an existing penalty provision.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 411** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 411** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 133**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 133**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 133

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to early childhood

education.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 133** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 133, Page 1, Section A, Line 2, by inserting after all of said line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (county-wide/city-wide) sales tax at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the

director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Early Childhood Education Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the

question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval of an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

On motion of Senator Keaveny, **SB 133**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to adopt **SS**, as amended, for **HCS** for **HJR**s **11** and **7** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SB**s **26**, **11** and **31**, entitled:

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 137.073, 143.011, 143.021, 143.071, 143.151, 144.010, 144.014, 144.020, 144.021, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.440, 144.517, 144.526, 144.605, 144.655, 144.700, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof eighty-four new sections relating to taxation, with penalty provisions, effective dates for certain sections, and an emergency clause.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 7, Section 32.383, Line 9, by deleting the word, **“investigations”** and inserting in lieu thereof the word, **“investigation”**; and

Further amend said bill, Page 96, Section 143.011, Line 3, by inserting after the date, **“December 31, 2013”** the following words, **“or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest”**; and

Further amend said bill, Page 97, section, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the following words:

“(2) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate”; and

Further amend said bill, page, section, Lines 50-51, by deleting all of said lines and inserting in lieu thereof the following words:

“(3) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate”; and

Further amend said bill, Page 98, section, Lines 74-75, by deleting all of said lines and inserting in lieu thereof the following words:

“(4) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate”; and

Further amend said bill, Page 99, section, Lines 98-99, by deleting all of said lines and inserting in lieu

thereof the following words:

“(5) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate”; and

Further amend said bill, page, section, Line 120, by deleting all of said line and inserting in lieu thereof the following words:

“(6) For all tax years after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be”; and

Further amend said bill, Page 100, Section 143.021, Line 1, by inserting after the date, **“December 31, 2013”** the following words, **“or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest”; and**

Further amend said bill, page, section, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following words:

“2. For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand”; and

Further amend said bill, Pages 100-102, section, Lines 12, 22, 29, 32, 39, 42, 49, 51, and 58, by inserting immediately after the word, **“his”** the words, **“or her”; and**

Further amend said bill, Page 101, section, Lines 20-21, by deleting all of said lines and inserting in lieu thereof the following words:

“3. For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand six”; and

Further amend said bill, page, section, Lines 30-31, by deleting all of said lines and inserting in lieu thereof the following words:

“4. For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand four”; and

Further amend said bill, page, section, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following words:

“5. For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand two”; and

Further amend said bill, page, section, Line 50, by deleting all of said line and inserting in lieu thereof the following words:

“6. For all tax years beginning after the fourth tax year after the tax revenues collected in the

current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a”; and

Further amend said bill, Page 102, Section 143.022, Lines 10-19, by deleting all of said lines and inserting in lieu thereof the following:

“(1) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, ten percent of the amount of business income;

(2) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, twenty percent of the amount of business income;

(3) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, thirty percent of the amount of business income;

(4) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, forty percent of the amount of business income;

(5) For all tax years beginning after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, fifty percent of the amount of business income.”; and

Further amend said bill, Page 103, Section 143.071, Line 5, by inserting after the date, “**December 31, 2013**” the following words, “**or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest**”; and

Further amend said bill, page, section, Lines 7-8, by deleting all of said lines and inserting in lieu thereof the following words:

“3. (1) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of”; and

Further amend said bill, page, section, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following words:

“(2) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of”; and

Further amend said bill, page, section, Lines 14-15, by deleting all of said lines and inserting in lieu thereof the following words:

“(3) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of”; and

Further amend said bill, page, section, Lines 17-18, by deleting all of said lines and inserting in lieu

thereof the following words:

“(4) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of”; and

Further amend said bill, page, section, Line 21, by deleting all of said line and inserting in lieu thereof the following words:

“(5) For all tax years beginning after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed”; and

Further amend said bill, page, Section 143.151, Line 8, by inserting after the date, **“January 1, 2014”** the following words, **“or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest”; and**

Further amend said bill, Page 104, Section 144.010, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the following:

“(7) “Appliance”, clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator, and freezer;”; and

Further amend said bill, Page 105, section, Line 66, by deleting the first occurrence of the word, **“of”** and inserting in lieu thereof the word, **“or”**; and

Further amend said bill, Page 106, section, Line 78, by deleting the word, **“included”** and inserting in lieu thereof the word, **“includes”**; and

Further amend said bill, Page 108, section, Line 146, by deleting the words, **“shoe laces”** and inserting in lieu thereof the word, **“shoelaces”**; and

Further amend said bill, page, section, Line 150, by deleting the words, **“Steel toed”** and inserting in lieu thereof the word, **“Steel-toed”**; and

Further amend said bill, page, section, Line 163, by deleting the second occurrence of the word, **“or”** and inserting in lieu thereof the word, **“and”**; and

Further amend said bill, Page 109, section, Line 208, by deleting the word, **“are”** and inserting in lieu thereof the word, **“is”**; and

Further amend said bill, Page 110, section, Line 220, by deleting the word, **“and”** and inserting in lieu thereof the word, **“or”**; and

Further amend said bill, Page 111, section, Line 248, by deleting the word, **“are”** and inserting in lieu thereof the word, **“is”**; and

Further amend said bill, Page 112, section, Line 294, by deleting the words, **“vending machines”** and inserting in lieu thereof the words, **“a vending machine”**; and

Further amend said bill, page, section, Line 298, by deleting the words, **“over-the-counter-drugs”** and inserting in lieu thereof the words, **“over-the-counter drugs”**; and

Further amend said bill, Page 116, section, Line 441, by deleting the word, **“or”** and inserting in lieu

thereof the word, “**of**”; and

Further amend said bill, Page 118, section, Line 523, by deleting the word, “**protections**” and inserting in lieu thereof the word, “**protection**”; and

Further amend said bill, page, section, Line 524, by deleting the word, “**are**” and inserting in lieu thereof the word, “**is**”; and

Further amend said bill, Page 122, section, Line 657, by deleting the word, “**service**” and inserting in lieu thereof the word, “**services**”; and

Further amend said bill, Page 123, section, Line 699, by deleting the word, “**telecommunication**” and inserting in lieu thereof the word, “**telecommunications**”; and

Further amend said bill, page, section, Line 705, by deleting the word, “**charges**” and inserting in lieu thereof the word, “**charge**”; and

Further amend said bill, Page 128, Section 144.020, Lines 54-59, by deleting all of said lines and inserting in lieu thereof the following words:

“(1) In the first calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and one-fifth percent;

(2) In the second calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and three-tenths percent;

(3) In the third calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and two-fifths percent;

(4) In the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and one-half percent;

(5) For all tax years after the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and three-fifths percent.”; and

Further amend said bill, page, Section 144.021, Lines 11-17, by deleting all of said lines and inserting in lieu thereof the words, “**imposed under this section shall be the rate imposed under 144.020.**”; and

Further amend said bill, Page 133, Section 144.030, Line 124, by inserting a coma, “**,**” after the word, “**disabilities**”; and

Further amend said bill, Page 139, Section 144.040, Line 58, by deleting the words, “**the previous rules of**”; and

Further amend said bill, Page 155, Section 144.110, Line 3, by deleting the word, “**Section**” and inserting in lieu thereof the word, “**section**”; and

Further amend said bill, Page 160, Section 144.212, Line 32, by inserting immediately after the word, “**use**” the word, “**is**”; and

Further amend said bill, Page 163, Section 144.440, Lines 37-43, by deleting all of said lines and inserting in lieu thereof the words, **“imposed under this section shall be the rate imposed under 144.020.”**; and

Further amend said bill, page, Section 144.522, Line 9, by inserting immediately after the word, **“Code”** the words, **“of 1986, as amended”**; and

Further amend said bill, Pages 165-166, Section 144.605, Lines 29, 30, 31, 40, 44-45, 46, and 48, by deleting the words, **“the state”** and inserting in lieu thereof the words, **“this state”**; and

Further amend said bill, Page 165, section, Line 31, by deleting the word, **“sales;”** and inserting in lieu thereof the words, **“vendor’s sales.”**; and

Further amend said bill, Page 169, Section 144.700, Line 8, by inserting after the date, **“January 1, 2014”** the following words, **“or the first calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars”**; and

Further amend said bill, Page 170, Section 144.700, Line 16, by inserting after the word, **“fund”** the following:

“;

(3) The revenue derived from the rate for the second calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; the revenue derived from the rate for the third calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; and the revenue derived from the rate for all calendar years after the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent. The revenue derived from the rates specified in this subdivision shall be deposited in the state school moneys fund under section 166.051.”; and

Further amend said bill, Page 181, Section 630.1100, Line 8, by deleting the number, **“2”** and inserting in lieu thereof the number, **“(2)”**; and

Further amend said bill, Page 187, Section B, Lines 10-14, by deleting all of said lines and inserting in lieu thereof the words, **“144.124, 144.125, 144.212, and 144.522 shall become effective on January 1, 2015.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 3, Section 32.087, Line 8, by inserting after the word, **“section”** the following words, **“, and shall be imposed on all transactions on which the Missouri state sales tax is imposed”**; and

Further amend said bill, Page 128, Section 144.021, Line 3, by inserting after the number, “144.020” the following words, “**and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 104, Section 143.151, Line 13, by inserting after all of said Section and Line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection**:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

[(b)] b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

[(c)] c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state[.];

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale[.]; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder’s residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation’s total dollar amount of qualifying sales

from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be

included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 34**, begs leave to report that it has considered the same and recommends that the bill do pass.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 792, regarding Charles Roberts, which was adopted.

Senator Silvey offered Senate Resolution No. 793, regarding Christopher Seward, which was adopted.

Senator Silvey offered Senate Resolution No. 794, regarding Sydney Ruffin, which was adopted.

Senator Silvey offered Senate Resolution No. 795, regarding Austin Van Black, Liberty, which was adopted.

Senator Sater offered Senate Resolution No. 796, regarding the One Hundred Fifth Birthday of Ruth Taylor, Hollister, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 797, regarding Meredith Marie McGrath, which was adopted.

Senator Sifton offered Senate Resolution No. 798, regarding Amy Ruzicka, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 799, regarding Susan Reeves, St. Louis, which was adopted.

Senator Romine offered Senate Resolution No. 800, regarding Kevin Buckley, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 801, regarding Glenda R. Dillon, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 802, regarding Mark J. Ruark, Cape Girardeau, which was adopted.

Senator Romine offered Senate Resolution No. 803, regarding Kathleen Guinan, which was adopted.

Senator Dixon offered Senate Resolution No. 804, regarding the History Museum on the Square, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 805, regarding Georgena M. "Gena" Valente, which was adopted.

Senator Dixon offered Senate Resolution No. 806, regarding the Twenty-fifth Anniversary of Penmac, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 807, regarding the ALS Association of Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 808, regarding the Fiftieth Anniversary of Christian Schools of Springfield, which was adopted.

Senator Munzlinger offered Senate Resolution No. 809, regarding the Twenty-fifth Anniversary of the Mark Twain Lake Sailing Association, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, Aimee and Steve Gromowsky, their children, Dayvon, Katy, Jaylen; Lanti Riederer; and Jackson County Legislator Theresa Garza-Ruiz, Kansas City; and Dayvon, Katy and Jaylen were made honorary pages.

Senator Pearce introduced to the Senate, Robin McGinnity Connelly, Marilyn Boeschen, Kim Blackburn, Rhonda Beerman and Sara Wetzig, Saline and Lafayette Counties.

Senator Romine introduced to the Senate, Roger Crome, Fredericktown; and Aaron Luna, Farmington.

On behalf of Senator Emery and himself, Senator Schmitt introduced to the Senate, Ruby Parks and her family, Olin, Mark, Kevin, Nancy and Ryan, Windsor.

Senator Chappelle-Nadal introduced to the Senate, representatives of Urban League Young Professionals, St. Louis.

Senator Holsman introduced to the Senate, Vickie Wolgast, Tosha Everhart, Bill Faust, Penny Holman, Elvis Butler, Matthew Huls, Nola Wood, Kari Thompson, Travis Levitt, Anne Cull, Laurel McKean, Katrina Foster and Steven Kyser, representatives of Leadership South Kansas City Chamber of Commerce.

Senator Romine introduced to the Senate, his father, Leroy, Poplar Bluff.

Senator Dixon introduced to the Senate, Ken McClure, Debbie Donnellan, Lauren Calef and University Staff Ambassadors from Missouri State University, Springfield.

Senator Curls introduced to the Senate, Major Shawn Wadle and Master Patrol Officer James Schriever, Kansas City Police Department.

Senator Walsh introduced to the Senate, Principal Mary Ann Kauffman, Theresa Kremer and twenty-eight 7th grade students from St. Angela Merici Elementary School, Florissant; and Jordyn Holts, Kellie Maddox, Malik McCollum and Nicholas Stockard were made honorary pages.

Senator Brown introduced to the Senate, representatives of St. James Transport Company.

Senator Sater introduced to the Senate, Ken and Ann Hall and their nephews, David and Sean Thomas, Purdy.

Senator Lager introduced to the Senate, fourth grade students from Rock Port Elementary School.

Senator LeVota introduced to the Senate, Coach Dick Vermeil, E. Fallowfield, Pennsylvania; and Lynn Stiles, Overland Park, Kansas.

Senator Nasheed introduced to the Senate, Head Coach Mike Jones, Lincoln University, Jefferson City.

Senator Keaveny introduced to the Senate, Matthew Behnke, Chicago, Illinois.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SEVENTH DAY—THURSDAY, APRIL 25, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HBs 455 & 297

HCS for HB 335

HB 756-Hubbard, et al

HB 808-Funderburk, et al

HCS for HB 170

THIRD READING OF SENATE BILLS

SCS for SBs 317 & 319-Romine

SS for SCS for SB 432-Cunningham

HOUSE BILLS ON THIRD READING

HB 34-Guernsey (Brown)

HCS for HB 473 (Lager) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 48-Lamping

SB 53-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS

SB 109-Brown, with SCS

SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending)

SB 141-Dempsey

SB 167-Sater and Wallingford, with SCS

SB 174-Parson, with SCS

SB 175-Wallingford

SB 207-Kehoe, et al, with SCS

SB 210-Lamping and Nieves, with SCS

SB 231-Munzlinger, with SA 1 (pending)

SB 239-Emery, with SCS & SA 2 (pending)

SB 250-Schaaf, with SCS

SB 259-Schaaf, with SCS

SB 272-Nieves, with SA 2 (pending)

SB 285-Romine

SB 291-Rupp	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 292-Rupp	
SB 308-Schaaf	SB 403-Rupp, with SCS
SB 315-Pearce	SB 410-Kehoe
SB 339-Romine	SB 419-Lager, with SCS
SB 343-Parson	SB 423-Nasheed
SB 364-Parson	SB 441-Dempsey
SB 371-Munzlinger, with SCS	SB 448-Schmitt and Keaveny
SB 377-Dixon	SB 455-Nieves, with SCS
SB 383-Wallingford	SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HB 112-Burlison (Brown)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HCS for HB 199 (Lamping)
	HCS for HB 457, with SCS (Rupp)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 673-Schatz (Kehoe)	HB 498-Jones (50), et al, with SCS (Sifton)
HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HJR 11 & 7,
with SS, as amended (Parson)
(House requests Senate
recede or grant conference)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SEVENTH DAY—THURSDAY, APRIL 25, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“We need beauty around us to grow.” (Christopher Coelho)

Creator God, as we complete another tough week that has demanded much of us, let us use the time going home to see the beauty of blossoming flowers and the greening of the earth in our drive to those we love. May it help us leave the pressure we experience here behind us and enjoy the resting, enriching weekend for loved ones and our souls. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

President Kinder assumed the Chair.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

President Pro Tem Dempsey assumed the Chair.

Senator Schaaf assumed the Chair.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 810, regarding Kadey Copeland, which was adopted.

Senator Kraus offered Senate Resolution No. 811, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Rand, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 812, regarding Michael Dvorak, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 813, regarding Wesley Harris, which was adopted.

Senator Kraus offered Senate Resolution No. 814, regarding Brian Campbell, which was adopted.

Senator Kraus offered Senate Resolution No. 815, regarding Matthew James Crance, Lee's Summit, which was adopted.

Senator Walsh offered Senate Resolution No. 816, regarding James J. Murphy, Saint Louis, which was adopted.

HOUSE BILLS ON THIRD READING

HB 673, introduced by Representative Schatz, entitled:

An Act to repeal sections 173.005, 173.1105, 174.020, 176.010, 178.420, 178.530, 178.560, 178.585, 178.631, 178.632, 178.634, 178.635, 178.636, 178.637, 178.638, 178.639, and 178.640, RSMo, and to enact in lieu thereof seventeen new sections relating to the renaming of Linn State Technical College, with an effective date.

Was called from the Consent Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **HB 673** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Holsman	Rupp	Schaefer—3
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Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SCS for **SBs 317** and **319**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 317 and 319

An Act to repeal sections 301.301 and 303.024, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SBs 317** and **319** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Holsman	Rupp	Schaefer—3
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Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 432**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 432

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

Was taken up.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 432** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schmitt	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

McKenna Sifton—2

Absent—Senators—None

Absent with leave—Senators

Holsman Rupp Schaefer—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 411; SS for SB 401; SS for SCS for SB 437; and SCS for SB 378**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

James Mintert and John J. Sheehan, as members of the Missouri State Board of Accountancy;

Also,

Mishely Tisius, as a member of the Board of Certification of Interpreters;

Also,

Aimee Gromowsky, Democrat, as a member of the Jackson County Sports Complex Authority;

Also,

Sara Catherine Michael, Independent, as a member of the State Committee of Marital and Family Therapists; and

Ann Nunn-Jones, Democrat, as a member of the Missouri Real Estate Appraisers Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 378**; **SS** for **SB 401**; and **SCS** for **SB 411** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, Senator Parson submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 133**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 30**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 432**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS No. 2** for **HB 698**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 184**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 436**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 325**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 78**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 542**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 375**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 329**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 52**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HBs 256, 33** and **305**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HBs 455** and **297**—Governmental Accountability and Fiscal Oversight.

HCS for HB 335—Jobs, Economic Development and Local Government.

HB 756—Governmental Accountability and Fiscal Oversight.

HB 808—Financial and Governmental Organizations and Elections.

HCS for HB 170—General Laws.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 601**, entitled:

An Act to repeal sections 392.415 and 392.461, RSMo, and to enact in lieu thereof three new sections relating to broadband and communications deployment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 881**, entitled:

An Act to repeal sections 43.543, 59.319, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 256.117, 256.710, 260.200, 260.205, 260.247, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 319.129, 319.132, 640.010, 640.017, 640.075, 640.715, 643.079, and 644.051, RSMo, and to enact in lieu thereof fifty-two new sections relating to the department of natural resources, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 275**, entitled:

An Act to repeal sections 285.530, 285.535, and 285.555, RSMo, and to enact in lieu thereof three new sections relating to illegal immigration, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, James Parker Atkins, his mother, Haley and his sisters, Georgia and Phoebe, Columbia; and James Parker was made an honorary page.

Senator Kehoe introduced to the Senate, his niece Madeline Kehoe and Ms. Jessica Bauhmoer, parents

and fourth grade students from St. Francis Xavier School, Taos.

On behalf of Senator Dempsey, the President introduced to the Senate, Breanna Hollowell and fourth grade students from St. Cletus School, St. Charles; and Breanna was made an honorary page.

Senator Justus introduced to the Senate, the Physician of the Day, Dr. Joseph Corrado and his wife, Donna, Mexico.

Senator Justus introduced to the Senate, Ron Fischer and Brian Cheney, Callaway County.

Senator Schmitt introduced to the Senate, Mike, Alyson, Madelyne and Patrick Schoedel, St. Louis; and Madelyn and Patrick were made honorary pages.

Senator Pearce introduced to the Senate, Dennis Knipmeyer and Tammie Winter, Higginsville.

On behalf of Senator Schaaf, the President introduced to the Senate, eighty-five eighth grade students from St. Therese School, Kansas City; and Madelein Quinn, Annelise Nissen and Morgan Greenfield were made honorary pages.

Senator Munzlinger introduced to the Senate, teachers and eighty fourth grade students from Palmyra Elementary School.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, April 29, 2013.

SENATE CALENDAR

FIFTY-EIGHTH DAY—MONDAY, APRIL 29, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HB 601

HCS for HB 275

HCS for HB 881

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)

SS for SCS for SB 437-Pearce

SS for SB 401-Rupp (In Fiscal Oversight)

SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 30-Brown, with SCS

SB 325-Nieves

SB 78-Lamping, with SCS

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HB 34-Guernsey (Brown)

2. HCS for HB 473 (Lager)
(In Fiscal Oversight)

3. HB 133-Gosen, et al (Rupp)

4. HB 432-Funderburk, et al, with SCS (Lager)

5. HCS#2 for HB 698, with SCS (Schmitt)

6. HB 184-Cox, et al (Kehoe)

7. HCS for HB 436, with SCS

8. HB 542-Love, et al, with SCS

9. HB 329-Dugger and Crawford, with SCS

10. HCS for HBs 256, 33 & 305 (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 48-Lamping

SB 53-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS

SB 109-Brown, with SCS

SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending)

SB 141-Dempsey

SB 167-Sater and Wallingford, with SCS

SB 174-Parson, with SCS

SB 175-Wallingford

SB 207-Kehoe, et al, with SCS

SB 210-Lamping and Nieves, with SCS

SB 231-Munzlinger, with SA 1 (pending)

SB 239-Emery, with SCS & SA 2 (pending)

SB 250-Schaaf, with SCS

SB 259-Schaaf, with SCS

SB 272-Nieves, with SA 2 (pending)

SB 285-Romine

SB 291-Rupp

SB 292-Rupp

SB 308-Schaaf

SB 315-Pearce

SB 339-Romine

SB 343-Parson

SB 364-Parson

SB 371-Munzlinger, with SCS

SB 377-Dixon

SB 383-Wallingford

SB 396-Holsman and Chappelle-Nadal, with
SCS

SB 403-Rupp, with SCS

SB 410-Kehoe

SB 419-Lager, with SCS

SB 423-Nasheed

SB 441-Dempsey
SB 448-Schmitt and Keaveny

SB 455-Nieves, with SCS
SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HCS for HB 199 (Lamping)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HCS for HB 457, with SCS (Rupp)
HB 112-Burlison (Brown)	

CONSENT CALENDAR

House Bills

Reported 4/15

HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)
HB 498-Jones (50), et al, with SCS (Sifton)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HJR 11 & 7, with SS, as amended
(Parson) (House requests Senate
recede or grant conference)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 29, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Walk with wisdom towards those that are without...Let your speech be always with grace.” (Colossians 4:5-6)

Gracious Lord, as we begin a new week let us be mindful to always use our heads as we deal with one another. Let our conversations and behavior always be pleasant, gracious and winsome filled with kindness and even handedness. And may our decisions always be helpful and effective as we vote on bills presented to us this week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 25, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 817, regarding Geri Zimmerman, Saint Louis, which was

adopted.

Senator LeVota offered Senate Resolution No. 818, regarding Jacob Daniel Lockhart, Raytown, which was adopted.

Senator LeVota offered Senate Resolution No. 819, regarding Logan Black, which was adopted.

Senator Nasheed offered Senate Resolution No. 820, regarding Michael Triplett, PhD, which was adopted.

Senator Cunningham offered Senate Resolution No. 821, regarding the One Hundred Fifth Birthday of Neacie Vitula Reeves Davis, Ripley County, which was adopted.

Senator Cunningham offered Senate Resolution No. 822, regarding Reverend Gerald Bounds, Thayer, which was adopted.

Senator Cunningham offered Senate Resolution No. 823, regarding the 130th Anniversary of the West Plains Bank and Trust Company, which was adopted.

Senator Lager offered Senate Resolution No. 824, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Herb Derks, King City, which was adopted.

Senator Pearce offered Senate Resolution No. 825, regarding Taiylor Llewellyn, which was adopted.

Senator Lamping offered Senate Resolution No. 826, regarding Marissa Brady, which was adopted.

Senator Justus offered Senate Resolution No. 827, regarding the Callaway County Public Water Supply District 2, which was adopted.

Senator Schaefer offered Senate Resolution No. 828, regarding the death of Shelley Lorraine White-Horsley, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 829, regarding Nita D. Mihlfeld, which was adopted.

Senator Brown offered Senate Resolution No. 830, regarding Davita J. Smith, which was adopted.

Senator Brown offered Senate Resolution No. 831, regarding Kim R. Nash, which was adopted.

Senator Cunningham offered Senate Resolution No. 832, regarding Rayanna Bailey, which was adopted.

Senator LeVota offered Senate Resolution No. 833, regarding William Jefferson “Bill” Clinton, 42nd President of the United States, which was adopted.

Senator Silvey offered Senate Resolution No. 834, regarding Jacob Shipley, which was adopted.

Senator Parson offered Senate Resolution No. 835, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Crites, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 836, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Recla, Dunnegan, which was adopted.

Senator Lager offered Senate Resolution No. 837, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Fred Schieber, Ravenwood, which was adopted.

Senator Lager offered Senate Resolution No. 838, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Merlin Atkins, Maryville, which was adopted.

Senator Sifton offered Senate Resolution No. 839, regarding Ryan Horn, St. Louis, which was adopted.

CONCURRENT RESOLUTIONS

Senator Romine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the easily extracted, high purity lead ore in Missouri was a critical reason for the early development of Missouri and has provided good jobs, a way of life, and significant economic development to Missourians for centuries; and

WHEREAS, the lead industry in Missouri is the only primary, domestic source for that strategic material in America; and

WHEREAS, new technology now makes production of primary lead metal a safe, cost effective, and valuable means of continuing to provide a strategic material for numerous uses including munitions, protective barriers for x-rays, radioactive fallout, and radioactive contamination, and batteries for numerous uses including cars, trucks, electric vehicles, renewable energy storage, and peaking power reduction; and

WHEREAS, encouraging a safe, healthy, and lucrative lead industry in Missouri will give rise to good paying jobs, significant economic development, and the resources to mitigate the legacy of environmental issues caused by lead extraction:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force; and

BE IT FURTHER RESOLVED that the mission of task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The effects of a prompt environmental settlement giving rise to efficient and cost effective remediation;
- (2) Ways to promote the development of a clean lead industry;
- (3) Clean lead industry legislative proposals including rules and regulations necessary for implementation;
- (4) The economic potential of implementing clean lead industry policies; and

BE IT FURTHER RESOLVED that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the task force shall consist of all of the following members:

- (1) The Governor, or his or her designee, to serve as the chair of the task force; and
- (2) One member of the general assembly of the majority party appointed by the president pro tem of the senate, to serve as the vice-chair of the task force; and
- (3) One member of the general assembly of the majority party appointed by the speaker of the house of representatives, to serve as the secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) The Attorney General, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (5) The Director of the Department of Natural Resources, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (6) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate; and
- (7) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives; and
- (8) A representative of industry appointed by the president pro tem of the senate; and
- (9) A representative of industry appointed by the speaker of the house of representatives; and

BE IT FURTHER RESOLVED that the staff of Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the committee shall receive reimbursement for

their actual and necessary expenses incurred in attending meetings of the committee; and

BE IT FURTHER RESOLVED that the chair or vice-chair of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED that the task force shall terminate by either a majority of members voting for termination, or by February 1, 2014, whichever occurs first; and

BE IT FURTHER RESOLVED that on the date of termination, the task force shall deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and the Director of the Department of Natural Resources.

HOUSE BILLS ON THIRD READING

HB 34, introduced by Representative Guernsey, entitled:

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof two new sections relating to maintenance, and wages for work done on behalf of a school.

Was taken up by Senator Brown.

Senator Brown offered **SS** for **HB 34**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 34

An Act to repeal sections 290.210 and 290.262, RSMo, and to enact in lieu thereof two new sections relating to prevailing wage.

Senator Brown moved that **SS** for **HB 34** be adopted.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 34, Page 1, Section 290.210, Line 19, by striking the opening and closing brackets and all of the underlined language on said line; and further amend said section, page 2, lines 1-3, by striking all of the opening and closing brackets and underlined words on said lines; and further amend line 24 by striking the second opening bracket on said line; and further amend line 26 by striking the closing bracket on said line; and further amend lines 27-28 by striking all of said lines, and further amend said section, page 3, lines 1-5 by striking all of said lines; and further amend line 10, by striking the opening bracket on said line; and further amend line 11, by striking the closing bracket on said line; and further amend said section, page 4, line 2, by striking the opening bracket on said line; and further amend line 3, by striking the closing bracket on said line; and further amend lines 26-27, by striking all of said lines; and further renumber the remaining subdivision accordingly; and further amend line 28, by inserting immediately after said line, the following:

“290.260. 1. The department, as it deems necessary, shall from time to time investigate and determine the prevailing hourly rate of wages **for heavy and highway construction work** in the localities. **In doing**

so, the department shall accept and consider information regarding local wage rates that is submitted in either paper or electronic formats. A determination applicable to every locality to be contained in a general wage order shall be made annually on or before July first of each year for the Missouri state highways and transportation commission and shall remain in effect until superseded by a new general wage order. In determining prevailing rates, the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, and the rates that are paid generally within the locality.

2. A certified copy of the determination so made shall be filed immediately with the secretary of state and with the department in Jefferson City. Copies shall be supplied by the department to all persons requesting them within ten days after the filing.

3. At any time within thirty days after the certified copies of the determinations have been filed with the secretary of state and the department, any person who is affected thereby may object in writing to the determination or the part thereof that he deems objectionable by filing a written notice with the department, stating the specific grounds of the objection.

4. Within thirty days of the receipt of the objection, the department shall set a date for a hearing on the objection. The date for the hearing shall be within sixty days of the receipt of the objection. Written notice of the time and place of the hearing shall be given to the objectors at least ten days prior to the date set for the hearing.

5. The department at its discretion may hear each written objection separately or consolidate for hearing any two or more written objections. At the hearing the department shall first introduce in evidence the investigation it instituted and the other facts which were considered at the time of the original determination which formed the basis for its determination. The department, or the objector, or any interested party, thereafter may introduce any evidence that is material to the issues.

6. Within twenty days of the conclusion of the hearing, the department must rule on the written objection and make the final determination that it believes the evidence warrants. Immediately, the department shall file a certified copy of its final determination with the secretary of state and with the department and shall serve a copy of the final determination on all parties to the proceedings by personal service or by registered mail.

7. This final decision of the department of the prevailing wages in the locality is subject to review in accordance with the provisions of chapter 536. Any person affected, whether or not the person participated in the proceedings resulting in the final determination, may have the decision of the department reviewed. The filing of the final determination with the secretary of state shall be considered a service of the final determination on persons not participating in the administrative proceedings resulting in the final determination.

8. At any time before trial any person affected by the final determination of the department may intervene in the proceedings to review under chapter 536 and be made a party to the proceedings.

9. All proceedings in any court affecting a determination of the department under the provisions of sections 290.210 to 290.340 shall have priority in hearing and determination over all other civil proceedings pending in the court, except election contests.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted.

Senator Brown offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for House Bill No. 34, Page 1, Lines 11-15, by striking all of said lines, and inserting in lieu thereof, the following: “striking the opening bracket on said line; and further amend said line, by inserting an opening bracket immediately before the word “by”; and further amend said section, page 4, line 2, by striking the opening bracket on said line; and further amend said line, by inserting an opening bracket immediately before the word “to”; and further amend lines 26-27, by”.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator McKenna moved that **SA 1**, as amended, be adopted, which motion failed on a standing division vote.

Senator Schaaf assumed the Chair.

At the request of Senator Brown, **HB 34**, with **SS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 26, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Keith G. Hankins, Republican, 1131 North State Highway 39, Stockton, Dade County, Missouri 65785, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2016, and until his successor is duly appointed and qualified; vice, Charles Surface, deceased.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 26, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Edna McDaniel, 5713 Hamilton Avenue, Jennings, Saint Louis County, Missouri 63136, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2015, and until her successor is duly appointed and qualified; vice, Christopher Manhart, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 26, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Frank Meyer, 4355 Maryland Avenue Apartment 211, Saint Louis City, Missouri 63108, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2016, and until his successor is duly appointed and qualified; vice, RSMo 208.856.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

April 26, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Glenn M. McCumber, Republican, 4 Barbara Court, Noel, McDonald County, Missouri 64854, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2018, and until his successor is duly appointed and qualified; vice, Nancy D. Perry, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2**, **SA 4** and **SA 5** to **HB 163** and has taken up and passed **HB 163**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 76**, entitled:

An Act to repeal sections 161.209 and 163.410, RSMo, and to enact in lieu thereof two new sections relating to Missouri school improvement program standards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 344**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 387**, entitled:

An Act to repeal sections 190.100, 334.104, and 334.735, RSMo, and to enact in lieu thereof four new sections relating to physician assistants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 415**, entitled:

An Act to repeal section 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute for senate bill no. 568, merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, and section 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by senate substitute for senate committee substitute for house bill no. 1807, house bill no. 1093, house bill no. 1107, house bill no. 1156, house bill no. 1221, house bill no. 1261, house bill no. 1269, house bill no. 1641, house bill no. 1668, house bill no. 1737, house bill no. 1782, house bill no. 1868, and house bill no. 1878, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no.

480, ninety-sixth general assembly, second regular session, and sections 227.303, 301.130, 301.134, 301.144, 301.145, 301.216, 301.441, 301.443, 301.444, 301.445, 301.447, 301.448, 301.451, 301.456, 301.457, 301.463, 301.464, 301.465, 301.466, 301.467, 301.468, 301.469, 301.471, 301.472, 301.473, 301.475, 301.477, 301.481, 301.562, 301.3032, 301.3040, 301.3043, 301.3045, 301.3047, 301.3049, 301.3050, 301.3052, 301.3053, 301.3054, 301.3055, 301.3060, 301.3061, 301.3062, 301.3065, 301.3074, 301.3075, 301.3076, 301.3077, 301.3078, 301.3079, 301.3080, 301.3082, 301.3084, 301.3085, 301.3086, 301.3087, 301.3088, 301.3089, 301.3090, 301.3092, 301.3093, 301.3094, 301.3095, 301.3096, 301.3097, 301.3098, 301.3099, 301.3101, 301.3102, 301.3103, 301.3105, 301.3106, 301.3107, 301.3109, 301.3115, 301.3116, 301.3117, 301.3118, 301.3119, 301.3122, 301.3123, 301.3124, 301.3125, 301.3126, 301.3128, 301.3129, 301.3130, 301.3131, 301.3132, 301.3133, 301.3137, 301.3139, 301.3141, 301.3142, 301.3143, 301.3144, 301.3145, 301.3146, 301.3147, 301.3150, 301.3158, 301.3161, 301.3162, 301.3163, 301.3165, 301.3167, and 301.3169, RSMo, and to enact in lieu thereof one hundred twenty-one new sections relating to transportation, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 348**, entitled:

An Act to repeal sections 52.010, 54.040, 54.330, 78.090, 115.003, 115.005, 115.007, 115.135, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.601, 115.607, 162.481, 162.492, 247.060, and 247.080, RSMo, and to enact in lieu thereof twenty-eight new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 543**, entitled:

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.1030, 56.809, 70.605, 103.025, 104.190, 104.480, and 169.020, RSMo, and to enact in lieu thereof twenty new sections relating to the state auditor's office responsibilities, duties, and enforcement, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 372**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to business premises

safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 541**, entitled:

An Act to repeal sections 211.071, 211.073, and 565.020, RSMo, and to enact in lieu thereof three new sections relating to juvenile offenders, with an emergency clause and penalty provisions.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 161**, entitled:

An Act to repeal sections 50.622, 64.170, 64.205, 67.463, 67.469, 71.012, 71.014, 71.015, 72.401, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 238.272, 321.017, 321.320, and 321.690, RSMo, and to enact in lieu thereof thirty-three new sections relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 1** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 3** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 5** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 7**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 11**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 12** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 589**, entitled:

An Act to repeal sections 43.650, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 339.100, 375.1312, 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, 527.290, 556.036, 556.037, 556.061, 558.018, 558.026, 559.115, 559.117, 566.020, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.093, 566.095, 566.100, 566.212, 566.224, 566.226, 568.060, 589.015, 589.400, 589.402, 589.403, 589.405, 589.407, 589.410, 589.414, 590.700, and 632.480, RSMo, and to enact in lieu thereof seventy-eight new sections relating to sex offender registration and classification, with penalty provisions, an emergency clause and effective date for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 78**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Missouri Jobs for Education Program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 287**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to recede from its position on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and grant the House a conference thereon, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 346**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 331**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Justus, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 194**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 307**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 656**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HB 316**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HBs 446** and **211**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 478**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HBs 374** and **434**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 215**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 400**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 274**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 168**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HJR**s **11** and **7**, as amended: Senators Parson, Munzlinger, Brown, Justus and Sifton.

HOUSE BILLS ON THIRD READING

HB 133, introduced by Representative Gosen, et al, entitled:

An Act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **HB 133** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Lager, **HB 432**, with **SCS**, was placed on the Informal Calendar.

REFERRALS

President Pro Tem Dempsey referred **HCS No. 2** for **HB 698**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

At the request of Senator Parson, **HB 184** was placed on the Informal Calendar.

HCS for **HB 436**, with **SCS**, entitled:

An Act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof fourteen new sections relating to firearms, with a penalty provision.

Was taken up by Senator Nieves.

SCS for **HCS** for **HB 436**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 436

An Act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with a penalty provision.

Was taken up.

Senator Nieves moved that **SCS** for **HCS** for **HB 436** be adopted.

At the request of Senator Nieves, **HCS** for **HB 436**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Brown moved that **HB 34**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 34** was again taken up.

At the request of Senator Brown, **SS** for **HB 34** was withdrawn.

Senator Brown offered **SS No. 2** for **HB 34**, entitled:

SENATE SUBSTITUTE NO. 2 FOR HOUSE BILL NO. 34

An Act to repeal sections 290.210, 290.260, and 290.262, RSMo, and to enact in lieu thereof three new sections relating to prevailing wage.

Senator Brown moved that **SS No. 2** for **HB 34** be adopted, which motion prevailed.

On motion of Senator Brown, **SS No. 2** for **HB 34** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine

Rupp	Sater	Schaaf	Schmitt	Silvey	Wallingford	Wasson—23	
NAYS—Senators							
Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Walsh—10						

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, David, Robin and Amber Marlin, Conway; and Amber was made an honorary page.

Senator Nieves introduced to the Senate, Corey Kraft, St. Albans.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-NINTH DAY—TUESDAY, APRIL 30, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HB 601

HCS for HB 881

HCS for HB 275

HCS for HB 76

HCS for HB 344

HCS for HB 387

HCS for HB 415

HCS for HB 348

HCS for HB 543
HCS for HB 372
HCS for HB 541

HCS for HB 161
HCS for HB 589
HCS for HB 78

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)
SS for SB 401-Rupp (In Fiscal Oversight)

SS for SCS for SB 437-Pearce
SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 30-Brown, with SCS
SB 325-Nieves
SB 78-Lamping, with SCS

SB 375-Nieves, with SCS
SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager)
(In Fiscal Oversight)
2. HCS#2 for HB 698, with SCS (Schmitt)
(In Fiscal Oversight)
3. HB 542-Love, et al, with SCS (Munzlinger)
4. HB 329-Dugger and Crawford, with SCS
(Cunningham)
5. HCS for HBs 256, 33 & 305 (Kehoe)
6. HB 346-Molendorp
7. HB 331-Miller and Funderburk (Emery)
8. HCS for HB 194 (Parson)

9. HB 307-Riddle, et al, with SCS (Schmitt)
10. HCS for HB 656
11. HB 316-Phillips, et al (Sater)
12. HCS for HBs 446 & 211 (Cunningham)
13. HB 478-Wieland, et al (Romine)
14. HCS for HBs 374 & 434, with SCS
(Dixon)
15. HCS for HB 215, with SCS (Dixon)
16. HB 400-Riddle, et al
17. HB 274-Brattin, et al, with SCS
18. HCS for HB 168 (Kraus)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon

SB 48-Lamping
SB 53-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS	SB 308-Schaaf
SB 109-Brown, with SCS	SB 315-Pearce
SB 133-Keaveny and Holsman, with SCS & SA 1 (pending)	SB 339-Romine
SB 141-Dempsey	SB 343-Parson
SB 167-Sater and Wallingford, with SCS	SB 364-Parson
SB 174-Parson, with SCS	SB 371-Munzlinger, with SCS
SB 175-Wallingford	SB 377-Dixon
SB 207-Kehoe, et al, with SCS	SB 383-Wallingford
SB 210-Lamping and Nieves, with SCS	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 231-Munzlinger, with SA 1 (pending)	SB 403-Rupp, with SCS
SB 239-Emery, with SCS & SA 2 (pending)	SB 410-Kehoe
SB 250-Schaaf, with SCS	SB 419-Lager, with SCS
SB 259-Schaaf, with SCS	SB 423-Nasheed
SB 272-Nieves, with SA 2 (pending)	SB 441-Dempsey
SB 285-Romine	SB 448-Schmitt and Keaveny
SB 291-Rupp	SB 455-Nieves, with SCS
SB 292-Rupp	SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HCS for HB 199 (Lamping)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 432-Funderburk, et al, with SCS (Lager)
HB 112-Burlison (Brown)	HCS for HB 436, with SCS (pending) (Nieves)
HB 184-Cox, et al (Parson)	HCS for HB 457, with SCS (Rupp)

CONSENT CALENDAR

House Bills

Reported 4/15

HB 212-Cox, et al (Keaveny)	HCS for HB 159 (Kraus)
HCS for HB 235 (Parson)	HCS for HB 233, with SCS (Lamping)
HB 498-Jones (50), et al, with SCS (Sifton)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HJR 11 & 7, with SS, as amended
(Parson)

Requests to Recede or Grant Conference

HCS for HB 1, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 2, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 3, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 4, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 5, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 6, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 7, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 8, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 9, with SCS (Schaefer) (House
requests Senate recede or grant
conference)

HCS for HB 10, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

HCS for HB 11, with SCS, as amended
(Schaefer) (House requests Senate
recede or grant conference)

HCS for HB 12, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

HCS for HB 13, with SCS (Schaefer)
(House requests Senate recede or
grant conference)

RESOLUTIONS

To be Referred

SCR 15-Romine

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 30, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Pleasant words are like a honeycomb, sweetness to the soul and health to the body.” (Proverbs 16:24)

O Lord of wisdom and graciousness, give to us good words today so our words will bring healing, correction and lifting one another up. Take away from us words that are deceptive, degrading, insulting or hurtful. Help us to always have on hand an abundance of “thank you, excuse me, and forgive me,” as we go through each day working with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KOMU-TV and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

REMONSTRANCES

Senators Emery, Wallingford, Wasson, Lager, Brown, Kraus, Sater, Romine, Schaaf, Cunningham, Libla and Munzlinger offered the following remonstrance:

SENATE REMONSTRANCE NO. 1

WHEREAS, the people of the State of Missouri cherish their right to bear arms, as protected by the Missouri Constitution and the Constitution of the United States, and the people of the State of Missouri cherish their right to privacy and protection of their personal private information; and

WHEREAS, Section 571.101, RSMo, declares that a concealed carry endorsement shall not be public information and shall be personal protected information, and further declares that any person who discloses such protected information is guilty of a crime; and

WHEREAS, it is the duty of the Governor of the State of Missouri to enforce the laws of the State of Missouri, and the Governor has the duty to require all departments of the executive to enforce the laws of the State of Missouri; and

WHEREAS, officials in the Department of Revenue and the Department of Public Safety have publicly admitted, through testimony before the Senate Appropriations Committee and documents provided to the Senate by subpoena, that personal protected information has been disclosed by the department in violation of the laws of the State of Missouri; and

WHEREAS, no provision of law authorized the release of such personal protected information:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate of the Ninety-seventh General Assembly, First Regular Session, hereby:

(1) Remonstrate against the Governor for the release by the Department of Revenue and the Department of Public Safety of personal protected information which has been publicly admitted by the departments;

(2) Strongly condemn the release of the protected personal information in violation of the laws of the State of Missouri; and

BE IT FURTHER RESOLVED that the Missouri Senate demands that the Governor enforce the laws of this state by immediately investigating, disciplining, and removing any members of the executive departments who are responsible for this egregious breach of public trust and violation of the laws of the state of Missouri and that the Governor comply with any and all subpoenas regarding such release of protected personal information; and

BE IT FURTHER RESOLVED that the Missouri Senate deems any failure of the Governor to investigate, discipline, and remove any members of the executive departments who are responsible for the release of the personal protected information or to comply with such subpoenas to be a willful neglect of duty; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this remonstrance for the Governor, the Department of Revenue, and the Department of Public Safety.

President Pro Tem Dempsey referred the above remonstrance to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator LeVota offered Senate Resolution No. 840, regarding Jenn Minnis, which was adopted.

Senator McKenna offered Senate Resolution No. 841, regarding Dr. Randy Sheriff, which was adopted.

Senator Curls offered Senate Resolution No. 842, regarding the Mothers of Incarcerated Sons and Daughters' Women of Courage 2013, which was adopted.

Senator Munzlinger offered Senate Resolution No. 843, regarding Dustin R. Swarnes, Bowling Green, which was adopted.

Senator Dempsey offered Senate Resolution No. 844, regarding the Class 3 State Champion Lutheran High School Girls Basketball Team, which was adopted.

Senators Holsman and Pearce offered Senate Resolution No. 845, regarding National Nurses Week,

which was adopted.

Senator Justus offered Senate Resolution No. 846, regarding Mary Camille Hosman, Ashland, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS No. 2** for **HB 698**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HB 212, introduced by Representative Cox, et al, entitled:

An Act to repeal sections 400.4A-108, 400.9-102, 400.9-307, 400.9-316, 400.9-317, 400.9-326, 400.9-406, 400.9-408, 400.9-502, 400.9-503, 400.9-515, 400.9-516, 400.9-518, and 400.2A-103, RSMo, and to enact in lieu thereof twenty-three new sections relating to secured transactions.

Was called from the Consent Calendar and taken up by Senator Keaveny.

On motion of Senator Keaveny, **HB 212** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 194**; **HB 316**; **HCS** for **HB 215**, with **SCS**; **HB 274**, with **SCS**; and **HCS** for **HB 168** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 15** to the Committee on Rules, Joint Rules, Resolutions and

Ethics.

HOUSE BILLS ON THIRD READING

HCS for **HB 235**, entitled:

An Act to repeal sections 52.010, 54.040, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to county candidate qualifications.

Was called from the Consent Calendar and taken up by Senator Parson.

On motion of Senator Parson, **HCS** for **HB 235** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 498, introduced by Representative Jones (50), et al, with **SCS**, entitled:

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

Was called from the Consent Calendar and taken up by Senator Sifton.

SCS for **HB 498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 498

An Act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

Was taken up.

Senator Sifton moved that **SCS** for **HB 498** be adopted, which motion prevailed.

On motion of Senator Sifton, **SCS** for **HB 498** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaaf assumed the Chair.

HCS for HB 159, entitled:

An Act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with a penalty provision.

Was called from the Consent Calendar and taken up by Senator Kraus.

On motion of Senator Kraus, **HCS for HB 159** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HCS for HB 233, with SCS, entitled:

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, and 476.515, RSMo, and to enact in lieu thereof twenty-five new sections relating to the administration of state employee benefits.

Was called from the Consent Calendar and taken up by Senator Lamping.

SCS for HCS for HB 233, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 233

An Act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, 105.684, and 476.515, RSMo, and to enact in lieu thereof twenty-six new sections relating to the administration of state employee benefits.

Was taken up.

Senator Lamping moved that **SCS for HCS for HB 233** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS for HCS for HB 233** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS No. 2 for HB 698, with **SCS**, entitled:

An Act to repeal sections 32.115, 99.1205, 100.850, 135.305, 135.350, 135.352, 135.460, 135.484, 135.535, 135.679, 135.680, 135.700, 135.710, 135.750, 135.967, 143.119, 208.770, 217.905, 253.545, 253.550, 253.557, 253.559, 348.434, 447.708, 620.1039, and 620.1881, RSMo, and to enact in lieu thereof forty-one new sections relating to tax incentives.

Was taken up by Senator Schmitt.

SCS for HCS No. 2 for HB 698, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 698

An Act to repeal sections 135.305, 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and section 135.630 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty new sections relating to tax incentives, with an emergency clause for certain sections.

Was taken up.

Senator Schmitt moved that **SCS for HCS No. 2 for HB 698** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 23, Section 253.550, Line 55, by striking “forty-five” and inserting in lieu thereof “**seventy**”; and

Further amend said bill and section, page 24, line 90, by striking “five” and inserting in lieu thereof “**ten**”.

Senator Dempsey moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Lager offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 1, Line 2, by striking the number “seventy” and inserting in lieu thereof the following: “**sixty**”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS** for **HCS No. 2** for **HB 698**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS No. 2** for **HB 698**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Dempsey	Dixon	Holsman	Justus	Keaveny	Kehoe
Kraus	LeVota	Libla	McKenna	Munzlinger	Parson	Pearce	Richard
Romine	Rupp	Schaaf	Schmitt	Sifton	Silvey—22		

NAYS—Senators

Brown	Curls	Emery	Lager	Lamping	Nasheed	Nieves	Sater
Schaefer	Wallingford	Walsh—11					

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schmitt	Sifton	Silvey	Wallingford	Wasson—29			

NAYS—Senators

Curls	Lamping	Nasheed	Schaefer	Walsh—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 163**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Schaaf assumed the Chair.

PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SCS for HCS for HB 1; SCS for HCS for HB 2; SCS for HCS for HB 3; SCS for HCS for HB 4; SCS for HCS for HB 5; SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**, as amended; **SCS for HCS for HB 8; SCS for HCS for HB 9; SCS for HCS for HB 10; SCS for HCS for HB 11**, as amended; **SCS for HCS for HB 12**; and **SCS for HCS for HB 13** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS for HCS for HB 1; SCS for HCS for HB 2; SCS for HCS for HB 3; SCS for HCS for HB 4; SCS for HCS for HB 5; SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**, as amended; **SCS for HCS for HB 8; SCS for HCS for HB 9; SCS for HCS for HB 10; SCS for HCS for HB 11**, as amended; **SCS for HCS for HB 12**; and **SCS for HCS for HB 13** and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SS for HCS for HJRs 11 and 7**. Representatives: Smith (120), Reiboldt, and Black.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS for HCS for HB 315** and has taken up and passed **SS for HCS for HB 315**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HJR 26**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to parental rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 653**, entitled:

An Act to repeal sections 99.845, 190.100, 190.300, 190.308, 190.400, 190.410, 190.420, 650.320, 650.325, and 650.330, RSMo, and to enact in lieu thereof twelve new sections relating to emergency

services, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 421**, entitled:

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof two new sections relating to legal tender.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 986**, entitled:

An Act to repeal sections 208.146 and 208.151, RSMo, and to enact in lieu thereof five new sections relating to MO HealthNet, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 675**, entitled:

An Act to amend chapters 161 and 167, RSMo, by adding thereto ten new sections relating to the management of diabetes in elementary and secondary schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 285**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to distribution of a controlled substance near child care facilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 859**, entitled:

An Act to repeal sections 43.530, 50.535, 302.181, 571.030, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 590.010, RSMo, and to enact in lieu thereof twenty-six new sections relating to concealed carry permits, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 1**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 3**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 4**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 5**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 8**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 9**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 12**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

HOUSE BILLS ON THIRD READING

HB 112, introduced by Representative Burlison, et al, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

Was called from the Informal Calendar and taken up by Senator Brown.

President Pro Tem Dempsey assumed the Chair.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 112, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “relating to medical malpractice”; and

Further amend said bill and page, section 1.010, line 13, by inserting immediately after said line the following:

“383.206. 1. Notwithstanding the provisions of sections 383.037 and 383.160, no insurer shall issue or sell in the state of Missouri a policy insuring a health care provider, as defined in section 538.205, for damages for personal injury or death arising out of the rendering of or failure to render health care services [if the director finds, based upon competent and compelling evidence, that the base rates of such insurer are excessive, inadequate, or unfairly discriminatory. A rate may be used by an insurer immediately after it has been filed with the director, until or unless the director has determined under this section that a rate is excessive, inadequate, or unfairly discriminatory], **unless the rates for such policy are approved by the director of insurance, financial institutions and professional registration.**

2. [In making a determination under subsection 1 of this section,] The director of the department of insurance, financial institutions and professional registration [may use] **shall review and approve or reject rates pursuant to subsection 1 of this section based on** the following factors:

(1) Rates shall not be excessive or inadequate, nor shall they be unfairly discriminatory;

(2) No rate shall be held to be excessive unless such rate is unreasonably high for the insurance [proved] **provided** with respect to the classification to which such rate is applicable;

(3) No rate shall be held to be inadequate unless such rate is unreasonably low for the insurance provided with respect to the classification to which such rate is applicable;

(4) [To the extent Missouri loss experience is available,] Rates [and projected losses] shall be based on Missouri loss experience and not the insurance company’s or the insurance industry’s loss experiences in states other than Missouri unless the failure to do so jeopardizes the financial stability of the insurer; provided however, that loss experiences relating to the specific proposed insured occurring outside the state of Missouri may be considered in allowing a surcharge to such insured’s premium rate;

(5) Investment income or investment losses of the insurance company for the ten-year period prior to the request for rate approval may be considered in reviewing rates. Investment income or investment losses for a period of less than ten years shall not be considered in reviewing rates. Industrywide investment income or investment losses for the ten-year period prior to the request for rate approval may be considered for any insurance company that has not been authorized to issue insurance for more than ten years;

- (6) The locale in which the health care practice is occurring;
- (7) Inflation;
- (8) Reasonable administrative costs of the insurer;
- (9) Reasonable costs of defense of claims against Missouri health care providers;

(10) A reasonable rate of return on investment for the owners or shareholders of the insurer when compared to other similar investments at the time of the rate request; except that, such factor shall not be used to offset losses in other states or in activities of the insurer other than the sale of policies of insurance to Missouri health care providers; and

(11) Any other reasonable factors may be considered in the [disapproval] **approval or rejection** of the rate request.

3. [The director's determination under subsection 1 of this section of whether a base rate is excessive, inadequate, or unfairly discriminatory] **Rate approval requests** may be **approved or denied** based on any subcategory or subspecialty of the health care industry that the director determines to be reasonable.

4. [If actuarially supported and included in a filed rate, rating plan, rule, manual, or rating system, an] **The** insurer may charge an additional premium or grant a discount rate to any health care provider based on criteria as it relates to a specified insured health care provider or other specific health care providers within the specific insured's employ or business entity[. Such criteria may include]:

- (1) Loss experiences;
- (2) Training and experience;
- (3) Number of employees of the insured entity;
- (4) Availability of equipment, capital, or hospital privileges;
- (5) Loss prevention measures taken by the insured;
- (6) The number and extent of claims not resulting in losses;
- (7) The specialty or subspecialty of the health care provider;
- (8) Access to equipment and hospital privileges; and

(9) Any other **factors determined to be** reasonable [criteria identified by the insurer and filed with the department of insurance, financial institutions and professional registration] **by the director**.

5. [Supporting actuarial data shall be filed in support of a rate, rating plan, or rating system filing, when requested by the director to determine whether rates should be disapproved as excessive, inadequate, or unfairly discriminatory, whether or not the insurer has begun using the rate.

6.] **Any rate application shall be deemed approved if not rejected within sixty days, unless the director extends such period due to the applicant's failure to timely provide requested information.**

6. **The director of the department of insurance shall annually provide to the governor and the general assembly a report as to the rate increases or decreases of the rates approved pursuant to this section and the number of requests disapproved pursuant to this section.**

7. **As used in this section, the term "insurer" includes every insurance company authorized to**

transact business in this state, every unauthorized insurance company transacting business pursuant to chapter 384, every risk retention group, every insurance company issuing policies or providing benefits to or through a purchasing group, and any other person providing insurance coverage in this state.

8. The director of the department of insurance, financial institutions and professional registration shall promulgate rules for the administration and enforcement of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

383.300. As used in sections 383.300 to 383.321, the following terms mean:

(1) “Director”, the director of the department of insurance;

(2) “Fund”, the Missouri health care stabilization fund established pursuant to sections 383.300 to 383.321;

(3) “Health care provider”, includes physicians, dentists, clinical psychologists, pharmacists, optometrists, podiatrists, registered nurses, physicians’ assistants, chiropractors, physical therapists, nurse anesthetists, anesthetists, emergency medical technicians, hospitals, nursing homes, and extended care facilities; but shall not include any nursing service or nursing facility conducted by and for those who rely upon treatment by spiritual means alone in accordance with the creed or tenets of any well-recognized church or religious denomination;

(4) “Insurer”, any insurance company, association, exchange, or legal entity authorized to issue policies of medical malpractice insurance in this state;

(5) “Medical malpractice insurance”, insurance coverage against the legal liability of the insured and against loss, damage, or expense incident to a claim arising out of the death or injury of any person as a result of the negligence or malpractice in rendering professional service by any health care provider.

383.303. 1. There is hereby created in the state treasury the “Missouri Health Care Stabilization Fund”. Membership fees and premium surcharges collected pursuant to section 383.312 shall be deposited in the fund. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the Missouri health care stabilization fund shall not revert to the general revenue fund. Interest accruing to the fund shall be part of the fund. Moneys in the fund shall be invested and reinvested in the same manner as provided by law for the investment of other state funds in interest-bearing investments. All expenses of collecting, protecting, and administering the fund shall be paid from the fund.

2. The Missouri health care stabilization fund shall be used for the purpose of paying that portion of a medical malpractice claim, settlement, or judgment which is in excess of the limits expressed in section 383.318 or the maximum liability limits for which the health care provider is insured, whichever limit is greater. The fund is liable only for payment of claims against licensed health care providers in compliance with the provisions of sections 383.300 to 383.321 and includes reasonable

and necessary expenses incurred in payment of claims and the fund's administrative expense. The fund shall not be liable for damages for injury or death caused by an intentional crime committed by a health care provider or an employee of a health care provider, whether or not the criminal conduct is the basis for a medical malpractice claim. The fund shall have no obligation for the payment of punitive damages rendered in any judgment. The state shall not be responsible for any costs, expenses, liabilities, judgments, or other obligations of the fund.

3. The maximum amount recoverable under the Missouri health care stabilization fund for any single claim pursuant to sections 383.300 to 383.321 shall not exceed eight hundred thousand dollars pursuant to any one judgment or settlement for any party against a health care provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in one year in an amount of two million four hundred thousand dollars for any health care provider.

383.306. 1. There is hereby created within the department of insurance the "Health Care Stabilization Board", which shall be composed of the director and nine members appointed by the governor with the advice and consent of the senate. The board shall be composed of:

(1) One member who is licensed to practice medicine and surgery in Missouri who is a doctor of medicine and who is on a list of nominees submitted to the director by an organization representing Missouri's medical society;

(2) One member who is a doctor of osteopathy and who is on a list of nominees submitted to the director by an organization representing Missouri doctors of osteopathy;

(3) One member who is a licensed nurse in Missouri and who is on a list submitted to the director by an organization representing Missouri nurses;

(4) One member who is a representative of Missouri hospitals and who is on a list of nominees submitted to the director by an organization representing Missouri hospitals;

(5) Two members who are insurance representatives and who are on a list of nominees submitted to the director by the insurance industry;

(6) Two members who are attorneys that handle medical malpractice and who are on a list of nominees submitted to the director by an organization representing Missouri attorneys;

(7) One member of the general public appointed by the governor who is unaffiliated with the insurance or health care industries or the medical or legal professions; and

(8) The director.

2. The board is created to manage and operate the Missouri health care stabilization fund. The appointed members shall serve for a term of six years. Each member shall serve until a successor is appointed and qualified. The board must meet at the call of the director or a majority of the members but in any event it must meet at least once a year. A majority of the board members shall constitute a quorum for the transaction of any business of the board. The affirmative vote by a majority of the quorum present at a duly called meeting after notice is required to exercise any function of the board.

3. The board may promulgate any regulations necessary to carry out the provisions of sections 383.300 to 383.324. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and

chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. When a vacancy occurs in the membership of the board created by this section, the governor, with the advice and consent of the senate, shall appoint a successor of like qualifications from a list of three nominees submitted to the director by the professional society or association prescribed by this section. Whenever a vacancy occurs in the membership of the board created by this section for any reason other than the expiration of a member's term of office, the governor, with the advice and consent of the senate, shall appoint a successor of like qualifications to fill the unexpired term. In each case of a vacancy occurring in the membership of the board, the director shall notify the professional society or association required for the vacant position and request a list of three nominations from which to make the appointment.

5. The board shall develop a plan of operation for the efficient administration of the fund consistent with the provisions of sections 383.300 to 383.321. The fund must operate pursuant to a plan of operation which shall provide for the economic, fair, and nondiscriminatory administration and for the prompt and efficient provision of excess medical malpractice insurance and which may contain other provisions including, but not limited to, assessment of all members for expenses, deficits, losses, commissions arrangements, reasonable underwriting standards, acceptance and cession of reinsurance appointment of servicing carriers, and procedures for determining the amounts of insurance to be provided by the Missouri health care stabilization fund. The plan of operation and any amendments to the plan are subject to the approval of the director. If the board fails to develop a plan of operation within the time frame established by the director, the director or the director's designee shall develop the plan of operation for the fund.

6. The board may appoint such additional employees, and provide all office space, services, equipment, materials and supplies, and all budgeting, personnel, purchasing, and related management functions required by the board in the exercise of the powers, duties, and functions imposed or authorized by sections 383.300 to 383.321.

7. The department of insurance shall:

(1) Provide technical and administrative assistance to the board with respect to administration of the fund upon request of the board; and

(2) Provide such expertise as the board may reasonably request with respect to evaluation of claims or potential claims.

383.309. All Missouri licensed health care providers shall participate in the fund and shall remit to the board the appropriate membership fees and premium surcharges as are required by section 383.312 on or before the provider's membership anniversary date.

383.312. 1. All health care providers shall participate in the Missouri health care stabilization fund and shall pay annual membership fees. The board, by rule, shall set the membership fees. The rule shall provide that fees may be paid annually or in semiannual or quarterly installments.

2. In addition to the membership fees delineated in subsection 1 of this section, the board shall levy an annual premium surcharge on each participating health care provider who has obtained a policy

meeting the requirements of section 383.315 and upon each self-insurer. The surcharge shall be determined by the board based upon sound actuarial principles, using data obtained from Missouri experience if available. The amount of the surcharge shall be adequate for the payment of claims and expenses from the Missouri health care stabilization fund. The amount of the surcharge shall be reasonable and not unfairly discriminatory.

3. The surcharge shall be collected on the same basis as premiums by each insurer from the health care provider. The surcharge with accrued interest shall be due and payable within thirty days after the premiums for medical malpractice insurance have been received by the insurer from the health care provider in Missouri.

4. If the annual premium surcharge is collected but not paid within the time limit specified in subsection 3 of this section, the certificate of authority of the insurer, risk manager, or surplus lines agents shall be suspended until the annual premium surcharge is paid.

5. Membership in the fund is contingent upon the participating member making timely payment of all membership fees and all premium surcharges.

6. Self-insureds shall be eligible for membership in the fund upon compliance with the requirements of the board and shall pay similar membership fees and premium surcharges as the members. The surcharge for self-insureds shall be in an amount determined by the board. The amount of the surcharge imposed on the self-insured shall be in an amount comparable to what a health care provider would be required to pay if the provider's surcharge was based upon a policy of medical malpractice insurance.

383.315. 1. All books, records, and audits of the fund are open for reasonable inspection to the general public.

2. On or before December thirty-first of each year the state auditor shall audit the records of the fund and shall furnish an audited financial report to all fund participants, the department of insurance, and the general assembly.

383.318. 1. All health care providers shall participate in the Missouri health care stabilization fund and shall either insure and keep insured the health care provider's liability by a policy of medical malpractice insurance issued by an insurer authorized to do business in this state or shall qualify as a self-insurer. Qualification as a self-insurer is subject to conditions established by the board. The board may establish conditions that permit a self-insurer to self-insure for claims that are against employees who are health care providers and that are not covered by the fund.

2. The liability limits for a policy of medical malpractice insurance required by subsection 1 of this section shall not be less than two hundred thousand dollars per claim, and shall not be less than six hundred thousand dollars for all claims in any one reporting year.

3. Each insurance company issuing medical malpractice insurance policies that meet the requirements of this section shall, at the times prescribed by the director, file with the director in a form prescribed by the director, a certificate of insurance on behalf of the health care provider upon original issuance and each renewal.

4. Each self-insured health care provider furnishing coverage that meets the requirements of this section shall, at the time and in a form prescribed by the board, file with the board a certificate of self-

insurance and a separate certificate of insurance for each additional health care provider covered by the self-insured plan.

383.321. 1. A person filing a claim may recover from the fund only if the health care provider or the employee of the health care provider has coverage under the fund, the fund is named as a party in the action, and the action against the fund is commenced within the same time limitation within which the action against the health care provider or employee of the health care provider must be commenced.

2. If, after reviewing the facts upon which the claim or action is based, it appears reasonably probable that damages paid will exceed the limits provided in section 383.318, the fund may appear and actively defend itself when named as a party in an action against a health care provider, or an employee of a health care provider, that has coverage under the fund. In such action, the fund may retain counsel and pay out of the fund attorney fees and expenses including court costs incurred in defending the fund. The attorney or law firm retained to defend the fund shall not be retained or employed by the board to perform legal services for the board of other than those directly connected with the fund. Any judgment affecting the fund may be appealed as provided by law.

3. It shall be the responsibility of the insurer or self-insurer providing insurance or self-insurance for a health care provider who is also covered by the fund to provide an adequate defense of the fund on any claim filed that may potentially affect the fund with respect to such insurance contract or self-insurance contract. The insurer or self-insurer shall act in good faith and in a fiduciary relationship with respect to any claim affecting the fund. No settlement exceeding an amount which could require payment by the fund may be agreed to unless approved by the board.

4. A person who has recovered a final judgment or a settlement approved by the board against a health care provider, or an employee of a health care provider that has coverage under the fund, may file a claim with the board to recover that portion of such judgment or settlement which is in excess of the limits provided in section 383.318 or the maximum liability limit for which the health care provider is insured, whichever limit is greater. In no event, however, shall the amount recoverable from the fund exceed the amounts established under subsection 3 of section 383.303. Payments shall be made from money collected and paid into the fund and from interest earned thereon.

5. Claims filed against the fund shall be paid in the order received within ninety days after filing unless appealed by the fund. If the amounts in the fund are not sufficient to pay all of the claims, claims received after the funds are exhausted shall be immediately payable the following year in the order in which they were received.

6. The board may bring an action against an insurer, self-insurer, or health care provider for failure to act in good faith or breach of fiduciary responsibility.

383.400. 1. As used in this section, the term “insurer” or “insurers” shall mean any insurance company, mutual insurance company, medical malpractice association, any entity created under this chapter, or other entity providing any insurance to any health care provider, as defined in section 538.205, practicing medicine in the state of Missouri, against claims for malpractice or professional negligence; provided, however, that the term “insurer” or “insurers” shall not mean any surplus lines insurer operating under chapter 384, or any entity to the extent it is self-insuring its exposure to medical malpractice liability.

2. Notwithstanding any other provision of law, no insurer shall, with regards to medical malpractice insurance as defined in section 383.150:

(1) Charge an assessment or surcharge, or increase the premium charges, by more than ten percent for such insurance without first providing written notice by certified United States mail to the insured at least sixty days prior to the effective date of such actions; provided, however, such notice is not required if the premium change is due to the request of the insured;

(2) Fail or refuse to renew the aforesaid insurance without first providing written notice by certified United States mail to the insured at least sixty days prior to the effective date of such actions, unless such failure or refusal to renew is based upon a failure to pay sums due or a termination or suspension of the health care provider's license to practice medicine in the state of Missouri, termination of the insurer's reinsurance program, or a material change in the nature of the insured's health care practice; or

(3) Cease the issuance of such policies of insurance in the state of Missouri without first providing written notice by certified United States mail to the insured and to the Missouri department of insurance at least one hundred eighty days prior to the effective date of such actions.

3. Any insurer that fails to provide the notice required under subdivisions (1) and (2) of subsection 2 of this section shall, at the option of the insured, continue the coverage in accordance with the provisions of subdivision (2) of subsection 6 of section 379.321.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** is out of order as it goes beyond the subject matter of the underlying bill.

Senator Lager assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it not well taken.

SA 1 was again taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Kraus, Lamping, Schaaf and Rupp.

Senator Dixon offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Bill No. 112, Pages 1-5, Section 383.206, by striking all of said section from the amendment; and further amend said amendment page 7, section 383.306, line 24 by striking the word “nine” and inserting in lieu thereof the following: “**ten**”; and further amend said amendment, page 8, line 19, by striking the word “and” and inserting in lieu thereof the following:

“(8) One member who is a representative of the long term care industry and who is on a list of nominees submitted to the director by the long term care industry; and”; and

Further renumber the remaining subdivision accordingly.

Senator Dixon moved that **SA 1** to **SA 1** be adopted and requested a roll vote be taken. He was joined in his request by Senators Keaveny, Justus, Lamping and Holsman.

SA 1 to **SA 1** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Justus	Keaveny	Lager	LeVota
McKenna	Nasheed	Schaefer	Schmitt	Sifton	Silvey	Walsh—15	

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lamping	Libla
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Wallingford	Wasson—19					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SA 1 was again taken up.

Senator Schaefer moved that **SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Justus	Keaveny	Lager	LeVota
McKenna	Schaefer	Schmitt	Sifton	Walsh—13			

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Kraus	Lamping	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Silvey	Wallingford	Wasson—21			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 112, Page 2, Section 538.210, Line 9, by striking “three hundred fifty thousand” and inserting in lieu thereof the following: “**one million**”; and further amend line 36, by inserting after all of said line the following:

“8. The limitation on awards for noneconomic damages provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the

Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall submit that value to the secretary of state, to publish in the Missouri Register as soon after each January first as practicable. Publication of the value shall be exempt from the provisions of section 536.021.”.

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

At the request of Senator Brown, **HB 112**, with **SA 2** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 601—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 881—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 275—Small Business, Insurance and Industry.

HCS for HB 76—Education.

HCS for HB 344—Veterans’ Affairs and Health.

HCS for HB 387—Financial and Governmental Organizations and Elections.

HCS for HB 415—Transportation and Infrastructure.

HCS for HB 348—Education.

HCS for HB 543—Governmental Accountability and Fiscal Oversight.

HCS for HB 372—General Laws.

HCS for HB 541—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 161—Jobs, Economic Development and Local Government.

HCS for HB 589—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 78—Jobs, Economic Development and Local Government.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 1**. Representatives: Stream, Flanigan, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2**. Representatives: Stream, Lair, and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 3**. Representatives: Stream, Flanigan, and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 4**. Representatives: Stream, Hoskins, and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 5**. Representatives: Stream, Parkinson, and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**, as amended. Representatives: Stream, Redmon, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 7**, as amended. Representatives: Stream, Flanigan, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Stream, Haefner, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Stream, Flanigan, and Schupp.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 10**. Representatives: Stream, Allen, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for

HB 11, as amended. Representatives: Stream, Flanigan, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 12**. Representatives: Stream, Flanigan, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 13**. Representatives: Stream, Flanigan, and Kirkton.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 847, regarding Edwin G. Carlstrom, Hazelwood, which was adopted.

Senator Kehoe offered Senate Resolution No. 848, regarding Zachary L. Aughtman, Loose Creek, which was adopted.

Senator Kehoe offered Senate Resolution No. 849, regarding Chad Andrew Stegeman, Loose Creek, which was adopted.

Senator Kehoe offered Senate Resolution No. 850, regarding Gavin M. Williams, Loose Creek, which was adopted.

Senator Walsh offered Senate Resolution No. 851, regarding Robert C. Muckler, Ballwin, which was adopted.

Senator Kraus offered Senate Resolution No. 852, regarding Jessi Cox, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 853, regarding Kay Rader, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Taiylor Llewellyn, Warrensburg.

Senator Pearce introduced to the Senate, Dr. Chad Stebbins, Ms. Britta Wright, faculty, staff and two hundred twenty-seven international students, representatives of 2013 Missouri International Education Day.

Senator Munzlinger introduced to the Senate, Superintendent Will Perkins, Mrs. Tatum Reed, Mrs. Faith Christophel, Mr. Aaron Baker and nineteen fourth grade students from Atlanta C-3 School District.

Senator Silvey introduced to the Senate, fifth and seventh grade students from Faith Christian Academy, Kansas City.

Senator Sater introduced to the Senate, international students from College of the Ozarks, Point Lookout.

Senator Justus introduced to the Senate, former State Senator Charles Wheeler, Kansas City.

Senator Schaaf introduced to the Senate, Jim and Marsha Conant, St. Joseph.

Senator Kehoe introduced to the Senate, Ms. Hopkins, Ms. Ziegelbein and thirty-six fifth grade students

from Trinity Lutheran School, Jefferson City; and Brooke Bates was made an honorary page.

Senator Pearce introduced to the Senate, Dr. Judith DeLany, Superintendent, Carrollton R-VII School District.

Senator Richard introduced to the Senate, Gary Melhorn, M.D., Springfield.

Senator Emery introduced to the Senate, Roger Berg, Stephanie Wimsatt, Cecil Collins and eight fifth and sixth grade students from Training Center Christian School, Garden City.

Senator Chappelle-Nadal introduced to the Senate, Dr. Sharmon Wilkinson, Superintendent, Clayton School District; Dr. Joylynn Pruitt, Superintendent, University City School District; and Dr. Alexander Babich, University City.

Senator Keaveny introduced to the Senate, P. Kumar Rao, M.D., David Salvay, M.D., Manik Goel, M.D., Sarah Jacobs, M.D., Bradley Shoss, M.D., Cecilia Lee, M.D. and Mouhammed Abuattieh, M.D., Washington University, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTIETH DAY—WEDNESDAY, MAY 1, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HJR 26
HCS for HB 653
HB 421-Curtman
HCS for HB 986

HCS for HB 675
HCS for HB 285
HCS for HB 859

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)
SS for SB 401-Rupp (In Fiscal Oversight)

SS for SCS for SB 437-Pearce
SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 30-Brown, with SCS

SB 325-Nieves

SB 78-Lamping, with SCS

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager) (In Fiscal Oversight)

2. HB 542-Love, et al, with SCS

(Munzlinger)

3. HB 329-Dugger and Crawford, with SCS

(Cunningham)

4. HCS for HBs 256, 33 & 305 (Kehoe)

5. HB 346-Molendorp (Wasson)

6. HB 331-Miller and Funderburk (Emery)

7. HCS for HB 194 (Parson) (In Fiscal Oversight)

8. HB 307-Riddle, et al, with SCS (Schmitt)

9. HCS for HB 656 (Nasheed)

10. HB 316-Phillips, et al (Sater)

(In Fiscal Oversight)

11. HCS for HBs 446 & 211 (Cunningham)

12. HB 478-Wieland, et al (Romine)

13. HCS for HBs 374 & 434, with SCS (Dixon)

14. HCS for HB 215, with SCS (Dixon)

(In Fiscal Oversight)

15. HB 400-Riddle, et al (Wallingford)

16. HB 274-Brattin, et al, with SCS (Brown)

(In Fiscal Oversight)

17. HCS for HB 168 (Kraus) (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 48-Lamping

SB 53-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 82-Schaefer, with SCS

SB 109-Brown, with SCS

SB 133-Keaveny and Holsman, with SCS &

SA 1 (pending)

SB 141-Dempsey

SB 167-Sater and Wallingford, with SCS

SB 174-Parson, with SCS

SB 175-Wallingford

SB 207-Kehoe, et al, with SCS

SB 210-Lamping and Nieves, with SCS

SB 231-Munzlinger, with SA 1 (pending)

SB 239-Emery, with SCS & SA 2 (pending)

SB 250-Schaaf, with SCS

SB 259-Schaaf, with SCS

SB 272-Nieves, with SA 2 (pending)

SB 285-Romine

SB 291-Rupp

SB 292-Rupp

SB 308-Schaaf

SB 315-Pearce

SB 339-Romine

SB 343-Parson

SB 364-Parson

SB 371-Munzlinger, with SCS

SB 377-Dixon

SB 383-Wallingford

SB 396-Holsman and Chappelle-Nadal,
with SCS
SB 403-Rupp, with SCS
SB 410-Kehoe
SB 419-Lager, with SCS

SB 423-Nasheed
SB 441-Dempsey
SB 448-Schmitt and Keaveny
SB 455-Nieves, with SCS
SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
HB 55-Flanigan and Allen, with SCS
(Schaefer)
HB 112-Burlison, with SA 2 (pending)
(Brown)
HB 184-Cox, et al (Parson)

HCS for HB 199 (Lamping)
HB 432-Funderburk, et al, with SCS
(Lager)
HCS for HB 436, with SCS (pending)
(Nieves)
HCS for HB 457, with SCS (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HCS for HB 1, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS, as amended
(Schaefer)
HCS for HB 7, with SCS, as amended
(Schaefer)

HCS for HB 8, with SCS (Schaefer)
HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)
HCS for HJR 11 & 7, with SS, as amended
(Parson)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTIETH DAY—WEDNESDAY, MAY 1, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Lord, take me where you want me to go, let me meet who you want me to meet, tell me what you want me to say, and keep me out of your way.” (Prayer of Father Mychal Judge)

Almighty God, we share the prayer thoughts of Father Judge mindful always that we are here to serve You most of all. We know that our words and actions do reflect on who we are and what we believe and so we pray that we may truly be Yours and open always to what You desire of us. May we this day reflect this surrendering to Your almighty will being all You have created us to be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 854, regarding the Eightieth Birthday of Jim Pirie, Belton, which was adopted.

Senator Parson offered Senate Resolution No. 855, regarding Linda Gibbens Meador, which was adopted.

Senator LeVota offered Senate Resolution No. 856, regarding Dick Wilson, Independence, which was adopted.

HOUSE BILLS ON THIRD READING

HB 542, introduced by Representative Love, et al, with **SCS**, entitled:

An Act to repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.

Was taken up by Senator Munzlinger.

SCS for **HB 542**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 542

An Act to repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, and 413.225, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 542** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **HB 542**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 542

An Act to repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, and 413.225, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

Senator Munzlinger moved that **SS** for **SCS** for **HB 542** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 24, Section 413.225, Line 28 of said page, by inserting immediately after said line the following:

“644.052. 1. Persons with operating permits or permits by rule issued pursuant to this chapter shall pay fees pursuant to subsections 2 to 8 and 12 to 13 of this section. Persons with a sewer service connection to public sewer systems owned or operated by a city, public sewer district, public water district or other publicly owned treatment works shall pay a permit fee pursuant to subsections 10 and 11 of this section.

2. A privately owned treatment works or an industry which treats only human sewage shall annually pay a fee based upon the design flow of the facility as follows:

(1) One hundred dollars if the design flow is less than five thousand gallons per day;

(2) One hundred fifty dollars if the design flow is equal to or greater than five thousand gallons per day but less than six thousand gallons per day;

(3) One hundred seventy-five dollars if the design flow is equal to or greater than six thousand gallons per day but less than seven thousand gallons per day;

(4) Two hundred dollars if the design flow is equal to or greater than seven thousand gallons per day but less than eight thousand gallons per day;

(5) Two hundred twenty-five dollars if the design flow is equal to or greater than eight thousand gallons per day but less than nine thousand gallons per day;

(6) Two hundred fifty dollars if the design flow is equal to or greater than nine thousand gallons per day but less than ten thousand gallons per day;

(7) Three hundred seventy-five dollars if the design flow is equal to or greater than ten thousand gallons per day but less than eleven thousand gallons per day;

(8) Four hundred dollars if the design flow is equal to or greater than eleven thousand gallons per day but less than twelve thousand gallons per day;

(9) Four hundred fifty dollars if the design flow is equal to or greater than twelve thousand gallons per day but less than thirteen thousand gallons per day;

(10) Five hundred dollars if the design flow is equal to or greater than thirteen thousand gallons per day but less than fourteen thousand gallons per day;

(11) Five hundred fifty dollars if the design flow is equal to or greater than fourteen thousand gallons per day but less than fifteen thousand gallons per day;

(12) Six hundred dollars if the design flow is equal to or greater than fifteen thousand gallons per day but less than sixteen thousand gallons per day;

(13) Six hundred fifty dollars if the design flow is equal to or greater than sixteen thousand gallons per day but less than seventeen thousand gallons per day;

(14) Eight hundred dollars if the design flow is equal to or greater than seventeen thousand gallons per day but less than twenty thousand gallons per day;

(15) One thousand dollars if the design flow is equal to or greater than twenty thousand gallons per day but less than twenty-three thousand gallons per day;

(16) Two thousand dollars if the design flow is equal to or greater than twenty-three thousand gallons per day but less than twenty-five thousand gallons per day;

(17) Two thousand five hundred dollars if the design flow is equal to or greater than twenty-five thousand gallons per day but less than thirty thousand gallons per day;

(18) Three thousand dollars if the design flow is equal to or greater than thirty thousand gallons per day but less than one million gallons per day; or

(19) Three thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

3. Persons who produce industrial process wastewater which requires treatment and who apply for or

possess a site-specific permit shall annually pay:

(1) Five thousand dollars if the industry is a class IA animal feeding operation as defined by the commission; or

(2) For facilities issued operating permits based upon categorical standards pursuant to the Federal Clean Water Act and regulations implementing such act:

(a) Three thousand five hundred dollars if the design flow is less than one million gallons per day; or

(b) Five thousand dollars if the design flow is equal to or greater than one million gallons per day.

4. Persons who apply for or possess a site-specific permit solely for industrial storm water shall pay an annual fee of:

(1) One thousand three hundred fifty dollars if the design flow is less than one million gallons per day; or

(2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than one million gallons per day.

5. Persons who produce industrial process wastewater who are not included in subsection 2 or 3 of this section shall annually pay:

(1) One thousand five hundred dollars if the design flow is less than one million gallons per day; or

(2) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

6. Persons who apply for or possess a general permit shall pay:

(1) Three hundred dollars for the discharge of storm water from a land disturbance site;

(2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;

(3) One hundred fifty dollars for the operation of an animal feeding operation or a concentrated animal feeding operation;

(4) One hundred fifty dollars annually for new permits for the discharge of process water or storm water potentially contaminated by activities not included in subdivisions (1) to (3) of this subsection. Persons paying fees pursuant to this subdivision with existing general permits on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after August 27, 2000, shall pay sixty dollars annually;

(5) Up to two hundred fifty dollars annually for the operation of an aquaculture facility.

7. Requests for modifications to state operating permits on entities that charge a service connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred dollar fee. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

8. Requests for state operating permit modifications other than those described in subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the annual operating fee assessed for the facility pursuant to this section. **However, requests for modifications for such operating permits that seek name changes, address changes, or other nonsubstantive changes to the operating permit shall be**

accompanied by a fee of one hundred dollars. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

9. Persons requesting water quality certifications in accordance with Section 401 of the Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard application form for a Section 404 permit as administered by the U.S. Army Corps of Engineers or similar information required for other federal licenses and permits, except that the fee is waived for water quality certifications issued and accepted for activities authorized pursuant to a general permit or nationwide permit by the U.S. Army Corps of Engineers.

10. Persons with a direct or indirect sewer service connection to a public sewer system owned or operated by a city, public sewer district, public water district, or other publicly owned treatment works shall pay an annual fee per water service connection as provided in this subsection. Customers served by multiple water service connections shall pay such fee for each water service connection, except that no single facility served by multiple connections shall pay more than a total of seven hundred dollars per year. The fees provided for in this subsection shall be collected by the agency billing such customer for sewer service and remitted to the department. The fees may be collected in monthly, quarterly or annual increments, and shall be remitted to the department no less frequently than annually. The fees collected shall not exceed the amounts specified in this subsection and, except as provided in subsection 11 of this section, shall be collected at the specified amounts unless adjusted by the commission in rules. The annual fees shall not exceed:

(1) For sewer systems that serve more than thirty-five thousand customers, forty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(2) For sewer systems that serve equal to or less than thirty-five thousand but more than twenty thousand customers, fifty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(3) For sewer systems that serve equal to or less than twenty thousand but more than seven thousand customers, sixty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(4) For sewer systems that serve equal to or less than seven thousand but more than one thousand customers, seventy cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(5) For sewer systems that serve equal to or less than one thousand customers, eighty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(6) Three dollars for commercial or industrial customers not served by a public water system as defined in chapter 640;

(7) Three dollars per water service connection for all other customers with water service connections of less than or equal to one inch excluding taps for fire suppression and irrigation systems;

(8) Ten dollars per water service connection for all other customers with water service connections of more than one inch but less than or equal to four inches, excluding taps for fire suppression and irrigation

systems;

(9) Twenty-five dollars per water service connection for all other customers with water service connections of more than four inches, excluding taps for fire suppression and irrigation systems.

11. Customers served by any district formed pursuant to the provisions of section 30(a) of article VI of the Missouri Constitution shall pay the fees set forth in subsection 10 of this section according to the following schedule:

(1) From August 28, 2000, through September 30, 2001, customers of any such district shall pay fifty percent of such fees; and

(2) Beginning October 1, 2001, customers of any such districts shall pay one hundred percent of such fees.

12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay a filing fee of twenty-five dollars.

13. For any general permit issued to a state agency for highway construction pursuant to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the permit.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 24, Section 413.225, Line 28, by inserting after all of said line the following:

“640.725. 1. The owner or operator of any flush system animal waste wet handling facility shall employ one or more persons who shall **once per week** visually inspect the [animal waste wet handling facility and lagoons for unauthorized discharge and structural integrity at least every twelve hours with a deviation of not to exceed three hours] **gravity outfall lines, recycle pump stations, recycle force mains, and appurtenances for any release to any containment structure required by section 640.730. The owner or operator shall also visually inspect once per day any lagoon whose water level is less than twelve inches from the emergency spillway.** The owner or operator of the facility shall keep records of each inspection. Such records shall be retained for three years. The department shall provide or approve a form provided by the owner or operator for each facility for such inspections.

2. All new construction permits for flush system animal waste wet handling facilities shall have an electronic or mechanical shutoff of the system in the event of pipe stoppage. As of July 1, 1997, all existing flush system animal waste wet handling facilities shall have, at a minimum, an electronic or mechanical shutoff of the system in the event of pipe stoppage or backflow.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Pearce offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 7, Section 196.311, Line 22, by inserting after all of said line the following:

“262.598. 1. As used in this section, the following terms shall mean:

- (1) “Consolidated district”, a district formed jointly by two or more councils;**
- (2) “Council”, a University of Missouri extension council authorized under section 262.563;**
- (3) “District” or “extension district”, a political subdivision formed by one or more councils;**
- (4) “Single-council district”, a district formed by one council;**
- (5) “Governing body”, the group of individuals who govern a district.**

2. University of Missouri extension councils , except for any council located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district’s governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council shall also have the powers and duties provided under subsection 5 of this section.

4. In a consolidated district, the governing body of the district shall consist of at least three, but no more than five, representatives appointed by each participating council. The term of office shall be two years. Representatives may be reappointed. The governing body shall elect officers, who shall serve as officers for two years, and establish a regular meeting schedule which shall not be less than once every three months.

5. The governing body of a district shall have the following powers and duties:

- (1) Review the activities and annual budgets of each participating council;**
- (2) Determine, by September first of each year, the tax rate necessary to generate sufficient revenue to fund the extension programming in the district, which includes annual funding for each participating council for the costs of personnel and the acquisition, supply, and maintenance of each council’s property, work, and equipment;**
- (3) Oversee the collection of any tax authorized under this section by ensuring the revenue is deposited into a special fund and monitoring the use of the funds to ensure they are used solely for extension programming in the district;**
- (4) Approve payments from the special fund in which the tax revenue is deposited; and**
- (5) Work cooperatively with each participating council to plan and facilitate the programs, equipment, and activities in the district.**

6. The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the county or counties that compose the district. Questions may be submitted to the voters of the district at any general municipal election. Any such proposed tax shall not exceed

thirty cents per one hundred dollars of assessed valuation. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. Such question shall be submitted in substantially the following form:

“Shall the Extension District in County (insert name of county) be authorized to levy an annual tax of (insert amount not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?”

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then no tax shall be imposed. In a consolidated district, if a majority of voters in each county in the district approve the question, then the district shall impose the tax. If a majority of the voters in a consolidated district do not approve the question, then no tax shall be imposed in any county of the district. In a consolidated district, if a majority of voters in a county do not approve the question, the council in the county that did not approve the question may withdraw from the district. Upon such withdrawal, the district shall be made up of the remaining counties and the tax shall be imposed in those counties. However, if the county that did not approve the question does not withdraw from the district, the tax shall not be imposed. Revenues collected from the imposition of a tax authorized under this section shall be deposited into a special fund dedicated only for use by the local district for programming purposes.

7. The county commission of any county in which the tax authorized under this section is levied and collected:

(1) Shall be exempt from the funding requirements under section 262.597 if revenue derived from the tax authorized under this section is in excess of an amount equal to two hundred percent of the average funding received under section 262.597 for the immediately preceding three years; or

(2) May reduce the current year's funding amount under section 262.597 by thirty-three percent of the amount of tax revenues derived from the tax authorized under this section which exceed the average amount of funding received under section 262.597 for the immediately preceding three years.

8. Any county that collects tax revenues authorized under this section shall transfer all attributable revenue plus monthly interest for deposit into the district's special fund. The governing body of the district shall comply with the prudent investor standard for investment fiduciaries as provided in section 105.688.

9. In any county in which a single-council district is established, and for which a tax has not been levied, the district may be dissolved in the same manner in which it was formed.

10. A county may withdraw from a consolidated district at any time by the filing of a petition with the circuit court having jurisdiction over the district. The petition shall be signed by not fewer than ten percent of those who voted in the most recent presidential election in the county seeking to withdraw that is part of a consolidated district stating that further operation of the district is contrary to the best interest of the inhabitants of the county in which the district is located and that the county seeks to withdraw from the district. The circuit court shall hear evidence on the petition. If the court finds that it is in the best interest of the inhabitants of the county in which the district is located for the county to withdraw from the district, the court shall make an order reciting the same and submit

the question to the voters. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following format:

“Shall the County of (insert name of county) being part of (insert name of district) Extension District withdraw from the district?”

The question shall be submitted at the next general municipal election date. The election returns shall be certified to the court. If the court finds that two-thirds of the voters voting on the question voted in favor of withdrawing from the district, the court shall issue an order withdrawing the county from the district, which shall contain a proviso that the district shall remain intact for the sole purposes of paying all outstanding and lawful obligations and disposing of the district’s property. No additional costs or obligations for the withdrawing county shall be created except as necessary. The withdrawal shall occur on the first day of the following January after the vote. If the court finds that two-thirds of the voters voting on the question shall not have voted favorably on the question to withdraw from the district, the court shall issue an order dismissing the petition and the district shall continue to operate.

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following form:

“Shall the Extension District in (insert name of county or counties) be authorized to increase the tax rate from (insert current amount of tax) cents to (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?”

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. In a consolidated district, if a majority of voters in the district approve the question, then the district shall impose the new tax rate. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 16, Section 262.900, Line 14, by inserting after all of said line the following:

“14. The provisions of this section shall not apply to any county with a charter form of government

and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.”.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **HB 542**, as amended, be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **HB 542**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **SCS** for **HB 542**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

At the request of Senator Cunningham, **HB 329**, with **SCS**, was placed on the Informal Calendar.

HCS for **HBs 256, 33** and **305**, was placed on the Informal Calendar.

HB 346 was placed on the Informal Calendar.

HB 331, introduced by Representatives Miller and Funderburk, entitled:

An Act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

Was taken up by Senator Emery.

Senators Emery and Lager offered **SS** for **HB 331**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 331

An Act to repeal sections 67.1830, 67.1836, 67.1838, 67.1842, 392.415, 392.420, and 392.461, RSMo, and to enact in lieu thereof twenty-two new sections relating to telecommunications.

Senator Emery moved that **SS** for **HB 331** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Emery, **SS** for **HB 331** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators—None

Absent—Senators

Kraus	McKenna	Rupp	Walsh—4
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 329, introduced by Representatives Dugger and Crawford, with **SCS**, entitled:

An Act to repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan violations reporting, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Cunningham.

SCS for **HB 329**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 329

An Act to repeal sections 361.160, 408.140, 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof four new sections relating to financial institutions.

Was taken up.

Senator Cunningham moved that **SCS** for **HB 329** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 329, Page 8, Section 408.600, Line 43, by inserting after all of said line the following:

“513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person’s interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.072, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409); except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan [or], profit-sharing plan, **health savings plan, or similar plan, including an inherited account or plan**, that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, **whether such participant's or beneficiary's**

interest arises by inheritance, designation, appointment, or otherwise, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms “alternate payee” and “qualified domestic relations order” have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor’s right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute House Bill No. 329, Page 1, Section A, Line 3, by inserting after all of said line the following:

“208.010. 1. In determining the eligibility of a claimant for public assistance pursuant to this law, it shall be the duty of the **family support** division [of family services] to consider and take into account all facts and circumstances surrounding the claimant, including his or her living conditions, earning capacity, income and resources, from whatever source received, and if from all the facts and circumstances the claimant is not found to be in need, assistance shall be denied. In determining the need of a claimant, the costs of providing medical treatment which may be furnished pursuant to sections 208.151 to 208.158 [and 208.162] shall be disregarded. The amount of benefits, when added to all other income, resources, support, and maintenance shall provide such persons with reasonable subsistence compatible with decency and health in accordance with the standards developed by the **family support** division [of family services]; provided, when a husband and wife are living together, the combined income and resources of both shall be considered in determining the eligibility of either or both. “Living together” for the purpose of this chapter is defined as including a husband and wife separated for the purpose of obtaining medical care or nursing home care, except that the income of a husband or wife separated for such purpose shall be considered in determining the eligibility of his or her spouse, only to the extent that such income exceeds the amount necessary to meet the needs (as defined by rule or regulation of the division) of such husband or wife living

separately. In determining the need of a claimant in federally aided programs there shall be disregarded such amounts per month of earned income in making such determination as shall be required for federal participation by the provisions of the federal Social Security Act (42 U.S.C.A. 301 et seq.), or any amendments thereto. When federal law or regulations require the exemption of other income or resources, the **family support** division [of family services] may provide by rule or regulation the amount of income or resources to be disregarded.

2. Benefits shall not be payable to any claimant who:

(1) Has or whose spouse with whom he or she is living has, prior to July 1, 1989, given away or sold a resource within the time and in the manner specified in this subdivision. In determining the resources of an individual, unless prohibited by federal statutes or regulations, there shall be included (but subject to the exclusions pursuant to subdivisions (4) and (5) of this subsection, and subsection 5 of this section) any resource or interest therein owned by such individual or spouse within the twenty-four months preceding the initial investigation, or at any time during which benefits are being drawn, if such individual or spouse gave away or sold such resource or interest within such period of time at less than fair market value of such resource or interest for the purpose of establishing eligibility for benefits, including but not limited to benefits based on December, 1973, eligibility requirements, as follows:

(a) Any transaction described in this subdivision shall be presumed to have been for the purpose of establishing eligibility for benefits or assistance pursuant to this chapter unless such individual furnishes convincing evidence to establish that the transaction was exclusively for some other purpose;

(b) The resource shall be considered in determining eligibility from the date of the transfer for the number of months the uncompensated value of the disposed of resource is divisible by the average monthly grant paid or average Medicaid payment in the state at the time of the investigation to an individual or on his or her behalf under the program for which benefits are claimed, provided that:

a. When the uncompensated value is twelve thousand dollars or less, the resource shall not be used in determining eligibility for more than twenty-four months; or

b. When the uncompensated value exceeds twelve thousand dollars, the resource shall not be used in determining eligibility for more than sixty months;

(2) The provisions of subdivision (1) of this subsection shall not apply to a transfer, other than a transfer to claimant's spouse, made prior to March 26, 1981, when the claimant furnishes convincing evidence that the uncompensated value of the disposed of resource or any part thereof is no longer possessed or owned by the person to whom the resource was transferred;

(3) Has received, or whose spouse with whom he or she is living has received, benefits to which he or she was not entitled through misrepresentation or nondisclosure of material facts or failure to report any change in status or correct information with respect to property or income as required by section 208.210. A claimant ineligible pursuant to this subsection shall be ineligible for such period of time from the date of discovery as the **family support** division [of family services] may deem proper; or in the case of overpayment of benefits, future benefits may be decreased, suspended or entirely withdrawn for such period of time as the division may deem proper;

(4) Owns or possesses resources in the sum of one thousand dollars or more; provided, however, that if such person is married and living with spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand dollars; and provided further, that in the case of a temporary assistance

for needy families claimant, the provision of this subsection shall not apply;

(5) Prior to October 1, 1989, owns or possesses property of any kind or character, excluding amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436, or has an interest in property, of which he or she is the record or beneficial owner, the value of such property, as determined by the **family support** division [of family services], less encumbrances of record, exceeds twenty-nine thousand dollars, or if married and actually living together with husband or wife, if the value of his or her property, or the value of his or her interest in property, together with that of such husband and wife, exceeds such amount;

(6) In the case of temporary assistance for needy families, if the parent, stepparent, and child or children in the home owns or possesses property of any kind or character, or has an interest in property for which he or she is a record or beneficial owner, the value of such property, as determined by the **family support** division [of family services] and as allowed by federal law or regulation, less encumbrances of record, exceeds one thousand dollars, excluding the home occupied by the claimant, amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436, one automobile which shall not exceed a value set forth by federal law or regulation and for a period not to exceed six months, such other real property which the family is making a good-faith effort to sell, if the family agrees in writing with the **family support** division [of family services] to sell such property and from the net proceeds of the sale repay the amount of assistance received during such period. If the property has not been sold within six months, or if eligibility terminates for any other reason, the entire amount of assistance paid during such period shall be a debt due the state;

(7) Is an inmate of a public institution, except as a patient in a public medical institution.

3. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the income and resources of a relative or other person living in the home shall be taken into account to the extent the income, resources, support and maintenance are allowed by federal law or regulation to be considered.

4. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the value of burial lots or any amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436 shall not be taken into account or considered an asset of the burial lot owner or the beneficiary of an irrevocable prearranged funeral or funeral contract. For purposes of this section, “burial lots” means any burial space as defined in section 214.270 and any memorial, monument, marker, tombstone or letter marking a burial space. If the beneficiary, as defined in chapter 436, of an irrevocable prearranged funeral or burial contract receives any public assistance benefits pursuant to this chapter and if the purchaser of such contract or his or her successors in interest transfer, amend, or take any other such actions regarding the contract so that any person will be entitled to a refund, such refund shall be paid to the state of Missouri with any amount in excess of the public assistance benefits provided under this chapter to be refunded by the state of Missouri to the purchaser or his or her successors. In determining eligibility and the amount of benefits to be granted under federally aided programs, the value of any life insurance policy where a seller or provider is made the beneficiary or where the life insurance policy is assigned to a seller or provider, either being in consideration for an irrevocable prearranged funeral contract under chapter 436, shall not be taken into account or considered an asset of the beneficiary of the irrevocable prearranged funeral contract. **In addition, the value of any funds, up to nine thousand nine hundred ninety-nine dollars, placed into an irrevocable personal funeral trust account, where the trustee of**

the irrevocable personal funeral trust account is a state or federally chartered financial institution authorized to exercise trust powers in the state of Missouri, shall not be taken into account or considered an asset of the person whose funds are so deposited if such funds are restricted to be used only for the burial, funeral, preparation of the body, or other final disposition of the person whose funds were deposited into said personal funeral trust account. No person or entity shall charge more than ten percent of the total amount deposited into a personal funeral trust in order to create or set up said personal funeral trust, and any fees charged for the maintenance of such a personal funeral trust shall not exceed three percent of the trust assets annually. Trustees may commingle funds from two or more such personal funeral trust accounts so long as accurate books and records are kept as to the value, deposits, and disbursements of each individual depositor's funds and trustees are to use the prudent investor standard as to the investment of any funds placed into a personal funeral trust. If the person whose funds are deposited into the personal funeral trust account receives any public assistance benefits pursuant to this chapter and any funds in the personal funeral trust account are, for any reason, not spent on the burial, funeral, preparation of the body, or other final disposition of the person whose funds were deposited into the trust account, such funds shall be paid to the state of Missouri with any amount in excess of the public assistance benefits provided under this chapter to be refunded by the state of Missouri to the person who received public assistance benefits or his or her successors. No contract with any cemetery, funeral establishment, or any provider or seller shall be required in regards to funds placed into a personal funeral trust account as set out in this subsection.

5. In determining the total property owned pursuant to subdivision (5) of subsection 2 of this section, or resources, of any person claiming or for whom public assistance is claimed, there shall be disregarded any life insurance policy, or prearranged funeral or burial contract, or any two or more policies or contracts, or any combination of policies and contracts, which provides for the payment of one thousand five hundred dollars or less upon the death of any of the following:

(1) A claimant or person for whom benefits are claimed; or

(2) The spouse of a claimant or person for whom benefits are claimed with whom he or she is living. If the value of such policies exceeds one thousand five hundred dollars, then the total value of such policies may be considered in determining resources; except that, in the case of temporary assistance for needy families, there shall be disregarded any prearranged funeral or burial contract, or any two or more contracts, which provides for the payment of one thousand five hundred dollars or less per family member.

6. Beginning September 30, 1989, when determining the eligibility of institutionalized spouses, as defined in 42 U.S.C. Section 1396r-5, for medical assistance benefits as provided for in section 208.151 and 42 U.S.C. Sections 1396a, et seq., the **family support** division [of family services] shall comply with the provisions of the federal statutes and regulations. As necessary, the division shall by rule or regulation implement the federal law and regulations which shall include but not be limited to the establishment of income and resource standards and limitations. The division shall require:

(1) That at the beginning of a period of continuous institutionalization that is expected to last for thirty days or more, the institutionalized spouse, or the community spouse, may request an assessment by the **family support** division [of family services] of total countable resources owned by either or both spouses;

(2) That the assessed resources of the institutionalized spouse and the community spouse may be allocated so that each receives an equal share;

(3) That upon an initial eligibility determination, if the community spouse's share does not equal at least twelve thousand dollars, the institutionalized spouse may transfer to the community spouse a resource allowance to increase the community spouse's share to twelve thousand dollars;

(4) That in the determination of initial eligibility of the institutionalized spouse, no resources attributed to the community spouse shall be used in determining the eligibility of the institutionalized spouse, except to the extent that the resources attributed to the community spouse do exceed the community spouse's resource allowance as defined in 42 U.S.C. Section 1396r-5;

(5) That beginning in January, 1990, the amount specified in subdivision (3) of this subsection shall be increased by the percentage increase in the Consumer Price Index for All Urban Consumers between September, 1988, and the September before the calendar year involved; and

(6) That beginning the month after initial eligibility for the institutionalized spouse is determined, the resources of the community spouse shall not be considered available to the institutionalized spouse during that continuous period of institutionalization.

7. Beginning July 1, 1989, institutionalized individuals shall be ineligible for the periods required and for the reasons specified in 42 U.S.C. Section 1396p.

8. The hearings required by 42 U.S.C. Section 1396r-5 shall be conducted pursuant to the provisions of section 208.080.

9. Beginning October 1, 1989, when determining eligibility for assistance pursuant to this chapter there shall be disregarded unless otherwise provided by federal or state statutes the home of the applicant or recipient when the home is providing shelter to the applicant or recipient, or his or her spouse or dependent child. The **family support** division [of family services] shall establish by rule or regulation in conformance with applicable federal statutes and regulations a definition of the home and when the home shall be considered a resource that shall be considered in determining eligibility.

10. Reimbursement for services provided by an enrolled Medicaid provider to a recipient who is duly entitled to Title XIX Medicaid and Title XVIII Medicare Part B, Supplementary Medical Insurance (SMI) shall include payment in full of deductible and coinsurance amounts as determined due pursuant to the applicable provisions of federal regulations pertaining to Title XVIII Medicare Part B, except for hospital outpatient services or the applicable Title XIX cost sharing.

11. A "community spouse" is defined as being the noninstitutionalized spouse.

12. An institutionalized spouse applying for Medicaid and having a spouse living in the community shall be required, to the maximum extent permitted by law, to divert income to such community spouse to raise the community spouse's income to the level of the minimum monthly needs allowance, as described in 42 U.S.C. Section 1396r-5. Such diversion of income shall occur before the community spouse is allowed to retain assets in excess of the community spouse protected amount described in 42 U.S.C. Section 1396r-5.";

and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SCS** for **HB 329**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **HB 329**, as amended, was read the 3rd time and passed

by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HBs 256, 33 and 305, entitled:

An Act to repeal section 610.021, RSMo, and to enact in lieu thereof two new sections relating to public safety, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bills Nos. 256, 33 and 305, Page 1, Section A, Line 2, by inserting after all of said line the following:

“610.015. Except as provided in section 610.021, rules authorized pursuant to article III of the Missouri Constitution and as otherwise provided by law, all votes shall be recorded, and if a roll call is taken, as to attribute each “yea” and “nay” vote, or abstinence if not voting, to the name of the individual member of the public governmental body. Any votes taken during a closed meeting shall be taken by roll call. All public meetings shall be open to the public and public votes and public records shall be open to the public for inspection and duplication. All votes taken by roll call in meetings of a public governmental body consisting of members who are all elected, except for the Missouri general assembly and any committee established by a public governmental body, shall be cast by members of the public governmental body who are physically present and in attendance at the meeting **or who are participating via videoconferencing**. When it is necessary to take votes by roll call in a meeting of the public governmental body, due to an emergency of the public body, with a quorum of the members of the public body physically present and in attendance and less than a quorum of the members of the public governmental body participating via telephone, facsimile, Internet, or any other voice or electronic means, the nature of the emergency of the

public body justifying that departure from the normal requirements shall be stated in the minutes. Where such emergency exists, the votes taken shall be regarded as if all members were physically present and in attendance at the meeting.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Kehoe, **HCS** for **HBs 256, 33** and **305**, with **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 188**, entitled:

An Act to repeal sections 632.480, 632.498 and 632.505, RSMo, and to enact in lieu thereof three new sections relating to conditional release of sexually violent predators, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 59**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 60**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 80**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 234**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SB 235**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 306**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 324**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 376**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Romine moved that **SB 188**, with **HCS** be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 188**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 188

An Act to repeal sections 632.480, 632.498 and 632.505, RSMo, and to enact in lieu thereof three new sections relating to conditional release of sexually violent predators, with an emergency clause.

Was taken up.

Senator Romine moved that **HCS** for **SB 188** be adopted.

At the request of Senator Romine, the above motion was withdrawn, which placed the bill on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SB 16**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 191**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 237**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 329**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 23**, entitled:

An Act to repeal sections 32.087, 67.1010, 137.1018, 144.010, 144.020, 144.021, 144.030, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.605, 144.610, 144.613, 144.615, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 302.302, 302.341, 476.385, and 577.041, RSMo, and 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof forty-five new sections relating to

political subdivisions, with penalty provisions, an emergency clause for a certain section, and an effective date for certain sections.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5, 6, 7, 8 and 9, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13, 14, 16, 17, 18 and 19, House Substitute Amendment No. 1 for House Amendment No. 20, House Amendment Nos. 21, 22, 23 and 24.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 23, Page 2, In the Title, Line 28, by deleting the phrase “political subdivisions” on said line and inserting in lieu thereof the phrase “taxation”; and

Further amend said bill, Page 71, Section 302.309, Line 85, by deleting the word “if” on said line and inserting in lieu thereof, the phrase “[if] **unless**”; and

Further amend said bill, page, and section, Line 86, by placing opening and closing brackets, “[]”, around the around the word “not” on said line; and

Further amend said bill, page, and section, Line 90, by deleting the phrase “**immediately upon the person’s license revocation**” on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 23, Page 1, Line 1 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

“Amend House Committee Substitute for Senate Bill No. 23, Page 34, Section 144.810, Line 28, by deleting the word “**five**” and inserting in lieu thereof the word “**two**” ; and

Further amend said bill, section, and page, Line 29, by deleting the word “**five**” and inserting in lieu thereof the word “**two**” ; and

Further amend said bill and section, Page 35, Line 60, by deleting the word “**thirty-seven**” and inserting in lieu thereof the word “**five**” ; and

Further amend said bill, section, and page, Line 65, by deleting the word “**thirty**” and inserting in lieu thereof the word “**five**” ; and

Further amend said bill, Pages 77 to 87, Section 348.273 and” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 23, Pages 77-87, Sections 348.273 and 348.274, by deleting all of said sections from the bill and inserting in lieu thereof, the following:

“**348.273. 1. This section and section 348.274 shall be known and may be cited as the “Missouri**

Angel Investment Incentive Act”.

2. As used in this section and section 348.274, the following terms mean:

- (1) “Cash investment”, money or money equivalent contribution;**
- (2) “Department”, the department of economic development;**
- (3) “Investor”:**

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) “MTC”, the Missouri technology corporation, established under section 348.250;

(5) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(6) “Permitted entity investor”, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(7) “Qualified knowledge-based company”, a company based on the use of ideas and information to provide innovative technologies, products, and services;

(8) “Qualified Missouri business”, the Missouri businesses that are approved and certified as qualified knowledge-based companies by the MTC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business’s production in Missouri;

(9) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;

(10) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the MTC and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. The MTC shall review applications from businesses requesting designation as a qualified Missouri business and allocate the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by the MTC and the criteria to be considered by the MTC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by the MTC.

4. (1) A tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The department shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year for investments made in companies within each congressional district of the state. At the beginning of each calendar quarter, the department shall allocate to each congressional district one-fourth of the total tax credits designated to such district for the calendar year such that the MTC can allocate tax credits among the qualified Missouri businesses within such district. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, the MTC shall report to the department any unallocated tax credits for the preceding quarter for each congressional district. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the congressional districts as soon as possible during the next consecutive calendar quarter. Each congressional district shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a congressional district in need of additional tax credits for transactions closing in the fourth calendar quarter may receive unallocated tax credits to the extent such credits are available. When the MTC transfers unallocated tax credits to another congressional district under this subdivision, the MTC shall provide to the department a written confirmation authorizing such transfer and the MTC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by the MTC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to the MTC in accordance with the provisions of this section.

(2) The application by a business to the MTC shall be in the form and substance as required by the department, but shall include at least the following:

(a) The name of the business and certified copies of the organizational documents of the business;

(b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;

(c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;

(d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;

(e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and

(f) Such other information as the MTC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the MTC, and such designation shall be renewed annually. A business shall be so designated if the MTC determines, based upon the application submitted by the business and any additional investigation the MTC shall

make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;

(b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction or construction management or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to

the region or this state, or both;

(l) The business has made binding commitments to the MTC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the MTC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the MTC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and

(m) The business shall satisfy all other requirements of this section and section 348.274.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the MTC the qualifications of the business under this section.

(6) Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) The MTC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the MTC, are most likely to provide the greatest economic benefit to the region, the state, or both. The MTC may allocate, and the department may issue, whole or partial tax credits based on the MTC's assessment of the qualified Missouri businesses. The MTC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which the MTC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the MTC a report before such tax credits are issued. The MTC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the MTC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the MTC and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by the MTC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, the MTC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the MTC, in an amount to be determined by the MTC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the MTC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted the MTC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the MTC and the department, as applicable. For the purposes of this section and section 348.273, "trade secrets" means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) The MTC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the MTC on an annual basis, on or before February first. The MTC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the MTC or the department may reasonably require under this section and section 348.273.

(2) The MTC shall report quarterly to the department on the allocation of the tax credits for each congressional district in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the MTC received for business in each congressional district;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in each congressional district in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits in each congressional district; and

(e) Such other information as reasonably agreed upon by the MTC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in each congressional district that resulted

from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within each congressional district during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within each congressional district;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the applicable congressional district, what businesses ceased business, what businesses were purchased, and what businesses may have moved out of the congressional district or state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Bill No. 23, Page 9, Line 15, by inserting after the phrase “**prior to**” on said line, the phrase “**receipt of a proposal for benefits under this section or**”; and

Further amend said page and line, by inserting after the word “**intent**” on said line, the phrase “, **whichever occurs first**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

“135.960. 1. Any governing authority that desires to have any portion of a city or unincorporated area of a county under its control designated as an enhanced enterprise zone shall hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. [The governing authority shall notify the director of such hearing at least thirty days prior thereto and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing. The director, or the director’s designee, shall attend such hearing.]

2. After a public hearing is held as required in subsection 1 of this section, the governing authority may, **by a majority vote of the members of the governing authority**, [file a petition with the department requesting the designation of] **adopt an ordinance or resolution designating** a specific area as an enhanced enterprise zone. Such [petition] **ordinance** shall include, in addition to a description of the physical, social, and economic characteristics of the area:

(1) A plan to provide adequate police protection within the area;

(2) A specific and practical process for individual businesses to obtain waivers from burdensome local regulations, ordinances, and orders which serve to discourage economic development within the area to be designated an enhanced enterprise zone, except that such waivers shall not substantially endanger the health or safety of the employees of any such business or the residents of the area;

(3) A description of what other specific actions will be taken to support and encourage private investment within the area;

(4) A plan to ensure that resources are available to assist area residents to participate in increased development through self-help efforts and in ameliorating any negative effects of designation of the area as an enhanced enterprise zone;

(5) A statement describing the projected positive and negative effects of designation of the area as an enhanced enterprise zone;

(6) A specific plan to provide assistance to any person or business dislocated as a result of activities within the enhanced enterprise zone. Such plan shall determine the need of dislocated persons for relocation assistance; provide, prior to displacement, information about the type, location, and price of comparable housing or commercial property; provide information concerning state and federal programs for relocation assistance and provide other advisory services to displaced persons. Public agencies may choose to provide assistance under the Uniform Relocation and Real Property Acquisition Act, 42 U.S.C. Section 4601, et seq., to meet the requirements of this subdivision; and

(7) A description or plan that demonstrates the requirements of subsection 4 of section 135.953.

3. An enhanced enterprise zone designation shall [be effective upon such approval by the department and shall] expire in twenty-five years.

4. Each designated enhanced enterprise zone board shall report to the director on an annual basis regarding the status of the zone and business activity within the zone.”; and

Further amend said bill, Page 93, Section 577.041, Line 138, by inserting after all of said section and line, the following:

“620.2000. Sections 620.2000 to 620.2020 shall be known and may be cited as the “Missouri Works Program”.

620.2005. As used in sections 620.2000 to 620.2020, the following terms mean:

(1) **“Average wage”, the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;**

(2) **“Commencement of operations”, the starting date for the qualified company’s first new employee, which shall be no later than twelve months from the date of the approval;**

(3) “County average wage”, the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(4) “Department”, the Missouri department of economic development;

(5) “Director”, the director of the department of economic development;

(6) “Employee”, a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a non-controlling interest in stock of a qualified company that is publically traded;

(7) “Existing Missouri business”, a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely perform job duties within Missouri;

(8) “Full-time employee”, an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee’s work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(9) “Local incentives”, the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(10) “NAICS” or “NAICS industry classification”, the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(11) “New capital investment”, shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(12) “New direct local revenue”, the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job.;

(14) “New payroll”, the amount of wages paid for all new jobs, , located at the project facility during the qualified company’s tax year that exceeds the project facility base payroll;

(15) “Notice of intent”, a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company’s intent to request benefits under this program;

(16) “Percent of local incentives”, the amount of local incentives divided by the amount of new direct local revenue;

(17) “Program”, the Missouri works program established in sections 620.2000 to 620.2020;

(18) “Project facility”, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

(19) “Project facility base employment”, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(20) “Project facility base payroll”, the annualized payroll for the project facility base employment or the total amount of wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(21) “Project period”, the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(22) “Projected net fiscal benefit”, the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(23) “Qualified company”, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term “qualified company” shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy, may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization.

Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production;

(k) Biodiesel production; or

(l) Healthcare and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for

benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(24) “Related company”, shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, “control of a qualified company” shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profits interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) “Related facility”, a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(26) “Related facility base employment”, the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(27) “Related facility base payroll”, the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(28) “Rural area”, a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(29) “Tax credits”, tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(30) “Withholding tax”, the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages; and

(31) This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval;

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the following factors:

(1) The significance of the qualified company's need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

(7) The percent of local incentives committed;

3. Upon approval of a notice of intent to receive tax credits under subsections 2 and 5 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department; and

(4) Any other provisions the department may require.

4. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

5. In addition to the benefits available under subsections 4 of this section, the department may award a qualified company that satisfies the provisions of subsection 4 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to

a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

6. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment at the project facility prior to approval of its notice of intent.

620.2015. 1. In exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this section if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this section. In no event shall the total amount of benefits available to all qualified companies under this section exceed six million dollars in any fiscal year.

2. A qualified company meeting the requirements of this section may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this section, a qualified company shall enter into written agreement with the department containing detailed performance requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this section shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.

3. In order to be eligible to receive benefits under this section, the qualified company shall meet each of the following conditions:

(1) The qualified company shall agree to retain, for a period of ten years from the date of approval of the notice of intent, at least fifty retained jobs; and

(2) The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount equal to one-half the total benefits, available under this section, which are offered to the qualified company by the department.

4. In awarding benefits under this section, the department shall consider the factors set forth in subsection 2 of section 620.2010.

5. Upon approval of a notice of intent to request benefits under this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

(2) Clawback provisions, as may be required by the department; and

(3) Any other provisions the department may require.

620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified

company, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (18) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company receiving benefits under this program shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for program benefits available no later than 90 days prior to the end of the qualified company's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of jobs is below the number required, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the project period. Failure to timely file the annual report required under this section shall result in the forfeiture of tax credits

attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs.

5. Any qualified company approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company approved for benefits under this program shall be subject to the provisions of section 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 13 of this section:

(1) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred and six million dollars in tax credits may be authorized;

(2) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred and eleven million dollars in tax credits may be authorized; and

(3) For any fiscal year beginning on or after July 1, 2015, no more than one hundred and sixteen million dollars in tax credits may be authorized for each fiscal year.

8. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements. In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

9. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

10. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

12. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, , the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall

not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

14. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

15. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

16. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

17. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 620.2000 to 620.2020 shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of this reauthorization of sections 620.2000 to 620.2020;

and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

“135.1550. 1. Sections 135.1550 to 135.1575 shall be known and may be cited as the “Missouri Export Incentive Act”.

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Air export tax credit”, the tax credit against the taxes imposed under chapters 143, 147, and 148, except for those in sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) “Airport”, any international airport located within the state;

(3) “Chargeable kilo”, the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) “Claiming freight forwarder”, the freight forwarder designated as the “agent” on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) “Department”, the Missouri department of economic development;

(6) “Direct international aircraft flight”, a single aircraft transoceanic flight that operates to an international destination in accordance with the operators bilateral route authority;

(7) “Freight forwarder”, a person who assumes responsibility in the ordinary course of business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) “Qualifying outbound flight”, a direct international aircraft flight that carries either all cargo or a mix of passengers and cargo from the airport to an international destination.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder

shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. If the fiscal year cap on the issuance of air export tax credits provided under section 135.1565 is met in a given fiscal year, then the amount of such tax credits that have been authorized, but remain unissued, shall be carried forward and issued in the subsequent fiscal year.

3. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013, unless authorized by the department. Any amount issued exceeding seven million five hundred thousand dollars in a fiscal year shall be reduced first from the authorized amount for the fiscal year ending June 30, 2021, and then the preceding fiscal years, until all such authorized credits have been issued.

135.1570. If the amount of any tax credit authorized under sections 135.1550 to 135.1575 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except those in sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1550 to 135.1575 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 23, Page 48, Section 184.865, Line 7, by inserting after all of said line the following:

“198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide at a minimum housing[,] **and food services[, and emergency call buttons to the apartment residents]** in any county of the third **or fourth** classification [without a township form of government and with more than twenty-eight thousand two hundred but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants] **within its corporate limits.** Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 23, Page 11, Section 137.1018, Line 42, by inserting after all of said line the following:

“143.145. 1. As used in this section, the following terms mean:

(1) “Deduction”, an amount deducted from the taxpayer’s Missouri adjusted gross income pursuant to section 143.121 to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) “Purchase”, any conveyance to a taxpayer of fee simple ownership interest in a qualified principal residence made by deed executed by any person having authority to convey the same, or by his agent or attorney, and acknowledged and recorded pursuant to chapter 442 after the effective date of this section but before January 1, 2016;

(3) “Contract sales price”, the total price paid by a taxpayer for the purchase of a qualified principal residence;

(4) “Qualified principal residence”, any single-family residence located in the state of Missouri, whether detached or attached, that is owner occupied or will be owner occupied after purchase by the taxpayer claiming the deduction allowed by this section as his or her primary residence, for which construction began and has been completed between August 28, 2013, and December 31, 2015, and that has not been previously occupied. For the purposes of this section, a manufactured home, modular unit, recreational park trailer, or recreational vehicle as defined in section 700.010, shall not be considered a single-family residence. For the purposes of this section, the value of land or any pre-existing structures on such land shall not be included in the value of such residence. The taxpayer

shall submit an appraisal to the department that separately states the value of the land and any existing structures in order to claim the deduction;

(5) “Recapture period”, the two taxable years beginning with the first taxable year following the taxable year in which the taxpayer occupied the qualified principal residence for which a deduction is allowed under this section, except that such recapture period shall be deemed to have expired immediately upon the date of the death of any person deemed a taxpayer under this section;

(6) “Taxpayer”, an individual who purchases a fee simple ownership interest in a qualified principal residence during a taxable year and has not previously received a deduction issued pursuant to this section in any taxable year.

2. In addition to all deductions listed in this chapter, for taxable years beginning on or after January 1, 2013, and ending on or before December 31, 2015, a taxpayer shall be allowed a deduction for the purchase of a qualified principal residence in this state. The deduction amount shall be equal to the lesser of:

- (1) One-third of the contract sales price of the qualified principal residence in this state; or
- (2) One hundred sixty-six thousand six hundred sixty-seven dollars.

3. No taxpayer shall claim a tax deduction for the purchase of more than one qualified principal residence under this section. Such tax deduction shall be limited to a maximum tax benefit of ten thousand dollars.

4. If the amount of the deduction allowed under this section exceeds the total Missouri adjusted gross income for the taxpayer in the same tax year in which the deduction is allowed without taking into account the deduction allowed by this section, the amount that exceeds the total Missouri adjusted gross income for the taxpayer without taking into account the deduction allowed by this section may be carried forward to any subsequent tax year until the full deduction is claimed.

5. If a taxpayer disposes of his or her qualified principal residence for which a deduction was allowed under this section or such qualified principal residence ceases to be the principal residence of the taxpayer (and if married the taxpayer’s spouse) before the end of the recapture period, then any remaining unused deduction shall be cancelled, and the taxpayer shall be subject to an addition to his or her Missouri adjusted gross income of any amount deducted under this section in any preceding tax year. The provisions of this subsection shall not apply in the case of a transfer of a qualified principal residence from an individual taxpayer to a spouse (or to a former spouse if the transfer is incident to a divorce) or from an individual taxpayer to a grantor-trust or a single-member limited liability company owned by the taxpayer.

6. If a Missouri taxpayer self-constructs a qualified principal residence, such taxpayer shall be eligible for a tax deduction allowed by this section by satisfying the department of revenue’s proof of documentation requirements to verify the contract sale price of a qualified principle residence.

7. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are

nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2015, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset December thirty-first one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 23, Page 20, Section 144.030, Line 109, by deleting all of said line and inserting in lieu thereof the following words, “corporation, **provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this paragraph shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said Section and Line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner

required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied

pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new

state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to

subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his

or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a

redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 23, Page 87, Section 348.274, Line 140, by inserting after all of said Section and Line the following:

“393.760. 1. Each participating municipality shall, in accordance with the provisions of chapter 115, order an election to be held whereby the qualified electors in such participating municipality shall approve or disapprove the issuance of its bonds to finance its individual interest in the project. The participating municipality may not order such an election until it has received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each such participating municipality and such report shall be open to public inspection and shall be the subject of a public hearing in each participating municipality. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each such participating municipality. Interested parties may appear and fully participate in such hearings.

2. Each participating municipality shall notify the election authority or authorities responsible for conducting elections within such participating municipality in accordance with chapter 115.

3. The question shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of participating municipality) issue its (type) revenue bonds in an amount not to exceed \$..... for the purpose of paying its share of the cost of participating in (describe project)?

☐ YES

☐ NO

If you are in favor of the resolution, place an “X” in the box opposite “Yes”.

If you are opposed to the question, place an “X” in the box opposite “No”.

4. If the issuance of the bonds is approved by at least a majority of the qualified electors voting thereon in the participating municipality, the participating municipality shall declare the result of the election and cause the bonds to be issued.

5. Each participating municipality shall bear all expenses associated with the elections in such participating municipality.

6. [In lieu of the public voting procedure set forth in subsections 1 to 5 of this section, in] **In** the case of purchasing or leasing, constructing, installing, and operating reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water, the commission may provide for a vote by the governing body of each contracting municipality. Such vote shall require the approval of three-quarters of all governing bodies of the contracting municipalities. The commission may not order such a vote until it has engaged and received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed

through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each contracting municipality participating in the project and such report shall be open to public inspection and shall be the subject of a public hearing in each municipality participating in the project. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each municipality. Interested parties may appear and fully participate in such hearings. Each contracting municipality shall vote by ordinance or resolution and such ordinance or resolution shall approve the issuance of revenue bonds by the joint municipal water commission in an amount not to exceed a specified amount.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 11

Amend House Amendment No.11 to House Committee Substitute for Senate Bill No. 23, Page 6, Line 25, by inserting after all of said line, the following:

“Further amend said bill, Page 6, Section 32.087, Line 136, by inserting after the word “purchaser” on said line, the phrase “, **and remitted to that local taxing entity**”; and

Further amend said bill, Page 26, Section 144.069, Line 9, by inserting after the word “collected” on said line, the phrase “**and remitted**”; and

Further amend said bill, Page 28, Section 144.455, Line 2, by inserting after the word “on” on said line, the phrase “**the titling of**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

“99.1205. 1. This section shall be known and may be cited as the “Distressed Areas Land Assemblage Tax Credit Act”.

2. As used in this section, the following terms mean:

(1) “Acquisition costs”, the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures **or any portion thereof, together with engineering costs, surveying costs, title insurance, and architectural and design costs incurred in connection with acquisition, financing, parcel consolidation or site and redevelopment area planning regarding one or more eligible parcels**, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of [five] **twelve** years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for [title insurance and survey,] attorney’s fees, relocation costs, fines, or bills from a municipality;

(2) “Applicant”, any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a

redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section **unless such economic incentives were approved for an eligible project area qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of this subsection.** The redevelopment agreement shall provide that[:

a.] the funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area[;

b.]. **Additionally, except for projects in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of this subsection, the redevelopment agreement shall provide that:**

a. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

[c.] b. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) “Certificate”, a tax credit certificate issued under this section;

(4) “Condemnation proceedings”, any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) “Department”, the Missouri department of economic development;

(6) “Economic incentive laws”, any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) “Eligible parcel”, a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired **either directly by the applicant, or on behalf of the applicant through**

one or more affiliated companies controlled by the applicant or under common ownership with the applicant;

(e) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired **before August 28, 2007**, by the applicant from a municipal authority shall not constitute an eligible parcel; and

[(e)] (f) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) “Eligible project area”, an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within:

a. A Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42[, or within]; **or**

b. A distressed community as that term is defined in section 135.530; **or**

c. A redevelopment area as that term is defined under the real property tax increment allocation redevelopment act under sections 99.800 to 99.865 that:

(i) Contains at least three hundred acres of real property;

(ii) Includes or previously included in excess of one million square feet of commercial building space;

(iii) Contains eighty or more parcels; and

(iv) Is located within a low-income community as defined by 26 U.S.C. Section 45D as of January 1, 2011; **or**

d. Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants.

(c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels, **but shall not include any parcel acquired by the applicant from a municipal authority. Any applicant applying for credits for costs incurred within an eligible project area qualified as such under subparagraph c. of paragraph (b) of this subdivision shall own, either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant, at least one hundred fifty contiguous acres of real property, which may be separated by the width of public right-of-way, within the urban renewal area or redevelopment area containing such eligible project area;**

(d) Other than in eligible project areas qualified as such under subparagraph c. of paragraph (b) of this subdivision, the average number of parcels per acre in an eligible project area shall be four or more;

(e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) “Interest costs”, interest, loan fees, and closing costs, **any of which relate to or arise out of loans relating to acquisition costs, including without limitation, interest, loan fees, and closing costs associated with the refinancing of loans relating to acquisition costs.** Interest costs shall not include attorney’s fees;

(10) “Maintenance costs”, costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) “Municipal authority”, any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) “Municipality”, any city, town, village, or county;

(13) “Parcel”, a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) “Redeveloped”, the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) “Redevelopment agreement”, the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area, **including deadlines for commencement of work and for project completion, and shall provide the municipal authority the right to terminate the rights of the redeveloper under the redevelopment agreement if such deadlines are not met.** The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. **Subject to the limitations provided in subsection 7 of this section,** any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs; **except that, the tax credit for reasonable demolition costs shall be in an amount equal to one hundred percent of such costs,** and one hundred percent of the interest costs incurred for a period of [five] **twelve** years after the acquisition of an eligible parcel. [No tax credits shall be issued under this section until after January 1, 2008.]

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed

under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On [an annual] **a quarterly** basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section **after August 28, 2013**, shall not exceed ninety-five million dollars. At no time shall the annual amount of the tax credits issued under this section exceed [twenty] **thirty** million dollars. If the tax credits that are to be issued under this section exceed, in any year, the [twenty] **thirty** million dollar limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of [twenty] **thirty** million dollars, if there is only one applicant entitled to receive tax credits in that year; or

(2) **(a)** Issue the tax credits [on a pro rata basis] to all applicants entitled to receive tax credits in that year **as provided in this subdivision. The department shall determine on an ongoing basis during the course of each calendar year the amount of tax credits that have been issued to each applicant for each eligible project area during such year, and the amount of tax credits remaining available for issuance with respect to such calendar year, if any.**

(b) Applicants applying for tax credits with respect to projects located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section shall not, in the aggregate, be issued tax credits in excess of fifty percent of the annual thirty million dollar limitation with respect to such calendar year. If more than one applicant qualifies for issuance of tax credits under the preceding sentence in a given calendar year, such tax credits shall be issued on a pro rata basis. Applicants applying for tax credits with respect to projects located in any other eligible project areas shall not, in the aggregate, be issued tax credits in excess of fifty

percent of the annual thirty million dollar limitation with respect to such calendar year. If more than one applicant qualifies for issuance of tax credits under the preceding sentence in a given calendar year, such tax credits shall be issued on a pro rata basis.

(c) In the event that the department determines, as of December thirty-first of a given calendar year, that the full amount of tax credits available for such calendar year under paragraph (b) of this subdivision with respect to projects located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, was not issued, then the department shall make available for allocation to qualifying applicants with respect to projects located in any other eligible project areas the unissued amount of such tax credits. In the event that the department determines, as of December thirty-first of a given calendar year, that the full amount of tax credits available for such calendar year under paragraph (b) of this subdivision with respect to projects not located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, was not issued, then the department shall make available for allocation to qualifying applicants with respect to projects located in eligible project areas which qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, the unissued amount of such tax credits.

(d) Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the [twenty] **thirty** million dollar limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years.

No tax credits provided under this section shall be authorized after August 28, [2013] **2019**. Any tax credits which have been authorized on or before August 28, [2013] **2019**, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include [the] **issued** tax credits in any **subsequent** sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. **Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal**

authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement. The department shall review annually the eligibility of each applicant to receive tax credits under this section. The department shall not issue to an applicant any tax credits provided under this section after the date upon which the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, makes a finding that the applicant has failed to comply with deadlines regarding project commencement or completion or other material provisions of its redevelopment agreement with an applicant, and in furtherance of such finding, the governing body validly adopts an ordinance terminating its redevelopment agreement with the applicant, with the result that such applicant no longer satisfies the requirements of paragraph (b) of subdivision (2) of subsection 2 of this section. The governing body shall notify the department of the governing body's findings and shall deliver to the department a certified copy of the ordinance terminating such redevelopment agreement as soon as practicable.

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said section the following:

“33.080. 1. All fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages shall, by the official authorized to receive same, and at stated intervals of not more than thirty days, be placed in the state treasury to the credit of the particular purpose or fund for which collected, and shall be subject to appropriation by the general assembly for the particular purpose or fund for which collected during the biennium in which collected and appropriated. The unexpended balance remaining in all such funds (except such unexpended balance as may remain in any fund authorized, collected and expended by virtue of the provisions of the constitution of this state) shall at the end of the biennium and after all warrants on same have been discharged and the appropriation thereof has lapsed, be transferred and placed to the credit of the [ordinary] **general** revenue fund of the state by the state treasurer. Any official or any person who shall willfully fail to comply with any of the provisions of this section, and any person who shall willfully violate any provision hereof, shall be deemed guilty of a misdemeanor; provided, that all such money received by the curators of the University of Missouri except those funds required by law or by instrument granting the same to be paid into the seminary fund of the state, is excepted herefrom, and in the case of other state educational institutions there is excepted herefrom, gifts or trust funds from whatever source; appropriations; gifts or grants from the federal government,

private organizations and individuals; funds for or from student activities; farm or housing activities; and other funds from which the whole or some part thereof may be liable to be repaid to the person contributing the same; and hospital fees. All of the above excepted funds shall be reported in detail quarterly to the governor and biennially to the general assembly.

2. Notwithstanding any provision of law to the contrary concerning the transfer of funds, ten million dollars shall be transferred from the Insurance dedicated fund established under section 374.150, and placed to the credit of the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.

33.295. 1. There is hereby established the “Rebuild Damaged Infrastructure Program” to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, including, but not limited to, the physical components of interrelated systems providing essential commodities and services to the public which includes transportation, communication, sewage, water, and electric systems as well as public elementary and secondary school buildings.

2. There is hereby created in the state treasury the “Rebuild Damaged Infrastructure Fund”, which shall consist of money appropriated or collected under this section. Any amount to be transferred to the fund on July 1, 2013, pursuant to subsection 2 of section 33.080 and subsection 2 of section 360.045, in excess of fifteen million dollars shall instead be transferred to the state general revenue fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purposes of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The provisions of this section shall expire on June 30, 2014.”; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said section the following:

“360.045. 1. The authority shall have the following powers together with all powers incidental thereto or necessary for the performance thereof:

- (1) To have perpetual succession as a body politic and corporate;
- (2) To adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) To have and to use a corporate seal and to alter the same at pleasure;
- (5) To maintain an office at such place or places in the state of Missouri as it may designate;
- (6) To determine the location and construction of any facility to be financed under the provisions of sections 360.010 to 360.140, and to construct, reconstruct, repair, alter, improve, extend, maintain, lease, and regulate the same; and to designate a participating health institution or a participating educational institution, as the case may be, as its agent to determine the location and construction of a facility undertaken by such participating health institution or participating educational institution, as the case may

be, under the provisions of sections 360.010 to 360.140, to construct, reconstruct, repair, alter, improve, extend, maintain, and regulate the same, and to enter into contracts for any and all of such purposes including contracts for the management and operation of the facility;

(7) To lease to a participating health institution or a participating educational institution, as the case may be, the particular health or educational facility or facilities, as the case may be, upon such terms and conditions as the authority shall deem proper; to charge and collect rent therefor; to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; to include in any such lease, if desired, provisions that the lessee thereof shall have options to renew the term of the lease for such period or periods at such rent as shall be determined by the authority or to purchase any or all of the particular leased facility or facilities; and, upon payment of all of the indebtedness incurred by the authority for the financing of the facility or facilities, to convey any or all of such facility or facilities to the lessee or lessees thereof. Every lease agreement between the authority and an institution must contain a clause obligating the institution not to use the leased land, nor any facility located thereon, for sectarian instruction or study or as a place of religious worship, or in connection with any part of the program of a school or department of divinity of any religious denomination; to insure that this covenant is honored, each lease agreement shall allow the authority to conduct inspections, and every conveyance of title to an institution shall contain a restriction against use for any sectarian purpose;

(8) To issue its bonds, notes, or other obligations for any of its corporate purposes and to refund the same, all as provided in sections 360.010 to 360.140;

(9) To transfer assets of the authority to the rebuild damaged infrastructure fund created in section 33.295;

(10) To fix and revise from time to time and make and collect rates, rents, fees, and charges for the use of and services furnished or to be furnished by any facility or facilities or any portion thereof and to contract with any person, firm, or corporation or other body, public or private, in respect thereof; except that the authority shall have no jurisdiction over rates, rents, fees, and charges established by a participating educational institution for its students or established by a participating health institution for its patients other than to require that such rates, rents, fees, and charges by such an institution be sufficient to discharge the institution's obligations to the authority;

[(10)] (11) To establish rules and regulations for review by or on behalf of the authority of the retention or employment by a participating health institution or by a participating educational institution, as the case may be, of consulting engineers, architects, attorneys, accountants, construction and finance experts, superintendents, managers, and such other employees and agents as shall be determined to be necessary in connection with any such facility or facilities and for review by or on behalf of the authority of all reports, studies, or other material prepared in connection with any bond issue of the authority for any such facility or facilities. The costs incurred or to be incurred by a participating health institution or by a participating educational institution in connection with the review shall be deemed, where appropriate, an expense of constructing the facility or facilities or, where appropriate, shall be deemed an annual expense of operation and maintenance of the facility or facilities;

[(11)] (12) To receive and accept from any public agency loans or grants for or in aid of the construction of a facility or facilities, or any portion thereof, or for equipping the same and to receive and accept grants, gifts, or other contributions from any source;

[(12)] (13) To mortgage or pledge all or any portion of any facility or facilities, including any other

health or educational facility or facilities conveyed to the authority for such purpose and the site or sites thereof, whether then owned or thereafter acquired, for the benefit of the holders of the bonds of the authority issued to finance such facility or facilities or any portion thereof or issued to refund or refinance outstanding indebtedness of a private health institution or a private institution of higher education as permitted by sections 360.010 to 360.140;

[(13)] (14) To make loans to any participating health institution or participating educational institution, as the case may be, for the cost of any facility or facilities in accordance with an agreement between the authority and such participating health institution or participating educational institution, as the case may be; except that no such loan shall exceed the total cost of such facility or facilities as determined by the participating health institution or participating educational institution, as the case may be, and approved by the authority;

[(14)] (15) To make loans to a participating health institution or participating educational institution, as the case may be, to refund outstanding obligations, mortgages, or advances issued, made, or given by the institution for the cost of its facility or facilities, including the power to issue bonds and make loans to a participating health institution or participating educational institution, as the case may be, to refinance indebtedness incurred for facilities undertaken and completed prior to or after September 28, 1975, whenever the authority finds that the financing is in the public interest, alleviates a financial hardship upon the participating health institution or participating educational institution, as the case may be, and results in a lesser cost of patient care or cost of education and a saving to third parties, including state or federal governments, and to others who must pay for the care or education;

[(15)] (16) To inspect any and all facilities assisted by the authority in any way to enforce the prohibition against sectarian or religious use at any time; and

[(16)] (17) To do all things necessary and convenient to carry out the purposes of sections 360.010 to 360.140.

2. Notwithstanding any provision of law to the contrary, including section 360.115, the authority shall transfer four million dollars of the assets of the authority to the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.”; and

374.150. 1. All fees due the state under the provisions of the insurance laws of this state shall be paid to the director of revenue and deposited in the state treasury to the credit of the insurance dedicated fund unless otherwise provided for in subsection 2 of this section.

2. There is hereby established in the state treasury a special fund to be known as the “Insurance Dedicated Fund”. The fund shall be subject to appropriation of the general assembly and shall be devoted solely to the payment of expenditures incurred by the department attributable to duties performed by the department for the regulation of the business of insurance, regulation of health maintenance organizations and the operation of the division of consumer affairs as required by law which are not paid for by another source of funds. Other provisions of law to the contrary notwithstanding, beginning on January 1, 1991, all fees charged under any provision of chapter 325, 354, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385 due the state shall be paid into this fund. The state treasurer shall invest moneys in this fund in the same manner as other state funds and any interest or earnings on such moneys shall be credited to the insurance dedicated fund. The provisions of section 33.080 notwithstanding, moneys in the fund shall not lapse, be transferred to or placed to the credit of the general revenue fund unless and then only to the extent to which the unencumbered balance at the close of the biennium year exceeds two times the total amount

appropriated, paid, or transferred to the fund during such fiscal year.

3. Notwithstanding provisions of this section to the contrary, five hundred thousand dollars of the insurance dedicated fund shall annually be transferred and placed to the credit of the state general revenue fund on July first beginning with fiscal year 2014.”; and

Further amend said bill, Page 94, Section C, Line 7, by inserting after all of said section the following:

“Section D. Because of the necessity to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, sections 33.080, 33.295, 360.045, and 374.150 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 33.080, 33.295, 360.045, and 374.150 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill, page, Section D, Line 1, by deleting the letter, “D” and inserting in lieu thereof the letter “E”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 23, Page 14, Section 144.010, Line 83, by deleting all of said line and inserting in lieu thereof the following:

“(a) Sales of admission tickets[, or cash admissions[, charges and fees] to [or in] places of”; and

Further amend said section, Page 15, Line 125, by inserting after all of said line the following:

“144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

- (1) Subject to a tax in this or any other state;
- (2) For resale;
- (3) Excluded from tax under this chapter;
- (4) Subject to tax but exempt under this chapter; or
- (5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, shall remit tax on the amount paid for admissions or seating accommodations[, or fees paid to, or] in such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale

of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.”; and

Further amend said bill, Page , Section 144.020, Line 16, by deleting all of said line and inserting in lieu thereof the following:

“accommodations[, or fees paid to, or] in any place of amusement, entertainment or recreation,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 23, Page 40, Section 144.810, Line 242, by inserting after all of said line the following:

“169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) “Accumulated contributions”, the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member’s individual account together with interest thereon in the employees’ contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system’s actuary and approved by the board of trustees;

(3) “Average final compensation”, the highest average annual compensation received for any four

consecutive years of service. In determining whether years of service are “consecutive”, only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) “Beneficiary”, any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) “Board of education”, the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) “Board of trustees”, the board provided for in section 169.291 to administer the retirement system;

(7) “Break in service”, an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed, or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A “school or work day” is a day on which the employee’s employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee’s last job description to report to their place of employment for any reason;

(8) “Charter school”, any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) “Compensation”, the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member’s behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) “Creditable service”, the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) “Employee”, any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) “Employer”, the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the

employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retirant;

(13) “Employer’s board”, the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) “Library district”, any urban public library district created from or within a school district under the provisions of section 182.703;

(15) “Medical board”, the board of physicians provided for in section 169.291;

(16) “Member”, any person who is a regular employee after the retirement system has been established hereunder (“active member”), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder (“inactive member”). **A person shall cease to be a member if the person has a break in service before earning any vested retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;**

(17) “Minimum normal retirement age”, **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement**, the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] **and** with both years of creditable service and years of age prorated for fractional years; **for any person who becomes a member of the retirement system on or after January 1, 2014, including any person who was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;**

(18) “Prior service”, service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) “Regular employee”, any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee’s status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) “Retirant”, a former member receiving a retirement allowance hereunder;

(21) “Retirement allowance”, annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) “School district”, any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a

quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.**

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(2) A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal

to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] **retirant** who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326. [Provided, further, any retiree] **Any retirant** who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] **retirant** who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;**

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years

of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to

169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially

required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 23, Section 67.1020, Page 8, Line 4, by inserting the following after all of said Line:

“67.1368. 1. The governing body of any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants as the county seat may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the county for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of county) at a rate of (insert rate of percent) percent for the promotion of the county, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the

question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.

3. As used in this section, “transient guests” means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill, Section 92.387, Page 10, Line 2, by inserting the following after all of said Line:

“94.1060. 1. The governing body of any city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the promotion of the city, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, “transient guests” means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Bill No. 23, Page 15, Section 144.010, Line 117, by inserting after the word “services” on said line, the phrase “**subject to section 67.2689**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 67.2050, Line 73, by inserting after all of said section and line, the following:

“71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days’ notice thereof, either personally or by United States mail to the owner or owners, or the owner’s agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a

charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, or in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants**, the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification where such city establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

77.675. 1. In addition to the process for passing ordinances provided in section 77.080, the council of any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants may adopt or repeal any ordinance by

passage of a bill that sets forth the ordinance and specifies that the ordinance so proposed shall be submitted to the registered voters of the city at the next municipal election. The bill shall be passed under the procedures in section 77.080, except that it shall take effect upon approval of a majority of the voters rather than upon the approval and signature of the mayor.

2. If the mayor approves and signs the bill, the question shall be submitted to the voters in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance.)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 19

Amend House Committee Substitute for Senate Bill No. 23, Page 3, Section A, Line 30, by inserting after all of said line the following:

“32.070. 1. This act shall be known and may be cited as the “Streamlined Sales and Use Tax Agreement Act”.

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the highest rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased from six percent to five and one half percent. The director of the department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states.

4. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

5. For the purposes of representing the state as a member of the agreement and, if necessary, amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director’s designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and

the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

6. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks.”; and

Further amend said bill, Pages 3 to 8, Section 32.087, Lines 1 to 191, by deleting all of said lines and inserting in lieu thereof the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose **a tax** upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) **Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters previously have approved a local use tax under section 144.757, shall have**

placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non- Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that previously had imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election and calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no

longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election under subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. For the purposes of any local sales tax imposed by an ordinance or order under the local

sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043 and section 144.069.**

[13.] **12.** Local sales taxes [imposed pursuant to the local sales tax law on the purchase and sale] **shall not be imposed on the seller** of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] **13.** The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law.

[He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for

taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day

of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied

by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the “adjusted county average” is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the “redistribution formula” is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities

within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term “economic development funds” means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the

adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the

county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County AntiDrug Sales Tax Trust Fund". [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term “funding of museums and festivals” shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county's voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term “museums” means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? “Museums” means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] **to** 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, **[one] two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”.

If you are opposed to the question, place an “X” in the box opposite “NO”. [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The

proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] to 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting

the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the

twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to

authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds

remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES☐ NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the “County Employee Benefit Sales Tax Trust Fund”. [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred

ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust

fund, which is hereby created, to be known as the “County Prosecuting Attorney’s Office Sales Tax Trust Fund” or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the “County Alternate Sales Tax Trust Fund”. [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least

ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County-Municipal Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks

and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality

located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants

may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other

officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, “qualified voters” or “voters” means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed

one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the “Senior Services and Youth Programs Sales Tax Trust Fund”, and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required

to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the

votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission.”; and

Further amend said bill, Page 8, Section 67.1020, Line 4, by inserting after all of said line the following:

“67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred

but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and

may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term “economic development” is limited to the following:

(1) Operations of economic development or community development offices, including the salaries of employees;

(2) Provision of training for job creation or retention;

(3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and

(4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. **The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of**

the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic

development projects, or designations of an economic development area.

[7.] **8.** The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] **9.** The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] **10.** Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087.** If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term “city” shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the

governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087.** The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.

After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be

appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and/or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer’s sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] **7.** All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] **8.** A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district’s ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] **9.** Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is

hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more

than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, made **on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the “Exhibition Center and Recreational Facility District Act”.

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

(1) The name and residence of each petitioner and the location of the real property owned by the petitioner;

(2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and

(3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

(1) A description of the boundaries of the proposed district;

(2) The time and place of a hearing to be held to consider establishment of the proposed district;

(3) The proposed sales tax rate to be voted on within the proposed district; and

(4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

(1) Publish notice of the hearing on two separate occasions in at least one newspaper of general

circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;

- (2) Hear all protests and receive evidence for or against the establishment of the proposed district; and
- (3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

- 8. There is hereby created a board of trustees to administer any district created and the expenditure of

revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon

bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the “Exhibition Center and Recreational Facility District Sales Tax Trust Fund”, which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under**

the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 apply to the sales tax imposed pursuant to this section.

[12.] **13.** Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] **14.** Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] **15.** In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of

the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and

operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing

district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.”; and

Further amend said bill, Page 10, Section 67.2050, Line 73, by inserting after all of said line the following:

“67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter

which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars

per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to

collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the

collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7)] **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in

which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district’s indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court.

Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the

city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill, Page 10, Section 92.387, Line 2, by inserting after all of said line the following:

“94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of(insert rate of percent) percent for [a] capital improvements purposes in the city's center city for a period of

(insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section

receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days

prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax

authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.”; and

Further amend said bill, Pages 12 to 15, Section 144.010, by deleting all of said section and inserting in lieu thereof the following:

“144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) “Admission” includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) “Advertising and promotional direct mail”, **printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word “product” means tangible personal property, a product transferred electronically or a service;**

(3) “Agreement”, **the streamlined sales and use tax agreement, as amended from time to time;**

(4) “Air-to-ground radiotelephone service”, a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;

(5) “Alcoholic beverages”, beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(6) “Ancillary services”, services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(7) “Appliance”, clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator and freezer;

(8) “Bottled water”, water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

- (a) Antimicrobial agents;
- (b) Fluoride;
- (c) Carbonation;
- (d) Vitamins, minerals, and electrolytes;
- (e) Oxygen;
- (f) Preservatives; and
- (g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) “Bundled transaction”:

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term “distinct and identifiable products” shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term “one nonitemized price” shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. “De minimis” means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction includes food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller’s purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) “Business” includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is “engaging in business” in this state for purposes of sections 144.010 to 144.525 if such person “engages in business in this state” or “maintains a place of business in this state” under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from

sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) “Calendar quarter”, the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(12) “Call-by-call basis”, any method of charging for telecommunications services where the price is measured by individual calls;

(13) “Candy”, a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(14) “Captive wildlife”, includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(15) “Certified automated system” or “CAS”, software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;

(16) “Certified service provider” or “CSP”, an agent certified under the streamlined sales and use tax agreement to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases;

(17) “Clothing”:

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

a. Aprons, household and shop;

b. Athletic supporters;

c. Baby receiving blankets;

d. Bathing suits and caps;

e. Beach capes and coats;

f. Belts and suspenders;

g. Boots;

h. Coats and jackets;

i. Costumes;

j. Diapers, children and adult, including disposable diapers;

k. Ear muffs;

l. Footlets;

m. Formal wear;

n. Garters and garter belts;

- o. Girdles;**
- p. Gloves and mittens for general use;**
- q. Hats and caps;**
- r. Hosiery;**
- s. Insoles for shoes;**
- t. Lab coats;**
- u. Neckties;**
- v. Overshoes;**
- w. Pantyhose;**
- x. Rainwear;**
- y. Rubber pants;**
- z. Sandals;**
- aa. Scarves;**
- bb. Shoes and shoelaces;**
- cc. Slippers;**
- dd. Sneakers;**
- ee. Socks and stockings;**
- ff. Steel toed-shoes;**
- gg. Underwear;**
- hh. Uniforms, athletic and nonathletic; and**
- ii. Wedding apparel;**

(c) Clothing shall not include:

- a. Belt buckles sold separately;**
- b. Costume masks sold separately;**
- c. Patches and emblems sold separately;**
- d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and**
- e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;**

(18) “Clothing accessories and equipment”, incidental items worn on the person or in conjunction with clothing. Clothing accessories and equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;

(19) “Coin-operated telephone service”, a telecommunications service paid for by inserting money

into a telephone accepting direct deposits of money to operate;

(20) “Communications channel”, a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;

(21) “Computer”, an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;

(22) “Computer software”, a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(23) “Conference bridging service”, an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;

(24) “Customer”, the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider’s licensed service area;

(25) “Customer channel termination point”, the location where the customer either inputs or receives the communication;

(26) “Delivered electronically”, delivered to the purchaser by means other than tangible storage media;

(27) “Delivery charges”, charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;

(28) “Detailed telecommunications billing service”, an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement;

(29) “Dietary supplement”, any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;

(30) “Digital audio works”, works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;

(31) “Digital audio-visual works”, a series of related images which, when shown in succession,

impart an impression of motion, together with accompanying sounds, if any;

(32) “Digital books”, works that are generally recognized in the ordinary and usual sense as books;

(33) “Direct mail”, printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items is not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;

(34) “Directory assistance”, an ancillary service of providing telephone number information, or address information;

(35) “Drug”:

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) “Durable medical equipment”, equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and

b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) “Electronic”, relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) “End user”, the person who utilizes the telecommunication service. In case of an entity, “end user” means the individual who utilizes the service on behalf of the entity;

(39) “Energy star qualified product”, a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that is authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) “Engages in business activities within this state”, includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller’s trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) “Food and food ingredients”, substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) “Food sold through a vending machine”, food dispensed from a machine or other mechanical device that accepts payment;

(43) “Grooming and hygiene products”, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter drugs;

[(4)] (44) “Gross receipts”[, or “sales price”]:

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term “gross receipts” shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in

money, whether received in money or otherwise, without any deduction for the following:

a. The seller's cost of the property sold;

b. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

c. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

d. Delivery charges; and

e. Credit for any trade-in;

(b) Shall not include:

a. Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

b. Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and

c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(c) Shall include consideration received by the seller from third parties if:

a. The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

b. The seller has an obligation to pass the price reduction or discount through to the purchaser;

c. The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

d. One of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or

(iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;

(45) "Home service provider", the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(46) "Lease or rental":

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;

(b) Lease or rental shall not include:

a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;

c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;

(c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;

(47) “Light aircraft”, a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) “Light aircraft kit”, factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) “Light aircraft parts and components”, manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) “Livestock”, cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) “Load and leave”, delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) “Maintains a place of business in this state”, includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) “Mobile telecommunications service”, the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) “Mobility enhancing equipment”, equipment, including repair and replacement parts to same, which:

(a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and

(b) Is not generally used by persons with normal mobility; and

(c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) “Model 1 seller”, a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases;

(56) “Model 2 seller”, a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) “Model 3 seller”, a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) “Model 4 seller”, a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) “Motor vehicle leasing company” [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) “Other direct mail”, any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

(a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;

(b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and

(c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) “Over-the-counter drug”, a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

(a) A drug facts panel; or

(b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) “Person” includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state

department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, **or any other legal entity**;

[(8)] (63) **“Place of primary use”, the street address representative of where the customer’s use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;**

(64) **“Post-paid calling service”, the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;**

(65) **“Prepaid calling service”, the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;**

(66) **“Prepaid wireless calling service”, a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;**

(67) **“Prepared food”, food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;**

(68) **“Prescription”, an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;**

(69) **“Prewritten computer software”, computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person’s modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and**

developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) “Private communication service”, a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) “Product-based exemption”, an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) “Product which is intended to be sold ultimately for final use or consumption”, tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent to these taxes, in this state or any other state;

(73) “Prosthetic device”, a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term “prosthetic device” shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) “Protective equipment”, items for human wear and designed as protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use. Protective equipment is mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) “Purchase”, the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) “Purchase price”, applies to the measure subject to use tax and has the same meaning as sales price;

(77) “Purchaser” [means], a person [who purchases tangible] **to whom a sale of** personal property is **made** or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] **a service is furnished**;

[(9)] (78) “Qualified light aircraft purchaser”, a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;

(79) “Receive” or “receipt”, taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;

(80) “Registered under the agreement”, registration by a seller with the member states under the central registration system provided in Article IV of the agreement;

(81) “Research or experimentation activities” are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

[(10) “Sale” or “sales” includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

[(11)] (82) “Sale at retail” [means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] **or “retail sale”, any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale.** Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term “sale at retail” shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat,

airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(83) “School art supply”:

(a) An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Clay and glazes;**
- b. Paints, acrylic, tempora, and oil;**
- c. Paintbrushes for artwork;**
- d. Sketch and drawing pads; and**
- e. Watercolors;**

(84) “School computer supply”:

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

- a. Computer storage media, diskettes, compact disks;**
- b. Handheld electronic schedulers, except devices that are cellular phones;**
- c. Personal digital assistants, except devices that are cellular phones; and**
- d. Computer printers and printer supplies for computers, printer paper, and printer ink;**

(85) “School instructional material”:

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;**
- b. Reference maps and globes;**
- c. Textbooks; and**
- d. Workbooks;**

(86) “School supply”:

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;**

- b. Book bags;**
- c. Calculators;**
- d. Cellophane tape;**
- e. Blackboard chalk;**
- f. Compasses;**
- g. Composition books;**
- h. Crayons;**
- i. Erasers;**
- j. Folders, expandable, pocket, plastic, and manila;**
- k. Glue, paste, and paste sticks;**
- l. Highlighters;**
- m. Index cards;**
- n. Index card boxes;**
- o. Legal pads;**
- p. Lunch boxes;**
- q. Markers;**
- r. Notebooks;**
- s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;**
- t. Pencil boxes and other school supply boxes;**
- u. Pencil sharpeners;**
- v. Pencils;**
- w. Pens;**
- x. Protractors;**
- y. Rulers;**
- z. Scissors; and**
- aa. Writing tablets;**

[(12)] (87) “Seller” means a person [selling or furnishing tangible] making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] services;

(88) “Selling agent”, every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(89) “Service address”:

(a) The location of the telecommunications equipment to which a customer’s call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in paragraph (a) of this subdivision is not known, “service address” means the origination point of the signal of the telecommunications services first identified by either the seller’s telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(c) If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer’s place of primary use;

(90) “Specified digital products”, electronically transferred digital audio-visual works, digital audio works, and digital books;

(91) “Sport or recreational equipment”, items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;

(92) “State”, any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(93) “Storage”, any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(94) “Tangible personal property”, personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

[(13) The noun] (95) “Tax” [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(96) “Taxpayer”, any person remitting the tax or who should remit the tax levied by this chapter;

(97) “Telecommunications nonrecurring charges”, an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;

[(14)] (98) “Telecommunications service”[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, “information” means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer’s bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) “Product which is intended to be sold ultimately for final use or consumption” means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser’s primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer’s premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) “Transportation equipment”, any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco;

(101) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) "Use-based exemption", an exemption based on a specified use of the product by the purchaser;

(103) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term “manufactured homes” shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the “Sales Tax Law”.

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term “food” shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through vending [machine sales, the term “food”] machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.”; and

Further amend said bill, Page 17, Section 144.021, Line 13, by inserting after all of said line the following:

“144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal

property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable.”; and

Further amend said bill, Pages 17 to 26, Section 144.030, Lines 1 to 300, by deleting all of said section and inserting in lieu thereof the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public

highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total

cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, **all sales of kidney dialysis equipment and enteral feeding systems, all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment,** and [drugs required by the Food and Drug Administration to meet the] **all sales of** over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] **drugs** as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use [and in any city not within a county,

all sales of metered or unmetered water service for domestic use]:

(a) “Domestic use” means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller’s utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification “residential” and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller’s utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller’s spouse if the seller or the seller’s spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071, 4081, [4091,] 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the

purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption

certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(44) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions;

(45) Sales made to any person where payment is being made by a nongovernmental agency as part of a disaster relief service.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other

entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same “controlled group of corporations” as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser’s business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination

whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location

for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

(a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and

(b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

(a) A direct pay permit;

(b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or

(c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

(2) A purchaser of other direct mail may provide the seller with either:

(a) A direct pay permit; or

(b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

(3) Nothing in this section shall limit any purchaser's:

(a) Obligation for sales or use tax to any state to which the direct mail is delivered;

(b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or

(c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

(1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction;
or

(2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunications services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.

3. The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:

(1) A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;

(2) A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

(a) The seller's telecommunications system; or

(b) Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(3) A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;

(4) A sale of a private communication service is sourced as follows:

(a) Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;

(b) Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;

(c) Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and

(d) Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

4. The sale of internet access service is sourced to the customer's place of primary use.

5. The sale of an ancillary service is sourced to the customer's place of primary use.

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the

exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) “Personal computers”, a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) “School supplies”, any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[.]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[.]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[.]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision’s local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision’s local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] 2. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] 3. This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] 4. This section may not apply to any retailer when less than two percent of the retailer’s merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

144.054. 1. As used in this section, the following terms mean:

(1) “Processing”, any mode of treatment, act, or series of acts performed upon materials to transform

or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) “Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761,] **this chapter and from the computation of the tax levied, assessed, or payable under this chapter** electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. [The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.] **This section shall not apply to local sales or use taxes levied on electricity, piped natural or artificial gas, or other fuels delivered by the seller.**

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085] **this chapter and from the computation of the tax levied, assessed, and payable under this chapter**, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085] **this chapter and from the computation of the tax levied, assessed, and payable under this chapter**, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.”; and

Further amend said bill, Page 26, Section 144.069, Line 10, by inserting after all of said line the following:

“144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor

which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term “purchase price” shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

(1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;

(2) Is authorized to do business in Missouri;

(3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;

(4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and

(5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues.”; and

Further amend said bill, Page 26, Section 144.071, Line 17, by inserting after all of said line the following:

“144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person’s gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration. Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after

ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making "same day" payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided

for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

(1) The name and address of the retailer;

(2) The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;

(3) The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;

(4) Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;

(5) Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;

(6) Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;

(7) Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and

(8) Such other pertinent information as the director may require.

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state. With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] 5. In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] 6. If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] 7. The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

144.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this

designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who

registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.

144.210. 1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided

under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this**

subsection may be applied to the aggregated state and local taxes.

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] 5. If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984.”; and

Further amend said bill, Page 29, Section 144.525, Line 9, by inserting after all of said line the following:

“144.526. 1. This section shall be known and may be cited as the “Show Me Green Sales Tax Holiday”.

2. [For purposes of this section, the following terms mean:

(1) “Appliance”, clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) “Energy star certified”, any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

[4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]; and

Further amend said bill, Page 34, Section 144.615, Line 21, by inserting after all of said line the following:

“144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly

period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but

chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal to two percent thereof.] **Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law.”; and**

Further amend said bill, Pages 44 to 46, Section 184.845, by deleting all of said section and inserting in lieu thereof the following:

“184.845. 1. The board of the district may impose a museum **and cultural** district sales tax by resolution on all retail sales made in such museum **and cultural** district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum **and cultural** district sales tax may be imposed for any museum purpose designated by the board of the museum **and cultural** district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to [either the legal voters of the district and/or to the owners of real property within the district] **the qualified voters** who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter [following adoption of the tax by the qualified voters] **after the director of revenue receives notification of the adoption of the local sales tax.**

3. In each museum **and cultural** district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum **and cultural** district pursuant to this section to the retailer’s sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum **and cultural** district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section [144.825] **144.285.**

5. All revenue received by a museum **and cultural** district from the tax authorized by this section which has been designated for a certain museum **and cultural** purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum **and cultural** purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum **and cultural** district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one

percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum **and cultural** district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum **and cultural** district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the [museum district] **director of revenue** shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the [museum district] **director**.

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 [and] to 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section[, except as modified in this section].

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the museum **and cultural** district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum **and cultural** district shall be deposited by the museum **and cultural** district in a special fund to be expended for the purposes authorized in this section. The museum **and cultural** district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum **and cultural** district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum **and cultural** district imposing a sales tax pursuant to this section may repeal or amend

such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects.""; and

Further amend said bill, Page 48, Section 184.865, Line 7, by inserting after all of said line the following:

"21.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after

payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Regional Jail District Sales Tax Trust Fund”. The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district

funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more

than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax

imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all

moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] 10. The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] 11. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term “boat” shall only include motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

[13.] 12. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and

penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] **13.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] **14.** In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412.”; and

Further amend said bill, Page 93, Section 577.041, Line 138, by inserting after all of said line the following:

“44.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes

cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.

[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the county with sufficient information to perform such duties in such form as may be agreed upon by the director and the county at no cost to the county. The county shall be bound by the provisions of section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director's powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political

subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

(1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(2) "Engages in business activities within this state" includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal

property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) “Sales price”, the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and “sales price” shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) “Selling agent”, every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) “Storage”, any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) “Tangible personal property”, all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) “Taxpayer”, any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) “Use”, the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) “Vendor”, every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a

place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.】

【144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the “Simplified Sales and Use Tax Administration Act”.】

【144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

(1) “Agreement”, the streamlined sales and use tax agreement;

(2) “Certified automated system”, software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;

(3) “Certified service provider”, an agent certified jointly by the states that are signatories to the agreement to perform all of the seller's sales tax functions;

(4) “Person”, an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;

(5) “Sales tax”, any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;

(6) “Seller”, any person making sales, leases or rentals of personal property or services;

(7) “State”, any state of the United States and the District of Columbia;

(8) “Use tax”, the use tax levied pursuant to this chapter.】

【144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the

committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.】

【144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.】

【144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;

(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.】

【144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

(1) The agreement should address the limitation of the number of state rates over time;

(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;

(3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;

(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

- (a) Restricting variances between the state and local tax bases;
- (b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;
- (c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and
- (d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]; and

Further amend said bill, Page 94, Section D, Line 3, by inserting after all of said line the following:

“Section E. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR HOUSE AMENDMENT NO. 20

Amend House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said line the following:

“64.196. 1. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later

edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020.”;

Further amend said bill, Page 77, Section 302.525, Line 60, by inserting after all of said line the following:

“323.100. **1.** The director of the department of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked “inaccurate”, and the mark shall not be removed or defaced except upon authorization of the director of the department of agriculture or his authorized representative. It is the duty of each person owning or in possession of a meter to pay to the director of the department of agriculture at the time of each test a testing fee of ten dollars[, except that the testing fee herein provided for shall not be applied more than once in a calendar year to each meter tested]. **On January 1, 2014, the testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be set at fifty dollars. On January 1, 2016, and annually thereafter, the director shall ascertain the total expenses for administering this section and shall set the testing fee at a rate to cover the expenses for the ensuing year but not to exceed seventy-five dollars.**

2. On the first day of October 2014, and each year thereafter, the director of the department of agriculture shall submit a report to the general assembly that states the current testing fee, the expenses for administering this section for the previous calendar year, any proposed change to the testing fee, and estimated expenses for administering this section during the ensuing year. The proposed change to the testing fee shall not yield revenue greater than the total cost of administering this section during the ensuing year.

3. Beginning August 28, 2013, and each year thereafter, the director of the department of agriculture shall publish the testing fee schedule on the departmental website. The website shall be updated within thirty days of a change in the testing fee schedule set forth in this section.”; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said line the following:

“413.225. **1.** There is established a fee for registration, inspection and calibration services performed by the division of weights and measures. The fees are due at the time the service is rendered and shall be paid to the director by the person receiving the service. The director shall collect fees according to the following schedule and shall deposit them with the state treasurer into [general revenue for the use of the state of Missouri] **the agriculture protection fund as set forth in section 261.200:**

(1) From August 28, [1994] **2013**, until the next January first, laboratory fees for metrology calibrations shall be at the rate of [twenty-five] **sixty** dollars per hour for tolerance testing [and thirty-five dollars per hour for] **or** precision calibration. Time periods over one hour shall be computed to the nearest **one quarter** hour. On the first day of January, [1995] **2014**, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing year at a rate per hour [which shall not exceed sixty dollars per hour for

either method but shall not be less than twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour for precision calibration,] as will yield revenue not more than the total cost of operating the metrology laboratory during the ensuing year, **but not to exceed one hundred twenty-five dollars;**

(2) [From August 28, 1994, until the next January first,] All [scale] **device** test fees [shall be] charged [as follows] **shall include, but not be limited to, the following devices:**

(a) Small scales [shall be five dollars for each counter scale, ten dollars for platform scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one thousand-pound capacity];

(b) Vehicle scales [shall be fifty dollars each for the initial test and seventy-five dollars for each subsequent test within the same calendar year];

(c) Livestock scales [shall be seventy-five dollars each for the initial test, and one hundred dollars for each subsequent test within the same calendar year];

(d) Hopper scales [with a capacity of one thousand pounds or less shall be ten dollars each; for each hopper scale with a capacity of more than one thousand pounds up to and including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a capacity of more than two thousand pounds up to and including ten thousand pounds, the fee shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand pounds, the test fee shall be seventy-five dollars each];

(e) Railroad scales [shall be fifty dollars each];

(f) Monorail scales [shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year];

(g) [Participation in on-site field evaluations of devices for National Type Evaluation Program certification and all tests of] In-motion scales including but not limited to vehicle, railroad and belt conveyor scales [will be charged at the rate of thirty dollars per hour, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final report is signed by the owner/operator and the inspector departs];

[(3) From August 28, 1994, until the next January first, certification of]

(h) Taximeters [shall be five dollars per meter];

(i) Timing devices[, five dollars per device];

(j) Fabric-measuring devices[,];

(k) Wire- and cordage-measuring devices[, five dollars per device];

(l) Milk for quantity determination[, twenty-five dollars per plant inspected]; **and**

[(4) From August 28, 1994, until the next January first, certification of]

(m) Vehicle tank meters [shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year];

(3) Devices that require participation in on-site field evaluations for National Type Evaluation Program Certification and all tests of in-motion scales shall be charged a fee, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final

report is signed by the owner/operator and the inspector departs;

~~[(5)]~~ **(4)** Every person shall register each location of such person's place of business where devices or instruments are used to ascertain the moisture content of grains and seeds offered for sale, processing or storage in this state with the director and shall pay a registration fee ~~[of ten dollars]~~ for each location so registered and a fee ~~[of five dollars]~~ for each additional device or instrument at such location. Thereafter, by January thirty-first of each year, each person who is required to register pursuant to this subdivision shall pay an annual fee ~~[of ten dollars]~~ for each location so registered and an additional ~~[five dollars]~~ **fee** for each additional machine at each location. The fee on newly purchased devices shall be paid within thirty days after the date of purchase. Application for registration of a place of business shall be made on forms provided by the director and shall require information concerning the make, model and serial number of the device and such other information as the director shall deem necessary. Provided, however, this subsection shall not apply to moisture-measuring devices used exclusively for the purpose of obtaining information necessary to manufacturing processes involving plant products. In addition to fees required by this subdivision, a fee ~~[of ten dollars]~~ shall be charged for each device subject to retest.

2. On the first day of January, 1995, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the testing of weighing and measuring devices referred to in subdivisions (2), (3), **and (4)** ~~[and (5)]~~ of subsection 1 of this section and shall fix the fees or rate per hour for such weighing and measuring devices to derive revenue not more than the total cost of the operation[, but such fees shall not be fixed in amounts less than the amounts contained in subdivisions (2), (3), (4) and (5) of subsection 1 of this section].

3. ~~[Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions (4) and (5) of subsection 1,]~~ **On the first day of October 2014, and each year thereafter, the director of the department of agriculture shall submit a report to the general assembly that states the current laboratory fees for metrology calibration, the expenses for administering this section for the previous calendar year, any proposed change to the laboratory fee structure, and estimated expenses for administering this section during the ensuing year. The proposed change to the laboratory fee structure shall not yield revenue greater than the total cost of administering this section during the ensuing year.**

4. Beginning August 28, 2013, and each year thereafter, the director of the department of agriculture shall publish the laboratory fee schedule on the departmental website. The website shall be updated within thirty days of a change in the laboratory fee schedule set forth in this section.

5. Retests for any device within the same calendar year will be charged at the same rate as the initial test. Devices being retested in the same calendar year as a result of rejection and repair are exempt from the requirements of this subsection.

~~[4.]~~ **6.** All device inspection fees shall be paid within thirty days of the issuance of the original invoice. Any fee not paid within ninety days after the date of the original invoice will be cause for the director to deem the device as incorrect and it may be condemned and taken out of service, and may be seized by the director until all fees are paid.

~~[5.]~~ **7.** No fee provided for by this section shall be required of any person owning or operating a moisture-measuring device or instrument who uses such device or instrument solely in agricultural or horticultural operations on such person's own land, and not in performing services, whether with or without compensation, for another person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 21

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section the following:

“137.090. **1.** All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.”; and

Further amend said bill, Page 10, Section 92.387, Line 2, by inserting after all of said section the following:

“137.095. **1.** The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term “based” means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 22

Amend House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by

inserting after all of said section the following:

“137.720. 1. A percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750. The percentage shall be one-half of one percent for all counties of the first and second classification and cities not within a county and one percent for counties of the third and fourth classification.

2. Prior to July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-quarter of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred thousand dollars in any year for any county of the first classification and any county with a charter form of government and fifty thousand dollars in any year for any county of the second, third, or fourth classification.

3. Effective July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-half of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred twenty-five thousand dollars in any year for any county of the first classification and any county with a charter form of government and seventy-five thousand dollars in any year for any county of the second, third, or fourth classification.

4. The county shall bill any taxing authority collecting its own taxes. The county may also provide additional moneys for the fund. To be eligible for state cost-share funds provided pursuant to section 137.750, every county shall provide from the county general revenue fund an amount equal to an average of the three most recent years of the amount provided from general revenue to the assessment fund; provided, however, that capital expenditures and equipment expenses identified in a memorandum of understanding signed by the county's governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund shall be deducted from a year's contribution before computing the three-year average, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, the county governing body, and the state tax commission. The county shall deposit the county general revenue funds in the assessment fund as agreed to in its original or amended maintenance plan, state reimbursement funds shall be withheld until the amount due is properly deposited in such fund.

5. For all years beginning on or after January 1, 2010, any property tax collections deposited into the county assessment funds provided for in subsection 2 of this section shall be disallowed in any year in which the state tax commission notifies the county that state assessment reimbursement funds have been withheld from the county for three consecutive quarters due to noncompliance by the assessor or county commission

with the county's assessment maintenance plan.

[6. The provisions of subsections 2, 3, and 5 of this section shall expire on December 31, 2015.]; and
Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 23

Amend House Committee Substitute for Senate Bill No. 23, Section 144.810, Page 40, Line 242, by inserting after all of said line the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, “need to know” is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase “act of school violence” or “violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;

- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; [or]
- (25) Stalking under section 565.225; **or**
- (26) Making a terrorist threat under section 574.115;**

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing

in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. “Acts of violence” as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district’s discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education’s written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children’s division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children’s division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children’s division within twenty-four hours of receiving the information. Reports made to the children’s division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children’s division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children’s division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children’s division and take no further action. In all matters referred back to the children’s division, the division shall treat the report in the same

manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with

the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 24

Amend House Committee Substitute for Senate Bill No. 23, Section 67.2050, Page 10, Line 73, by inserting after all of said Line the following:

“71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term “contiguous and compact” does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term “contiguous and compact” does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and ~~the~~ Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning

the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term “common-interest community” shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A “common-interest community” shall be defined as real property with respect to which a person, by virtue of such person’s ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. “Ownership of a unit” does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A “cooperative” shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member’s ownership interest in the association to exclusive possession of a unit;

(c) A “planned community” shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city’s, town’s or village’s limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse

collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of

intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the

procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of the adoption of the annexation ordinance.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 197**, entitled:

An Act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and 199.270, RSMo, and to enact in lieu thereof twelve new sections relating to tuberculosis testing, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 197, Page 1, Line 4 in the Title, by deleting the phrase “tuberculosis testing” and inserting in lieu thereof the phrase “disease management”; and

Further amend said bill and page, Section A, Line 5, by inserting after all of said section and line the following:

“167.638. 1. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that an immunization against meningococcal disease is available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness; and

(4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 106**, entitled:

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

With House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting immediately after said line the following:

“452.413. 1. As used in this section, the following terms shall mean:

(1) “Deploying parent”, a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) “Deployment”, military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) “Military parent”, a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) “Nondeploying parent”, a parent or guardian not subject to deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall

not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends unless there is a written agreement by both parties.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent, unless it is not in the best interest of the child.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such temporary custody or visitation order shall require the nondeploying parent to provide the court and the deploying parent with written notice of the nondeploying parent's address and telephone number, and update such information within seven days of any change. However, if a valid order of protection under chapter 455 from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification. Nothing in this subdivision shall be construed to eliminate the requirements under section 452.377.

(5) Upon motion of a deploying parent, with reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such

rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence as defined under section 455.010 against another family or household member, or delegated to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against another family or household member.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Receive timely information regarding the deploying parent's leave schedule.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent

promptly and without delay prior to deployment. Notification shall be made within ten days of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished in accordance with the provisions of section 506.160.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting after all of said line the following:

“478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the “Veterans Treatment Intervention Act”.

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) “Servicemember”, any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States

Reserve Forces;

(2) “Veteran”, any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a “Military Veterans and Servicemembers Court Program” under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court’s assessment of the defendant’s criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant’s agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans’ treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court’s own motion, except:

(1) If a defendant was previously offered admission to a veterans’ treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant’s admission to such a program;

(2) If a defendant previously entered a court-ordered veterans’ treatment program, the court may deny the defendant’s admission into the veterans’ treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver’s license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state’s failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans’ treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;
- (2) Kidnapping or false imprisonment under chapter 565;
- (3) Aggravated assault under chapter 565;
- (4) Stalking under chapter 565;
- (5) Elder abuse under chapter 565;
- (6) Sexual offenses under chapter 566;
- (7) Offenses against the family under chapter 568;

- (8) Robbery or burglary under chapter 569;**
- (9) Arson under chapter 569;**
- (10) Water contamination under chapter 569;**
- (11) Child pornography under chapter 573;**
- (12) Treason; and**

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;**
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;**
- (c) Eligible participants are identified early and promptly placed in the treatment program;**
- (d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;**
- (e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;**
- (f) A coordinated strategy governs treatment program responses to participants' compliance;**
- (g) Ongoing judicial interaction with each treatment program participant is essential;**
- (h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;**
- (i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;**
- (j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.**

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the

pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

(1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;

(2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;

- (3) Staffing levels;**
- (4) The number of face-to-face contacts with the offender;**
- (5) Procedures for handling the collection of all offender fees and restitution;**
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;**
- (7) Circumstances under which revocation of an offender's probation may be recommended;**
- (8) Reporting and record-keeping requirements;**
- (9) Default and contract termination procedures;**
- (10) Procedures that aid offenders with job assistance; and**
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.**

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 106, Page 1, Section A, Line 3, by inserting after said line the following:

“168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current

certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

a. Has ten years of teaching experience as defined by the state board of education;

b. Possesses a master's degree; or

c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

(1) Is the spouse of a member of the Armed Forces stationed in Missouri;

(2) Relocated from another state within one year of the date of application;

(3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and

(4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Committee Substitute for Senate Bill No. 106, Page 2 Line 1 by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said page, Line 20, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said page, Line 39, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said amendment, Page 3, Line 36, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said amendment, Page 4, Line 4, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said amendment, Page 7, Line 19, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said page, Line 39, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said amendment, Page 8, Line 11, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said page, Line 19, by inserting after the word “**military**”; the words “**or such organizer resides in a third or fourth class county**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting after all of said section the following:

“347.179. 1. The secretary shall charge and collect:

- (1) For filing the original articles of organization, a fee of one hundred dollars;
- (2) For filing the original articles of organization online, in an electronic format prescribed by the secretary of state, a fee of forty-five dollars;
- (3) Applications for registration of foreign limited liability companies and issuance of a certificate of registration to transact business in this state, a fee of one hundred dollars;
- (4) Amendments to and restatements of articles of limited liability companies to application for registration of a foreign limited liability company or any other filing otherwise provided for, a fee of twenty dollars;
- (5) Articles of termination of limited liability companies or cancellation of registration of foreign limited liability companies, a fee of twenty dollars;

- (6) For filing notice of merger or consolidation, a fee of twenty dollars;
- (7) For filing a notice of winding up, a fee of twenty dollars;
- (8) For issuing a certificate of good standing, a fee of five dollars;
- (9) For a notice of the abandonment of merger or consolidation, a fee of twenty dollars;
- (10) For furnishing a copy of any document or instrument, a fee of fifty cents per page;
- (11) For accepting an application for reservation of a name, or for filing a notice of the transfer or cancellation of any name reservation, a fee of twenty dollars;
- (12) For filing a statement of change of address of registered office or registered agent, or both, a fee of five dollars;
- (13) For any service of notice, demand, or process upon the secretary as resident agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as taxable costs by the party instituting such suit, action, or proceeding causing such service to be made if such party prevails therein;
- (14) For filing an amended certificate of registration a fee of twenty dollars; and
- (15) For filing a statement of correction a fee of five dollars.

2. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and for application of a reservation of a name in subdivision (11) of subsection 1 of this section shall be waived when an organizer is listed as a member in the operating agreement of the limited liability company and such organizer is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

351.065. 1. No corporation shall be organized under the general and business corporation law of Missouri unless the persons named as incorporators shall at or before the filing of the articles of incorporation pay to the director of revenue three dollars for the issuance of the certificate and fifty dollars for the first thirty thousand dollars or less of the authorized shares of the corporation and a further sum of five dollars for each additional ten thousand dollars of its authorized shares, and no increase in the authorized shares of the corporation shall be valid or effectual unless the corporation has paid the director of revenue five dollars for each ten thousand dollars or less of the increase in the authorized shares of the corporation, and the corporation shall file a duplicate receipt issued by the director of revenue for the payments required by this section to be made with the secretary of state as is provided by this chapter for the filing of articles of incorporation; except that the requirements of this section to pay incorporation taxes and fees shall not apply to foreign railroad corporations which built their lines of railway into or through this state prior to November 21, 1943.

2. For the purpose of this section, the dollar amount of authorized shares is the par value thereof in the case of shares with par value and is one dollar per share in the case of shares without par value.

3. Fees mandated in subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director for the administration and enforcement of the provisions of this

chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

355.021. 1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

(1) Articles of incorporation, twenty dollars;

(2) Application for reserved name, twenty dollars;

(3) Notice of transfer of reserved name, two dollars;

(4) Application for renewal of reserved name, twenty dollars;

(5) Corporation's statement of change of registered agent or registered office or both, five dollars;

(6) Agent's statement of change of registered office for each affected corporation, five dollars;

(7) Agent's statement of resignation, five dollars;

(8) Amendment of articles of incorporation, five dollars;

(9) Restatement of articles of incorporation with amendments, five dollars;

(10) Articles of merger, five dollars;

(11) Articles of dissolution, five dollars;

(12) Articles of revocation of dissolution, five dollars;

(13) Application for reinstatement following administrative dissolution, twenty dollars;

(14) Application for certificate of authority, twenty dollars;

(15) Application for amended certificate of authority, five dollars;

(16) Application for certificate of withdrawal, five dollars;

(17) Corporate registration report filed annually, ten dollars if filed in a written format or five dollars if filed electronically in a format prescribed by the secretary of state;

(18) Corporate registration report filed biennially, twenty dollars if filed in a written format or ten dollars if filed electronically in a format prescribed by the secretary of state;

(19) Articles of correction, five dollars;

(20) Certificate of existence or authorization, five dollars;

(21) Any other document required or permitted to be filed by this chapter, five dollars.

2. The secretary of state shall collect a fee of ten dollars upon being served with process under this chapter. The party to a proceeding causing service of process is entitled to recover the fee paid the secretary of state as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation: in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies.

4. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived when an initial officer or director of the nonprofit corporation includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

357.060. 1. For incorporation under this chapter as herein provided, there shall be paid to and collected by the state director of revenue a fee of fifty dollars for the first fifty thousand dollars or less of capital stock, and the further sum of five dollars for each additional ten thousand dollars of its capital stock. The limitation upon the aggregate amount of capital stock shall be the same as in respect to other corporations.

2. Fees mandated in subsection 1 of this section shall be waived when the association of persons signing the written articles of association and agreement includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

358.440. 1. To register as a limited liability partnership pursuant to this section, a written application shall be filed with the office of the secretary of state. The application shall set forth:

(1) The name of the partnership;

(2) The address of a registered office and the name and address of a registered agent for service of process required to be maintained by section 358.470;

(3) The number of partners in the partnership at the date of application;

(4) A brief statement of the principal business in which the partnership engages;

(5) That the partnership thereby applies for registration as a registered limited liability partnership; and

(6) Any other information the partnership determines to include in the application.

2. The application shall be signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority in interest of the partners to sign the application on behalf of the partnership.

3. The application shall be accompanied by a fee payable to the secretary of state of twenty-five dollars for each partner of the partnership, but the fee shall not exceed one hundred dollars. All moneys from the payment of this fee shall be deposited into the general revenue fund.

4. A person who files a document according to this section as an agent or fiduciary need not exhibit evidence of the partner's authority as a prerequisite to filing. Any signature on such document may be a facsimile. If the secretary of state finds that the filing conforms to law, the secretary of state shall:

(1) Endorse on the copy the word "Filed" and the month, day and year of the filing;

(2) File the original in the secretary of state's office; and

(3) Return the copy to the person who filed it or to the person's representative.

5. A partnership becomes a registered limited liability partnership on the date of the filing in the office of the secretary of state of an application that, as to form, meets the requirements of subsections 1 and 2 of this section and that is accompanied by the fee specified in subsection 3 of this section, or at any later time specified in the application.

6. An initial application filed under subsection 1 of this section by a partnership registered by the secretary of state as a limited liability partnership expires one year after the date of registration unless earlier withdrawn or revoked or unless renewed in accordance with subsection 9 of this section.

7. If a person is included in the number of partners of a registered limited liability partnership set forth in an application, a renewal application or a certificate of amendment of an application or a renewal application, the inclusion of such person shall not be admissible as evidence in any action, suit or proceeding, whether civil, criminal, administrative or investigative, for the purpose of determining whether such person is liable as a partner of such registered limited liability partnership. The status of a partnership as a registered limited liability partnership and the liability of a partner of such registered limited liability partnership shall not be adversely affected if the number of partners stated in an application, a renewal application or a certificate of amendment of an application or a renewal application is erroneously stated provided that the application, renewal application or certificate of amendment of an application or a renewal application was filed in good faith.

8. Any person who files an application or a renewal application in the office of the secretary of state pursuant to this section shall not be required to file any other documents pursuant to chapter 417 which requires filing for fictitious names.

9. An effective registration may be renewed before its expiration by filing in duplicate with the secretary of state an application containing current information of the kind required in an initial application, including the registration number as assigned by the secretary of state. The renewal application shall be accompanied by a fee of one hundred dollars on the date of renewal plus, if the renewal increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars. All moneys from such fees shall be deposited into the general revenue fund. A renewal application filed under this section continues an effective registration for one year after the date the effective registration would otherwise expire.

10. A registration may be withdrawn by filing with the secretary of state a written withdrawal notice signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority of the partners to sign the notice on behalf of the partnership. A withdrawal notice shall include

the name of the partnership, the date of registration of the partnership's last application under this section, and a current street address of the partnership's principal office in this state or outside the state, as applicable. A withdrawal notice terminates the registration of the partnership as a limited liability partnership as of the date of filing the notice in the office of the secretary of state. The withdrawal notice shall be accompanied by a filing fee of twenty dollars.

11. If a partnership that has registered pursuant to this section ceases to be registered as provided in subsection 6 or 10 of this section, that fact shall not affect the status of the partnership as a registered limited liability partnership prior to the date the partnership ceased to be registered pursuant to this section.

12. A document filed under this section may be amended or corrected by filing with the secretary of state articles of amendment, signed by a majority of the partners or by one or more partners authorized by a majority of the partners. The articles of amendment shall contain:

- (1) The name of the partnership;
- (2) The identity of the document being amended;
- (3) The part of the document being amended; and
- (4) The amendment or correction.

The articles of amendment shall be accompanied by a filing fee of twenty dollars plus, if the amendment increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars; provided that no amendment of an application or a renewal application is required as a result of a change after the application or renewal application is filed in the number of partners of the registered limited liability partnership or in the business in which the registered limited liability partnership engages. All moneys from such fees shall be deposited into the general revenue fund. The status of a partnership as a registered limited liability partnership shall not be affected by changes after the filing of an application or a renewal application in the information stated in the application or renewal application.

13. No later than ninety days after the happening of any of the following events, an amendment to an application or a renewal application reflecting the occurrence of the event or events shall be executed and filed by a majority in interest of the partners or by one or more partners authorized by a majority of the partners to execute an amendment to the application or renewal application:

- (1) A change in the name of the registered limited liability partnership;
- (2) Except as provided in subsections 2 and 3 of section 358.470, a change in the address of the registered office or a change in the name or address of the registered agent of the registered limited liability partnership.

14. Unless otherwise provided in this chapter or in the certificate of amendment of an application or a renewal application, a certificate of amendment of an application or a renewal application or a withdrawal notice of an application or a renewal application shall be effective at the time of its filing with the secretary of state.

15. The secretary of state may provide forms for the application specified in subsection 1 of this section, the renewal application specified in subsection 9 of this section, the withdrawal notice specified in subsection 10 of this section, and the amendment or correction specified in subsection 12 of this section.

16. The secretary of state may remove from its active records the registration of a partnership whose

registration has been withdrawn, revoked or has expired.

17. The secretary of state may revoke the filing of a document filed under this section if the secretary of state determines that the filing fee for the document was paid by an instrument that was dishonored when presented by the state for payment. The secretary of state shall return the document and give notice of revocation to the filing party by regular mail. Failure to give or receive notice does not invalidate the revocation. A revocation of a filing does not affect an earlier filing.

18. If any person signs a document required or permitted to be filed pursuant to sections 358.440 to 358.500 which the person knows is false in any material respect with the intent that the document be delivered on behalf of a partnership to the secretary of state for filing, such person shall be guilty of a class A misdemeanor. Unintentional errors in the information set forth in an application filed pursuant to subsection 1 of this section, or changes in the information after the filing of the application, shall not affect the status of a partnership as a registered limited liability partnership.

19. Before transacting business in this state, a foreign registered limited liability partnership shall:

(1) Comply with any statutory or administrative registration or filing requirements governing the specific type of business in which the partnership is engaged; and

(2) Register as a limited liability partnership as provided in this section by filing an application which shall, in addition to the other matters required to be set forth in such application, include a statement:

(a) That the secretary is irrevocably appointed the agent of the foreign limited liability partnership for service of process if the limited liability partnership fails to maintain a registered agent in this state or if the agent cannot be found or served with the exercise of reasonable diligence; and

(b) Of the address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited liability partnership.

20. A partnership that registers as a limited liability partnership shall not be deemed to have dissolved as a result thereof and is for all purposes the same partnership that existed before the registration and continues to be a partnership under the laws of this state. If a registered limited liability partnership dissolves, a partnership which is a successor to such registered limited liability partnership and which intends to be a registered limited liability partnership shall not be required to file a new registration and shall be deemed to have filed any documents required or permitted under this chapter which were filed by the predecessor partnership.

21. Fees mandated in subsection 3 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

359.651. 1. The secretary of state shall charge the fee specified for filing the following:

(1) Certificates of limited partnership: One hundred dollars;

(2) Applications for registration of foreign limited partnerships and issuance of a certificate of registration to transact business in this state:

One hundred dollars;

(3) Amendments to and restatements of certificates of limited partnerships or to applications for

registration of foreign limited partnerships or any other filing not otherwise provided for: Twenty dollars;

(4) Cancellations of certificates of limited partnerships or of registration of foreign limited partnerships: Twenty dollars;

(5) A consent required to be filed under this chapter: Twenty dollars;

(6) A change of address of registered agent, or change of registered agent, or both: Five dollars;

(7) A partner list: One dollar each page;

(8) Reservation of name: Twenty dollars;

(9) Rescission fee: One hundred dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

394.250. 1. There shall be charged and collected for:

(1) Filing articles of incorporation, ten dollars;

(2) Filing articles of amendment, one dollar;

(3) Filing articles of consolidation or merger, ten dollars;

(4) Filing articles of conversion, ten dollars;

(5) Filing certificate of election to dissolve, one dollar;

(6) Filing articles of dissolution, two dollars; and

(7) Filing certificate of change of principal office, two dollars.

2. All fees shall be made payable to and collected by the state director of revenue.

3. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when an initial member of the cooperative includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

417.220. 1. For the registration or renewal of each fictitious name under sections 417.200 to 417.230 there shall be paid to the state director of revenue a fee of two dollars if filed electronically in a format prescribed by the secretary of state or if filed in a written format prescribed by the secretary of state.

2. Fees mandated in subsection 1 of this section shall be waived when a party owning any interest or part in the business is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 106, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“8.012. At all state buildings and upon the grounds thereof, the board of public buildings may accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**”; and

Further amend said bill, Page 2, Section 192.360, Line 27, by inserting after all of said section and line the following:

“253.048. Within the state parks, the department may accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 28**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 117**, entitled:

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof three new sections relating to military affairs.

With House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting immediately after said line the following:

“452.413. 1. As used in this section, the following terms shall mean:

(1) “Deploying parent”, a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) “Deployment”, military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other

reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) “Military parent”, a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) “Nondeploying parent”, a parent or guardian not subject to deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends unless there is a written agreement by both parties.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent, unless it is not in the best interest of the child.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such temporary custody or visitation order shall require the nondeploying parent to provide the court and the deploying parent with written notice of the nondeploying parent’s address and telephone number, and update such information within seven days of any change. However, if a valid order of protection under chapter 455 from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification. Nothing in this subdivision shall be construed to eliminate the requirements under section 452.377.

(5) Upon motion of a deploying parent, with reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place

at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence as defined under section 455.010 against another family or household member, or delegated to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against another family or household member.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Receive timely information regarding the deploying parent's leave schedule.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears

that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished in accordance with the provisions of section 506.160.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law.

“; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting after all of said line the following:

“478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the “Veterans Treatment Intervention Act”.

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) “Servicemember”, any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) “Veteran”, any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a “Military Veterans and Servicemembers Court Program” under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court’s assessment of the defendant’s criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant’s agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans’ treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court’s own motion, except:

(1) If a defendant was previously offered admission to a veterans’ treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant’s admission to such a program;

(2) If a defendant previously entered a court-ordered veterans’ treatment program, the court may deny the defendant’s admission into the veterans’ treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver’s license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state’s failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;**
- (2) Kidnapping or false imprisonment under chapter 565;**
- (3) Aggravated assault under chapter 565;**
- (4) Stalking under chapter 565;**
- (5) Elder abuse under chapter 565;**
- (6) Sexual offenses under chapter 566;**
- (7) Offenses against the family under chapter 568;**
- (8) Robbery or burglary under chapter 569;**
- (9) Arson under chapter 569;**
- (10) Water contamination under chapter 569;**
- (11) Child pornography under chapter 573;**
- (12) Treason; and**

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;**
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;**
- (c) Eligible participants are identified early and promptly placed in the treatment program;**
- (d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;**

- (e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;
- (f) A coordinated strategy governs treatment program responses to participants' compliance;
- (g) Ongoing judicial interaction with each treatment program participant is essential;
- (h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;
- (i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;
- (j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team

under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for

Senate Bill No. 117 Page 1, Line 4, by inserting immediately after the word **“guard”** the following:

“or reserve component of the United States Armed Forces”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting after of said section and line the following:

“Section 1. 1. This section shall be known as “Clark’s Law.”

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Line 2, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said page, Line 21, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said page, Line 40, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said amendment, Page 3, Line 37, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said amendment, Page 4, Line 5, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said amendment, Page 7, Line 20, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said page, Line 40, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said amendment, Page 8, Line 12, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said page, Line 20, by inserting after the word **“military”**; the words **“or such organizer resides in a third or fourth class county”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2,

Section 253.048, Line 6, by inserting after all of said section and line the following:

“347.179. 1. The secretary shall charge and collect:

- (1) For filing the original articles of organization, a fee of one hundred dollars;
- (2) For filing the original articles of organization online, in an electronic format prescribed by the secretary of state, a fee of forty-five dollars;
- (3) Applications for registration of foreign limited liability companies and issuance of a certificate of registration to transact business in this state, a fee of one hundred dollars;
- (4) Amendments to and restatements of articles of limited liability companies to application for registration of a foreign limited liability company or any other filing otherwise provided for, a fee of twenty dollars;
- (5) Articles of termination of limited liability companies or cancellation of registration of foreign limited liability companies, a fee of twenty dollars;
- (6) For filing notice of merger or consolidation, a fee of twenty dollars;
- (7) For filing a notice of winding up, a fee of twenty dollars;
- (8) For issuing a certificate of good standing, a fee of five dollars;
- (9) For a notice of the abandonment of merger or consolidation, a fee of twenty dollars;
- (10) For furnishing a copy of any document or instrument, a fee of fifty cents per page;
- (11) For accepting an application for reservation of a name, or for filing a notice of the transfer or cancellation of any name reservation, a fee of twenty dollars;
- (12) For filing a statement of change of address of registered office or registered agent, or both, a fee of five dollars;
- (13) For any service of notice, demand, or process upon the secretary as resident agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as taxable costs by the party instituting such suit, action, or proceeding causing such service to be made if such party prevails therein;
- (14) For filing an amended certificate of registration a fee of twenty dollars; and
- (15) For filing a statement of correction a fee of five dollars.

2. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and for application of a reservation of a name in subdivision (11) of subsection 1 of this section shall be waived when an organizer is listed as a member in the operating agreement of the limited liability company and such organizer is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

351.065. 1. No corporation shall be organized under the general and business corporation law of Missouri unless the persons named as incorporators shall at or before the filing of the articles of incorporation pay to the director of revenue three dollars for the issuance of the certificate and fifty dollars for the first thirty thousand dollars or less of the authorized shares of the corporation and a further sum of five dollars for each additional ten thousand dollars of its authorized shares, and no increase in the authorized shares of the corporation shall be valid or effectual unless the corporation has paid the director

of revenue five dollars for each ten thousand dollars or less of the increase in the authorized shares of the corporation, and the corporation shall file a duplicate receipt issued by the director of revenue for the payments required by this section to be made with the secretary of state as is provided by this chapter for the filing of articles of incorporation; except that the requirements of this section to pay incorporation taxes and fees shall not apply to foreign railroad corporations which built their lines of railway into or through this state prior to November 21, 1943.

2. For the purpose of this section, the dollar amount of authorized shares is the par value thereof in the case of shares with par value and is one dollar per share in the case of shares without par value.

3. Fees mandated in subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director for the administration and enforcement of the provisions of this chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

355.021. 1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

(1) Articles of incorporation, twenty dollars;

(2) Application for reserved name, twenty dollars;

(3) Notice of transfer of reserved name, two dollars;

(4) Application for renewal of reserved name, twenty dollars;

(5) Corporation's statement of change of registered agent or registered office or both, five dollars;

- (6) Agent's statement of change of registered office for each affected corporation, five dollars;
- (7) Agent's statement of resignation, five dollars;
- (8) Amendment of articles of incorporation, five dollars;
- (9) Restatement of articles of incorporation with amendments, five dollars;
- (10) Articles of merger, five dollars;
- (11) Articles of dissolution, five dollars;
- (12) Articles of revocation of dissolution, five dollars;
- (13) Application for reinstatement following administrative dissolution, twenty dollars;
- (14) Application for certificate of authority, twenty dollars;
- (15) Application for amended certificate of authority, five dollars;
- (16) Application for certificate of withdrawal, five dollars;
- (17) Corporate registration report filed annually, ten dollars if filed in a written format or five dollars if filed electronically in a format prescribed by the secretary of state;
- (18) Corporate registration report filed biennially, twenty dollars if filed in a written format or ten dollars if filed electronically in a format prescribed by the secretary of state;
- (19) Articles of correction, five dollars;
- (20) Certificate of existence or authorization, five dollars;
- (21) Any other document required or permitted to be filed by this chapter, five dollars.

2. The secretary of state shall collect a fee of ten dollars upon being served with process under this chapter. The party to a proceeding causing service of process is entitled to recover the fee paid the secretary of state as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation: in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies.

4. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived when an initial officer or director of the nonprofit corporation includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

357.060. **1.** For incorporation under this chapter as herein provided, there shall be paid to and collected by the state director of revenue a fee of fifty dollars for the first fifty thousand dollars or less of capital stock, and the further sum of five dollars for each additional ten thousand dollars of its capital stock. The limitation upon the aggregate amount of capital stock shall be the same as in respect to other corporations.

2. Fees mandated in subsection 1 of this section shall be waived when the association of persons signing the written articles of association and agreement includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

358.440. 1. To register as a limited liability partnership pursuant to this section, a written application shall be filed with the office of the secretary of state. The application shall set forth:

- (1) The name of the partnership;
- (2) The address of a registered office and the name and address of a registered agent for service of process required to be maintained by section 358.470;
- (3) The number of partners in the partnership at the date of application;
- (4) A brief statement of the principal business in which the partnership engages;
- (5) That the partnership thereby applies for registration as a registered limited liability partnership; and
- (6) Any other information the partnership determines to include in the application.

2. The application shall be signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority in interest of the partners to sign the application on behalf of the partnership.

3. The application shall be accompanied by a fee payable to the secretary of state of twenty-five dollars for each partner of the partnership, but the fee shall not exceed one hundred dollars. All moneys from the payment of this fee shall be deposited into the general revenue fund.

4. A person who files a document according to this section as an agent or fiduciary need not exhibit evidence of the partner's authority as a prerequisite to filing. Any signature on such document may be a facsimile. If the secretary of state finds that the filing conforms to law, the secretary of state shall:

- (1) Endorse on the copy the word "Filed" and the month, day and year of the filing;
- (2) File the original in the secretary of state's office; and
- (3) Return the copy to the person who filed it or to the person's representative.

5. A partnership becomes a registered limited liability partnership on the date of the filing in the office of the secretary of state of an application that, as to form, meets the requirements of subsections 1 and 2 of this section and that is accompanied by the fee specified in subsection 3 of this section, or at any later time specified in the application.

6. An initial application filed under subsection 1 of this section by a partnership registered by the secretary of state as a limited liability partnership expires one year after the date of registration unless earlier withdrawn or revoked or unless renewed in accordance with subsection 9 of this section.

7. If a person is included in the number of partners of a registered limited liability partnership set forth in an application, a renewal application or a certificate of amendment of an application or a renewal application, the inclusion of such person shall not be admissible as evidence in any action, suit or proceeding, whether civil, criminal, administrative or investigative, for the purpose of determining whether such person is liable as a partner of such registered limited liability partnership. The status of a partnership as a registered limited liability partnership and the liability of a partner of such registered limited liability partnership shall not be adversely affected if the number of partners stated in an application, a renewal application or a certificate of amendment of an application or a renewal application is erroneously stated provided that the application, renewal application or certificate of amendment of an application or a renewal application was filed in good faith.

8. Any person who files an application or a renewal application in the office of the secretary of state pursuant to this section shall not be required to file any other documents pursuant to chapter 417 which requires filing for fictitious names.

9. An effective registration may be renewed before its expiration by filing in duplicate with the secretary of state an application containing current information of the kind required in an initial application, including the registration number as assigned by the secretary of state. The renewal application shall be accompanied by a fee of one hundred dollars on the date of renewal plus, if the renewal increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars. All moneys from such fees shall be deposited into the general revenue fund. A renewal application filed under this section continues an effective registration for one year after the date the effective registration would otherwise expire.

10. A registration may be withdrawn by filing with the secretary of state a written withdrawal notice signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority of the partners to sign the notice on behalf of the partnership. A withdrawal notice shall include the name of the partnership, the date of registration of the partnership's last application under this section, and a current street address of the partnership's principal office in this state or outside the state, as applicable. A withdrawal notice terminates the registration of the partnership as a limited liability partnership as of the date of filing the notice in the office of the secretary of state. The withdrawal notice shall be accompanied by a filing fee of twenty dollars.

11. If a partnership that has registered pursuant to this section ceases to be registered as provided in subsection 6 or 10 of this section, that fact shall not affect the status of the partnership as a registered limited liability partnership prior to the date the partnership ceased to be registered pursuant to this section.

12. A document filed under this section may be amended or corrected by filing with the secretary of state articles of amendment, signed by a majority of the partners or by one or more partners authorized by a majority of the partners. The articles of amendment shall contain:

- (1) The name of the partnership;
- (2) The identity of the document being amended;
- (3) The part of the document being amended; and
- (4) The amendment or correction.

The articles of amendment shall be accompanied by a filing fee of twenty dollars plus, if the amendment increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars; provided that no amendment of an application or a renewal application is required as a result of a change after the application or renewal application is filed in the number of partners of the registered limited liability partnership or in the business in which the registered limited liability partnership engages. All moneys from such fees shall be deposited into the general revenue fund. The status of a partnership as a registered limited liability partnership shall not be affected by changes after the filing of an application or a renewal application in the information stated in the application or renewal application.

13. No later than ninety days after the happening of any of the following events, an amendment to an application or a renewal application reflecting the occurrence of the event or events shall be executed and filed by a majority in interest of the partners or by one or more partners authorized by a majority of the

partners to execute an amendment to the application or renewal application:

(1) A change in the name of the registered limited liability partnership;

(2) Except as provided in subsections 2 and 3 of section 358.470, a change in the address of the registered office or a change in the name or address of the registered agent of the registered limited liability partnership.

14. Unless otherwise provided in this chapter or in the certificate of amendment of an application or a renewal application, a certificate of amendment of an application or a renewal application or a withdrawal notice of an application or a renewal application shall be effective at the time of its filing with the secretary of state.

15. The secretary of state may provide forms for the application specified in subsection 1 of this section, the renewal application specified in subsection 9 of this section, the withdrawal notice specified in subsection 10 of this section, and the amendment or correction specified in subsection 12 of this section.

16. The secretary of state may remove from its active records the registration of a partnership whose registration has been withdrawn, revoked or has expired.

17. The secretary of state may revoke the filing of a document filed under this section if the secretary of state determines that the filing fee for the document was paid by an instrument that was dishonored when presented by the state for payment. The secretary of state shall return the document and give notice of revocation to the filing party by regular mail. Failure to give or receive notice does not invalidate the revocation. A revocation of a filing does not affect an earlier filing.

18. If any person signs a document required or permitted to be filed pursuant to sections 358.440 to 358.500 which the person knows is false in any material respect with the intent that the document be delivered on behalf of a partnership to the secretary of state for filing, such person shall be guilty of a class A misdemeanor. Unintentional errors in the information set forth in an application filed pursuant to subsection 1 of this section, or changes in the information after the filing of the application, shall not affect the status of a partnership as a registered limited liability partnership.

19. Before transacting business in this state, a foreign registered limited liability partnership shall:

(1) Comply with any statutory or administrative registration or filing requirements governing the specific type of business in which the partnership is engaged; and

(2) Register as a limited liability partnership as provided in this section by filing an application which shall, in addition to the other matters required to be set forth in such application, include a statement:

(a) That the secretary is irrevocably appointed the agent of the foreign limited liability partnership for service of process if the limited liability partnership fails to maintain a registered agent in this state or if the agent cannot be found or served with the exercise of reasonable diligence; and

(b) Of the address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited liability partnership.

20. A partnership that registers as a limited liability partnership shall not be deemed to have dissolved as a result thereof and is for all purposes the same partnership that existed before the registration and continues to be a partnership under the laws of this state. If a registered limited liability partnership

dissolves, a partnership which is a successor to such registered limited liability partnership and which intends to be a registered limited liability partnership shall not be required to file a new registration and shall be deemed to have filed any documents required or permitted under this chapter which were filed by the predecessor partnership.

21. Fees mandated in subsection 3 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

359.651. 1. The secretary of state shall charge the fee specified for filing the following:

(1) Certificates of limited partnership: One hundred dollars;

(2) Applications for registration of foreign limited partnerships and issuance of a certificate of registration to transact business in this state:

One hundred dollars;

(3) Amendments to and restatements of certificates of limited partnerships or to applications for registration of foreign limited partnerships or any other filing not otherwise provided for: Twenty dollars;

(4) Cancellations of certificates of limited partnerships or of registration of foreign limited partnerships: Twenty dollars;

(5) A consent required to be filed under this chapter: Twenty dollars;

(6) A change of address of registered agent, or change of registered agent, or both: Five dollars;

(7) A partner list: One dollar each page;

(8) Reservation of name: Twenty dollars;

(9) Rescission fee: One hundred dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

394.250. 1. There shall be charged and collected for:

(1) Filing articles of incorporation, ten dollars;

(2) Filing articles of amendment, one dollar;

(3) Filing articles of consolidation or merger, ten dollars;

(4) Filing articles of conversion, ten dollars;

(5) Filing certificate of election to dissolve, one dollar;

(6) Filing articles of dissolution, two dollars; and

(7) Filing certificate of change of principal office, two dollars.

2. All fees shall be made payable to and collected by the state director of revenue.

3. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when an initial

member of the cooperative includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

417.220. **1.** For the registration or renewal of each fictitious name under sections 417.200 to 417.230 there shall be paid to the state director of revenue a fee of two dollars if filed electronically in a format prescribed by the secretary of state or if filed in a written format prescribed by the secretary of state.

2. Fees mandated in subsection 1 of this section shall be waived when a party owning any interest or part in the business is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 186**, entitled:

An Act to repeal sections 193.145, 194.350, and 194.360, RSMo, and to enact in lieu thereof three new sections relating to unclaimed veterans' remains.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 6, Section 194.360, Line 75, by inserting after all of said line the following:

“447.559. All abandoned tangible personal property delivered to the treasurer pursuant to subdivision (4) of section 447.505 that has possible historical significance shall be reviewed as follows:

(1) The treasurer at the treasurer's discretion shall screen such property to determine if the property indicates a need for further review;

(2) In the event it is determined that such property needs further review, the treasurer shall make available such property to the state historical society of Missouri for historical review. The state historical society shall issue to the treasurer its report and recommend to the treasurer the appropriate state department or agency to act as custodian of any property deemed to be of such historical significance as to be retained;

(3) The state historical society shall receive a reasonable fee for its services. If the treasurer and the state historical society cannot agree on the amount of the fee, the commissioner of administration shall determine the fee. The fee shall be paid out of appropriations made from the abandoned fund account;

(4) The [state treasurer's office] **treasurer** upon receiving military medals shall hold and maintain such military medals until the original owner or [their] **such owner's** respective heirs or beneficiaries can be identified and the military medal returned. **The treasurer is authorized to make the information described in subsection 4 of section 447.560 available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries.** The [state]

treasurer may designate a [veteran's] **veterans'** organization or other appropriate organization as custodian of **military** medals until the original owner or their respective heirs or beneficiaries are located **and to assist the treasurer in identifying the original owner or such owner's respective heirs or beneficiaries; except that, no person or entity entering into an agreement under section 447.581 shall be designated by the treasurer as custodian or military medals, and any agreement to pay compensation to recover or assist in the recovery of military medals delivered to the treasurer is unenforceable.**

447.560. 1. The treasurer shall retain a record of the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned moneys and property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

2. Except as specifically provided by this section, no information furnished to the treasurer in the holder reports, including Social Security numbers or other identifying information, shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses or permits the inspection of such information shall be guilty of a misdemeanor.

3. If an amount is turned over to the state that is less than fifty dollars, the amount reported may be made available as public information, along with the name and last known address of the person appearing from the holder report to be entitled to the abandoned moneys; except that, no additional information other than provided for in this section may be released, and any individual other than the person appearing from the holder report to be entitled to the abandoned moneys shall be governed by sections 447.500 to 447.595 and other applicable Missouri law in his or her use or dissemination of such information.

4. If the abandoned property is a military medal, the treasurer is authorized to make any information, other than Social Security numbers, contained in the holder report and record under subsection 1 of this section, and any photograph or other visual depiction of the military medal available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries as described under subdivision (4) of section 447.559.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 376; SB 329; SCS for SB 324; SB 306; SCS for SB 287; SB 237; SB 235; SB 234; SCS for SB 191; SB 80; SB 60; SB 59; and SB 16**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 16; SB 59; SB 60; SB 80; SCS for SB 191; SB 234; SB 235; SB 237; SCS for SB 287; SB 306; SCS for SB 324; SB 329; and**

SCS for **SB 376**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 23**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Romine moved that **SB 188**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 188** was again taken up.

Senator Romine moved that **HCS** for **SB 188** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Romine, **HCS** for **SB 188** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 117**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **SCS** for **SB 106**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that **SCS** for **SB 186**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 186**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 186

An Act to repeal sections 193.145, 194.350, and 194.360, RSMo, and to enact in lieu thereof three new sections relating to unclaimed veterans' remains.

Senator Brown moved that **HCS** for **SCS** for **SB 186**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Brown, **HCS** for **SCS** for **SB 186**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HB 346, introduced by Representative Molendorp, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for dental services.

Was called from the Informal Calendar and taken up by Senator Wasson.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 346, Page 1, In the Title, Lines 2-3, by striking “insurance coverage for dental

services”; and inserting in lieu thereof the following: “health insurance”; and

Further amend said bill, Page 1, Section 376.1226, Line 15, by inserting immediately after said line the following:

“376.2020. 1. For purposes of this section, the following terms shall mean:

- (1) “Enrollee”, shall have the same meaning ascribed to it in section 376.1350;**
- (2) “Health care provider”, shall have the same meaning ascribed to it in section 376.1350;**
- (3) “Health care service”, shall have the same meaning ascribed to it in section 376.1350;**
- (4) “Health carrier”, shall have the same meaning ascribed to it in section 376.1350.**

2. No provision in a contract entered into, amended, or renewed on or after August 28, 2013, between a health carrier and a health care provider shall be enforceable if such contractual provision prohibits, conditions, or in any way restricts any party to such contract from disclosing to an enrollee, patient, potential patient, or such person’s parent or legal guardian, the contractual payment amount for a health care service if such payment amount is less than the health care provider’s usual charge for the health care service, and if such contractual provision prevents the determination of the potential out-of-pocket cost for the health care service by the enrollee, patient, potential patient, parent or legal guardian.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brown, Emery, Lamping and Libla.

SA 1 was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh—29			

NAYS—Senators

McKenna	Pearce	Wasson—3
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Absent—Senators

Kehoe	Rupp—2
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Absent with leave—Senators—None

Vacancies—None

At the request of Senator Wasson, **HB 346**, as amended, was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

At the request of Senator Brown, **SB 30**, with **SCS**, was placed on the Informal Calendar.

SB 325 was placed on the Informal Calendar.

Senator Lamping moved that **SB 78**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 78**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 78

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to barring elected officials from acting as lobbyists.

Was taken up.

Senator Lamping moved that **SCS** for **SB 78** be adopted.

Senator Lamping offered **SS** for **SCS** for **SB 78**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 78

An Act to repeal section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, RSMo, and to enact in lieu thereof three new sections relating to ethical duties of candidates and members of the general assembly.

Senator Lamping moved that **SS** for **SCS** for **SB 78** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 78, Page 7, Section 105.456, Line 1, by inserting after all of said line the following:

“130.032. 1. In addition to the limitations imposed pursuant to section 130.031, the amount of contributions made by or accepted from any committee, or any person other than the candidate in any one election shall not exceed the following:

- (1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, ten thousand dollars;**
- (2) To elect an individual to the office of state senator, five thousand dollars;**
- (3) To elect an individual to the office of state representative, two thousand five hundred dollars;**
- (4) To elect an individual to any other office, including judicial office, if the population of the**

electoral district, ward, or other unit according to the latest decennial census is under one hundred thousand, two thousand five hundred dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least one hundred thousand but less than two hundred fifty thousand, five thousand dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is at least two hundred fifty thousand, ten thousand dollars.

2. For purposes of this subsection “base year amount” shall be the contribution limits prescribed in this section on January 1, 2014. Such limits shall be increased on the first day of January in each even-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five-dollar amount.

3. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in this chapter. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

4. Contributions received and expenditures made prior to August 28, 2013, shall be reported as a separate account and pursuant to the laws in effect at the time such contributions are received or expenditures made. Contributions received and expenditures made after August 28, 2013, shall be reported as a separate account from the aforementioned account and pursuant to the provisions of this chapter. The account reported pursuant to the prior law shall be retained as a separate account and any remaining funds in such account may be used pursuant to this chapter and section 130.034.

5. Any committee which accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Sifton, Walsh and LeVota.

At the request of Senator Lamping, **SB 78**, with SCS, SS for SCS and **SA 1** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HB 432, introduced by Representative Funderburk, et al, with SCS, entitled:

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to the public service commission.

Was called from the Informal Calendar and taken up by Senator Lager.

SCS for **HB 432**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 432

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to public service commission intervention in certain legal proceedings.

Was taken up.

Senator Lager moved that **SCS** for **HB 432** be adopted.

President Pro Tem Dempsey assumed the Chair.

Senator Lager offered **SS** for **SCS** for **HB 432**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 432

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof four new sections relating to public utilities.

Senator Lager moved that **SS** for **SCS** for **HB 432** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 432, Pages 4-6, Section 393.1200, by striking all of said section and inserting in lieu thereof the following:

“393.1200. As used in sections 393.1200 to 393.1210, the following terms mean:

(1) “Appropriate pretax revenues”, the revenues necessary to produce net operating income equal to:

(a) The electrical corporation’s weighted cost of capital multiplied by the sum of the net original cost of eligible infrastructure system replacements and additions less associated plant-related accumulated deferred income taxes in compliance with normalization requirements of federal tax law, and ISRS costs;

(b) State, federal, and local income or excise taxes applicable to such income; and

(c) An annualized level of depreciation expense on the eligible infrastructure system replacements and additions net of retirements occurring since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation’s most recently concluded general rate proceeding or in developing the electrical corporation’s last ISRS, and an annualized level of amortization expense on the ISRS costs;

(2) “Commission”, the Missouri public service commission;

(3) “Electric utility plant projects”, consist of the following:

(a) Electric plant, as defined in subdivision (14) of section 386.020, excluding newly constructed or newly acquired electric generating plants and administrative office buildings and their furnishings;

(b) If not being recovered in a rate schedule authorized by subsection 2 of section 386.266, the costs of capital projects undertaken to comply with federal, state, or local environmental or safety statutes, ordinances, or regulations; and

(c) The costs of facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the electrical corporation;

(4) “Electrical corporation”, shall have the same meaning as in subdivision (15) of section 386.020;

(5) “Eligible infrastructure system replacements and additions”, electric utility plant projects that:

(a) Do not increase revenues by directly connecting the infrastructure replacement or addition to new customers;

(b) Are in service and used and useful;

(c) Were not included in the electrical corporation’s rate base in its most recently concluded general rate proceeding; and

(d) Replace or extend the useful life of existing infrastructure or are for additional infrastructure;

(6) “ISRS”, infrastructure system replacement surcharge;

(7) “ISRS costs”:

(a) The original cost of eligible infrastructure system replacements and additions that were placed in service and became used and useful since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation’s most recently concluded general rate proceeding or in developing the electrical corporation’s last ISRS, less the retirements occurring during the same period, with the difference multiplied by the applicable weighted average depreciation rate;

(b) “ISRS costs” also include the difference calculated under paragraph (a) of this subdivision prior to its multiplication by the applicable weighted average depreciation rate less changes in the electrical corporation’s accumulated depreciation reserve since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation’s most recently concluded general rate proceeding or in developing the electrical corporation’s last ISRS, with that difference to be multiplied by the electrical corporation’s weighted cost of capital used to determine the appropriate pretax revenues, plus applicable state, federal, and local income or excise taxes.

The sum of the amounts determined by paragraph (a) of this subdivision, and the amount determined in paragraph (b) of this subdivision shall be deferred on the electrical corporation’s books as a regulatory asset or regulatory liability between the time the eligible infrastructure system replacements and additions were placed in service and the effective date of an ISRS rate schedule reflecting the deferred depreciation and return;

(8) “ISRS revenues”, revenues produced through an ISRS exclusive of revenues from all other rates and charges;

(9) “Net original cost of eligible infrastructure system replacements and additions”, the original cost of the eligible infrastructure system replacements and additions net of accumulated depreciation on the eligible infrastructure system replacements and additions, offset by depreciation expense accrued on plant included in rate base in the electrical corporation’s most recently concluded general rate proceeding since the effective date of rates developed in that proceeding, and also offset by plant retirements and accumulated depreciation reserve associated with such retirements for retirements recorded after the date through which rate base additions were accounted for in developing the commission-approved revenue requirement in that general rate proceeding.”; and

further amend said bill, pages 6-7, section 393.1205 by striking all of said section and inserting in lieu thereof the following:

“393.1205. 1. Notwithstanding any provisions of chapter 386 or this chapter to the contrary, beginning August 28, 2013, an electrical corporation providing electric service may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the electrical corporation’s rates and charges to provide for the recovery of costs for eligible infrastructure system replacements and additions. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues below the lesser of one million dollars or one-half of one percent of the electrical corporation’s base revenue level approved by the commission in the electrical corporation’s most recent general rate proceeding. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues exceeding eight percent of the electrical corporation’s base revenue level approved by the commission in the electrical corporation’s most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1200 to 393.1210.

2. The commission shall not approve an ISRS for any electrical corporation that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the electrical corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall an electrical corporation collect an ISRS for a period exceeding three years unless the electrical corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established. An electrical corporation shall be permitted to establish or change ISRS rate schedules during the pendency of a general rate proceeding so long as the establishment or change in the ISRS rate schedules takes effect on or before the date through which rate base additions were accounted for in developing the commission-approved revenue requirement in that general rate proceeding.”; and

further amend said bill, pages 7-12, section 393.1210 by striking all of said section and inserting in lieu thereof the following:

“393.1210. 1. (1) At the time that an electrical corporation files a petition with the commission seeking to establish or change an ISRS, it shall submit proposed ISRS rate schedules and its supporting documentation regarding the calculation of the proposed ISRS with the petition, and shall

serve the office of the public counsel with a copy of its petition, its proposed rate schedules, and its supporting documentation.

(2) Upon the filing of a petition, and any associated rate schedules, seeking to establish or change an ISRS, the commission shall publish notice of the filing.

2. (1) When a petition, along with any associated proposed rate schedules, is filed pursuant to the provisions of sections 393.1200 to 393.1210, the commission shall conduct an examination of the proposed ISRS.

(2) The staff of the commission may examine information of the electrical corporation to confirm that the underlying costs are in accordance with the provisions of sections 393.1200 to 393.1210, and to confirm proper calculation of the proposed charge, and may submit a report regarding its examination to the commission not later than ninety days after the petition is filed. No other revenue requirement or ratemaking issues may be examined in consideration of the petition or associated proposed rate schedules filed pursuant to the provisions of sections 393.1200 to 393.1210.

(3) The commission may hold a hearing on the petition and any associated rate schedules and shall issue an order to become effective not later than one hundred fifty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1200 to 393.1210, the commission shall enter an order authorizing the corporation to impose an ISRS that is sufficient to recover appropriate pretax revenue, as determined by the commission pursuant to the provisions of sections 393.1200 to 393.1210.

3. An electrical corporation may effectuate a change in its rate pursuant to the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate pretax revenue, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The electrical corporation's actual regulatory capital structure as determined during the most recent general rate proceeding of the electrical corporation;

(3) The actual cost rates for the electrical corporation's debt and preferred stock as determined during the most recent general rate proceeding of the electrical corporation;

(4) The electrical corporation's cost of common equity as determined during the most recent general rate proceeding of the electrical corporation;

(5) The current depreciation rates applicable to the eligible infrastructure system replacements and additions;

(6) In the event information pursuant to subdivisions (2), (3), and (4) of this subsection is unavailable and the commission is not provided with such information on an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of the electrical corporation and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly ISRS charge may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate pretax revenues by the customer numbers reported by the electrical corporation in the annual report it most recently filed with the commission pursuant to subdivision (6) of section 393.140, and then further dividing this quotient by twelve. Provided, however, that the monthly ISRS may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the electrical corporation so long as the monthly ISRS for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge for each customer class.

(2) At the end of each twelve-month calendar period the ISRS is in effect, the electrical corporation shall reconcile the differences between the revenues resulting from an ISRS and the appropriate pretax revenues as found by the commission for that period and shall submit the reconciliation and a proposed ISRS adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments of an ISRS charge.

6. (1) An electrical corporation that has implemented an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall file revised rate schedules to reset the ISRS to zero when new base rates and charges become effective for the electrical corporation following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in an ISRS.

(2) Upon the inclusion in an electrical corporation's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in an ISRS, the electrical corporation shall immediately thereafter reconcile any previously unreconciled ISRS revenues as necessary to ensure that revenues resulting from the ISRS match as closely as possible the appropriate pretax revenues as found by the commission for that period.

7. An electrical corporation's filing of a petition or change to an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall not be considered a request for a general increase in the electrical corporation's base rates and charges.

8. Commission approval of a petition, and any associated rate schedules, to establish or change an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to eligible infrastructure system replacements and additions during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of costs associated with eligible infrastructure system replacements and additions previously included in an ISRS, the electrical corporation shall credit the bills of its customers as of the time the credit is being given for the disallowed amount, plus interest at the electrical corporation's weighted cost of capital from its last general rate proceeding, over a period of no longer than six months. Credits shall be allocated to each rate class in proportion to the ISRS charges applicable to that rate class during the period when the overcollections occurred. Each customer in a given rate class shall receive the same credit, and each credit shall be shown as a separate line item on customers' bills.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider infrastructure system replacement and addition costs along with other costs during any

general rate proceeding of any electrical corporation.

10. Nothing contained in sections 393.1200 to 393.1210 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of an electrical corporation, including review of the prudence of eligible infrastructure system replacements and additions made by an electrical corporation, pursuant to the provisions of section 386.390.

11. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

12. Sections 393.1200, 393.1205, and 393.1210 shall terminate and be of no further force and effect after August 27, 2028, unless those sections shall be reenacted by the general assembly. In the event of termination, any ISRS in effect shall also terminate and be of no further force and effect after such date.”.

Senator Kehoe moved that the above amendment be adopted.

Senator Emery offered SSA 1 for SA 1:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 432, Pages 4-6, Section 393.1200, by striking all of said section and inserting in lieu thereof the following:

“393.1200. As used in sections 393.1200 to 393.1210, the following terms mean:

(1) “Appropriate pretax revenues”, the revenues necessary to produce net operating income equal to:

(a) The electrical corporation’s weighted cost of capital multiplied by the sum of the net original cost of eligible infrastructure system replacements and additions less associated plant-related accumulated deferred income taxes in compliance with normalization requirements of federal tax law, and ISRS costs;

(b) State, federal, and local income or excise taxes applicable to such income; and

(c) An annualized level of depreciation expense on the eligible infrastructure system replacements and additions net of retirements occurring since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation’s most recently concluded general rate proceeding or in developing the electrical corporation’s last ISRS, and an annualized level of amortization expense on the ISRS costs;

(2) “Commission”, the Missouri public service commission;

(3) “Electric utility plant projects”, consist of the following:

(a) Electric plant, as defined in subdivision (14) of section 386.020, excluding newly constructed or newly acquired electric generating plants and administrative office buildings and their furnishings;

(b) If not being recovered in a rate schedule authorized by subsection 2 of section 386.266, the costs of capital projects undertaken to comply with federal, state, or local environmental or safety statutes, ordinances, or regulations; and

(c) The costs of facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the electrical corporation;

(4) "Electrical corporation", shall have the same meaning as in subdivision (15) of section 386.020;

(5) "Eligible infrastructure system replacements and additions", electric utility plant projects that:

(a) Do not increase revenues by directly connecting the infrastructure replacement or addition to new customers;

(b) Are in service and used and useful;

(c) Were not included in the electrical corporation's rate base in its most recently concluded general rate proceeding; and

(d) Replace or extend the useful life of existing infrastructure or are for additional infrastructure;

(6) "ISRS", infrastructure system replacement surcharge;

(7) "ISRS costs":

(a) The original cost of eligible infrastructure system replacements and additions that were placed in service and became used and useful since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation's most recently concluded general rate proceeding or in developing the electrical corporation's last ISRS, less the retirements occurring during the same period, with the difference multiplied by the applicable weighted average depreciation rate;

(b) "ISRS costs" also include the difference calculated under paragraph (a) of this subdivision prior to its multiplication by the applicable weighted average depreciation rate less changes in the electrical corporation's accumulated depreciation reserve since the date through which rate base additions were accounted for in developing the revenue requirement in the electrical corporation's most recently concluded general rate proceeding or in developing the electrical corporation's last ISRS, with that difference to be multiplied by the electrical corporation's weighted cost of capital used to determine the appropriate pretax revenues, plus applicable state, federal, and local income or excise taxes.

The sum of the amounts determined by paragraph (a) of this subdivision, and the amount determined in paragraph (b) of this subdivision shall be deferred on the electrical corporation's books as a regulatory asset or regulatory liability between the time the eligible infrastructure system replacements and additions were placed in service and the effective date of an ISRS rate schedule reflecting the deferred depreciation and return;

(8) "ISRS revenues", revenues produced through an ISRS exclusive of revenues from all other

rates and charges;

(9) “Net original cost of eligible infrastructure system replacements and additions”, the original cost of the eligible infrastructure system replacements and additions net of accumulated depreciation on the eligible infrastructure system replacements and additions, offset by depreciation expense accrued on plant included in rate base in the electrical corporation’s most recently concluded general rate proceeding since the effective date of rates developed in that proceeding, and also offset by plant retirements and accumulated depreciation reserve associated with such retirements for retirements recorded after the date through which rate base additions were accounted for in developing the commission-approved revenue requirement in that general rate proceeding.”; and

further amend said bill, pages 6-7, section 393.1205 by striking all of said section and inserting in lieu thereof the following:

“393.1205. 1. Notwithstanding any provisions of chapter 386 or this chapter to the contrary, beginning August 28, 2013, an electrical corporation providing electric service may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the electrical corporation’s rates and charges to provide for the recovery of costs for eligible infrastructure system replacements and additions. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues below the lesser of one million dollars or one-half of one percent of the electrical corporation’s base revenue level approved by the commission in the electrical corporation’s most recent general rate proceeding. The commission may not approve an ISRS to the extent it would produce total annualized ISRS revenues exceeding seven percent of the electrical corporation’s base revenue level approved by the commission in the electrical corporation’s most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1200 to 393.1210.

2. The commission shall not approve an ISRS for any electrical corporation that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the electrical corporation has filed for or is the subject of a new general rate proceeding.

3. In no event shall an electrical corporation collect an ISRS for a period exceeding three years unless the electrical corporation has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established. An electrical corporation shall be permitted to establish or change ISRS rate schedules during the pendency of a general rate proceeding so long as the establishment or change in the ISRS rate schedules takes effect on or before the date through which rate base additions were accounted for in developing the commission-approved revenue requirement in that general rate proceeding.”; and

further amend said bill, pages 7-12, section 393.1210 by striking all of said section and inserting in lieu thereof the following:

“393.1210. 1. (1) At the time that an electrical corporation files a petition with the commission seeking to establish or change an ISRS, it shall submit proposed ISRS rate schedules and its supporting documentation regarding the calculation of the proposed ISRS with the petition, and shall serve the office of the public counsel with a copy of its petition, its proposed rate schedules, and its

supporting documentation.

(2) Upon the filing of a petition, and any associated rate schedules, seeking to establish or change an ISRS, the commission shall publish notice of the filing.

(3) Upon filing of a petition, and any associated rate schedules, the electrical corporation shall submit a filing fee to the commission in the amount of thirty thousand dollars, which shall be remitted by the commission to the office of the public counsel. This filing fee shall not be recoverable from consumers and shall not be considered as a recoverable expense in a general rate proceeding before the commission.

2. (1) When a petition, along with any associated proposed rate schedules, is filed pursuant to the provisions of sections 393.1200 to 393.1210, the commission shall conduct an examination of the proposed ISRS.

(2) The staff of the commission may examine information of the electrical corporation to confirm that the underlying costs are in accordance with the provisions of sections 393.1200 to 393.1210, and to confirm proper calculation of the proposed charge, and may submit a report regarding its examination to the commission not later than ninety days after the petition is filed. No other revenue requirement or ratemaking issues may be examined in consideration of the petition or associated proposed rate schedules filed pursuant to the provisions of sections 393.1200 to 393.1210.

(3) The commission may hold a hearing on the petition and any associated rate schedules and shall issue an order to become effective not later than one hundred fifty days after the petition is filed.

(4) If the commission finds that a petition complies with the requirements of sections 393.1200 to 393.1210, the commission shall enter an order authorizing the corporation to impose an ISRS that is sufficient to recover appropriate pretax revenue, as determined by the commission pursuant to the provisions of sections 393.1200 to 393.1210.

3. An electrical corporation may effectuate a change in its rate pursuant to the provisions of this section no more often than two times every twelve months.

4. In determining the appropriate pretax revenue, the commission shall consider only the following factors:

(1) The current state, federal, and local income tax or excise rates;

(2) The electrical corporation's actual regulatory capital structure as determined during the most recent general rate proceeding of the electrical corporation;

(3) The actual cost rates for the electrical corporation's debt and preferred stock as determined during the most recent general rate proceeding of the electrical corporation;

(4) The electrical corporation's cost of common equity as determined during the most recent general rate proceeding of the electrical corporation;

(5) The current depreciation rates applicable to the eligible infrastructure system replacements and additions;

(6) In the event information pursuant to subdivisions (2), (3), and (4) of this subsection is unavailable and the commission is not provided with such information on an agreed-upon basis, the commission shall refer to the testimony submitted during the most recent general rate proceeding of

the electrical corporation and use, in lieu of any such unavailable information, the recommended capital structure, recommended cost rates for debt and preferred stock, and recommended cost of common equity that would produce the average weighted cost of capital based upon the various recommendations contained in such testimony.

5. (1) The monthly ISRS charge may be calculated based on a reasonable estimate of billing units in the period in which the charge will be in effect, which shall be conclusively established by dividing the appropriate pretax revenues by the customer numbers reported by the electrical corporation in the annual report it most recently filed with the commission pursuant to subdivision (6) of section 393.140, and then further dividing this quotient by twelve. Provided, however, that the monthly ISRS may vary according to customer class and may be calculated based on customer numbers as determined during the most recent general rate proceeding of the electrical corporation so long as the monthly ISRS for each customer class maintains a proportional relationship equivalent to the proportional relationship of the monthly customer charge for each customer class.

(2) At the end of each twelve-month calendar period the ISRS is in effect, the electrical corporation shall reconcile the differences between the revenues resulting from an ISRS and the appropriate pretax revenues as found by the commission for that period and shall submit the reconciliation and a proposed ISRS adjustment to the commission for approval to recover or refund the difference, as appropriate, through adjustments of an ISRS charge.

6. (1) An electrical corporation that has implemented an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall file revised rate schedules to reset the ISRS to zero when new base rates and charges become effective for the electrical corporation following a commission order establishing customer rates in a general rate proceeding that incorporates in the utility's base rates subject to subsections 8 and 9 of this section eligible costs previously reflected in an ISRS.

(2) Upon the inclusion in an electrical corporation's base rates subject to subsections 8 and 9 of this section of eligible costs previously reflected in an ISRS, the electrical corporation shall immediately thereafter reconcile any previously unreconciled ISRS revenues as necessary to ensure that revenues resulting from the ISRS match as closely as possible the appropriate pretax revenues as found by the commission for that period.

7. An electrical corporation's filing of a petition or change to an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall not be considered a request for a general increase in the electrical corporation's base rates and charges.

8. Commission approval of a petition, and any associated rate schedules, to establish or change an ISRS pursuant to the provisions of sections 393.1200 to 393.1210 shall in no way be binding upon the commission in determining the ratemaking treatment to be applied to eligible infrastructure system replacements and additions during a subsequent general rate proceeding when the commission may undertake to review the prudence of such costs. In the event the commission disallows, during a subsequent general rate proceeding, recovery of costs associated with eligible infrastructure system replacements and additions previously included in an ISRS, the electrical corporation shall credit the bills of its customers as of the time the credit is being given for the disallowed amount, plus interest at the electrical corporation's weighted cost of capital from its last general rate proceeding, over a period of no longer than six months. Credits shall be allocated to each rate class in proportion to the ISRS charges applicable to that rate class during the period when the overcollections occurred. Each

customer in a given rate class shall receive the same credit, and each credit shall be shown as a separate line item on customers' bills.

9. Nothing in this section shall be construed as limiting the authority of the commission to review and consider infrastructure system replacement and addition costs along with other costs during any general rate proceeding of any electrical corporation.

10. Nothing contained in sections 393.1200 to 393.1210 shall be construed to impair in any way the authority of the commission to review the reasonableness of the rates or charges of an electrical corporation, including review of the prudence of eligible infrastructure system replacements and additions made by an electrical corporation, pursuant to the provisions of section 386.390.

11. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

12. Sections 393.1200, 393.1205, and 393.1210 shall terminate and be of no further force and effect after August 27, 2025, unless those sections shall be reenacted by the general assembly. In the event of termination, any ISRS in effect shall also terminate and be of no further force and effect after such date.”.

Senator Emery moved that the above substitute amendment be adopted.

Senator Wallingford offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill 432, Pages 1-4, Section 393.1200, by deleting said section in its entirety; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

At the request of Senator Lager, **SS** for **SCS** for **HB 432** was withdrawn, which rendered **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** moot.

SCS for **HB 432** was again taken up.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 432, Page 3, Section 386.210, Line 70, by inserting after all of said line the following:

“393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility’s sales:

- (1) No less than two percent for calendar years 2011 through 2013;
- (2) No less than five percent for calendar years 2014 through 2017;
- (3) No less than ten percent for calendar years 2018 through 2020; and
- (4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility’s cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. **Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility’s investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility’s investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding anything to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when an electric utility’s investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;**

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 **of this section**. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties

shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a [standard] solar rebate [offer of at least two dollars per installed watt] for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that [become operational after 2009] were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs, require applications for rebates to be submitted up to one hundred eighty-two days prior to the June 30 operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility will be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff will include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. The commission shall rule on the suspension filing within sixty days of the date it is filed and if the commission determines that the maximum average retail rate increase will be reached the commission will approve the tariff suspension. The electric utility will continue to process and pay applicable solar rebates until a final commission ruling, however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process

for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, as amended, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section, as amended. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Lager, **HB 432**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 254**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 34**, entitled:

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Section 287.980, Line 8, by inserting the following after all of said line:

“287.957. The experience rating plan shall contain reasonable eligibility standards, provide adequate

incentives for loss prevention, and shall provide for sufficient premium differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective premium adjustments based upon an insured's past experience. Such system shall provide for retrospective adjustment of an experience modification and premiums paid pursuant to such experience modification where a prior reserved claim produced an experience modification that varied by greater than fifty percent from the experience modification that would have been established based on the settlement amount of that claim. The rating plan shall prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan** and the employer pays all of the total medical costs and there is no lost time from the employment, other than the first three days or less of disability under subsection 1 of section 287.160, and no claim is filed. An employer opting to utilize this provision maintains an obligation to report the injury under subsection 1 of section 287.380.

287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall be effective on January 1, 2014.

4. For purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refused to recede from its position on **HCS** for **SB 23**, as amended, and grants to the Senate a conference thereon. The Speaker has appointed the following committee to act with a like committee from the Senate

on **HCS** for **SB 23**, as amended. Representatives: Jones (50), Hough, and Rizzo.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 23**, as amended: Senators Parson, Kehoe, Cunningham, Justus and Curls.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **HCS** for **SB 188** and **SS** for **SB 28**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 857, regarding Katharine Loher, which was adopted.

Senator Schaefer offered Senate Resolution No. 858, regarding William Mustain, which was adopted.

Senator Dempsey offered Senate Resolution No. 859, regarding State Employee Recognition Week, which was adopted.

Senator Nasheed offered Senate Resolution No. 860, regarding Hannah M. Young, which was adopted.

Senator Nasheed offered Senate Resolution No. 861, regarding Brittany Campbell, which was adopted.

Senator Sifton offered Senate Resolution No. 862, regarding Elizabeth Stroble, PhD, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Jay Decker, Don Danner, Butch Beeman, Stephanie Hams, Jeanne Dee, Dave Myers and Nick Myers, representatives from Missouri Society of Certified Public Accountants from around the state.

Senator Kehoe introduced to the Senate, Mrs. Laney Clemens, Mr. Tyler Clark and students from Simonsen Ninth Grade Center, Jefferson City.

Senator Schaefer introduced to the Senate, Coach Melissa Coil and the 2012 Class 2 State Champion Rock Bridge girls golf team; and Coaches Jill Nagel, Kelsey Gillespy, Cameo Holly, Meagan Halphin and the 2013 Class 5 Champion Rock Bridge girls basketball team.

Senator Keaveny introduced to the Senate, Stacy Elgin and John Breier, St. Louis.

On behalf of Senator Kehoe, the President introduced to the Senate, Ms. Maureen Doyle, Manchester, England; and Juanita Humphrey, Jefferson City.

Senator Munzlinger introduced to the Senate, his mother-in-law, Pearl Franks and Elaine Gorrell, Canton; and Tony and Lillian Maack, Harrison, Montana.

Senator Nieves introduced to the Senate, Mary Kleekamp, Rockwood.

Senator Cunningham introduced to the Senate, Esther Feters, Lisa Keeler and Theresa Clement,

Marshfield.

On behalf of Senator Pearce, the President introduced to the Senate, Terry and Louise Farmer, Warrensburg.

Senator Dixon introduced to the Senate, Directors of Pregnancy Resource Centers from around the state.

Senator Nieves introduced to the Senate, twenty fourth grade students from Labadie Elementary School.

Senator Dempsey introduced to the Senate, Coaches Erin Pauk, Anne Witte, Kayla Marty, Dave Viviano; Managers Elizabeth Lersch and Mason Vieth; Athletic Director Doug Kuhlmann; and members of the 2013 Class 3 Champion Lutheran High School girls basketball team: Meg Derrington, Savannah Kluesner, Madison Knoblauch, Hannah Leppien, Ruthie Macke, Nicole Masters, Lauren Orr, Claire Schoedel, Jessica Skerston, Katie Umbach, Carley Von Deylen and Natalie Weinhold, St. Charles.

Senator Pearce introduced to the Senate, Jamee Sanders, parents and forty fourth grade students from New Franklin Elementary School.

Senator Schmitt introduced to the Senate, Chris Clayton, Tampa, Florida.

Senator Lamping introduced to the Senate, his wife, Caryn, and their daughter, Emma.

Senator Emery introduced to the Senate, Sarah Morris, Jimmy Morris, Susanna Thornton, Elizabeth Johnson, Michael Lane, Caleb Rouse and Jeremiah Gathright, representatives of American Government Camp.

Senator Chappelle-Nadal introduced to the Senate, Dayna Stock, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIRST DAY–THURSDAY, MAY 2, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HJR 26
HCS for HB 653
HB 421-Curtman
HCS for HB 986

HCS for HB 675
HCS for HB 285
HCS for HB 859

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe (In Fiscal Oversight)
SS for SB 401-Rupp (In Fiscal Oversight)

SS for SCS for SB 437-Pearce
SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager)
(In Fiscal Oversight)
2. HCS for HB 194 (Parson)
(In Fiscal Oversight)
3. HB 307-Riddle, et al, with SCS (Schmitt)
4. HCS for HB 656 (Nasheed)
5. HB 316-Phillips, et al (Sater)
(In Fiscal Oversight)
6. HCS for HBs 446 & 211 (Cunningham)

7. HB 478-Wieland, et al (Romine)
8. HCS for HBs 374 & 434, with SCS (Dixon)
9. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight)
10. HB 400-Riddle, et al (Wallingford)
11. HB 274-Brattin, et al, with SCS (Brown)
(In Fiscal Oversight)
12. HCS for HB 168 (Kraus)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 30-Brown, with SCS
SB 48-Lamping
SB 53-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending)

SB 82-Schaefer, with SCS
SB 109-Brown, with SCS
SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending)
SB 141-Dempsey
SB 167-Sater and Wallingford, with SCS
SB 174-Parson, with SCS
SB 175-Wallingford
SB 207-Kehoe, et al, with SCS
SB 210-Lamping and Nieves, with SCS
SB 231-Munzlinger, with SA 1 (pending)

SB 239-Emery, with SCS & SA 2 (pending)
 SB 250-Schaaf, with SCS
 SB 259-Schaaf, with SCS
 SB 272-Nieves, with SA 2 (pending)
 SB 285-Romine
 SB 291-Rupp
 SB 292-Rupp
 SB 308-Schaaf
 SB 315-Pearce
 SB 325-Nieves
 SB 339-Romine
 SB 343-Parson
 SB 364-Parson

SB 371-Munzlinger, with SCS
 SB 377-Dixon
 SB 383-Wallingford
 SB 396-Holsman and Chappelle-Nadal, with
 SCS
 SB 403-Rupp, with SCS
 SB 410-Kehoe
 SB 419-Lager, with SCS
 SB 423-Nasheed
 SB 441-Dempsey
 SB 448-Schmitt and Keaveny
 SB 455-Nieves, with SCS
 SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
 HB 55-Flanigan and Allen, with SCS
 (Schaefer)
 HB 112-Burlison, with SA 2 (pending) (Brown)
 HB 184-Cox, et al (Parson)
 HCS for HB 199 (Lamping)
 HCS for HBs 256, 33 & 305, with SA 1
 (pending) (Kehoe)

HB 346-Molendorp (Wasson)
 HB 432-Funderburk, et al, with SCS &
 SA 1 (pending) (Lager)
 HCS for HB 436, with SCS (pending) (Nieves)
 HCS for HB 457, with SCS (Rupp)
 SS for SCS for HB 542 (Munzlinger)
 (In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
 with HCS, as amended
 SS for SB 34-Cunningham, with HCS, as
 amended

SB 197-Sater, et al, with HA 1

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 23-Parson, with HCS, as amended

HCS for HB 1, with SCS (Schaefer)

HCS for HB 2, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 11, with SCS, as amended
HCS for HB 5, with SCS (Schaefer)	(Schaefer)
HCS for HB 6, with SCS, as amended	HCS for HB 12, with SCS (Schaefer)
(Schaefer)	HCS for HB 13, with SCS (Schaefer)
HCS for HB 7, with SCS, as amended (Schaefer)	HCS for HJR 11 & 7, with SS, as amended
HCS for HB 8, with SCS (Schaefer)	(Parson)

Requests to Recede or Grant Conference

SCS for SB 106-Brown, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5 (Senate requests House recede or grant conference)	SCS for SB 117-Kraus, with HCS, as amended (Senate requests House recede or grant conference)
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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, MAY 2, 2013

The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

“Each day we make deposits in the memory banks of our children.” (Pastor Charles Swindoll)

Heavenly Father, be with us as we complete our work this day and with gladness return to loved ones. Make us mindful that all we do and say are recorded by the hearts and minds of our children and grandchildren. And help us do those things that are most pleasing in Your sight as we share special moments with our loved ones who make life sweet and keep life orderly and helpful for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced that Eric Norwine, St. Charles, was given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 863, regarding Susan Jackson, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 864, regarding Barbara Paul, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 865, regarding Elizabeth Anne Wampler, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 866, regarding Sally J. Colwell, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 867, regarding Terry D. Skinner, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 868, regarding Carmen Litton, Blackwell, which was adopted.

Senator Romine offered Senate Resolution No. 869, regarding Charles N. Causey, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 870, regarding Evelyn Momot, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 871, regarding Randell Myers, which was adopted.

Senator Romine offered Senate Resolution No. 872, regarding Kimberley Diane McDowell AuBuchon, which was adopted.

Senator Romine offered Senate Resolution No. 873, regarding Tom Barber, which was adopted.

Senator Romine offered Senate Resolution No. 874, regarding Mark Winston Kiser, which was adopted.

Senator Romine offered Senate Resolution No. 875, regarding Deborah Chase, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 876, regarding Susan L. Tiefenauer, which was adopted.

Senator Keaveny offered Senate Resolution No. 877, regarding Amy DuBois Barnett, which was adopted.

Senator Keaveny offered Senate Resolution No. 878, regarding Beth Davis, which was adopted.

Senator Keaveny offered Senate Resolution No. 879, regarding Minga S. Furr, which was adopted.

Senator Keaveny offered Senate Resolution No. 880, regarding Shari Headley, which was adopted.

Senator Keaveny offered Senate Resolution No. 881, regarding Chaka Khan, which was adopted.

Senator Lamping offered Senate Resolution No. 882, regarding Barbara Turkington, which was adopted.

Senator Lamping offered Senate Resolution No. 883, regarding Dorothy Louise Willis, which was adopted.

Senator Lamping offered Senate Resolution No. 884, regarding the Reverend Terri Swan, which was adopted.

Senator Lamping offered Senate Resolution No. 885, regarding Maxine Clark, which was adopted.

Senator LeVota offered Senate Resolution No. 886, regarding Jessica Leigh Adams, Saint Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 887, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry McCray, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 888, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Leonard Eugene “Gene” McAfee, St. Joseph, which was adopted.

Senator Wasson offered Senate Resolution No. 889, regarding Cindy Dunn, Marshfield, which was adopted.

Senator Wasson offered Senate Resolution No. 890, regarding Susan Kraft, Marshfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SCS** for **SB 411** and **SS** for **SB 401**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HCS** for **HBs 256, 33 and 305**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Chappelle-Nadal, **SA 1** was withdrawn.

Senator Kehoe offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bills Nos. 256, 33 and 305, Page 5, Section 1, Line 3, by inserting at the end of said line the following:

“The provisions of this section shall only apply to a flight on a state-owned plane.”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Committee Substitute for House Bills Nos. 256, 33 and 305, Page 5, Section 610.021, Line 125, by inserting after all of said line the following:

“610.150. Except as provided by this section, any information acquired by a law enforcement agency or a first responder agency by way of a complaint or report of a crime made by telephone contact using the emergency number, “911”, shall be inaccessible to the general public. However, information consisting of the date, time, specific location and immediate facts and circumstances surrounding the initial report of

the crime or incident shall be considered to be an incident report and subject to section 610.100. Any closed records pursuant to this section shall be available upon request by law enforcement agencies or the division of workers' compensation or pursuant to a valid court order authorizing disclosure upon motion and good cause shown.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **HCS for HBs 256, 33 and 305**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves moved that **HCS** for **HB 436**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 436** was again taken up.

Senator Pearce assumed the Chair.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 436, Section 1.320, page 3, line 72, by striking all of said line and inserting in lieu thereof, the following:

“and the Missouri Constitution;

(9) The General Assembly of the state of Missouri strongly promotes responsible gun ownership, including parental supervision of minors in the proper use, storage, and ownership of all firearms, the prompt reporting of stolen firearms, and the proper enforcement of all state gun laws;

(10) The General Assembly of the state of Missouri hereby condemns any unlawful transfer of firearms and the use of any firearm in any criminal or unlawful activity.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 436, Page 13, Section 571.030, Line 176, by inserting immediately after all of said line the following:

“571.067. No county, municipality, or other governmental body, or an agent of a county, municipality, or other governmental body, may participate in any program in which individuals are given a thing of value in exchange for surrendering a firearm to the county, municipality, or other governmental body unless:

(1) The county, municipality, or governmental body has adopted a resolution, ordinance, or rule authorizing the participation of the county, municipality, or governmental body, or participation by an agent of the county, municipality, or governmental body, in such a program; and

(2) The resolution, ordinance, or rule enacted pursuant to this section provides that any firearm received shall be offered for sale or trade to a licensed firearms dealer. The proceeds from any sale or gains from trade shall be the property of the county, municipality, or governmental body. Any proceeds collected under this subdivision shall be deposited with the municipality, county, or governmental body unless the proceeds are collected by a sheriff, in which case the proceeds shall be deposited in the county sheriff’s revolving fund under section 50.535. Any firearm remaining in the possession of the county, municipality, or governmental body after the firearm has been offered for sale or trade to at least two licensed firearms dealers may be destroyed.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager assumed the Chair.

Senator Nieves moved that **SCS** for **HCS** for **HB 436**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **HCS** for **HB 436**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Nasheed	Sifton—6
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Absent—Senators

Holsman	McKenna—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Kinder assumed the Chair.

HB 307, introduced by Representative Riddle, et al, with **SCS**, entitled:

An Act to repeal section 321.015, RSMo, and to enact in lieu thereof one new section relating to fire protection districts.

Was taken up by Senator Schmitt.

SCS for **HB 307**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 307

An Act to repeal sections 84.830, 190.100, 321.015, 321.210, and 321.322, RSMo, and to enact in lieu thereof seven new sections relating to emergency service providers, with existing penalty provisions.

Was taken up.

Senator Schmitt moved that **SCS** for **HB 307** be adopted.

Senator Schmitt offered **SS** for **SCS** for **HB 307**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 307

An Act to repeal sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.430, 84.490, 84.830, 85.551, 99.845, 106.010, 106.270, 190.100, 321.015, 321.210, 321.322, and 590.080, RSMo, and to enact in lieu thereof nineteen new sections relating to emergency service providers, with existing penalty provisions.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

Senator Schmitt moved that **SS** for **SCS** for **HB 307** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 307, Page 28, Section 106.273, Line 26, by inserting after all of said line the following:

“174.700. The board of regents or board of governors of any state college or university may appoint and employ as many college or university police officers as it may deem necessary to **enforce regulations established under section 174.709 and general motor vehicle laws of this state in accordance with section 174.712**, protect persons, property, and to preserve peace and good order only in the public buildings, properties, grounds, and other facilities and locations over which it has charge or control and to respond to emergencies or natural disasters outside of the boundaries of university property and provide services if requested by the law enforcement agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties, shall take and subscribe an oath of office before some officer authorized to administer oaths, to faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the board, and the secretary of the board shall give each college police officer so appointed and qualified a certificate of appointment, under the seal of the board, which certificate shall empower him or her with the same authority to maintain order, preserve peace and make arrests as is now held by peace officers.

2. The college or university police officers shall have the authority to enforce the regulations established in section 174.709 and general motor vehicle laws in accordance with section 174.712 on the campus as prescribed in chapter 304. The college or university police officer may in addition expel from the public buildings, campuses, and grounds, persons violating the rules and regulations that may be prescribed by the board or others under the authority of the board.

3. Such officer or employee of the state college or university as may be designated by the board shall have immediate charge, control and supervision of police officers appointed by authority of this section. Such college or university police officers shall have satisfactorily completed before appointment a training course for police officers as prescribed by chapter 590 for state peace officers or, by virtue of previous experience or training, have met the requirements of chapter 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board the right to appoint guards or watchmen who shall not be given the authority and powers authorized by sections 174.700 to [174.706] **174.712.**

174.709. 1. For the purpose of promoting public safety, health, and general welfare and to protect life and property, the board of regents or board of governors of any state college or university may establish regulations to control vehicular traffic, including speed regulations, on any thoroughfare owned or maintained by the state college or university and located within any of its campuses. Such regulations shall be consistent with the provisions of the general motor vehicle laws of this state. Upon adoption of such regulations, the state college or university shall have the authority to place official traffic control signals, as defined in section 300.010, on campus property.

2. The regulations established by the board of regents or board of governors of any state college or university under subsection 1 of this section shall be codified, printed, and distributed for public use. Adequate signs displaying the speed limit shall be posted along such thoroughfares.

3. Violations of any regulation established under this section shall have the same effect as a violation of municipal ordinances adopted under section 304.120, with penalty provisions as provided in section 304.570. Points assessed against any person under section 302.302, for a violation of this section shall be the same as provided for a violation of a county or municipal ordinance.

4. The provisions of this section shall apply only to moving violations.

174.712. All motor vehicles operated upon any thoroughfare owned or maintained by the state college or university and located within any of its campuses shall be subject to the provisions of the general motor vehicle laws of this state, including chapters 301, 302, 303, 304, 307, and 577. Violations shall have the same effect as though such had occurred on public roads, streets, or highways of this state.”; and

Further amend said bill, Page 44, Section 321.322, Line 21, by inserting after all of said line the following:

“544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any political subdivision of this state, any authorized agent of the department of conservation, any commissioned member of the Missouri capitol police, **any college or university police officer**, and any commissioned member of the Missouri state park rangers in fresh pursuit of a person who is reasonably believed by such officer to have committed a felony in this state or who has committed, or attempted to commit, in the presence of such officer or agent, any criminal offense or violation of a municipal or county ordinance, or for whom such officer holds a warrant of arrest for a criminal offense, shall have the authority to arrest and hold in custody such person anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace officer’s, conservation agent’s, capitol police officer’s, **college or university police officer’s**, or state park ranger’s jurisdiction and shall be terminated once the pursuing peace officer is outside of such officer’s jurisdiction and has lost contact with the person being pursued. If the offense is a traffic violation, the uniform traffic ticket shall be used as if the violator had been apprehended in the municipality or county in which the offense occurred.

2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense; if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court with original criminal jurisdiction in the county wherein such arrest was made or before a municipal judge thereof having original jurisdiction to try such offense, who may release the person as provided in section 544.455, conditioned upon such person’s appearance before the court having jurisdiction to try the offense. The person so arrested need not

be taken before a judge as herein set out if given a summons by the arresting officer.

3. The term “fresh pursuit”, as used in this section, shall include hot or fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or is reasonably suspected of having committed a felony in this state, or who has committed or attempted to commit in this state a criminal offense or violation of municipal or county ordinance in the presence of the arresting officer referred to in subsection 1 of this section or for whom such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. “Fresh pursuit” as used herein shall imply instant pursuit.

4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum standards:

(1) There shall be supervisory control of the pursuit;

(2) There shall be procedures for designating the primary pursuit vehicle and for determining the total number of vehicles to be permitted to participate at one time in the pursuit;

(3) There shall be procedures for coordinating operation with other jurisdictions; and

(4) There shall be guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be initiated or should be terminated.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 307, Page 29, Section 190.098, Line 14, by inserting after “nurse” the following:

“through a collaborative practice arrangement with a physician”; and

Further amend line 15 by inserting after “assistant” the following:

“through a collaborative practice arrangement with a physician”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 307, Page 1, Section A, Line 8, by inserting immediately after said line the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose **a tax** upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard

motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under

such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of** all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and

remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost

or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.”; and

Further amend said bill, page 28, section 106.273, line 26, by inserting immediately after said line the following:

“144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection,** upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection,** a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of “sale at retail” or leased or rented the property and the tax was paid at

the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. Except as otherwise provided,** the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020 and** sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their "gross receipts", defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the

date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term “boat” includes all motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] 2. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] 4. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] **sales** tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] **sales** tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] 5. In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] **sales** tax[,], all of its lease receipts would be subject to the [use] **sales** tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle,

trailer, boat, or outboard motor was originally purchased.

[7.] **6.** The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[(3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[(4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[(5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

[(6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[(7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[(8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and sections 144.440 to 144.455**, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] **as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the

director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1 of this section** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt

from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020**;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state.”; and

Further amend said bill, page 46, section 590.080, line 19, by inserting immediately after said line the following:

“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act.”; and

Further amend said bill, page 46, section 84.490, line 3, by inserting immediately after said line the following:

“Section B. Because of the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 3** is out of order as it goes beyond the scope of the underlying bill.

At the request of Senator Kehoe, **SA 3** was withdrawn rendering the point of order moot.

Senator Schmitt moved that **SS** for **SCS** for **HB 307**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **HB 307**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

At the request of Senator Kehoe, **SCS** for **SB 411** was placed on the Informal Calendar.

SS for **SB 401**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 401

An Act to amend chapter 376, RSMo, by adding thereto ten new sections relating to health insurance exchanges, with penalty provisions and an emergency clause.

Senator Lager assumed the Chair.

Was taken up.

On motion of Senator Rupp, **SS** for **SB 401** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Walsh	Wasson—30		

NAYS—Senators

Emery	Nieves	Wallingford—3
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Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Walsh	Wasson—29			

NAYS—Senators

Nieves Wallingford—2

Absent—Senators

Holsman Kehoe LeVota—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 437, introduced by Senator Pearce, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 437

An Act to repeal sections 163.191 and 173.616, RSMo, and to enact in lieu thereof thirteen new sections relating to higher education.

Was taken up.

Senator Pearce moved that **SS for SCS for SB 437** be read the 3rd time and finally passed.

At the request of Senator Pearce, **SS for SCS for SB 437** was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

PRIVILEGED MOTIONS

Senator Cunningham moved that the Senate refuse to concur in **HCS for SS for SB 34**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon,

which motion prevailed.

Photographers from Jeff City Journal were given permission to take pictures in the Senate Chamber.

Senator Sater moved that **SB 197**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Sater moved that **HA 1** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Kraus—1

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Sater, **SB 197**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 210**, entitled:

An Act to repeal sections 32.057, 105.478, 115.631, 130.028, 130.031, 142.909, 142.911, 143.1001, 143.1003, 149.200, 160.261, 167.115, 167.171, 168.071, 188.023, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.117, 210.165, 211.038, 211.071, 211.447, 214.410, 217.010, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 217.703, 221.025, 221.111, 221.353, 252.235, 253.080, 260.207, 260.208, 260.211, 260.212, 260.379, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.181, 302.304, 302.321, 302.500, 302.540, 302.541, 302.605, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 339.100, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 375.1312, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.026, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.105, 559.106, 559.107, 559.110, 559.115, 559.117, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073, 565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.086, 566.090, 566.093, 566.095, 566.100, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032,

568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.015, 589.425, 590.700, 610.125, 630.155, 630.165, 632.480, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by senate committee substitute for house bill no. 1460 merged with conference committee substitute for house committee substitute for senate bill no. 628, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof seven hundred twenty-eight new

sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions and an effective date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 630**, entitled:

An Act to repeal sections 620.1881 and 620.1910, RSMo, and to enact in lieu thereof three new sections relating to the manufacturing jobs act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 371**, entitled:

An Act to repeal sections 32.056, 43.518, 56.807, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 339.100, 375.1312, 432.047, 443.723, 452.375, 452.400, 453.015, 453.030, 453.040, 453.050, 476.057, 478.007, 488.026, 488.426, 488.2250, 488.5320, 513.430, 556.036, 556.037, 556.061, 558.018, 558.026, 559.100, 559.105, 559.115, 559.117, 566.020, 566.030, 566.040, 566.060, 566.070, 566.090, 566.093, 566.095, 566.100, 566.224, 566.226, 570.120, 589.015, 590.700, and 632.480, RSMo, and to enact in lieu thereof fifty-seven new sections relating to judicial procedure, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SB 1**, entitled:

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.150, 287.200, 287.210, 287.220, 287.610, 287.690, 287.715, 287.745, 287.955, and 287.957, RSMo, and to enact in lieu thereof fifteen new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.150, Pages 11-13, Lines 1-90, by deleting all of said Section from the bill; and

Further amend said bill, Section 287.200, Page 15, Lines 54 - 68, by deleting all of said Lines and inserting in lieu thereof the following:

“(1) Notwithstanding any provision of law to the contrary, such amount as due to the employee during said employee’s life as provided for under this chapter for an award of permanent total disability and death, except such amount shall begin only when the benefits payable under subdivisions (2) and (3) of this subsection have been exhausted;

(2) An amount equal to one hundred percent of the state’s average weekly wage as of the date of diagnosis for seventy-five weeks shall be paid by the employer; or

(3) In cases where occupational diseases due to toxic exposure are found to be mesothelioma, an additional amount of two hundred percent of the state’s average weekly wage for one hundred fifty weeks shall be paid by the employer; and”; and

Further amend said bill, Section 287.213, Pages 18-19, Lines 1-45, by deleting all of said Section from the bill; and

Further amend said bill, Section 287.220, Page 19, Lines 12-15, by deleting all of said Lines and inserting in lieu thereof the following:

“2. All cases of permanent disability where there has been previous disability due to injuries occurring prior to the effective date of this section shall be compensated as [herein] provided in this subsection. Compensation shall be computed on the basis of the average earnings at the time of ”; and

Further amend said section, Page 21, Line 73, by inserting **“or conditions”** after **“injuries”**; and

Further amend said bill, Section 287.610, Pages 24-26, Lines 1-77, by deleting all of said Section from the bill; and

Further amend said bill, Section 287.690, Page 27, Lines 18-19, by deleting all of said Lines and inserting in lieu thereof the following:

“estimated to be on hand on December thirty-first of the year each tax rate determination is made is less than one hundred ten percent of the”; and

Further amend said section and page, Line 21, by deleting **“division”**; and

Further amend said bill, Section 287.715, Pages 29-30, Lines 55-71, by deleting all of said Lines and inserting in lieu thereof the following:

“6. Notwithstanding subsection 2 of this section to the contrary, the director of the division of workers compensation shall collect a supplemental surcharge not to exceed three percent for calendar years 2014 to 2020. All policyholders and self-insurers shall be notified by the division of the supplemental surcharge percentage to be imposed for such period of time as part of the notice provided in subsection 2 of this section. The provisions of this subsection shall expire on December 31, 2020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 24, Section 287.220, Line 192, by inserting after all of said section and line, the following:

“287.280. 1. Every employer subject to the provisions of this chapter shall, on either an individual or

group basis, insure his **or her** entire liability [thereunder] **including workers' compensation and employer liability**, except as hereafter provided, with some insurance carrier authorized to insure such liability in this state, except that an employer or group of employers may themselves carry the whole or any part of the liability without insurance upon satisfying the division of their ability so to do. If an employer or group of employers have qualified to self-insure their liability under this chapter, the division of workers' compensation may, if it finds after a hearing that the employer or group of employers are willfully and intentionally violating the provisions of this chapter with intent to defraud their employees of their right to compensation, suspend or revoke the right of the employer or group of employers to self-insure their liability. If the employer or group of employers fail to comply with this section, an injured employee or his dependents may elect after the injury either to bring an action against such employer or group of employers to recover damages for personal injury or death and it shall not be a defense that the injury or death was caused by the negligence of a fellow servant, or that the employee had assumed the risk of the injury or death, or that the injury or death was caused to any degree by the negligence of the employee; or to recover under this chapter with the compensation payments commuted and immediately payable; or, if the employee elects to do so, he or she may file a request with the division for payment to be made for medical expenses out of the second injury fund as provided in subsection 5 of section 287.220. If the employer or group of employers are carrying their own insurance, on the application of any person entitled to compensation and on proof of default in the payment of any installment, the division shall require the employer or group of employers to furnish security for the payment of the compensation, and if not given, all other compensation shall be commuted and become immediately payable; provided, that employers engaged in the mining business shall be required to insure only their liability hereunder to the extent of the equivalent of the maximum liability under this chapter for ten deaths in any one accident, but the employer or group of employers may carry their own risk for any excess liability. When a group of employers enter into an agreement to pool their liabilities under this chapter, individual members will not be required to qualify as individual self-insurers.

2. Groups of employers qualified to insure their liability pursuant to chapter 537 or this chapter, shall utilize a uniform experience rating plan promulgated by an approved advisory organization. Such groups shall develop experience ratings for their members based on the plan. Nothing in this section shall relieve an employer from remitting, without any charge to the employer, the employer's claims history to an approved advisory organization.

3. For every entity qualified to group self-insure their liability pursuant to this chapter or chapter 537, each entity shall not authorize total discounts for any individual member exceeding twenty-five percent beginning January 1, 1999. All discounts shall be based on objective quantitative factors and applied uniformly to all trust members.

4. Any group of employers that have qualified to self-insure their liability pursuant to this chapter shall file with the division premium rates, based on pure premium rate data, adjusted for loss development and loss trending as filed by the advisory organization with the department of insurance, financial institutions and professional registration pursuant to section 287.975, plus any estimated expenses and other factors or based on average rate classifications calculated by the department of insurance, financial institutions and professional registration as taken from the premium rates filed by the twenty insurance companies providing the greatest volume of workers' compensation insurance coverage in this state. The rate is inadequate if funds equal to the full ultimate cost of anticipated losses and loss adjustment expenses are not produced when the prospective loss costs are applied to anticipated payrolls. The provisions of this subsection shall

not apply to those political subdivisions of this state that have qualified to self-insure their liability pursuant to this chapter as authorized by section 537.620 on an assessment plan. Any such group may file with the division a composite rate for all coverages provided under that section.

5. Any finding or determination made by the division under this section may be reviewed as provided in sections 287.470 and 287.480.

6. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

7. Any records submitted pursuant to this section, and pursuant to any rule promulgated by the division pursuant to this section, shall be considered confidential and not subject to chapter 610. Any party to a workers' compensation case involving the party that submitted the records shall be able to subpoena the records for use in a workers' compensation case, if the information is otherwise relevant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.020, Page 2, Line 14, by inserting after the word "subagencies." the following:

"The word "employee" also shall not include any person performing services for board, lodging, aid, or sustenance received from any religious, charitable, or relief organization."; and

Further amend said bill, Page 8, Section 287.140, Lines 48 to 51, by deleting all of said lines and inserting in lieu thereof the following:

"(1) Two years from the date the notice of dispute of the medical charge was received by the health care provider if such services were rendered before July 1, 2013; and

(2) One year from the date the notice of dispute of the medical charge was received by the health care provider if such services were rendered on or after July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 4-5, Section 287.067, Lines 1-45, by deleting all of said section and lines from the bill and insert in lieu thereof the following:

"287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is

defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The “prevailing factor” is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. “Loss of hearing due to industrial noise” is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. “Harmful noise” means sound capable of producing occupational deafness.

5. “Radiation disability” is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590 if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department **or paid peace officers of a police department who are certified under chapter 590** if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 5, Section 287.067, Line 36, by inserting after the word “department” on said line, the following:

“or paid peace officers of a police department who are certified under chapter 590”; and

Further amend said bill, Page 24, Section 287.220, Line 192, by inserting after all of said section and line, the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) “Air ambulance pilot”, a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) “Air ambulance registered professional nurse”, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(4) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) “Killed in the line of duty”, when [a person defined in this section] **any law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter** loses [one’s] **his or her** life as a result of an injury received in the active performance of [his or her duties within the ordinary scope of] **duties in** his or her respective profession [while the individual is on duty and but for the individual’s performance, death would have not occurred], **if the death occurs as a natural and probable consequence of the injury or disease caused by the accident or violence of another within three hundred weeks from the date the injury was received and if that injury arose from violence of another or accidental cause subject to the provisions of this subdivision.** The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, **paramedic**, or firefighter. The division of workers’ compensation shall have the burden of proving such willful misconduct or intoxication. **For law enforcement officers, emergency medical technicians, air ambulance pilots, air ambulance registered professional nurses, paramedics, and firefighters, the term shall include the death caused as a result of a willful act of violence committed by a person other than the officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, and a relationship exists between the commission of such act and the individual’s performance of his or her duties as a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, regardless of whether the injury is received while the individual is on duty; or the injury is received by a law enforcement officer while he or she is attempting to prevent the commission of a criminal act of another person or attempting to apprehend an individual suspected of committing a crime, regardless of whether the injury is received while the individual is on duty as a law enforcement officer; or the injury is received by the individual while traveling to or from his or her employment or during any meal break, or other break, which takes place during the period in which the law enforcement officer, air ambulance pilot, air ambulance registered**

professional nurse, emergency medical technician, paramedic, or firefighter, is on duty;

(6) “Law enforcement officer”, any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person’s life;

(7) “Local governmental entity”, includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) “State”, the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) “Volunteer firefighter”, a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers’ compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers’ compensation shall make an investigation for substantiation of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers’ compensation insurers shall have subrogation rights against any

compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.955, Pages 30-31, Lines 1-26, by deleting all of said Lines and inserting in lieu thereof the following:

"287.955. 1. Every workers' compensation insurer shall adhere to a uniform classification system and

uniform experience rating plan filed with the director by the advisory organization designated by the director and subject to his disapproval. **Every workers compensation insurer shall report its workers compensation experience in accordance with the statistical plans and other reporting requirements in use by an advisory organization designated by the director.** An insurer may develop subclassifications of the uniform classification system [upon which a rate may be made], except that such subclassifications shall be filed with the director thirty days prior to their use. **A workers compensation insurer may develop other rating plans which reflect additional risk characteristics, and such rating plans and their filing shall be filed with the director thirty days prior to their use.** The director shall disapprove subclassifications, **rating plans, or other variations from manual rules filed by an insurer** if the insurer fails to demonstrate that the data thereby produced can be reported consistent with the uniform statistical plan, [and] classification system, **and experience rating systems and is in such a fashion so as to allow for the application of experience rating filed by the advisory organization.**

2. The director shall designate an advisory organization to assist him in gathering, compiling and reporting relevant statistical information. Every workers' compensation insurer shall record and report its workers' compensation experience to the designated advisory organization as set forth in the uniform statistical plan approved by the director.

3. The designated advisory organization shall develop and file manual rules, subject to the approval of the director, reasonably related to the recording and reporting of data pursuant to the uniform statistical plan, uniform experience rating plan, and the uniform classification system. Every workers' compensation insurer shall adhere to the approved manual rules and experience rating plan in writing and reporting its business. No insurer shall agree with any other insurer or with the advisory organization to adhere to manual rules which are not reasonably related to the recording and reporting of data pursuant to the uniform classification system of the uniform statistical plan.”; and

Further amend said bill, Section 287.957, Page 31, Lines 3-8, by deleting all of said Lines and inserting in lieu thereof the following:

“differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective”; and

Further amend said Section and Page, Line 15, by deleting all of said Line and inserting in lieu thereof the following:

“exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan** and the employer pays all of the total medical costs and there is no”; and

Further amend said section and page, Line 18, by inserting the following after all of said line:

“287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the

employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999.

4. For purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 24, Section 287.220, Line 169, by deleting the phrase “**elects to pursue compensation**” and insert in lieu thereof the following:

“files a claim for compensation”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Rupp moved that the Senate refuse to concur in **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HBs 404** and **614**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was

referred **HCS** for **HB 1035**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 196**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 253**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 351**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Joint Resolution and Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HJR 26**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 653**—Jobs, Economic Development and Local Government.

HB 421—Financial and Governmental Organizations and Elections.

HCS for **HB 986**—Veterans' Affairs and Health.

HCS for **HB 675**—Education.

HCS for **HB 285**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 859**—General Laws.

REFERRALS

President Pro Tem Dempsey referred **HB 253** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaefer.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 17**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 18**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 19**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

BILLS DELIVERED TO THE GOVERNOR

SB 16; SB 59; SB 60; SB 80; SCS for **SB 191; SB 234; SB 235; SB 237; SCS** for **SB 287; SB 306; SCS** for **SB 324; SB 329; and SCS** for **SB 376**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

INTRODUCTIONS OF GUESTS

Senator Nasheed introduced to the Senate, Brittany Campbell, St. Louis; and Hannah Young, Maryville.

Senator Dempsey introduced to the Senate, Mark and Eric Norwine, St. Charles.

Senator Kehoe introduced to the Senate, Cheryl and Kristina Johnson, Omaha, Nebraska.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. David Barbe, Mountain

Grove.

Senator Emery introduced to the Senate, Clayson Lyons and twenty-six students from Rich Hill Youth Development Center.

Senator Wasson introduced to the Senate, Coaches Rory Henry, Deidre Parks and Jeff Cope and members of the Class 1A, District 5, State Champion Walnut Grove High School girls basketball team: Megan Shuler, Madisyn Freeze, Lexi Harman, Shelby Harman, Carrigan Comstock, Miranda Allison, Karsyn Hejna, Heather Harman, Ellen Hayter and Audree Crain.

Senator Kraus introduced to the Senate, sixty-nine fourth grade students from James Walker Elementary, Blue Springs.

On motion of Senator Schaefer, the Senate adjourned until 1:30 p.m., Monday, May 6, 2013.

SENATE CALENDAR

SIXTY-SECOND DAY—MONDAY, MAY 6, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HB 210
HCS for HB 630
HCS for HB 371

HCS for HB 17
HB 18-Stream
HCS for HB 19

THIRD READING OF SENATE BILLS

SCS for SB 378-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager)
(In Fiscal Oversight)

2. HCS for HB 194 (Parson)
(In Fiscal Oversight)

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| 3. HCS for HB 656 (Nasheed) | 10. HB 274-Brattin, et al, with SCS (Brown)
(In Fiscal Oversight) |
| 4. HB 316-Phillips, et al (Sater)
(In Fiscal Oversight) | 11. HCS for HB 168 (Kraus)
(In Fiscal Oversight) |
| 5. HCS for HBs 446 & 211 (Cunningham) | 12. HCS for HBs 404 & 614, with SCS (Kehoe) |
| 6. HB 478-Wieland, et al (Romine) | 13. HCS for HB 1035, with SCS |
| 7. HCS for HBs 374 & 434, with SCS
(Dixon) | 14. HB 196-Lauer, et al, with SCS (Romine) |
| 8. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight) | 15. HB 253-Berry, et al (Schmitt)
(In Fiscal Oversight) |
| 9. HB 400-Riddle, et al (Wallingford) | 16. HCS for HB 351, with SCS (Brown) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe

SS for SCS for SB 437-Pearce

SENATE BILLS FOR PERFECTION

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| SB 3-Rupp, with SA 1 (pending) | SB 250-Schaaf, with SCS |
| SB 13-Schaefer, with SCS | SB 259-Schaaf, with SCS |
| SB 21-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 22-Dixon | SB 285-Romine |
| SB 30-Brown, with SCS | SB 291-Rupp |
| SB 48-Lamping | SB 292-Rupp |
| SB 53-Lamping | SB 308-Schaaf |
| SB 61-Keaveny, with SCA 1 (pending) | SB 315-Pearce |
| SB 65-Dixon, with SCS | SB 325-Nieves |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 339-Romine |
| SB 82-Schaefer, with SCS | SB 343-Parson |
| SB 109-Brown, with SCS | SB 364-Parson |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 371-Munzlinger, with SCS |
| SB 141-Dempsey | SB 377-Dixon |
| SB 167-Sater and Wallingford, with SCS | SB 383-Wallingford |
| SB 174-Parson, with SCS | SB 396-Holsman and Chappelle-Nadal, with
SCS |
| SB 175-Wallingford | SB 403-Rupp, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 410-Kehoe |
| SB 210-Lamping and Nieves, with SCS | SB 419-Lager, with SCS |
| SB 231-Munzlinger, with SA 1 (pending) | SB 423-Nasheed |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 441-Dempsey |
| | SB 448-Schmitt and Keaveny |

SB 455-Nieves, with SCS

SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)

HB 55-Flanigan and Allen, with SCS
(Schaefer)

HB 112-Burlison, with SA 2 (pending)
(Brown)

HB 184-Cox, et al (Parson)

HCS for HB 199 (Lamping)

HB 346-Molendorp (Wasson)

HB 432-Funderburk, et al, with SCS &
SA 1 (pending) (Lager)

HCS for HB 457, with SCS (Rupp)

SS for SCS for HB 542 (Munzlinger)
(In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 23-Parson, with HCS, as amended

HCS for HB 1, with SCS (Schaefer)

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS, as amended
(Schaefer)

HCS for HB 7, with SCS, as amended (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

HCS for HJR 11 & 7, with SS, as amended
(Parson)

Requests to Recede or Grant Conference

SS#2 for SCS for SB 1-Rupp, with HCS,
as amended

(Senate requests House
recede or grant conference)

SS for SB 34-Cunningham, with HCS,
as amended

(Senate requests House
recede or grant conference)

SCS for SB 106-Brown, with HA 1,

HA 2, HA 3, HA 4, as amended & HA 5
(Senate requests House recede
or grant conference)

SCS for SB 117-Kraus, with HCS,
as amended

(Senate requests House
recede or grant conference)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SECOND DAY—MONDAY, MAY 6, 2013

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 210—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 17—Appropriations.

HB 18—Appropriations.

HCS for HB 19—Appropriations.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HB 331** and has taken up and passed **SS** for **HB 331**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 555**, entitled:

An Act to repeal sections 302.020 and 302.132, RSMo, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 781**, entitled:

An Act to repeal sections 208.895 and 660.315, RSMo, and to enact in lieu thereof three new sections

relating to MO HealthNet-funded home- and community-based care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 936**, entitled:

An Act to amend chapters 188 and 335, RSMo, by adding thereto two new sections relating to the provision of health care services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 427**, entitled:

An Act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to rental of machinery and equipment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 430**, entitled:

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof two new sections relating to employer paid medical costs in the experience rating plan of workers' compensation insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 513**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the protection of parental rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 336**, entitled:

An Act to repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

Reverend Carl Gauck offered the following prayer:

“Morning by morning he wakens - wakens my ear to listen as those who are taught.” (Isaiah 50:4b)

As we begin a new week we are clear that we have just two weeks left and the pressure increases and there is much to accomplish. We pray that we may hear Your word and listen to what You teach so we may be lifted up and energized and our efforts may be more effective and we are seen as those who care and truly know what it is that is expected of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 2, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 891, regarding William C. Doggett, which was adopted.

Senator Romine offered Senate Resolution No. 892, regarding Karen Lee White, which was adopted.

Senator Romine offered Senate Resolution No. 893, regarding Gary L. Rawson, which was adopted.

Senator Romine offered Senate Resolution No. 894, regarding Sandra Louise Copeland, which was adopted.

Senator Romine offered Senate Resolution No. 895, regarding Keith Michael Huck, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 896, regarding Donna (Pitt) Owens, Lesterville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 897, regarding MFA Incorporated, which was adopted.

Senator Romine offered Senate Resolution No. 898, regarding Deborah G. Rauhut, which was adopted.

Senator Romine offered Senate Resolution No. 899, regarding Mary Ellen Peterson, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 900, regarding David Keith Weatherly, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 901, regarding Bonnie Louise Barron, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 902, regarding Betty D. Skaggs, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 903, regarding Richard Whaley, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 904, regarding Gwendolyn Kay Wampler, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 905, regarding Joy Warwick, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 906, regarding Kimberly Marx, De Soto, which was adopted.

Senator Richard offered Senate Resolution No. 907, regarding Andrew “Keegan” Tinney, Joplin, which was adopted.

Senator Lager offered Senate Resolution No. 908, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Fred Schiever, Ravenwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 909, regarding Max Jaksetic, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 910, regarding Habitat for Humanity’s RV Care-A-Vanners, which was adopted.

Senator Walsh offered Senate Resolution No. 911, regarding Bradley L. DiMariano, which was adopted.

Senator Munzlinger offered Senate Resolution No. 912, regarding Heartland Resources, Inc. Foster Grandparent Program, which was adopted.

Senator Cunningham offered Senate Resolution No. 913, regarding Hannah Morton, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 194** and **HB 316**, begs leave to report that it has considered the same and recommends

that the bills do pass.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 210**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 210**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the common core state standards initiative, with an emergency clause.

Was taken up.

Senator Lamping moved that **SCS** for **SB 210** be adopted.

Senator Lamping offered **SS** for **SCS** for **SB 210**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the common core state standards initiative, with an emergency clause.

Senator Lamping moved that **SS** for **SCS** for **SB 210** be adopted.

Senator Lamping offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 161.855, Line 13 of said page, by striking the word "For"; and further amend lines 14-16 of said page, by striking all of said lines; and

Further amend said section, page 2, line 1 of said page, by striking all of said line and inserting in lieu thereof the following: "**The department of elementary and secondary education shall publish a notice on its internet website at least two weeks prior to each of the public hearings and post such notice at the location of each public hearing. At such time, the department shall also notify each district of the public hearing that shall take place in the congressional district in which the district is located. Within seventy-two hours of receiving the department's notification, each district shall notify parents, in a manner in which it chooses, of the public hearing that shall take place in the congressional district in which the district is located.**".

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 161.855, Line 13 of said page, by inserting after "hearing." the following: "**As an alternative, the commissioner of education may designate an employee of the department of elementary and secondary education to attend the public hearings in his or her place.**".

Senator Lamping moved that the above amendment be adopted.

Senator Kraus offered **SA 1 to SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 161.855, Line 5 of said amendment, by striking the word “the” and inserting in lieu thereof the words “**four of the eight**”.

Senator Kraus moved that the above amendment be adopted.

At the request of Senator Kraus, **SA 1 to SA 2** was withdrawn.

SA 2 was again taken up.

At the request of Senator Lamping, the above amendment was withdrawn.

Senator Lamping offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Section 161.855, Line 13, by inserting after “hearing.” the following: “**The commissioner of education shall be excused from attending a public hearing only for extenuating circumstances.**”.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 3, Section 161.855, Line 8, by inserting after all of said line the following:

“Section 1. 1. There is hereby established a joint interim committee of the general assembly to function during the legislative interim between the first and second regular sessions of the ninety-seventh general assembly to examine the current elementary and secondary education foundation formula.

2. The joint interim committee shall do the following:

- (1) Study the impact of cuts to the foundation formula on hold harmless school districts;**
- (2) Study how other states fund elementary and secondary education and how they have addressed elementary and secondary education budgets during difficult fiscal times; and**
- (3) Identify ways in which the foundation formula might be improved.**

3. The joint interim committee shall report its recommendations to the president pro tempore of the senate and the speaker of the house of representatives by January 8, 2014.

4. The joint interim committee shall be composed of ten members, three majority party members, and two minority party members of the senate, to be appointed by the president pro tempore of the senate, and three majority party members and two minority party members of the house of representatives, to be appointed by the speaker of the house of representatives.

5. The joint interim committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the joint interim committee deems relevant, political subdivisions of this state, and the general public.

6. The staffs of senate appropriations, senate research, house appropriations, house research, the joint committee on education and the committee on legislative research shall provide such legal, research, clerical, technical, and bill drafting services as the joint interim committee may require in the performance of its duties.

7. The actual and necessary expenses of the joint interim committee, its members, and any staff assigned to the joint interim committee incurred by the joint interim committee shall be paid by the joint contingent fund.

8. The provisions of this section shall terminate on January 8, 2014.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 3, Section 161.855, Line 8 of said page, by inserting after all of said line the following:

“162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited [for two successive school years by the state board of education, its corporate organization shall lapse. The corporate organization of any school district that is classified as unaccredited shall lapse on June thirtieth of the second full school year of such unaccredited classification after the school year during which the unaccredited classification is initially assigned. The territory theretofore embraced within any district that lapses pursuant to this section or any portion thereof may be attached to any district for school purposes by the state board of education; but no school district, except a district classified as unaccredited pursuant to section 163.023 and section 160.538 shall lapse where provision is lawfully made for the attendance of the pupils of the district at another school district that is classified as provisionally accredited or accredited by the state board of education], **the state board of education shall:**

(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or

(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.

2. [Prior to or] **If** at the time any school district in this state shall [lapse, but after the school district has been] **be** classified as unaccredited, the department of elementary and secondary education shall conduct [a] **at least two public [hearing] hearings** at a location in the unaccredited school district **regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may**

request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. [The purpose of the hearing shall be to:

- (1) Review any plan by the district to return to accredited status; or
- (2) Offer any technical assistance that can be provided to the district.

3. Except as otherwise provided in section 162.1100, in a metropolitan school district or an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants and in any other school district if the local board of education does not anticipate a return to accredited status, the state board of education may appoint a special administrative board to supervise the financial operations, maintain and preserve the financial assets or, if warranted, continue operation of the educational programs within the district or what provisions might otherwise be made in the best interest of the education of the children of the district. The special administrative board shall consist of two persons who are residents of the school district, who shall serve without compensation, and a professional administrator, who shall chair the board and shall be compensated, as determined by the state board of education, in whole or in part with funds from the district.

4.] **3. Upon [lapse of the district] classification of a district as unaccredited,** the state board of education may:

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the unaccredited district and:

(a) Appoint a special administrative board, [if such a board has not already been appointed, and authorize the special administrative board to retain the authority granted to a board of education] for the operation of all or part of the district. The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. Any special administrative board appointed under this section shall be responsible for the operation of the district until such time that the district is classified by the state board of education as provisionally accredited for two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

[(2)] (b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated timeline for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of

governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

[(3)] **(d)** Establish one or more school districts within the territory of the lapsed district, with a governance structure [consistent with the laws applicable to districts of a similar size] **specified by the state board of education**, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date. [The special administrative board may retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse.]

[5.] 4. A special administrative board appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the special administrative board shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. **Neither the special administrative board nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees, shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, the special administrative board, its members or employees. Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees shall be available to the special administrative board, its members and employees.**

[6. Upon recommendation of the special administrative board, the state board of education may assign the funds, assets and liabilities of the lapsed district to another district or districts. Upon assignment, all authority of the special administrative board shall transfer to the assigned districts.

7.] **5.** Neither the special administrative board nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

[8.] 6. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

[9. (1)] The governing body of a school district, upon an initial declaration by the state board of education that such district is provisionally accredited, may, and, upon an initial declaration by the state board of education that such district is unaccredited, shall develop a plan to be submitted to the voters of the school district to divide the school district if the district cannot attain accreditation within three years

of the initial declaration that such district is unaccredited. In the case of such a district being declared unaccredited, such plan shall be presented to the voters of the district before the district lapses. In the case of such a district being declared provisionally accredited, such plan may be presented before the close of the current accreditation cycle.

(2) The plan may provide that the school district shall remain intact for the purposes of assessing, collecting and distributing taxes for support of the schools, and the governing body of the district shall develop a plan for the distribution of such taxes equitably on a per-pupil basis if the district selects this option.

(3) The makeup of the new districts shall be racially balanced as far as the proportions of students allow.

(4) If a majority of the district's voters approve the plan, the state board of education shall cooperate with the local board of education to implement the plan, which may include use of the provisions of this section to provide an orderly transition to new school districts and achievement of accredited status for such districts.

10.] 7. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

162.083. 1. The state board of education may appoint additional members to any special administrative board appointed under section 162.081.

2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.

(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.

(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.

(3) The election shall be conducted in a manner consistent with the election laws applicable to the school district.

3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board from standing for an elected term on the board.

4. [If the state board of education appoints a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.

5.] On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a school district as otherwise authorized by law.

162.1300. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a school district receives additional students as a result of such change, the statewide assessment scores and all other performance data for those students whom the district received shall not be used for three years when

calculating the performance of the receiving district for three school years for purposes of the Missouri school improvement program.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS** for **SCS** for **SB 210**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS** for **SCS** for **SB 210**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for **HB 194**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a tax deduction for job creation for new home purchasers.

Was taken up by Senator Parson.

At the request of Senator Parson, **HCS** for **HB 194**, was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HB 68** and has taken up and passed **HB 68**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HBs 303** and **304** and has taken up and passed **SCS** for **HBs 303** and **304**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended, for **HCS No. 2** for **HB 698** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to recede from its position on **SCS** for **HCS No. 2** for **HB 698**, as amended, and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2** for **HB 34** and has taken up and passed **SS No. 2** for **HB 34**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 498** and has taken up and passed **SCS** for **HB 498**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 233** and has taken up and passed **SCS** for **HCS** for **HB 233**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HB 329** and has taken up and passed **SCS** for **HB 329**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 159**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 2**, **HA 3**, **HA 1** to **HA 4**, **HA 4**, as amended, and **HA 5** to **SCS** for **SB 106** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 117**, as amended, and grants the Senate a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 106**, as amended: Senators Brown, Pearce, Kraus, Sifton and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 117**, as amended: Senators Kraus, Brown, Pearce, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS No. 2** for **HB 698**, as amended: Senators Schmitt, Richard, Kraus, Justus and McKenna.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

On motion of Senator Richard, the Senate recessed for 15 minutes.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 262**, entitled:

An Act to repeal sections 334.108, 354.410, 354.415, 354.430, 354.603, 376.405, 376.426, 376.777, 376.961, 376.962, 376.964, 376.966, 376.968, 376.970, 376.973, and 376.1363, RSMo, and to enact in lieu thereof twenty-two new sections relating to health insurance, with penalty provisions and an effective date.

With House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, and House Amendment Nos. 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 2, Section 334.108, Line 26, by inserting after all of said section and line the following:

“338.321. 1. The “Missouri Oral Chemotherapy Parity Interim Committee” is hereby created to study the disparity in patient co-payments between orally and intravenously administered chemotherapies, the reasons for the disparity, and the patient benefits in establishing co-payment parity between oral and infused chemotherapy agents. The committee shall consider information on the costs or actuarial analysis associated with the delivery of patient oncology treatments. The conclusions of this study shall satisfy any statutorily required actuarial analysis.

2. The Missouri oral chemotherapy parity interim committee shall consist of the following members:

- (1) Two members of the senate, appointed by the president pro tempore of the senate;**
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives;**
- (3) One member who is an oncologist or physician with expertise in the practice of oncology licensed in this state under chapter 334;**
- (4) One member who is an oncology nurse licensed in this state under chapter 335;**
- (5) One member who is a representative of a Missouri pharmacy benefit management company;**
- (6) One member from an organization representing licensed pharmacists in this state;**
- (7) One member from the business community representing businesses on health insurance issues;**
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;**
- (9) One patient advocate;**
- (10) One member from the organization representing a majority of hospitals in this state;**
- (11) One member from a health carrier as such term is defined under section 376.1350;**
- (12) One member from the organization representing a majority of health carriers in this state, as such term is defined under section 376.1350; and**
- (13) One member from the Leukemia and Lymphoma Society.**

3. All members, except for the members from the general assembly, shall be appointed by the

governor no later than September 1, 2013. The department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. No later than January 1, 2014, the committee shall submit a report to the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the appropriate legislative committee of the general assembly regarding the results of the study and any legislative recommendations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 38, Section 376.1900, Line 3, by deleting the word “**website**” and inserting in lieu thereof the phrase “**web-based or similar electronic-based communications network**”; and

Further amend said bill and section, Page 39, Line 56, by inserting after all of said section and line the following:

“376.2000. 1. Sections 376.2000 to 376.2014 shall be known and may be cited as the “Health Insurance Marketplace Innovation Act of 2013”.

2. As used in sections 376.2000 to 376.2014, the following terms mean:

(1) “Department”, the department of insurance, financial institutions and professional registration;

(2) “Director”, the director of the department of insurance, financial institutions and professional registration;

(3) “Exchange”, any health benefit exchange established or operating in this state, including any exchange established or operated by the United States Department of Health and Human Services.

(4) “Navigator”, a person that, for compensation, provides information or services in connection with eligibility, enrollment, or program specifications of any health benefit exchange operating in this state, including any person that is selected to perform the activities and duties identified in 42 U.S.C. 18031(i) in this state, any person who receives funds from the United States Department of Health and Human Services to perform any of the activities and duties identified in 42 U.S.C. 18031(i), or any other person certified by the United states Department of Health and Human Services, or a health benefit exchange operating in this state, to perform such defined or related duties irrespective of whether such person is identified as a navigator, certified application counselor, in-person assister, or other title.

376.2002. 1. No individual or entity shall perform, offer to perform, or advertise any service as a navigator in this state, or receive navigator funding from the state or an exchange unless licensed as a navigator by the department under sections 376.2000 to 376.2014.

2. A navigator may:

(1) Provide fair and impartial information and services in connection with eligibility, enrollment, and program specifications of any health benefit exchange operating in this state, including information about the costs of coverage, advance payments of premium tax credits, and cost sharing reductions;

(2) Facilitate the selection of a qualified health plan;

(3) Initiate the enrollment process;

(4) Provide referrals to any applicable office of health insurance consumer assistance, ombudsman, or other agency for any enrollee with a grievance, complaint, or question regarding their health plan, coverage, or determination under the plan; and

(5) Use culturally and linguistically appropriate language to communicate the information authorized in this subsection.

3. Unless also properly licensed as an insurance producer in this state with authority for health under section 375.014, a navigator shall not:

(1) Sell, solicit, or negotiate health insurance;

(2) Engage in any activity that would require an insurance producer license;

(3) Provide advice concerning the benefits, terms, and features of a particular health plan or offer advice about which exchange health plan is better or worse for a particular individual or employer;

(4) Recommend or endorse a particular health plan or advise consumers about which health plan to choose; or

(5) Provide any information or services related to health benefit plans or other products not offered in the exchange.

4. The following entities or persons are exempt from the requirement to be licensed as a navigator:

(1) An entity or person licensed as an insurance producer in this state with authority for health under section 375.014;

(2) A law firm or licensed attorney in this state; and

(3) A “health care provider” as defined in section 376.1350 provided that:

(a) The health care provider does not receive any funds from the United States Department of Health and Human Services or a health exchange operating in this state to act as a navigator; and

(b) The activities or functions performed are related to advising, assisting, or counseling patients regarding private or public coverage or financial matters related to medical treatments or government assistance programs.

However, nothing in this section shall prohibit a health care provider from voluntarily becoming licensed as a navigator.

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual’s knowledge and belief. Before approving the application, the director shall find that the individual:

(1) Is eighteen years of age or older;

(2) Resides in this state or maintains his or her principal place of business in the state;

(3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;

(4) Has successfully passed the written examination prescribed by the director;

(5) When applicable, has the written consent of the director under 18 U.S.C. 1033 or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce;

(6) Has identified the entity with which he or she is affiliated and supervised; and

(7) Has paid the fees prescribed by the director.

2. An entity that acts as a navigator, supervises the activities of individual navigators, or receives funding to perform such activities shall obtain a navigator entity license. An entity applying for an entity navigator license shall make application on a form containing the information prescribed by the director.

3. The director may require any documents deemed necessary to verify the information contained in an application submitted in accordance with subsections 1 and 2 of this section.

4. Entities licensed as navigators shall, in a manner prescribed by the director, provide a list of all individual navigators that are employed by or in any manner affiliated with the navigator entity and shall report any changes in employment or affiliation within twenty days of such change.

5. The director shall require that each navigator obtain a surety bond in an amount acceptable to the director or otherwise demonstrate a level of financial responsibility capable of protecting all persons against the wrongful acts, misrepresentations, errors, omissions, or negligence of the navigator. The director may ask for a copy of the bond or other evidence of financial responsibility at any time.

6. Prior to any exchange becoming operational in this state, the director shall prescribe initial training, continuing education, and written examination standards and requirements for navigators.

376.2006. 1. A navigator license shall be valid for two years.

2. A navigator may file an application for renewal of a license and pay the renewal fee as prescribed by the director. Any navigator who fails to timely file for license renewal shall be charged a late fee in an amount prescribed by the director.

3. Prior to the filing date for an application for renewal of a license, an individual licensee shall comply with any ongoing training and continuing education requirements established by the director. Such navigator shall file with the director, by a method prescribed by the director, proof of satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the ongoing training and continuing education requirements shall result in the expiration of the license.

376.2008. Upon contact with a person who acknowledges having existing health insurance coverage obtained through an insurance producer, a navigator shall advise the person to consult with a licensed insurance producer regarding coverage in the private market.

376.2010. 1. The director may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate a navigator license or may levy a fine not to exceed one thousand dollars for each violation,

or any combination of actions, for any one or more of the causes listed in section 375.141, 375.936 or for other good cause. In the event that the action by the director is not to renew or to deny an application for a license, the director shall notify the applicant or licensee in writing and shall advise the applicant or licensee of the reason for the denial or nonrenewal. Appeal of the nonrenewal or denial of the application for a navigator license shall be made under the provisions of chapter 621.

2. In addition to imposing the penalties authorized by subsection 1 of this section, the director may require that restitution be made to any person who has suffered financial injury because of a violation of this section.

3. The director shall have the power to examine and investigate the business affairs and records of any navigator to determine whether the individual or entity has engaged or is engaging in any violation of this section.

4. The navigator license held by an entity may be suspended or revoked, renewal or reinstatement thereof may be refused, or a fine may be levied, with or without a suspension, revocation, or refusal to renew a license, if the director finds that an individual licensee's violation was known or should have been known by the employing or supervising entity and the violation was not reported to the director and no corrective action was undertaken on a timely basis.

376.2011. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048.

3. A violation of sections 376.2000 to 376.2014 is a level two violation under section 374.049.

376.2012. 1. Each licensed navigator shall report to the director within thirty calendar days of the final disposition of the matter of any administrative action taken against him or her in another jurisdiction or by another governmental agency in this state. This report shall include a copy of the order, consent to order, or other relevant legal documents.

2. Within thirty days of the initial pretrial hearing date, a navigator shall report to the director any criminal prosecution of the navigator in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

3. An entity that acts as a navigator that terminates the employment, engagement, affiliation, or other relationship with an individual navigator shall notify the director within twenty days following the effective date of the termination, using a format prescribed by the director if the reason for termination is one of the reasons set forth in section 375.141 or 375.936 or if the entity has knowledge that the navigator was found by a court or governmental body to have engaged in any such activities.

Upon the written request of the director, the entity shall provide additional information, documents, records, or other data pertaining to the termination or activity of the individual.

376.2014. 1. The requirements of sections 379.930 to 379.952 and chapters 375, 376, 407 and any related rules shall apply to navigators. The activities and duties of a navigator shall be deemed to constitute transacting the business of insurance.

2. If any provision of sections 376.2000 to 376.2014 or its application to any person or circumstance is held invalid by a court of competent jurisdiction or by federal law, the invalidity does not affect other provisions or applications of sections 376.2000 to 376.2014 that can be given effect without the invalid provision or application. The provisions of sections 376.2000 to 376.2014 are severable, and the valid provisions or applications shall remain in full force and effect.

3. The director may promulgate rules and regulations to implement and administer the provisions of sections 376.2000 to 376.2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 376.2000 to 376.2014 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 376.2000 to 376.2014 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings, consumer complaints, and investigations into compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state.”; and

Further amend said bill and page, Section B, Line 1, by inserting after all of said section the following:

“Section C. Because of the need to ensure that navigators are adequately trained to provide essential health insurance information to the public, Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, 376.2014, and Section 1 of Section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, 376.2014, and Section 1 of Section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Pages 1 through 2, Section 334.108, Lines 1 through 26, by deleting said section from the bill; and

Further amend said bill, Page 37, Section 376.1575, Line 5, by deleting the word “**or**” and inserting in lieu thereof the word “**and**”; and

Further amend said bill and page, Section 376.1578, Line 1, by deleting the words “**forty-eight hours**” and inserting in lieu thereof the words “**two working days**”; and

Further amend said bill, section, and page, Lines 2 through 4, by deleting all of said lines and inserting in lieu thereof the following:

“completed application, the health carrier shall send an electronic notice of receipt to the practitioner.”; and

Further amend said bill, section, and page, Line 7, by deleting the word **“ninety”** and inserting in lieu thereof the word **“sixty”**; and

Further amend said bill, section, and page, Line 8, by deleting the words **“ninety-day”** and inserting in lieu thereof the words **“sixty-day”**; and

Further amend said bill, Page 38, Section 376.1900, Lines 22 through 24, by deleting all of said lines and inserting in lieu thereof the following:

“consultation or contact between a health care provider and a patient.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 3, Section 354.410, Line 33, by inserting after the semicolon on said line the word **“and”**; and

Further amend said bill, Page 10, Section 376.405, Lines 9 through 29, by deleting all of said lines and inserting in lieu thereof the following:

“filing and submission of such policy forms as are necessary, proper or advisable. Such rules and regulations shall provide, among other things, that if a policy form is disapproved, [the reasons therefor] all specific reasons for nonconformance shall be stated in writing within forty-five days from the date of filing; that a hearing shall be granted upon such disapproval, if so requested; and that the failure of the director of the department of insurance, financial institutions and professional registration, to take action approving or disapproving a submitted policy form within [a stipulated time, not to exceed sixty] forty-five days from the date of filing, shall be deemed an approval thereof [until such time as the director of the department of insurance, financial institutions and professional registration shall notify the submitting company, in writing, of his disapproval thereof]. If at any time after a policy form is approved or deemed approved, the director determines that any provision of the filing is contrary to state law, the director shall notify the health carrier of the specific provision that is contrary to state law and any specific statute to which the provision is contrary and request that the health carrier file, within thirty days of the notification, an amendment form that modifies the provision to conform to state law. Upon approval of the amendment form by the director, the health carrier shall issue a copy of the amendment to each individual and entity to which the deemed filing was previously issued and shall attach a copy of the amendment to the deemed filing when it is subsequently issued. Such amendment shall have the force and effect as if the amendment was in the original filing or policy. Notwithstanding any provision of law to the contrary, when a policy form is approved or deemed approved and subsequently amended at the request of the director pursuant to this section, the health carrier issuing the policy form shall be considered to have committed a level one violation under section 374.049.”; and

Further amend said bill, Pages 24 through 25, Section 376.777, Lines 336 through 354, by deleting all of said lines and inserting in lieu thereof the following:

“therefor] **all specific reasons for nonconformance** shall be stated in writing **within forty-five days from the date of filing**; that a hearing shall be granted upon such disapproval, if so requested; and that the failure of the director of the department of insurance, financial institutions and professional registration, to take action approving or disapproving a submitted policy form within [a stipulated time, not to exceed sixty] **forty-five** days from the date of filing, shall be deemed an approval thereof [until such time as the director of the department of insurance, financial institutions and professional registration shall notify the submitting company, in writing, of his disapproval thereof]. **If at any time after a policy form is approved or deemed approved, the director determines that any provision of the filing is contrary to state law, the director shall notify the health carrier of the specific provision that is contrary to state law and any specific statute to which the provision is contrary and request that the health carrier file, within thirty days of the notification, an amendment form that modifies the provision to conform to state law. Upon approval of the amendment form by the director, the health carrier shall issue a copy of the amendment to each individual and entity to which the deemed filing was previously issued and shall attach a copy of the amendment to the deemed filing when it is subsequently issued. Such amendment shall have the force and effect as if the amendment was in the original filing or policy. Notwithstanding any provision of law to the contrary, when a policy form is approved or deemed approved and subsequently amended at the request of the director pursuant to this section, the health carrier issuing the policy form shall be considered to have committed a level one violation under section 374.049.**”; and

Further amend said bill, Page 38, Section 376.1900, Line 5, by deleting the word “**HIPAA**” and inserting in lieu thereof the phrase “**federal Health Insurance Portability and Accountability Act (HIPAA)**”; and

Further amend said bill and section, Page 39, Line 42, by deleting the phrase “**care service;**” and inserting in lieu thereof the phrase “**care service,**”; and

Further amend said bill, Page 39, Section B, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“Section B. The enactment of sections 376.1226, 376.1237, 376.1575, 376.1578, and 376.1900 shall become effective January 1, 2014.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Bill No. 262 Page 39, Line 56, by inserting after all of said line the following:

“Further amend said bill Page 1, Section A, Line 6, by inserting after all of said line the following:

“208.895. 1. Upon **the** receipt of a [properly completed] referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] or **a** physician’s order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] Process the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained

in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3)] Arrange for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity within five business days of receiving the referral if additional information is required to process the referral; [and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days]

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract] has not complied with subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The department shall [include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor] notify the referring entity [within five days] **or individual** of receipt of referral if additional information is needed to process the referral. [The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract.]

3. The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based **service** providers for including, but not limited to, reassessment and level of care recommendations. [These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.]

4. [The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective.**

5. **The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.**

6. **For purposes of this section:**

(1) **"Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:**

(a) **Is conducted by an assessor trained to perform home- and community-based care assessments;**

(b) **Uses forms provided by the department;**

(c) **Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and**

(d) **Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process;**

(2) **A "referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:**

(a) **The stated need for MO HealthNet home- and community-based services;**

(b) **The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and**

(c) **The physical address and phone number of the client or person needing services.**

Additional information which may assist the department may also be submitted.

7. The department shall:

- (1) Develop an automated electronic assessment care plan tool to be used by providers; and**
- (2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.**

8. At the end of the first year of this plan being in effect, the department of health and senior services shall prepare a report for the appropriation committee for health, mental health and social services or a committee appointed by the speaker to review the following:

- (1) How well the department is doing on meeting the fifteen-day requirement;**
- (2) The process the department used to approve the assessors;**
- (3) Financial data on the cost of the program prior to and after enactment of this section;**
- (4) Any audit information available on assessments performed outside the department; and**
- (5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.**

208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010.

660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

- (1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;
- (2) The person's name will be included in the employee disqualification list of the department;
- (3) The consequences of being so listed including the length of time to be listed; and
- (4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

- (1) Is licensed as an operator under chapter 198;
- (2) Provides in-home services under contract with the department;
- (3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;
- (4) Is approved by the department to issue certificates for nursing assistants training;
- (5) Is an entity licensed under chapter 197;
- (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or
- (7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal.”; and; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 39, Section 376.1900, Line 56, by inserting after all of said section and line the following:

“452.317. From the date of filing of the petition for dissolution of marriage or legal separation, no party shall terminate coverage during the pendency of the proceeding for any other party or any minor child of the marriage under any existing policy of health, dental or vision insurance. The policyholder of such insurance may petition the court for reimbursement of insurance costs as they occur during the pendency of the dissolution of marriage or legal separation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 2, Section 334.108, Line 26, by inserting after all of said section and lines the following:

“337.114. 1. No physician shall perform or induce an abortion through telemedicine.

2. No abortion facility as defined in section 188.015 or hospital shall permit an abortion to be performed or induced at the abortion facility or hospital through telemedicine.

3. No health carrier or health benefit plan as defined in section 376.1350 shall be required to reimburse a physician, abortion facility, hospital or any other person or entity for an abortion

performed or induced through telemedicine.

4. Any physician, other health care provider, abortion facility or hospital who or which violated the provisions of this section shall be subject to all disciplinary or other administrative action by the appropriate state licensing board, agency, or department.

5. As used in this section, “telemedicine” means the delivery of health care services through the use of interactive audio, video, or other electronic media used for the purpose of diagnosis, consultation, or treatment, including home health video conferencing, electronic visits and remote patient monitoring.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 35, Section 376.1226, Line 15, by inserting after all of said section and line the following:

“376.1235. 1. No health carrier or health benefit plan, as defined in section 376.1350, shall impose a co-payment or coinsurance percentage charged to the insured for services rendered for each date of service by a physical therapist licensed under chapter 334, for services that require a prescription, that is greater than the co-payment or coinsurance percentage charged to the insured for the services of a primary care physician licensed under chapter 334 for an office visit.

2. A health carrier or health benefit plan shall clearly state the availability of physical therapy coverage under its plan and all related limitations, conditions, and exclusions.

3. Beginning September 1, 2013, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if the provisions of this section were enacted. By December 31, 2013, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker of the house, the president pro tem of the senate, and the chairpersons of both the house of representatives and senate standing committees having jurisdiction over health insurance matters. If the fiscal note cost estimation is less than the cost of an actuarial analysis, the actuarial analysis requirement shall be waived.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SS** for **SB 34** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SS No. 2** for **SCS** for **SB 1** and grants the

Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 106**, as amended. Representatives: Davis, Solon, and McKenna.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 117**, as amended. Representatives: Davis, Dohrman, and Webber.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 34**, as amended. Representatives: Fraker, Schatz, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended. Representatives: Richardson, Lant, and Webber.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS**, as amended, for **HB 307** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 635**, entitled:

An Act to repeal section 217.345, RSMo, and to enact in lieu thereof one new section relating to correctional treatment programs for first offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 611**, entitled:

An Act to repeal sections 285.300, 288.100, and 288.380, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 771**, entitled:

An Act to repeal sections 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and to enact in lieu thereof seven new sections relating to commercial drivers' licenses, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended: Senators Rupp, Cunningham, Parson, Sifton and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 34**, as amended: Senators Cunningham, Rupp, Parson, McKenna and Walsh.

PRIVILEGED MOTIONS

Senator Curls moved that the Senate refuse to concur in **HCS** for **SS** for **SB 262**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 656**, entitled:

An Act to repeal section 82.485, RSMo, and to enact in lieu thereof one new section relating to powers of the supervisor of parking meters in certain cities.

Was taken up by Senator Nasheed.

On motion of Senator Nasheed, **HCS** for **HB 656** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 316, introduced by Representative Phillips, et al, entitled:

An Act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to the division of tourism supplemental revenue fund.

Was taken up by Senator Sater.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 316, Page 1, In the Title, Lines 2-3, by striking the following: “the division of tourism supplemental revenue fund” and inserting in lieu thereof the following: “statutes with expiration dates”; and

Further amend said bill, page 3, section 620.467, line 66, by inserting after all of said line the following:

“[21.830. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Missouri’s Energy Future”, which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house of representatives. The committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairperson or chairpersons designate.

2. The committee shall examine Missouri’s present and future energy needs to determine the best strategy to ensure a plentiful, affordable and clean supply of electricity that will meet the needs of the people and businesses of Missouri for the next twenty-five years and ensure that Missourians continue to benefit from low rates for residential, commercial, and industrial energy consumers.

3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of economic development, department of natural resources, and the public service commission.

4. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2009,

at which time the joint committee shall be dissolved.

5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.】

【21.910. 1. There is hereby created the “Joint Committee on the Reduction and Reorganization of Programs within State Government”. The committee shall be composed of thirteen members as follows:

(1) Three majority party members and two minority party members of the senate, to be appointed by the president pro tem of the senate;

(2) Three majority party members and two minority party members of the house of representatives, to be appointed by the speaker of the house of representatives;

(3) The commissioner of the office of administration, or his or her designee;

(4) A representative of the governor’s office; and

(5) A supreme court judge, or his or her designee, as selected by the Missouri supreme court.

2. The committee shall study programs within every department that should be eliminated, reduced, or combined with another program or programs. As used in this section, the term “program” shall have the same meaning as in section 23.253.

3. In order to assist the committee with its responsibilities under this section, each department shall comply with any request for information made by the committee with regard to any programs administered by such department.

4. The members of the committee shall elect a chairperson and vice chairperson.

5. The committee shall submit a report to the general assembly by December 31, 2010, and such report shall contain any recommendations of the committee for eliminating, reducing, or combining any program with another program or programs in the same or a different department.

6. The provisions of this section shall expire on January 1, 2011.】

【301.129. There is established in this section an advisory committee for the department of revenue, which shall exist solely to develop uniform designs and common colors for motor vehicle license plates issued under this chapter and to determine appropriate license plate parameters for all license plates issued under this chapter. The advisory committee may adopt more than one type of design and color scheme for license plates issued under this chapter; however, each license plate of a distinct type shall be uniform in design and color scheme with all other license plates of that distinct type. The specifications for the fully reflective material used for the plates, as required by section 301.130, shall be determined by the committee. Such plates shall meet any specific requirements prescribed in this chapter. The advisory committee shall consist of the director of revenue, the superintendent of the highway patrol, the correctional enterprises administrator, and the respective chairpersons of both the senate and house of representatives transportation committees. Notwithstanding section 226.200 to the contrary, the general assembly may appropriate state highways and transportation department funds for the requirements of section 301.130 and this section. Prior to January 1, 2007, the committee shall meet, select a chairman from among their members, and develop uniform design and license plate parameters for the motor vehicle license

plates issued under this chapter. Prior to determining the final design of the plates, the committee shall hold at least three public meetings in different areas of the state to invite public input on the final design. Members of the committee shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties under this section out of funds appropriated for that purpose. The committee shall direct the director of revenue to implement its final design of the uniform motor vehicle license plates and any specific parameters for all license plates developed by the committee not later than January 1, 2007. The committee shall be dissolved upon completion of its duties under this section.]

[620.602. 1. There is established a permanent joint committee of the general assembly to be known as the “Joint Committee on Economic Development Policy and Planning” to be composed of five members of the senate, appointed by the president pro tem of the senate, and five members of the house, appointed by the speaker of the house. No more than three members of the senate and three members of the house shall be from the same political party. The appointment of members shall continue during their terms of office as members of the general assembly or until successors have been duly appointed to fill their places when their terms of office as members of the general assembly have expired. Members of the joint committee shall receive no compensation in addition to their salary as members of the general assembly, but may receive their necessary expenses for attending the meetings of the committee, to be paid out of the committee’s appropriations or the joint contingent fund.

2. The joint committee on economic development policy and planning shall meet within ten days after its establishment and organize by selecting a chairman and a vice chairman, one of whom shall be a member of the senate and the other a member of the house of representatives. These positions shall rotate annually between a member of the senate and a member of the house of representatives. The committee shall regularly meet at least quarterly. A majority of the members of the committee shall constitute a quorum. The committee may, within the limits of its appropriations, employ such persons as it deems necessary to carry out its duties. The compensation of such personnel shall be paid from the committee’s appropriations or the joint contingent fund.

3. The joint committee on economic development policy and planning shall, at its regular meetings, confer with representatives from the governor’s office, the department of economic development, the University of Missouri extension service, and other interested parties from the private and public sectors. The joint committee shall review the annual report produced by the department of economic development, as required by section 620.607, and plan, develop and evaluate a long-term economic development policy for the state of Missouri to ensure the state’s competitive status with other states.

4. The provisions of this section shall expire on July 1, 2010.]

[630.461. 1. There is hereby created in the department of mental health a committee to be known as the “Review Committee for Purchasing” to review the manner in which the department of mental health purchases services for persons with mental health disorders and substance abuse problems. By December 31, 1995, the committee shall recommend to the governor and the general assembly any changes that should be made in the department of mental health purchasing systems, including whether the department should follow a competitive purchasing model and, if so, the time frame for initiating such change. The recommendation of the committee shall be made in the context

of state and national health care reform and with the goal of providing effective services in a coordinated and affordable manner.

2. The review committee on purchasing created in subsection 1 of this section shall be composed of nine members as follows:

- (1) One member of the mental health commission, appointed by the governor;
- (2) One representative of the office of administration, appointed by the governor;
- (3) The governor or his designee;
- (4) Two members appointed at large by the governor, with one member representing the business community and one public member;
- (5) Two members, appointed at large by the governor, with one member being a private provider and one member being affiliated with a hospital;
- (6) Two members, appointed at large by the governor, who are consumers of mental health services or family members of consumers of mental health services.

3. The review committee established in subsection 1 of this section shall be disbanded on January 1, 1996.

4. Notwithstanding any other provision of law to the contrary, beginning July 1, 1997, if the review committee failed to make the recommendations to the governor and the general assembly as required in subsection 1 of this section, the department of mental health may contract directly with vendors operated or funded pursuant to sections 205.975 to 205.990, or operated or funded pursuant to sections 205.968 to 205.973, without competitive bids. All contracts with vendors who are providers of a consortium of treatment services to the clients of the division of comprehensive psychiatric services shall be awarded in accordance with chapter 34.]; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Nieves offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 316, Page 1, In the Title, Line 2, by striking the word “the” from the end of said line; and further amend line 3, by striking all of said line and inserting in lieu thereof the following: “statutory expiration dates.”; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

“168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

- (1) By the state board, under rules and regulations prescribed by it:
 - (a) Upon the basis of college credit;
 - (b) Upon the basis of examination;
- (2) By the state board, under rules and regulations prescribed by the state board with advice from the

advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional

development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated

back to his or her original date of employment in a Missouri public school.

[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]”; and

Further amend the title and enacting clause accordingly.

Senator Nieves moved that the above amendment be adopted.

Senator Dempsey raised the point of order that **SA 2** is out of order as it goes beyond the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Nieves, **SA 2** was withdrawn, rendering the point of order moot.

On motion of Senator Sater, **HB 316**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HBs 446 and 211, entitled:

An Act to amend chapter 443, RSMo, by adding thereto one new section relating to real estate loans.

Was taken up by Senator Cunningham.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill Nos. 446 and 211, Page 1, Section 443.454, Line 1, by inserting after “443.454.” the following “**1.**”; and further amend line 8, by inserting after all of said line the following:

“2. Notwithstanding subsection 1 of this section to the contrary, a local law or ordinance may add to, change, delay enforcement, or interfere with, any loan agreement, security instrument, mortgage, or deed of trust issued by a financial institution that has received state funds or received funds through the federal Troubled Asset Relief Program.”.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Walsh offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill Nos. 446 and 211, Page 1, Section 443.454, Line 1, by inserting immediately after “443.454.” the following: **“1.”**; and further amend line 8, by inserting immediately after said line the following:

“2. Subsection 1 of this section shall not apply to any local law or ordinance that provides for mediation procedures prior to foreclosure on a mortgage or deed of trust until a state law is enacted that establishes such procedures.”.

Senator Walsh moved that the above amendment be adopted, which motion failed.

On motion of Senator Cunningham, **HCS** for **HBs 446** and **211** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Nasheed	Sifton	Walsh—7
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Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SS for **SCS** for **SB 210**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 307**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 307**, as amended: Senators Schmitt, Dixon, Kehoe, McKenna and Holsman.

INTRODUCTIONS OF GUESTS

Senator Walsh introduced to the Senate, Brad DiMariano, St. Charles.

Senator Pearce introduced to the Senate, Alesia Hill, Jefferson City.

Senator Rupp introduced to the Senate, Madeline Heintz, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-THIRD DAY—TUESDAY, MAY 7, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS for HB 630

HCS for HB 371

HB 555-Burlison, et al

HCS for HB 781

HCS for HB 936

HB 427-Schatz

HCS for HB 430

HCS for HB 513

HB 336-Hinson, et al

HB 635-Fitzwater, et al

HCS for HB 611

HCS for HB 771

THIRD READING OF SENATE BILLS

SCS for SB 378-Pearce (In Fiscal Oversight)

SS for SCS for SB 210-Lamping

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager) (In Fiscal Oversight)

2. HB 478-Wieland, et al (Romine)

3. HCS for HBs 374 & 434, with SCS (Dixon)

4. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight)

5. HB 400-Riddle, et al (Wallingford)

6. HB 274-Brattin, et al, with SCS
(Brown) (In Fiscal Oversight)

7. HCS for HB 168 (Kraus) (In Fiscal Oversight)

8. HCS for HBs 404 & 614, with SCS (Kehoe)

9. HCS for HB 1035, with SCS (Schmitt)

10. HB 196-Lauer, et al, with SCS (Romine)

11. HB 253-Berry, et al (Schmitt)
(In Fiscal Oversight)

12. HCS for HB 351, with SCS (Brown)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe

SS for SCS for SB 437-Pearce

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)

SB 13-Schaefer, with SCS

SB 21-Dixon

SB 22-Dixon

SB 30-Brown, with SCS

SB 48-Lamping

SB 53-Lamping

SB 61-Keaveny, with SCA 1 (pending)

SB 65-Dixon, with SCS

SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending)

SB 82-Schaefer, with SCS

SB 109-Brown, with SCS

SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending)

SB 141-Dempsey

SB 167-Sater and Wallingford, with SCS

SB 174-Parson, with SCS

SB 175-Wallingford	SB 364-Parson
SB 207-Kehoe, et al, with SCS	SB 371-Munzlinger, with SCS
SB 231-Munzlinger, with SA 1 (pending)	SB 377-Dixon
SB 239-Emery, with SCS & SA 2 (pending)	SB 383-Wallingford
SB 250-Schaaf, with SCS	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 259-Schaaf, with SCS	SB 403-Rupp, with SCS
SB 272-Nieves, with SA 2 (pending)	SB 410-Kehoe
SB 285-Romine	SB 419-Lager, with SCS
SB 291-Rupp	SB 423-Nasheed
SB 292-Rupp	SB 441-Dempsey
SB 308-Schaaf	SB 448-Schmitt and Keaveny
SB 315-Pearce	SB 455-Nieves, with SCS
SB 325-Nieves	SJR 2-Lager
SB 339-Romine	
SB 343-Parson	

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HB 346-Molendorp (Wasson)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 432-Funderburk, et al, with SCS & SA 1 (pending) (Lager)
HB 112-Burlison, with SA 2 (pending) (Brown)	HCS for HB 457, with SCS (Rupp)
HB 184-Cox, et al (Parson)	SS for SCS for HB 542 (Munzlinger) (In Fiscal Oversight)
HCS for HB 194 (Parson)	
HCS for HB 199 (Lamping)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS, as amended	SS for SB 34-Cunningham, with HCS, as amended
SB 23-Parson, with HCS, as amended	SCS for SB 106-Brown, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5

SCS for SB 117-Kraus, with HCS,
as amended

HCS for HB 1, with SCS (Schaefer)

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS, as amended
(Schaefer)

HCS for HB 7, with SCS, as amended
(Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)

HCS#2 for HB 698, with SCS, as amended
(Schmitt)

HCS for HJRs 11 & 7, with SS, as amended
(Parson)

Requests to Recede or Grant Conference

SS for SB 262-Curls, with HCS, as amended
(Senate requests House
recede or grant conference)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-THIRD DAY—TUESDAY, MAY 7, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“May God be gracious to us and bless us and make his face to shine upon us...” (Psalm 67:1)

Gracious God, we are truly a blessed and gifted body here, with many talents and skills to contribute to the well being and mental acuity of those we work with. Help us use these gifts to put forth the best effort and most effective bills we are capable of presenting so that our conscience is clear and we have nothing to be ashamed of when the day’s work is completed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

President Pro Tem Dempsey assumed the Chair.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 914, regarding Juanita Peaslee, Centerview, which was adopted.

Senator Parson offered Senate Resolution No. 915, regarding Phillip Schnapp, which was adopted.

Senator Parson offered Senate Resolution No. 916, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Merton Fogler, El Dorado Springs, which was adopted.

Senator Romine offered Senate Resolution No. 917, regarding Jimmie Turner, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 918, regarding Dr. Beverly K. Schonhoff, Oakridge, which was adopted.

Senator Romine offered Senate Resolution No. 919, regarding Stacey L. Endebrock, Hillsboro, which was adopted.

Senator Romine offered Senate Resolution No. 920, regarding Señora Evelyn Camp, Manchester, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 274**, with **SCS** and **HB 253**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 58**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 409**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 339**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HBs 593** and **695**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 142**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 148**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 103**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 428**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 478, introduced by Representative Wieland, et al, entitled:

An Act to repeal sections 370.283 and 370.287, RSMo, and to enact in lieu thereof two new sections relating to credit unions.

Was taken up by Senator Romine.

On motion of Senator Romine, **HB 478** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Dixon, **HCS** for **HBs 374** and **434**, with **SCS**, was placed on the Informal Calendar.

HB 400, introduced by Representative Riddle, et al, entitled:

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to administration of abortion-inducing drugs.

Was taken up by Senator Wallingford.

Senator Wallingford offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Bill No. 400, Page 1, Section 188.021, Line 2, by inserting after “abortion,” the following: “**the initial dose of**”; and further amend line 6, by striking “twelve to eighteen days”; and further amend line 8, by inserting immediately after the word “condition” the following: “, **unless such termination of the pregnancy has already been confirmed and the patient’s medical condition has been assessed by a licensed physician prior to discharge.**”.

Senator Wallingford moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

Photographers from ABC-17 were given permission to take pictures in the Senate Chamber.

At the request of Senator Wallingford, **HB 400**, with **SA 1** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 630**—Jobs, Economic Development and Local Government.

HCS for **HB 371**—Judiciary and Civil and Criminal Jurisprudence.

HB 555—Transportation and Infrastructure.

HCS for **HB 781**—Veterans' Affairs and Health.

HCS for **HB 936**—Judiciary and Civil and Criminal Jurisprudence.

HB 427—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 430**—Small Business, Insurance and Industry.

HCS for **HB 513**—General Laws.

HB 336—Jobs, Economic Development and Local Government.

HB 635—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 611**—Small Business, Insurance and Industry.

HCS for **HB 771**—Transportation and Infrastructure.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS No. 2** for **HB 698**, as amended. Representatives: Jones (50), Zerr, and Kratky.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 307**, as amended. Representatives: Stream, Flanigan, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **HCR 34**.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, the National School Lunch Program was reauthorized in 2010 by the Healthy, Hunger-Free Kids Act; and

WHEREAS, since the policies of the Healthy, Hunger-Free Kids Act have gone into effect, children across the state are suffering from extreme hunger, headaches from lack of nutrition and food, and inadequate energy to participate in after-school athletic activities; and

WHEREAS, the extreme caloric and protein limits cannot be altered for any student, regardless of weight, nutritional needs, or participation in after-school athletic activities; and

WHEREAS, children in Kindergarten and children in the fifth grade receive the same amount of food and are restricted to the same number of calories under the new policies; and

WHEREAS, children in the sixth grade and children in the twelfth grade receive the same amount of food and are restricted to the same number of calories under the new policies; and

WHEREAS, students need nutritious, filling, and balanced meals in order to learn effectively; and

WHEREAS, students that are hungry from lack of adequate nutrition are more likely to make unhealthy snack choices; and

WHEREAS, children should be taught how to make positive nutritional choices and encouraged to exercise; and

WHEREAS, any program that purports to address the health needs of our children, but neglects to include any provisions regarding exercise and physical activity is inadequate; and

WHEREAS, while changes in the school lunch program are needed, the Healthy, Hunger-Free Kids Act is not an adequate solution:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress and the United States Department of Agriculture to reevaluate the Healthy, Hunger-Free Kids Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the United States Department of Agriculture; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS for HCR 17**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, under federal Medicaid law, states are required to make disproportionate share hospital (DSH) payments to hospitals for providing health care to a vast number of low-income patients in an attempt to make up for financial losses by hospitals that do not receive payment for services rendered to uninsured patients and because Medicaid provider payment rates are far lower than those payments received by private insurance; and

WHEREAS, also under federal Medicaid law, the federal government reimburses states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage and each state receives an annual DSH allotment; and

WHEREAS, Missouri hospitals reported providing \$1.1 billion in uncompensated care to Missourians in 2011; and

WHEREAS, under the Affordable Care Act (ACA) of 2010, states are mandated to expand Medicaid eligibility for persons with incomes up to 133% of the federal poverty level; however, in June 2012, the United States Supreme Court found such mandate impermissible and now allows each state to decide whether to implement such a Medicaid expansion; and

WHEREAS, under the ACA, under the assumption at the time the law passed that all states were to implement the Medicaid expansion, the federal government is required to reduce more than \$22 billion in DSH payments from 2014 to 2022; and

WHEREAS, it is estimated that Missouri will suffer cuts to both Medicaid and Medicare hospital payments in the amount of \$3.3 billion from 2013 to 2020 with DSH cuts in the amount generally of \$704 million from 2013 to 2019; and

WHEREAS, the federal cuts to DSH hospital payments are set to occur regardless of whether a state has elected to implement the Medicaid expansion under the ACA - a decision the United States Supreme Court found each state has a right to pursue; and

WHEREAS, Missouri hospitals have reported that it will be an "unsustainable situation for hospitals" to absorb more than \$1 billion annually in uncompensated care while facing \$3.3 billion in cuts:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, the Senate concurring therein, hereby urge the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage for those states that have chosen not to implement the Medicaid expansion; and

BE IT FURTHER RESOLVED that Governor Nixon work with the federal government to ensure that the reduction to such DSH payments

does not occur; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the federal Department of Health and Human Services, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 157** and **SB 102**, entitled:

An Act to repeal sections 407.300, 407.302, 407.303, and 407.485, RSMo, and to enact in lieu thereof four new sections relating to scrap metal, with penalty provisions.

With House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, and House Amendment No. 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Pages 3-5, Section 407.485, Lines 1-54, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

“407.485. 1. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect [donations of] unwanted household items via a public receptacle and resell the [donated] **deposited** items for profit unless the [donation] **deposited item** receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “[DONATIONS] **DEPOSITED ITEMS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT. DEPOSITED ITEMS ARE NOT TAX DEDUCTIBLE**”.

2. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not-for-profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “DONATIONS TO THE FOR-PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not-for-profit) % OF ALL PROCEEDS ARE DONATED TO (name of the nonprofit beneficiary organization’s name).”

3. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for-profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and one hundred percent of the proceeds from the sale of the items are given directly to the not-for-profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “THIS DONATION RECEPTACLE IS OPERATED BY THE FOR-PROFIT ENTITY: (name of the for-profit/individual) ON BEHALF of (name of the nonprofit beneficiary organization’s name)”.

4. It shall be an unfair business practice in violation of section 407.020 for a not-for-profit entity to collect donations of unwanted household items via a public receptacle and resell the donated items unless the donation receptacle prominently displays a statement in bold letters at least two inches high

and two inches wide stating: “THIS RECEPTACLE IS OWNED AND OPERATED BY THE NOT-FOR-PROFIT ENTITY: (name of the not-for-profit/charity) AND (% of proceeds donated to the not-for-profit) % OF THE PROCEEDS FROM THE SALE OF ANY DONATIONS SHALL BE USED FOR THE CHARITABLE MISSION OF (charity name/charitable cause)”.

[4.] 5. The term “bold letters” as used in subsections 1, 2, and 3 of this section shall mean a primary color on a white background so as to be clearly visible to the public.

[5.] 6. Nothing in this section shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

[6.] 7. Any entity which, on or before June 1, 2009, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsection 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after August 28, 2009, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after August 28, 2009.

8. All donation receptacles described in this section shall conspicuously display the name, address, and telephone number of the owner and operator of the receptacle. For any receptacles covered in this section, the owner or operator of the receptacle shall maintain permission to place the receptacle on the property from the property owner or agent of the owner of the property where the receptacle is located. Such permission shall be in writing and clearly identify the owner of the receptacle and property owner or his or her agent in addition to the nature of the collections and where proceeds will be accrued. Failure to secure such permission shall constitute an unfair business practice in addition to any other statutory conditions. Unless otherwise agreed to in writing, the property owner or his or her agent may remove the receptacle and any charges incurred in such removal shall be the responsibility of the owner of the receptacle. Unless the receptacle owner pays such charges within thirty calendar days of the sending of a written certified letter from the property owner stating his or her intent to remove the receptacle, the receptacle owner shall relinquish any right to the receptacle. If the receptacle does not conspicuously display the name, address, and telephone number of the owner and operator of the receptacle, the receptacle shall be considered abandoned property and may be destroyed or permanently possessed by the property owner or their agent.

9. Any owner and operator of a receptacle that does not display the address of the owner and operator, but does display the website of the owner and operator, shall make the address easily accessible on such website for the property owner to send the letter specified in subsection 8 of this section. The provisions of this subsection shall expire on September 1, 2014.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 2, Section 407.302, Line 3, by inserting after the phrase “**cable provider,**” on said line, the phrase “**wireless service or other communications-related provider,**”; and

Further amend said bill, Page 3, Section 407.302, Lines 6-7 and Line 10, by inserting after the phrase “**cable provider,**” on said lines, the phrase “**wireless service or other communications-related provider,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 1, Section 407.292, Line 26, by inserting after the words **“legibly record”** the phrase **“and photograph”**; and

Further amend said amendment, Page 2, Line 5, by deleting the word **“five”** and inserting in lieu thereof the word **“fourteen”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“407.292. 1. As used in this section, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

(1) **“Business combination”, the same meaning as such term is defined in section 351.459;**

(2) **“Buyer of gold, silver, or platinum” or “buyer”, an individual, partnership, association, corporation, or business entity, who or which purchases gold, silver, or platinum from the general public for resale or refining, or an individual who acts as agent for the individual, partnership, association, corporation, or business entity for the purchases. The term does not include financial institutions licensed under federal or state banking laws, the purchaser of gold, silver, or platinum who purchases from a seller seeking a trade-in or allowance, and the purchaser of gold, silver, or platinum for his or her own use or ownership and not for resale or refining;**

(3) **“Gold”, items containing or being of gold including, but not limited to, jewelry. The term does not include coins, ingots, or bullion or articles containing less than five percent gold by weight;**

(4) **“Platinum”, items containing or being of platinum, but shall only include jewelry. The term does not include coins, ingots, bullion, or catalytic converters or articles containing less than five percent platinum by weight;**

(5) **“Silver”, items containing or being of silver including, but not limited to, jewelry. The term does not include coins, ingots, bullion, or photographic film or articles containing less than five percent silver by weight;**

(6) **“Weighing device”, shall only include a device that is inspected and approved by the weight and measures program within the department of agriculture.**

2. The buyer shall completely, accurately, and legibly record every transaction on a form provided by and prepared by the buyer. The record of every transaction shall include the following:

(1) **A copy of the driver’s license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained;**

(2) **The name, current address, birth date, sex, and a photograph of the person from whom the material is obtained, if not included or are different from the identification required in subdivision**

(1) of this subsection;

(3) The seller shall be required to sign the form on which is recorded the information required by this section;

(4) An accurate description of the property purchased shall include all names, initials, serial numbers, or other identifying marks or monograms on each item purchased;

(5) The time and date of the transaction shall be recorded at the time of the transaction. Records of transactions shall be maintained by the buyer in gold, silver, or platinum for a period of one year and shall be available for inspection by any law enforcement official of the federal government, state, municipality, or county. No buyer shall accept any premelted gold, silver, or platinum, unless it is part of the design of an item of jewelry. Each item of gold, silver, or platinum purchased by a buyer in gold, silver, or platinum shall be retained in an unaltered condition for five full working days. It shall be the buyer's duty to inform law enforcement if the buyer has any reason to believe an item purchased may have been obtained illegally by a seller.

3. Records of buyer transactions may be made available to law enforcement officials, other governmental entities, and persons who, in the opinion of the custodian of the buyer transaction record, should be permitted access, such as an insurance company.

4. When a purchase is made from a minor, the written authority of the parent, guardian, or person in loco parentis authorizing the sale shall be attached and maintained with the record of transaction described in subsection 2 of this section (relating to records of transactions).

5. (1) When a weighing device is used to purchase gold, silver, or platinum, there shall be posted, on a conspicuous sign located close to the weighing device, a statement of prices for the gold, silver, or platinum being purchased as a result of the weight determination.

(2) The statement of prices shall include, but not be limited to, the following in terms of the price per troy ounce:

(a) The price for twenty-four karat, eighteen karat, fourteen karat, and ten karat gold;

(b) The price for pure silver and sterling silver;

(c) The price for platinum.

(3) When the weight determination is expressed in metric units, a conversion chart to troy ounces shall be prominently displayed so as to facilitate price comparison. The metric equivalent of a troy ounce is 31.10348 grams.

6. A weighing device used in the purchase of gold, silver, or platinum shall be positioned in such a manner that its indications may be accurately read and the weighing operation observed from a position which may be reasonably assumed by the buyer and the seller. A verbal statement of the result of the weighing shall be made by the person operating the device and recorded on the buyer's record of transaction.

7. The purchase of an item of gold, silver, or platinum by a buyer in gold, silver, or platinum not in accordance with section 407.292, shall constitute a violation of this section and the buyer may be subject to a fine not to exceed one thousand dollars.

8. This section shall not apply to a pawnbroker, as defined in section 367.011, or a scrap metal

dealer, as provided in sections 407.300 to 407.305.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Pages 1-2, Section 407.300, Lines 8-13, by deleting all of said lines and inserting in lieu thereof, the following:

“as farming is defined in section 350.010; whatever may be the condition or length of such metal; **or (4) Catalytic converter.”; and**

Further amend said bill, Page 3, Section 407.303, Line 10, by inserting after the word “**license**” on said line, the phrase “**or nondriver’s license**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 257**.

Bill ordered enrolled.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The following are the correct conferees on **SS** for **SCS** for **HB 307**, as amended: Representatives Riddle, Hinson, and Walton Gray.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 230**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 230, Pages 1 to 3, Section 191.334, Lines 6 to 58, by deleting all of said Section and Lines and inserting in lieu thereof the following:

“3. Every newborn delivered on or after January 1, 2014, in an ambulatory surgical center, birthing center, hospital, or home shall be screened for critical congenital heart disease with pulse oximetry or in another manner as directed by the department of health and senior services in accordance with the American Academy of Pediatrics and American Heart Association guidelines. Screening shall occur prior to discharge if delivery occurs in a facility. If delivery occurs in a home

the individual performing the delivery shall perform the screening within forty-eight hours of birth. Screening results shall be reported to the parents or guardians of the newborn and the department of health and senior services in a manner prescribed by the department for surveillance purposes. The facility or individual shall develop and implement plans to ensure that newborns with positive screens receive appropriate confirmatory procedures and referral for treatment as indicated.

4. The provisions of this section shall not apply if a parent or guardian of the newborn objects to the screening on the grounds that it conflicts with his or her religious tenets and practices. The parent or guardian of any newborn who refuses to have the critical congenital heart disease screening administered after notice of the requirement for screening shall document the refusal in writing. Any refusal of screening shall be reported to the department of health and senior services in a manner prescribed by the department.

5. The department of health and senior services shall provide consultation and administrative technical support to facilities and persons implementing the requirements of this section including, but not limited to, assistance in:

(1) Developing and implementing critical congenital heart disease newborn screening protocols based on the American Academy of Pediatrics and American Heart Association guidelines;

(2) Developing and training facilities and persons on implementation of protocols;

(3) Developing and distributing educational materials for families; and

(4) Implementing reporting requirements.”; and

Further amend said bill, pages, and section, by renumbering the following subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 17**, entitled:

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to advisory councils in education.

With House Amendment Nos. 1, 2, 3, 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after all of said Section and Line the following:

“169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member’s final average salary:

(1) Two and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) [Between July 1, 1998, and July 1, 2013,] Two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) [Between July 1, 1998, and July 1, 2013,] Two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) [Between July 1, 1998, and July 1, 2013,] Two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) [Between July 1, 1998, and July 1, 2013,] Two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) [Between July 1, 1998, and July 1, 2013,] Two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2013,] Two and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated

dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the

member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases

to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was

paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which

would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased

retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

169.670. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or whose creditable service is thirty years or more regardless of age, shall be the sum of the following items:

(1) For each year of membership service, one and sixty-one hundredths percent of the member's final average salary;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service;

(3) Eighty-five one-hundredths of one percent of any amount by which the member's average compensation for services rendered prior to July 1, 1973, exceeds the average monthly compensation on which federal Social Security taxes were paid during the period over which such average compensation was computed, for each year of membership service credit for services rendered prior to July 1, 1973, plus six-tenths of the amount payable for a year of membership service for each year of prior service credit;

(4) In lieu of the retirement allowance otherwise provided by subdivisions (1) to (3) of this subsection, [between July 1, 2001, and July 1, 2013,] a member may elect to receive a retirement allowance of:

(a) One and fifty-nine hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years and the member has not attained the age of fifty-five;

(b) One and fifty-seven hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained the age of fifty-five;

(c) One and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years and the member has not attained the age of fifty-five;

(d) One and fifty-three hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years and the member has not attained the age of fifty-five;

(e) One and fifty-one hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years and the member has not attained the age of fifty-five; and

(5) In addition to the retirement allowance provided in subdivisions (1) to (3) of this subsection, a member retiring on or after July 1, 2001, whose creditable service is thirty years or more or whose sum of age and creditable service is eighty years or more, shall receive a temporary retirement allowance equivalent to eight-tenths of one percent of the member's final average salary multiplied by the member's years of service until such time as the member reaches the minimum age for Social Security retirement benefits.

2. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases five percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by five percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; provided that, the increase provided in this subsection shall not become effective until the fourth January first following a member's retirement or January 1, 1982, whichever occurs later, and the total of the increases granted to a retired member or the beneficiary after December 31, 1981, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other provisions of law. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

3. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 2 of this section if the cost of living, as determined by the board and as measured by

generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; provided that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1981.

4. (1) In lieu of the retirement allowance provided in subsection 1 of this section, called option 1, a member whose creditable service is twenty-five years or more or who has attained age fifty-five with five or more years of creditable service may elect, in the application for retirement, to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death, the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve for the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired

individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 7. A plan of variable monthly benefit payments which provides, in conjunction with the member's retirement benefits under the federal Social Security laws, level or near-level retirement benefit payments to the member for life during retirement, and if authorized, to an appropriate beneficiary designated by the member. Such a plan shall be actuarially equivalent to the retirement allowance under option 1 and shall be available for election only if established by the board of trustees under duly adopted rules.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after attaining age fifty-five and acquiring five or more years of creditable service or after acquiring twenty-five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship payments under option 2 or a payment of the member's accumulated contributions. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 of this section.

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the beneficiary has an insurable interest in the life of the deceased member or disability retiree, the designated beneficiary may elect to receive either a payment of the person's accumulated contributions or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the person's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 of this section.

5. If the total of the retirement or disability allowances paid to an individual before the person's death is less than the person's accumulated contributions at the time of the person's retirement, the difference shall be paid to the person's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or person's estate, in that order of precedence; provided, however, that if an optional benefit, as provided in option 2, 3 or 4 in subsection 4 of this section, had been elected and the beneficiary dies after receiving the optional benefit, then, if the total retirement allowances paid to the retired individual and the individual's beneficiary are less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

6. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal

shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

7. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the member's death shall be paid to the member's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the member's estate; provided, however, that no such payment shall be made if the beneficiary elects option 2 in subsection 4 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

8. If a member ceases to be an employee as defined in section 169.600 and certifies to the board of trustees that such cessation is permanent or if the person's membership is otherwise terminated, the person shall be paid the person's accumulated contributions with interest.

9. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, if a member ceases to be an employee as defined in section 169.600 after acquiring five or more years of creditable service, the member may, at the option of the member, leave the member's contributions with the retirement system and claim a retirement allowance any time after the member reaches the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.600 to 169.715 on the basis of the member's age and years of service.

10. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty.

11. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, any member who is a member prior to October 13, 1969, may elect to have the member's retirement allowance computed in accordance with sections 169.600 to 169.715 as they existed prior to October 13, 1969.

12. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

13. Notwithstanding any other provision of law, any person retired prior to August 14, 1984, who is receiving a reduced retirement allowance under option 1 or 2 of subsection 4 of this section, as the option existed prior to August 14, 1984, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have the person's retirement allowance increased to the amount the person would have been receiving had the person not elected the option actuarially adjusted to recognize any excessive benefits which would have been paid to the person up to the time of the application.

14. Benefits paid pursuant to the provisions of the public education employee retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code, except as

provided under this subsection. Notwithstanding any other law, the board of trustees may establish a benefit plan under Section 415(m) of Title 26 of the United States Code. Such plan shall be credited solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

15. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and four-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

16. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to three and four-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

17. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and one-tenth percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, in the Title, Line 3, by deleting from said line the phrase: “advisory councils in”; and

Further amend said bill, Section 161.249, Page 2, Line 24, by inserting after all of said line the following:

“170.340. Books of a religious nature may be used in the classroom as part of instruction in elective courses in literature and history, so long as such books are not used in a manner so as to violate the establishment clause of the United States Constitution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after said line the following:

“168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

- (a) Upon the basis of college credit;
- (b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach[, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education]. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete

twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee

reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, In the title, Line 3, by deleting the words, “advisory councils in”; and

Further amend said bill, Page 2, Section 161.249, Line 24, by inserting after all of said line the following:

“169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) “Accumulated contributions”, the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member’s individual account together with interest thereon in the employees’ contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system’s actuary and approved by the board of trustees;

(3) “Average final compensation”, the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are “consecutive”, only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) “Beneficiary”, any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) “Board of education”, the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) “Board of trustees”, the board provided for in section 169.291 to administer the retirement system;

(7) “Break in service”, an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed,

or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A “school or work day” is a day on which the employee’s employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee’s last job description to report to their place of employment for any reason;

(8) “Charter school”, any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) “Compensation”, the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member’s behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) “Creditable service”, the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) “Employee”, any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) “Employer”, the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retiree;

(13) “Employer’s board”, the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) “Library district”, any urban public library district created from or within a school district under the provisions of section 182.703;

(15) “Medical board”, the board of physicians provided for in section 169.291;

(16) “Member”, any person who is a regular employee after the retirement system has been established hereunder (“active member”), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder (“inactive member”). **A person shall cease to be a member if the person has a break in service before earning any vested**

retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;

(17) “Minimum normal retirement age”, **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement**, the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] **and with both years of creditable service and years of age prorated for fractional years; for any person who becomes a member of the retirement system on or after January 1, 2014, including any person who was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;**

(18) “Prior service”, service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) “Regular employee”, any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee’s status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) “Retirant”, a former member receiving a retirement allowance hereunder;

(21) “Retirement allowance”, annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) “School district”, any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement

system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the

transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-

hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.**

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(2) A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] retirant who retired on, before or after January 1, 1996, with at least twenty years of

creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326. [Provided, further, any retiree] **Any retirant** who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] **retirant** who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall

make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the “valuation year”), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system’s funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member** contribution rate **as determined under subsection 4 of section 169.350**;

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary’s recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retiree.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person’s retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person’s average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person’s creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person’s average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retiree pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors.

Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to 169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and

shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective.

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after all of said line the following:

“168.221. 1. The first five years of employment of all teachers entering the employment of the metropolitan school district shall be deemed a period of probation during which period all appointments of teachers shall expire at the end of each school year. During the probationary period any probationary teacher whose work is unsatisfactory shall be furnished by the superintendent of schools with a written statement setting forth the nature of his **or her** incompetency. If improvement satisfactory to the superintendent is not made within one semester after the receipt of the statement, the probationary teacher shall be dismissed. The semester granted the probationary teacher in which to improve shall not in any case be a means of prolonging the probationary period beyond five years and six months from the date on which the teacher entered the employ of the board of education. The superintendent of schools on or before the fifteenth day of April in each year shall notify probationary teachers who will not be retained by the school district of the termination of their services. Any probationary teacher who is not so notified shall be deemed to have been appointed for the next school year. Any principal who prior to becoming a principal had attained permanent employee status as a teacher shall upon ceasing to be a principal have a right to resume his or her permanent teacher position with the time served as a principal being treated as if such time had been served as a teacher for the purpose of calculating seniority and pay scale. The rights and duties and remuneration of a teacher who was formerly a principal shall be the same as any other teacher with the same level of qualifications and time of service.

2. After completion of satisfactory probationary services, appointments of teachers shall become permanent, subject to removal for any one or more causes herein described and to the right of the board to terminate the services of all who attain the age of compulsory retirement fixed by the retirement system. In determining the duration of the probationary period of employment in this section specified, the time of service rendered as a substitute teacher shall not be included.

3. No teacher whose appointment has become permanent may be removed except for one or more of the following causes: immorality, **incompetency**, **or** inefficiency in line of duty, violation of the published regulations of the school district, violation of the laws of Missouri governing the public schools of the state, or physical or mental condition which incapacitates him for instructing or associating with children, and then only by a vote of not less than a majority of all the members of the board, upon written charges presented by the superintendent of schools, to be heard by the board after thirty days' notice, with copy of the charges served upon the person against whom they are preferred, who shall have the privilege of being present at the hearing, together with counsel, offering evidence and making defense thereto. [Notifications received by an employee during a vacation period shall be considered as received on the first day of the school term following.] At the request of any person so charged the hearing shall be public. During any time in which powers granted to the district's board of education are vested in a special administrative board, the special administrative board may appoint a hearing officer to conduct the hearing. The hearing officer shall conduct the hearing as a contested case under chapter 536 and shall issue a written recommendation to the board rendering the charges against the teacher. The board shall render a decision on the charges upon the

review of the hearing officer's recommendations and the record from the hearing. The action and decision of the board upon the charges shall be final. Pending the hearing of the charges, the person charged may be suspended if the rules of the board so prescribe, but in the event the board does not by a majority vote of all the members remove the teacher upon charges presented by the superintendent, the person shall not suffer any loss of salary by reason of the suspension. **Incompetency or** inefficiency in line of duty is cause for dismissal only after the teacher has been notified in writing at least [one semester] **thirty days** prior to the presentment of charges against him by the superintendent. The notification shall specify the nature of the **incompetency or** inefficiency with such particularity as to enable the teacher to be informed of the nature of his **or her incompetency or** inefficiency.

4. No teacher whose appointment has become permanent shall be demoted nor shall his **or her** salary be reduced unless the same procedure is followed as herein stated for the removal of the teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or who is demoted may waive the presentment of charges against him by the superintendent and a hearing thereon by the board. The foregoing provision shall apply only to permanent teachers prior to the compulsory retirement age under the retirement system. Nothing herein contained shall in any way restrict or limit the power of the board of education to make reductions in the number of teachers or principals, or both, because of insufficient funds, decrease in pupil enrollment, or abolition of particular subjects or courses of instruction, except that the abolition of particular subjects or courses of instruction shall not cause those teachers who have been teaching the subjects or giving the courses of instruction to be placed on leave of absence as herein provided who are qualified to teach other subjects or courses of instruction, if positions are available for the teachers in the other subjects or courses of instruction.

5. Whenever it is necessary to decrease the number of teachers because of insufficient funds or a substantial decrease of pupil population within the school district, the board of education upon recommendation of the superintendent of schools may cause the necessary number of teachers beginning with those serving probationary periods to be placed on leave of absence without pay, but only in the inverse order of their appointment. Nothing herein stated shall prevent a readjustment by the board of education of existing salary schedules. No teacher placed on a leave of absence shall be precluded from securing other employment during the period of the leave of absence. Each teacher placed on leave of absence shall be reinstated in inverse order of his **or her** placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous years of service. [No new appointments shall be made while there are available teachers on leave of absence who are seventy years of age or less and who are adequately qualified to fill the vacancy unless the teachers fail to advise the superintendent of schools within thirty days from the date of notification by the superintendent of schools that positions are available to them that they will return to employment and will assume the duties of the position to which appointed not later than the beginning of the school year next following the date of the notice by the superintendent of schools] **No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies. Such leave of absence shall not impair the tenure of a teacher. The leave of absence shall continue for a period of not more than three years unless extended by the board.**

6. If any regulation which deals with the promotion of teachers is amended by increasing the qualifications necessary to be met before a teacher is eligible for promotion, the amendment shall fix an effective date which shall allow a reasonable length of time within which teachers may become qualified for promotion under the regulations.

7. A teacher whose appointment has become permanent may give up the right to a permanent appointment to participate in the teacher choice compensation package under sections 168.745 to 168.750.” ; and

Further amend said bill, Page 4, Section 178.550, Line 95, by inserting after all of said line the following:

“[168.291. Whenever it is necessary to decrease the number of employees because of insufficient funds or decrease in pupil enrollment or lack of work the board of education may cause the necessary number of employees, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Each employee placed on leave of absence shall be reinstated in inverse order of his placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous periods of service. No new appointments shall be made while there are available employees on leave of absence who have not attained the age of seventy years and who are adequately qualified to fill the vacancy in the particular department unless the employees fail to advise the board within thirty days from date of notification by the board that positions are available to them, that they will return to employment, and will assume the duties of the position to which they are appointed not later than the beginning of the month following the date of the notice by the board.]” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said Section and Line the following:

“135.1220. 1. This section shall be known and may be cited as “Bryce’s Law”.

2. As used in this section, the following terms mean:

(1) “Autism spectrum disorder”, pervasive developmental disorder; Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and autism;

(2) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;

(3) “Department”, the department of elementary and secondary education;

(4) “Director”, the commissioner of the department of elementary and secondary education;

(5) “Educational scholarships”, grants to students to cover all or part of the tuition and fees at a qualified nonpublic school, a qualified public school, or a qualified service provider, including transportation;

(6) “Eligible child”, any child from birth to age five living in Missouri who has an individualized family services program under the First Steps program, sections 160.900 to 160.933, and whose parent or guardian has completed the complaint procedure under the Individuals with Disabilities Education Act, Part C, and has received an unsatisfactory response; or any child from birth to age five who has been evaluated for special needs as defined in this section by a person qualified to perform evaluations under the First Steps program and has been determined to have special needs but who falls below the threshold for eligibility by no less than twenty-five percent;

(7) “Eligible student”, any elementary or secondary student who attended public school in Missouri the preceding semester, or who will be attending school in Missouri for the first time, who has an individualized education program based on a special needs condition or who has a medical diagnosis by a qualified health professional of a special needs condition;

(8) “Parent”, includes a guardian, custodian, or other person with authority to act on behalf of the child;

(9) “Program”, the program established in this section;

(10) “Qualified health professional”, a person licensed under chapter 334 or 337 who possesses credentials as described in rules promulgated jointly by the department of elementary and secondary education and the department of mental health to make a diagnosis of a student’s special needs for this program;

(11) “Qualified school”, either an accredited public elementary or secondary school in a district that is accredited without provision outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;

(12) “Qualified service provider”, a person or agency authorized by the department to provide services under the First Steps program, sections 160.900 to 160.933;

(13) “Scholarship granting organization”, a charitable organization that:

(a) Is exempt from federal income tax;

(b) Complies with the requirements of this program;

(c) Provides education scholarships to students attending qualified schools of their parents’ choice or to children receiving services from qualified service providers; and

(d) Does not accept contributions on behalf of any eligible student or eligible child from any donor with any obligation to provide any support for the eligible student or eligible child;

(14) “Special needs”, an autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy.

3. The department of elementary and secondary education shall develop a master list of resources available to the parents of children with an autism spectrum disorder and shall maintain a web page for the information. The department shall also actively seek financial resources in the form of grants and donations that may be devoted to scholarship funds or to clinical trials for behavioral interventions that may be undertaken by qualified service providers. The department may contract out or delegate these duties to a nonprofit organization. Priority in referral for funding shall be given to children who have not yet entered elementary school.

4. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship

granting organization if such organization meets the definition set forth in this section.

5. The director shall establish a procedure by which a donor can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a donor.

6. Each scholarship granting organization shall provide information to the director concerning the identity of each donor making a contribution to the scholarship granting organization.

7. (1) The director shall annually make a determination on the number of students in Missouri with an individualized education program based upon special needs as defined in this section. The director shall use ten percent of this number to determine the maximum number of students to receive scholarships from a scholarship granting organization in that year for students with special needs who have at the time of application an individualized education program, plus a number calculated by the commissioner by applying the state's latest available autism, cerebral palsy, Down syndrome, and Angelman syndrome incidence rates to the state's population of children from age five to nineteen who are not enrolled in public schools and taking ten percent of that number. The total of these two calculations shall constitute the maximum number of scholarships available to students.

(2) The director shall also annually make a determination on the number of children in Missouri whose parent or guardian has enrolled the child in First Steps, received an individualized family services program based on special needs, and filed a complaint through the Individuals with Disabilities Education Act, Part C, and received a negative response. In addition to this number, the director shall apply the latest available autism, cerebral palsy, Down syndrome, and Angelman syndrome incidence rates to the latest available census information for children from birth to age five and determine ten percent of that number for the maximum number of scholarships for children.

(3) The director shall publicly announce the number of each category of scholarship opportunities available each year. Once a scholarship granting organization has decided to provide a student or child with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of scholarships for eligible students or children, the director shall notify all of the participating scholarship granting organizations that they shall not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 10 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student or child limit has been reached shall be valid.

8. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools or children receiving services from qualified service providers;

(2) Provide a department-approved receipt to donors for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Ensure that the scholarships provided do not exceed an average of twenty thousand dollars per eligible child or fifty thousand dollars per eligible student;

(5) Inform the parent or guardian of the student or child applying for a scholarship that accepting the scholarship is tantamount to a ‘parentally placed private school student’ pursuant to 34 CFR 300.130 and, thus, neither the department nor any Missouri public school is responsible to provide the student with a free appropriate public education pursuant to the IDEA or Section 504 of the Rehabilitation Act of 1973;

(6) Distribute periodic scholarship payments as checks made out to a student’s or child’s parent and mailed to the qualified school where the student is enrolled or qualified service provider used by the child. The parent or guardian shall endorse the check before it can be deposited;

(7) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(8) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student or at a different qualified service provider for an eligible child according to a parent’s wishes. If a student moves to a new qualified school during a school year or to a different qualified service provider for an eligible child, the scholarship amount may be prorated;

(9) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(10) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department before the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

9. Each scholarship granting organization shall ensure that each participating school or service provider that accepts its scholarship students or children shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools or service providers;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended;

(4) Provide academic accountability to parents of the students or children in the program by regularly reporting to the parent on the student’s or child’s progress;

(5) Certify that in providing any educational services or behavior strategies to a scholarship

recipient with a diagnosis of or an individualized education program based upon autism spectrum disorder it will:

(a) Adhere to the best practices recommendations of the Missouri Autism Guidelines Initiative or document why it is varying from the guidelines;

(b) Not use any evidence-based interventions that have been found ineffective by the commission on Medicare as described in the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions; and

(c) Provide documentation in the student's or child's record of the rationale for the use of any intervention that is categorized as unestablished, insufficient evidence, or level 3 by the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions; and

(6) Certify that in providing any educational services or behavior strategies to a scholarship recipient with a diagnosis of, or an individualized family services program based upon Down syndrome, Angelman syndrome, or cerebral palsy, it will use student, teacher, teaching, and school influences that rank in the zone of desired effects in the meta-analysis of John Hattie, or equivalent analyses as determined by the department, or document why it is using a method that has not been determined by analysis to rank in the zone of desired effects.

10. Scholarship granting organizations shall not provide educational scholarships for students to attend any school or children to receive services from any qualified service provider with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

11. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the scholarship granting organization;

(2) The total number and total dollar amount of contributions received during the previous calendar year; and

(3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, including the category of each scholarship, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

12. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

13. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a donor to indicate the value of a contribution received.

14. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

15. The department may conduct either a financial review or audit of a scholarship granting organization.

16. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a

hearing before the director or the director's designee to bar a scholarship granting organization from participating in the program. The director or the director's designee shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

17. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students or children and their parents of this decision within fifteen days.

18. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

19. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

21. The study shall assess:

(1) The level of participating students' and childrens' satisfaction with the program in a manner suitable to the student or child;

(2) The level of parental satisfaction with the program;

(3) The percentage of participating students who were bullied or harassed because of their special needs status at their resident school district compared to the percentage so bullied or harassed at their qualified school;

(4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;

(5) The class size experienced by participating students at their resident school district and at their qualified school; and

(6) The fiscal impact to the state and resident school districts of the program.

20. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

21. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2016.

22. The public and nonpublic participating schools and service providers from which students transfer to participate in the program shall cooperate with the research effort by providing student or child assessment instrument scores and any other data necessary to complete this study.

23. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and

Privacy Act, as amended.

24. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically on December 31, 2019, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December 31, 2031; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 36**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 36, Page 5, Section 211.073, Line 53, by inserting immediately after said line the following:

“217.870. In an effort to reduce the recidivism rate of offenders who are incarcerated in the state of Missouri the department of corrections shall, prior to the release of any inmate, do the following:

(1) Subject to appropriation, participate in the Federal Bonding Program so that all inmates are bonded prior to release;

(2) Review the types of jobs available for inmates while incarcerated to determine which jobs would be eligible for certification and ensure that any inmate who has completed the necessary requirements for certification in a particular field does receive certification;

(3) Issue a worker certificate to any inmate who has worked in one or more jobs while incarcerated which were the type of jobs that are not eligible for certification. This worker certificate shall indicate the number of hours the inmate has worked or training the inmate has received in each job which the inmate held. It shall also specify the duties required for each job and list the skills acquired or demonstrated on the job.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 116**, entitled:

An Act to repeal sections 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, and 115.292, RSMo, and to enact in lieu thereof twenty-six new sections relating to voting procedures for uniformed services and overseas voters, with penalty provisions.

With House Amendment Nos. 2 and 3.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 116, Page 3, Section 115.275, Line 23, by inserting after the phrase: “(6)” on said Line the following: “] (5)”;

Further amend said Section, Page 3, Line 34 by deleting the bracket: “]” on said Line; and

Further amend said bill, Section 115.904, Page 12, Line 5, by deleting the word: “**and**” on said Line and inserting in lieu thereof the word: “**or**”;

Further amend said bill, Section 115.910, Page 14, Line 22, by deleting the word: “**and**” on said Line and inserting in lieu thereof the word: “**or**”;

Further amend said bill, Section 115.936, Page 17, Line 5 by inserting after all of said Section and Line the following:

“Section 1. Notwithstanding any other provision of law, a person in the federal service as defined under section 115.275 may vote in the same manner, using the same technology and requirements, as an overseas voter under sections 115.900 to 115.936.

Section B. The repeal and reenactment of Section A of this act shall be effective on July 1, 2014.”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 116, Page 15, Section 115.920, Lines 2 - 4, by deleting all of said Lines and inserting in lieu thereof the following:

“shall be counted if it is received before noon on the friday after election day so that certification under section 1 may commence.”; and

Further amend said bill, Section 115.936, Page 17, Line 5 by inserting after all of said Section and Line the following:

“Section 1. Notwithstanding any other provision of law to the contrary, no election authority or verification board shall certify election results, as required under section 115.507, before noon on the friday after election day.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 126**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 157** and **SB 102**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a

conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Wallingford moved that **HB 400**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Wallingford, **SA 1** was withdrawn.

Senator Wallingford offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 400, Page 1, Section 188.021, Line 2, by inserting after “abortion,” the following: “**the initial dose of**”; and further amend line 6, by striking “twelve to eighteen days”; and further amend pages 1-2, lines 7 to 11, by striking said lines and inserting in lieu thereof the following: “**drug or chemical for a follow-up visit unless such termination of the pregnancy has already been confirmed and the patient’s medical condition has been assessed by a licensed physician prior to discharge.**”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Wallingford, **HB 400**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	McKenna	Munzlinger	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	Nasheed	Sifton—7
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Absent—Senators

Nieves	Rupp	Walsh—3
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Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

At the request of Senator Brown, **HB 274**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HBs 404** and **614**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1035**, with **SCS**, entitled:

An Act to repeal sections 137.073 and 137.720, RSMo, and to enact in lieu thereof two new sections relating to amended property tax rate filings with the office of the state auditor.

Was taken up by Senator Schmitt.

SCS for **HCS** for **HB 1035**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1035

An Act to repeal sections 67.463, 67.469, 137.073, and 137.720, RSMo, and to enact in lieu thereof four new sections relating to property taxes.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1035** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, In the Title, Line 3, by striking the words “property taxes” and inserting in lieu thereof the following: “funds collected by political subdivisions”; and

Further amend said bill, page 15, section 137.720, line 57, by inserting after all of said line the following:

“238.272. The state auditor [shall] **may** audit each district not [less] **more** than once every three years[, and may audit more frequently if the state auditor deems appropriate]. The costs of this audit shall be paid by the district **and shall not exceed three percent of the gross revenues received by the transportation district.**”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Nieves offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 14, Section 137.073, Line 384, by inserting immediately after said line the following:

“137.090. **1.** All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.

137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term “based” means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.”; and

Further amend the title and enacting clause accordingly.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

Senator Nieves offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 14, Section 137.073, Line 384, by inserting after all of said line the following:

“137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor’s deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor’s city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political

subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their

true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is

real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the **lowest** trade-in value published in the October issue of [the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended] **a single nationally recognized** guide of information for determining the true value of motor vehicles described in such publication. **Such publication shall be approved by the state tax commission in conjunction with the association representing the majority of assessors of this state. The state tax commission shall also approve four additional guides for determining the true value of motor vehicles. If the owner of the motor vehicle presents evidence that any of the four other approved publications has a lower published trade-in value that is applicable to the motor vehicle, the assessor shall use such value in determining the true value of the motor vehicle.** In the absence of a listing for a particular motor vehicle in such [publication] **publications**, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for

senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.”; and

Further amend the title and enacting clause accordingly.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Rupp offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 15, Section 137.720, Line 57, by inserting after all of said line the following:

“138.431. 1. To hear and decide appeals pursuant to section 138.430, the commission shall appoint one or more hearing officers. The hearing officers shall be subject to supervision by the commission. No person shall participate on behalf of the commission in any case in which such person is an interested party.

2. The commission may assign such appeals as it deems fit to a hearing officer for disposition.

(1) The assignment shall be deemed made when [the] **any** scheduling order is first issued by the commission [and signed by the hearing officer assigned, unless another hearing officer is assigned to the case for disposition by other language in said order], **however, if no scheduling order has been issued, then a hearing officer shall be assigned no later than sixty days after the appeal is filed by the taxpayer.**

(2) A change of hearing officer, or a reservation of the appeal for disposition as described in subsection 3 of this section, shall be ordered by the commission in any appeal upon the timely filing of a written

application by a party to disqualify the hearing officer assigned. The application shall be filed within thirty days from the assignment of any appeal to a hearing officer and need not allege or prove any cause for such change and need not be verified. No more than one change of hearing officer shall be allowed for each party in any appeal.

3. The commission may, in its discretion, reserve such appeals as it deems fit to be heard and decided by the full commission, a quorum thereof, or any commissioner, subject to the provisions of section 138.240, and, in such case, the decision shall be final, subject to judicial review in the manner provided in subsection 4 of section 138.470.

4. The manner in which appeals shall be presented and the conduct of hearings shall be made in accordance with rules prescribed by the commission for determining the rights of the parties; provided that, the commission, with the consent of all the parties, may refer an appeal to mediation. The commission shall promulgate regulations for mediation pursuant to this section. No regulation or portion of a regulation promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. There shall be no presumption that the assessor's valuation is correct. A full and complete record shall be kept of all proceedings. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

5. Unless an appeal is voluntarily dismissed, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall issue a decision and order affirming, modifying, or reversing the determination of the board of equalization, and correcting any assessment which is unlawful, unfair, improper, arbitrary, or capricious. The commission may, prior to the decision being rendered, transfer to another hearing officer the proceedings on an appeal determination before a hearing officer. The complainant, respondent-assessor, or other party shall be duly notified of a hearing officer's decision and order, together with findings of fact and conclusions of law. Appeals from decisions of hearing officers shall be made pursuant to section 138.432.

6. All decisions issued pursuant to this section or section 138.432 by the commission or any of its duly assigned hearing officers shall be issued no later than sixty days after the hearing on the matter to be decided is held or the date on which the last party involved in such matter files his or her brief, whichever event later occurs.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, In the Title, Line 3, by striking the words “property taxes” and inserting in lieu thereof the following: “funds collected by or assets of political subdivisions”; and

Further amend said bill and page, section A, line 3 by inserting immediately after said line the following:

“96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120,

shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

“Shall the city council of....., Missouri and the board of trustees of.....hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of.....hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?”

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.”; and

Further amend said bill, page 15, section 137.720, line 57, by inserting after all of said line the following:

“Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 3, Section 67.469, Line 11, by inserting after all of said line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property

in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project

by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district**, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's

adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the

redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the

development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved

for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section A, Line 3, by inserting after all of said line the following:

“67.457. 1. To establish a neighborhood improvement district, the governing body of any city or county shall comply with either of the procedures described in subsection 2 or 3 of this section.

2. The governing body of any city or county proposing to create a neighborhood improvement district may by resolution submit the question of creating such district to all qualified voters residing within such district at a general or special election called for that purpose. Such resolution shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, and the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full. The governing body of the city or county may create a neighborhood improvement district when the question of creating such district has been approved by the vote of the percentage of electors within such district voting thereon that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county under article VI, section 26 of the constitution of this state. The notice of election containing the question of creating a neighborhood improvement district shall contain the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and a statement that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such notice, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such notice, by more than twenty-five percent. The ballot upon which the question of creating a neighborhood improvement district is submitted to the qualified voters residing within the proposed district shall contain a question in substantially the following form:

Shall (name of city or county) be authorized to create a neighborhood improvement district proposed for the (project name for the proposed improvement) and incur indebtedness and issue general obligation bonds to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed by the governing body of the (city or county) on the real property benefitted by such improvements for a period of years, and, if included in the resolution, an assessment in each year thereafter with the proceeds thereof used solely for maintenance of the improvement?

3. As an alternative to the procedure described in subsection 2 of this section, the governing body of a city or county may create a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within such proposed district. Each owner of record of real property located in the proposed district is allowed one signature. Any person, corporation, or limited liability partnership owning more than one parcel of land located in such proposed district shall be allowed only one signature on such petition. The petition, in order to become effective, shall be filed with the city clerk or county clerk. A proper petition for the creation of a neighborhood improvement district shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real

property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full, a notice that the names of the signers may not be withdrawn later than seven days after the petition is filed with the city clerk or county clerk, and a notice that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such petition, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such petition, by more than twenty-five percent.

4. Upon receiving the requisite voter approval at an election or upon the filing of a proper petition with the city clerk or county clerk, the governing body may by resolution or ordinance determine the advisability of the improvement and may order that the district be established and that preliminary plans and specifications for the improvement be made. Such resolution or ordinance shall state and make findings as to the project name for the proposed improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of the neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and shall also state that the final cost of such improvement assessed against the real property within the neighborhood improvement district and the amount of general obligation bonds issued therefor shall not, without a new election or petition, exceed the estimated cost of such improvement by more than twenty-five percent.

5. The boundaries of the proposed district shall be described by metes and bounds, streets or other sufficiently specific description. The area of the neighborhood improvement district finally determined by the governing body of the city or county to be assessed may be less than, but shall not exceed, the total area comprising such district.

6. In any neighborhood improvement district organized prior to August 28, 1994, an assessment may be levied and collected after the original period approved for assessment of property within the district has expired, with the proceeds thereof used solely for maintenance of the improvement, if the residents of the neighborhood improvement district either vote to assess real property within the district for the maintenance costs in the manner prescribed in subsection 2 of this section or if the owners of two-thirds of the area of all real property located within the district sign a petition for such purpose in the same manner as prescribed in subsection 3 of this section.

7. Prior to any assessment hereafter being levied against any real property within any neighborhood improvement district, and prior to any lien enforceable under either chapter 140 or 141 being imposed after August 28, 2013 against any real property within a neighborhood improvement district, the clerk of the governing body establishing the neighborhood improvement district shall cause to be recorded with the recorder of deeds for the county in which any portion of the neighborhood improvement district is located, a document conforming to the provisions of sections 59.310 and 59.313, and which shall contain at least the following information:

(1) Each owner of record of real property located within the neighborhood improvement district at the time of recording, who shall be identified in the document as grantors and indexed by the recorder pursuant to section 59.440;

(2) The governing body establishing the neighborhood improvement district and the title of any official or agency responsible for collecting or enforcing any assessments, who shall be identified in the document as grantees and so indexed by the recorder pursuant to section 59.440;

(3) The legal description of the property within the neighborhood improvement district which may either be the metes and bounds description authorized in subsection 5 of this section or the legal description of each lot or parcel within the neighborhood improvement district; and

(4) The identifying number of the resolution or ordinance creating the neighborhood improvement district, or a copy of such resolution or ordinance.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 3, Section 67.469, Line 11, by inserting after all of said line the following:

“71.011. 1. Except as provided in subsection 2 of this section, property of a municipality which abuts another municipality may be concurrently detached from one municipality and annexed by the other municipality by the enactment by the governing bodies of each municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be concurrently detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. One certified copy of each ordinance shall be filed with the county clerk, with the county assessor, with the county recorder of deeds, and with the clerk of the circuit court of the county in which the property is located, whereupon the concurrent detachment and annexation shall be complete and final. Thereafter all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. No declaratory judgment or election shall be required for any concurrent detachment and annexation permitted by this section if there are no residents living in the area or if there are residents in the area and they be notified of the annexation and do not object within sixty days.

2. In a county of the first classification with a charter form of government containing all or a portion of a city with a population of at least three hundred thousand inhabitants[,];

(1) Unimproved property of a municipality which overlaps another municipality may be concurrently detached from one municipality and annexed by the other municipality by the enactment by the governing body of the receiving municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. A copy of said ordinance shall be mailed to the city clerk of the contributing municipality, which shall have thirty days from receipt of said notice to pass an ordinance disapproving the change of boundary. If such ordinance is not passed within thirty days, the change shall be effective and one certified copy of the ordinance shall be filed with the county clerk, with the county assessor, with the county recorder of deeds, and with the clerk of the circuit court of the county in which the property is located, whereupon the concurrent detachment and annexation shall be complete and final. Thereafter all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. No declaratory judgment or election shall be required for any concurrent detachment and

annexation permitted by this section if the landowners in the area are notified and do not object within sixty days; **or**

(2) An island of unincorporated area within a municipality, which is contiguous to more than one municipality or contiguous to the Missouri River and the Blue River, may be annexed by an abutting municipality by the enactment by the governing body of the municipality of an ordinance describing the metes and bounds of the property, declaring the property so described to be annexed, and stating the reasons for and the purposes to be accomplished by the annexation. All recording shall be accomplished in the same manner as set out in subdivision (1) of this subsection and shall be effective unless the governing body of the county passes an ordinance within thirty days disapproving the annexation. No declaratory judgment or election shall be required for any annexation permitted by this subdivision. Any annexation permitted by this subdivision shall exclude any property within the unincorporated area when such property has been owned by the same family for at least sixty consecutive years and consists of ten acres or more. The line of ownership from the original settler or buyer may be through children, grandchildren, siblings, nephews, or nieces, including through marriage or adoption.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section A, Line 3, by inserting after all of said line the following:

“33.080. **1.** All fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages shall, by the official authorized to receive same, and at stated intervals of not more than thirty days, be placed in the state treasury to the credit of the particular purpose or fund for which collected, and shall be subject to appropriation by the general assembly for the particular purpose or fund for which collected during the biennium in which collected and appropriated. The unexpended balance remaining in all such funds (except such unexpended balance as may remain in any fund authorized, collected and expended by virtue of the provisions of the constitution of this state) shall at the end of the biennium and after all warrants on same have been discharged and the appropriation thereof has lapsed, be transferred and placed to the credit of the [ordinary] **general** revenue fund of the state by the state treasurer. Any official or any person who shall willfully fail to comply with any of the provisions of this section, and any person who shall willfully violate any provision hereof, shall be deemed guilty of a misdemeanor; provided, that all such money received by the curators of the University of Missouri except those funds required by law or by instrument granting the same to be paid into the seminary fund of the state, is excepted herefrom, and in the case of other state educational institutions there is excepted herefrom, gifts or trust funds from whatever source; appropriations; gifts or grants from the federal government, private organizations and individuals; funds for or from student activities; farm or housing activities; and other funds from which the whole or some part thereof may be liable to be repaid to the person contributing the same; and hospital fees. All of the above excepted funds shall be reported in detail quarterly to the governor and biennially to the general assembly.

2. Notwithstanding any provision of law to the contrary concerning the funds listed in subdivisions (1) to (3) of this subsection, the amount specified for each fund listed in subdivisions (1) to (3) of this subsection shall be transferred and placed to the credit of the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013. The funds subject to the provisions of this subsection and the amount of the transfer are as follows:

(1) Insurance dedicated fund established under section 374.150, ten million dollars;

(2) Lewis and Clark discovery fund established under section 173.392, the balance in the fund on June 30, 2013;

(3) Department of revenue information fund established under section 32.067, one million dollars.

3. Notwithstanding any provision of law to the contrary concerning the department of revenue information fund established in section 32.067, two million dollars of such fund shall be transferred and placed to the credit of the general revenue fund of the state on July 1, 2013.

33.295. 1. There is hereby established the “Rebuild Damaged Infrastructure Program” to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, including, but not limited to, the physical components of interrelated systems providing essential commodities and services to the public which includes transportation, communication, sewage, water, and electric systems as well as public elementary and secondary school buildings.

2. There is hereby created in the state treasury the “Rebuild Damaged Infrastructure Fund”, which shall consist of money appropriated or collected under this section. Any amount to be transferred to the fund on July 1, 2013, pursuant to subsection 2 of section 33.080 and subsection 2 of section 360.045, in excess of fifteen million dollars shall instead be transferred to the state general revenue fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purposes of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The provisions of this section shall expire on June 30, 2014.”; and

Further amend said bill, page 15, section 137.720, line 57 by inserting after all of said line the following:

“360.045. 1. The authority shall have the following powers together with all powers incidental thereto or necessary for the performance thereof:

(1) To have perpetual succession as a body politic and corporate;

(2) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(3) To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;

(4) To have and to use a corporate seal and to alter the same at pleasure;

(5) To maintain an office at such place or places in the state of Missouri as it may designate;

(6) To determine the location and construction of any facility to be financed under the provisions of sections 360.010 to 360.140, and to construct, reconstruct, repair, alter, improve, extend, maintain, lease, and regulate the same; and to designate a participating health institution or a participating educational institution, as the case may be, as its agent to determine the location and construction of a facility undertaken by such participating health institution or participating educational institution, as the case may be, under the provisions of sections 360.010 to 360.140, to construct, reconstruct, repair, alter, improve, extend, maintain, and regulate the same, and to enter into contracts for any and all of such purposes including contracts for the management and operation of the facility;

(7) To lease to a participating health institution or a participating educational institution, as the case may be, the particular health or educational facility or facilities, as the case may be, upon such terms and conditions as the authority shall deem proper; to charge and collect rent therefor; to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; to include in any such lease, if desired, provisions that the lessee thereof shall have options to renew the term of the lease for such period or periods at such rent as shall be determined by the authority or to purchase any or all of the particular leased facility or facilities; and, upon payment of all of the indebtedness incurred by the authority for the financing of the facility or facilities, to convey any or all of such facility or facilities to the lessee or lessees thereof. Every lease agreement between the authority and an institution must contain a clause obligating the institution not to use the leased land, nor any facility located thereon, for sectarian instruction or study or as a place of religious worship, or in connection with any part of the program of a school or department of divinity of any religious denomination; to insure that this covenant is honored, each lease agreement shall allow the authority to conduct inspections, and every conveyance of title to an institution shall contain a restriction against use for any sectarian purpose;

(8) To issue its bonds, notes, or other obligations for any of its corporate purposes and to refund the same, all as provided in sections 360.010 to 360.140;

(9) To transfer assets of the authority to the rebuild damaged infrastructure fund created in section 33.295;

(10) To fix and revise from time to time and make and collect rates, rents, fees, and charges for the use of and services furnished or to be furnished by any facility or facilities or any portion thereof and to contract with any person, firm, or corporation or other body, public or private, in respect thereof; except that the authority shall have no jurisdiction over rates, rents, fees, and charges established by a participating educational institution for its students or established by a participating health institution for its patients other than to require that such rates, rents, fees, and charges by such an institution be sufficient to discharge the institution's obligations to the authority;

[(10)] (11) To establish rules and regulations for review by or on behalf of the authority of the retention or employment by a participating health institution or by a participating educational institution, as the case may be, of consulting engineers, architects, attorneys, accountants, construction and finance experts, superintendents, managers, and such other employees and agents as shall be determined to be necessary in connection with any such facility or facilities and for review by or on behalf of the authority of all reports, studies, or other material prepared in connection with any bond issue of the authority for any such facility or facilities. The costs incurred or to be incurred by a participating health institution or by a participating educational institution in connection with the review shall be deemed, where appropriate, an expense of constructing the facility or facilities or, where appropriate, shall be deemed an annual expense of operation

and maintenance of the facility or facilities;

[(11)] (12) To receive and accept from any public agency loans or grants for or in aid of the construction of a facility or facilities, or any portion thereof, or for equipping the same and to receive and accept grants, gifts, or other contributions from any source;

[(12)] (13) To mortgage or pledge all or any portion of any facility or facilities, including any other health or educational facility or facilities conveyed to the authority for such purpose and the site or sites thereof, whether then owned or thereafter acquired, for the benefit of the holders of the bonds of the authority issued to finance such facility or facilities or any portion thereof or issued to refund or refinance outstanding indebtedness of a private health institution or a private institution of higher education as permitted by sections 360.010 to 360.140;

[(13)] (14) To make loans to any participating health institution or participating educational institution, as the case may be, for the cost of any facility or facilities in accordance with an agreement between the authority and such participating health institution or participating educational institution, as the case may be; except that no such loan shall exceed the total cost of such facility or facilities as determined by the participating health institution or participating educational institution, as the case may be, and approved by the authority;

[(14)] (15) To make loans to a participating health institution or participating educational institution, as the case may be, to refund outstanding obligations, mortgages, or advances issued, made, or given by the institution for the cost of its facility or facilities, including the power to issue bonds and make loans to a participating health institution or participating educational institution, as the case may be, to refinance indebtedness incurred for facilities undertaken and completed prior to or after September 28, 1975, whenever the authority finds that the financing is in the public interest, alleviates a financial hardship upon the participating health institution or participating educational institution, as the case may be, and results in a lesser cost of patient care or cost of education and a saving to third parties, including state or federal governments, and to others who must pay for the care or education;

[(15)] (16) To inspect any and all facilities assisted by the authority in any way to enforce the prohibition against sectarian or religious use at any time; and

[(16)] (17) To do all things necessary and convenient to carry out the purposes of sections 360.010 to 360.140.

2. Notwithstanding any provision of law to the contrary, including section 360.115, the authority shall transfer four million dollars of the assets of the authority to the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.

Section B. Because of the necessity to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, the enactment of section 33.295 and the repeal and reenactment of sections 33.080 and 360.045 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 33.295 and the repeal and reenactment of sections 33.080 and 360.045 of this act of this act shall be in full force and effect upon its passage and approval.”; and

further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1035**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS** for **HB 1035**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Justus Nasheed—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 196, introduced by Representative Lauer, et al, with **SCS**, entitled:

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478,

620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof nine new sections relating to job training programs.

Was taken up by Senator Romine.

SCS for **HB 196**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 196

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 288.040, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof ten new sections relating to job training programs, with an emergency clause for a certain section.

Was taken up.

Senator Romine moved that **SCS** for **HB 196** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 196, Page 5, Section 135.800, Line 89, by inserting immediately after said line the following:

“287.220. 1. All cases of permanent disability where there has been previous disability shall be compensated as herein provided. Compensation shall be computed on the basis of the average earnings at the time of the last injury. If any employee who has a preexisting permanent partial disability whether from compensable injury or otherwise, of such seriousness as to constitute a hindrance or obstacle to employment or to obtaining reemployment if the employee becomes unemployed, and the preexisting permanent partial disability, if a body as a whole injury, equals a minimum of fifty weeks of compensation or, if a major extremity injury only, equals a minimum of fifteen percent permanent partial disability, according to the medical standards that are used in determining such compensation, receives a subsequent compensable injury resulting in additional permanent partial disability so that the degree or percentage of disability, in an amount equal to a minimum of fifty weeks compensation, if a body as a whole injury or, if a major extremity injury only, equals a minimum of fifteen percent permanent partial disability, caused by the combined disabilities is substantially greater than that which would have resulted from the last injury, considered alone and of itself, and if the employee is entitled to receive compensation on the basis of the combined disabilities, the employer at the time of the last injury shall be liable only for the degree or percentage of disability which would have resulted from the last injury had there been no preexisting disability. After the compensation liability of the employer for the last injury, considered alone, has been determined by an administrative law judge or the commission, the degree or percentage of employee’s disability that is attributable to all injuries or conditions existing at the time the last injury was sustained shall then be determined by that administrative law judge or by the commission and the degree or percentage of disability which existed prior to the last injury plus the disability resulting from the last injury, if any, considered alone, shall be deducted from the combined disability, and compensation for the balance, if any, shall be paid out of a special fund known as the second injury fund, hereinafter provided for. If the previous disability or disabilities, whether from compensable injury or otherwise, and the last injury together result in total and permanent disability, the minimum standards under this subsection for a body

as a whole injury or a major extremity injury shall not apply and the employer at the time of the last injury shall be liable only for the disability resulting from the last injury considered alone and of itself; except that if the compensation for which the employer at the time of the last injury is liable is less than the compensation provided in this chapter for permanent total disability, then in addition to the compensation for which the employer is liable and after the completion of payment of the compensation by the employer, the employee shall be paid the remainder of the compensation that would be due for permanent total disability under section 287.200 out of a special fund known as the "Second Injury Fund" hereby created exclusively for the purposes as in this section provided and for special weekly benefits in rehabilitation cases as provided in section 287.141. Maintenance of the second injury fund shall be as provided by section 287.710. The state treasurer shall be the custodian of the second injury fund which shall be deposited the same as are state funds and any interest accruing thereon shall be added thereto. The fund shall be subject to audit the same as state funds and accounts and shall be protected by the general bond given by the state treasurer. Upon the requisition of the director of the division of workers' compensation, warrants on the state treasurer for the payment of all amounts payable for compensation and benefits out of the second injury fund shall be issued.

2. In all cases in which a recovery against the second injury fund is sought for permanent partial disability, permanent total disability, or death, the state treasurer as custodian thereof shall be named as a party, and shall be entitled to defend against the claim. The state treasurer, with the advice and consent of the attorney general of Missouri, may enter into compromise settlements as contemplated by section 287.390, or agreed statements of fact that would affect the second injury fund. All awards for permanent partial disability, permanent total disability, or death affecting the second injury fund shall be subject to the provisions of this chapter governing review and appeal. For all claims filed against the second injury fund on or after July 1, 1994, the attorney general shall use assistant attorneys general except in circumstances where an actual or potential conflict of interest exists, to provide legal services as may be required in all claims made for recovery against the fund. Any legal expenses incurred by the attorney general's office in the handling of such claims, including, but not limited to, medical examination fees, expert witness fees, court reporter expenses, travel costs, and related legal expenses shall be paid by the fund.

Effective July 1, 1993, the payment of such legal expenses shall be contingent upon annual appropriations made by the general assembly, from the fund, to the attorney general's office for this specific purpose.

3. If more than one injury in the same employment causes concurrent temporary disabilities, compensation shall be payable only for the longest and largest paying disability.

4. If more than one injury in the same employment causes concurrent and consecutive permanent partial disability, compensation payments for each subsequent disability shall not begin until the end of the compensation period of the prior disability.

5. If an employer fails to insure or self-insure as required in section 287.280, funds from the second injury fund may be withdrawn to cover the fair, reasonable, and necessary expenses to cure and relieve the effects of the injury or disability of an injured employee in the employ of an uninsured employer, or in the case of death of an employee in the employ of an uninsured employer, funds from the second injury fund may be withdrawn to cover fair, reasonable, and necessary expenses in the manner required in sections 287.240 and 287.241. In defense of claims arising under this subsection, the treasurer of the state of Missouri, as custodian of the second injury fund, shall have the same defenses to such claims as would the uninsured employer. Any funds received by the employee or the employee's dependents, through civil or

other action, must go towards reimbursement of the second injury fund, for all payments made to the employee, the employee's dependents, or paid on the employee's behalf, from the second injury fund pursuant to this subsection. The office of the attorney general of the state of Missouri shall bring suit in the circuit court of the county in which the accident occurred against any employer not covered by this chapter as required in section 287.280.

6. Every three years the second injury fund shall have an actuarial study made to determine the solvency of the fund, appropriate funding level of the fund, and forecasted expenditures from the fund. The first actuarial study shall be completed prior to July 1, 1988. The expenses of such actuarial studies shall be paid out of the fund for the support of the division of workers' compensation.

7. The director of the division of workers' compensation shall maintain the financial data and records concerning the fund for the support of the division of workers' compensation and the second injury fund. The division shall also compile and report data on claims made pursuant to subsection 9 of this section. The attorney general shall provide all necessary information to the division for this purpose.

8. All claims for fees and expenses filed against the second injury fund and all records pertaining thereto shall be open to the public.

9. Any employee who at the time a compensable work-related injury is sustained is employed by more than one employer, the employer for whom the employee was working when the injury was sustained shall be responsible for wage loss benefits applicable only to the earnings in that employer's employment and the injured employee shall be entitled to file a claim against the second injury fund for any additional wage loss benefits attributed to loss of earnings from the employment or employments where the injury did not occur, up to the maximum weekly benefit less those benefits paid by the employer in whose employment the employee sustained the injury. The employee shall be entitled to a total benefit based on the total average weekly wage of such employee computed according to subsection 8 of section 287.250. The employee shall not be entitled to a greater rate of compensation than allowed by law on the date of the injury. The employer for whom the employee was working where the injury was sustained shall be responsible for all medical costs incurred in regard to that injury.

10. An employee that is employed in a sheltered workshop as established in sections 205.968 to 205.972 or sections 178.900 to 178.960 who thereafter sustains a compensable work-related injury that, when combined with the preexisting disability, results in a permanent total disability as defined under this chapter shall be compensated as provided in this section.”; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted.

Senator Romine raised the point of order that **SA 1** is out of order as it goes beyond the scope of the subject matter of the underlying bill.

The point of order was referred to the President Pro Tem who took it under advisement which placed **HB 196**, with **SCS, SA 1** and the point of order (pending) on the Informal Calendar.

Senator Kehoe assumed the Chair.

HB 253, introduced by Representative Berry, et al, entitled:

An Act to repeal sections 143.071, 143.221, 144.020, and 144.030, RSMo, and to enact in lieu thereof five new sections relating to the taxation of businesses.

Was taken up by Senator Schmitt.

Senator Kraus offered **SS** for **HB 253**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 253

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 143.221, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof seventy-nine new sections relating to taxation, with penalty provisions, effective dates for certain sections, and an emergency clause.

Senator Kraus moved that **SS** for **HB 253** be adopted.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 253, Page 180, Section 143.071, Line 1 of said page, by inserting after all of said line the following:

“143.145. 1. As used in this section, the following terms mean:

(1) “Contract sales price”, the total price paid by a taxpayer for the purchase of a qualified principal residence;

(2) “Deduction”, an amount deducted from the taxpayer’s Missouri adjusted gross income pursuant to section 143.121 to determine Missouri taxable income for the tax year in which such deduction is claimed;

(3) “Purchase”, any conveyance to a taxpayer of fee simple ownership interest in a qualified principal residence made by deed executed by any person having authority to convey the same, or by his agent or attorney, and acknowledged and recorded pursuant to chapter 442 after the effective date of this section but before January 1, 2016;

(4) “Qualified principal residence”, any single-family residence located in the state of Missouri, whether detached or attached, that is owner occupied or will be owner occupied after purchase by the taxpayer claiming the deduction allowed by this section as his or her primary residence, for which construction began and has been completed between August 28, 2013, and December 31, 2015, and that has not been previously occupied. For the purposes of this section, a manufactured home, modular unit, recreational park trailer, or recreational vehicle as defined in section 700.010, shall not be considered a single-family residence. For the purposes of this section, the value of land or any pre-existing structures on such land shall not be included in the value of such residence. The taxpayer shall submit an appraisal to the department that separately states the value of the land and any existing structures in order to claim the deduction;

(5) “Recapture period”, the two taxable years beginning with the first taxable year following the

taxable year in which the taxpayer occupied the qualified principal residence for which a deduction is allowed under this section, except that such recapture period shall be deemed to have expired immediately upon the date of the death of any person deemed a taxpayer under this section;

(6) “Taxpayer”, an individual who purchases a fee simple ownership interest in a qualified principal residence during a taxable year and has not previously received a deduction issued pursuant to this section in any taxable year.

2. In addition to all deductions listed in this chapter, for taxable years beginning on or after January 1, 2013, and ending on or before December 31, 2015, a taxpayer shall be allowed a deduction for the purchase of a qualified principal residence in this state. The deduction amount shall be equal to the lesser of:

- (1) One-third of the contract sales price of the qualified principal residence in this state; or
- (2) One hundred sixty-six thousand six hundred sixty-seven dollars.

3. No taxpayer shall claim a tax deduction for the purchase of more than one qualified principal residence under this section. Such tax deduction shall be limited to a maximum tax benefit of ten thousand dollars.

4. If the amount of the deduction allowed under this section exceeds the total Missouri adjusted gross income for the taxpayer in the same tax year in which the deduction is allowed without taking into account the deduction allowed by this section, the amount that exceeds the total Missouri adjusted gross income for the taxpayer without taking into account the deduction allowed by this section may be carried forward to any subsequent tax year until the full deduction is claimed.

5. If a taxpayer disposes of his or her qualified principal residence for which a deduction was allowed under this section or such qualified principal residence ceases to be the principal residence of the taxpayer (and if married the taxpayer’s spouse) before the end of the recapture period, then any remaining unused deduction shall be cancelled, and the taxpayer shall be subject to an addition to his or her Missouri adjusted gross income of any amount deducted under this section in any preceding tax year. The provisions of this subsection shall not apply in the case of a transfer of a qualified principal residence from an individual taxpayer to a spouse (or to a former spouse if the transfer is incident to a divorce) or from an individual taxpayer to a grantor-trust or a single-member limited liability company owned by the taxpayer.

6. If a Missouri taxpayer self-constructs a qualified principal residence, such taxpayer shall be eligible for a tax deduction allowed by this section by satisfying the department of revenue’s proof of documentation requirements to verify the contract sale price of a qualified principle residence.

7. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

8. Pursuant to section 23.253 of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2015, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset December thirty-first one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Sifton offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 253, Page 180, Section 143.071, Line 1, by inserting immediately after all of said line the following:

“143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer’s federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer’s federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax

purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, “combat zone” means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; and

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an [addition] **additional** modification was made under subdivision (3) of subsection 2 of this section, the amount by which [addition] **additional** modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection.

4. There shall be added to or subtracted from the taxpayer’s federal adjusted gross income the taxpayer’s share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer’s federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer’s federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer’s federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, “qualified health insurance premium” means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer’s spouse, or the taxpayer’s dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer’s federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2009, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer’s federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year **for individual taxpayers** or cumulatively

exceed two thousand dollars per [taxpayer or] **year for** taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, [2013] **2019.**"; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator LeVota offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 253, Page 180, Section 143.071, Line 1 of said page, by inserting immediately after all of said line the following:

"143.131. 1. The Missouri standard deduction may be deducted in determining Missouri taxable income of a resident individual unless the taxpayer or his spouse has elected to itemize his deduction as provided in section 143.141.

2. The Missouri standard deduction shall be [the allowable federal standard deduction] **twenty-five thousand dollars for individuals filing a single return and thirty thousand dollars for a married individual filing a joint return.**"; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Lager assumed the Chair.

Senator Silvey assumed the Chair.

At the request of Senator Kraus, **HB 253**, with **SS** and **SA 3** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR**s **5** and **12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HBs 48** and **216**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 7**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 3**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 28**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 25**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 16**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON THIRD READING

HCS for **HB 351**, with **SCS**, entitled:

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

Was taken up by Senator Brown.

SCS for **HCS** for **HB 351**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 351

An Act to repeal sections 191.227, 197.080, and 197.100, RSMo, and to enact in lieu thereof four new

sections relating to health care providers.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 351** be adopted.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 351, Page 1, In the Title, Line 3, of the title, by inserting after “providers” the following: “with an emergency clause for a certain section”; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after all of said line the following:

“96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120,

shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

“Shall the city council of....., Missouri and the board of trustees of.....hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of..... hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?”

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.”; and

Further amend said bill, page 7, Section 1, Line 26, by inserting after all of said line the following:

“Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS for HCS for HB 351**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 351**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

On motion of Senator Richard, the Senate recessed for 15 minutes.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **HB 253**, with **SS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 3 was again taken up.

At the request of Senator LeVota, the above amendment was withdrawn.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 253, Page 162, Section 143.011, Line 26, by inserting immediately before the word “Beginning” the following: “**For all calendar years after the provisions of subdivision (1) of this subsection have been met and until the provisions of subdivision (3) of this subsection are met,**”; and further amend said line by striking the word “first”; and

Further amend said bill and section, page 163, lines 3-4, by striking the words “, until the provisions of subdivision (3) of this subsection are met,”; and further amend line 28, by inserting immediately before the word “Beginning” the following: “**For all calendar years after the provisions of subdivision (2) of this subsection have been met and until the provisions of subdivision (4) of this subsection are met,**”; and further amend said line by striking the word “second”; and

Further amend said bill and section, page 164, lines 5-6, by striking the words “, until the provisions of subdivision (4) of this subsection are met,”; and

Further amend said bill and section, page 165, line 2, by inserting immediately before the word

“Beginning” the following: **“For all calendar years after the provisions of subdivision (3) of this subsection have been met and until the provisions of subdivision (5) of this subsection are met,”**; and further amend said line by striking the word “third”; and further amend lines 7-8 by striking the words “, until the provision of subdivision (5) of this subsection are met,”; and

Further amend said bill and section, page 166, line 4, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (4) of this subsection have been met and until the provisions of subdivision (6) of this subsection are met,”**; and further amend said line by striking the word “fourth”; and further amend lines 9-10, by striking the words “, until the provisions of subdivision (6) of this subsection are met,”; and

Further amend said bill and section, page 167, line 6, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (5) of this subsection have been met and until the provisions of subdivision (7) of this subsection are met,”**; and further amend said line, by striking the word “fifth”; and further amend lines 11-12, by striking the words “, until the provisions of subdivision (7) of this subsection are met,”; and

Further amend said bill and section, page 168, line 8, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (6) of this subsection have been met and until the provisions of subdivision (8) of this subsection are met,”**; and further amend said line, by striking the word “sixth”; and further amend lines 13-14, by striking the words “, until the provisions of subdivision (8) of this subsection are met,”; and

Further amend said bill and section, page 169, line 10, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (7) of this subsection have been met and until the provisions of subdivision (9) of this subsection are met,”**; and further amend said line, by striking the word “seventh”; and further amend lines 15-16, by striking the words “, until the provisions of subdivision (9) of this subsection are met,”; and

Further amend said bill and section, page 170, line 12, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (8) of this subsection have been met and until the provisions of subdivision (10) of this subsection are met,”**; and further amend said line, by striking the word “eighth”; and further amend lines 17-18, by striking the words “, until the provisions of subdivision (10) of this subsection are met,”; and

Further amend said bill and section, page 171, line 14, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (9) of this subsection have been met and until the provisions of subdivision (11) of this subsection are met,”**; and further amend said lines, by striking the word “ninth”; and further amend lines 19-20, by striking the words “, until the provision of subdivision (11) of this subsection are met,”; and

Further amend said bill and section, page 172, line 16, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (10) of this subsection have been met,”**; and further amend said line, by striking the word “tenth”; and

Further amend said bill, page 173, section 143.021, lines 21-25, by striking all of the underlined words and inserting in lieu thereof the following:

“1. For all tax years beginning before the provisions of subdivision (11) of subsection 1 of section 143.011 are met,”; and

Further amend said bill and section, page 174, lines 11-15, by striking all said lines and inserting in lieu thereof the following: **“the calendar year in which the provisions of subdivision (11) of subsection 1 of section 143.011 are met, every resident having a taxable income of less than”**; and

Further amend said bill, page 177, section 143.071, line 5, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (1) of this subsection have been met and until the provisions of subdivision (3) of this subsection are met,”**; and further amend said line by striking the word “second”; and further amend lines 10-11 by striking the words “until the provisions of subdivision (3) of this subsection are met,”; and further amend line 14 by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (2) of this subsection have been met and until the provisions of subdivision (4) of this subsection are met,”**; and further amend said line by striking the word “third”; and further amend lines 19-20, by striking the words “until the provisions of subdivision (4) of this subsection are met,”; and further amend line 23, inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (3) of this subsection have been met and until the provisions of subdivision (5) of this subsection are met,”**; and further amend said line by striking the word “fourth”; and further amend line 28, by striking the words “until the provisions of subdivision”; and

Further amend said bill and section, page 178, line 1, by striking the words “(5) of this subsection are met,”; and further amend line 4, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (4) of this subsection have been met and until the provisions of subdivision (6) of this subsection are met,”**; and further amend said line by striking the word “fifth”; and further amend lines 9-10, by striking the words “until the provisions of subdivision (6) of this subsection are met,”; and further amend line 13, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (5) of this subsection have been met and until the provisions of subdivision (7) of this subsection are met,”**; and further amend said line by striking the word “sixth”; and further amend lines 18-19, by striking the words “until the provisions of subdivision (7) of this subsection are met,”; and further amend line 22, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (6) of this subsection have been met and until the provisions of subdivision (8) of this subsection are met,”**; and further amend said line by striking the word “seventh”; and further amend lines 27-28, by striking the words “until the provisions of subdivision (8) of this subsection are met,”; and

Further amend said bill and section, page 179, line 3, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (7) of this subsection have been met and until the provisions of subdivision (9) of this subsection are met,”**; and further amend said line by striking the word “eighth”; and further amend lines 8-9, by striking the words “until the provisions of subdivision (9) of this subsection are met,”; and further amend line 13, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (8) of this subsection have been met and until the provisions of subdivision (10) of this subsection are met,”**; and further amend said line by striking the word “ninth”; and further amend lines 18-19, by striking the words “until the provisions of subdivision (10) of this subsection are met,”; and further amend line 22, by inserting immediately before the word “Beginning” the following: **“For all calendar years after the provisions of subdivision (9) of this subsection have been met,”**; and further amend said line by striking the word “tenth”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Bill No. 253, Page 228, Section 144.030, Line 9, by inserting after the word “disabilities” the following: “**all sales of kidney dialysis equipment and enteral feeding systems,**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **HB 253**, as amended, be adopted, which motion prevailed.

Senator Schmitt moved that **SS** for **HB 253**, as amended, be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **HB 253**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Dempsey referred **HB 409** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 921, regarding Alexander D. Ernst, St. Charles, which was adopted.

Senator LeVota offered Senate Resolution No. 922, regarding Quinton Templeton, which was adopted.

Senator Kehoe offered Senate Resolution No. 923, regarding Brett Nardoni, St. Charles, which was adopted.

Senator Wasson offered Senate Resolution No. 924, regarding Dr. Gordon Pace, which was adopted.

Senator Keaveny offered Senate Resolution No. 925, regarding Matthew Behnke, which was adopted.

Senator Wallingford offered Senate Resolution No. 926, regarding Amanda Latty, which was adopted.

Senator Justus offered Senate Resolution No. 927, regarding Alyssa Webb, Mexico, which was adopted.

Senator Justus offered Senate Resolution No. 928, regarding Corrections Officer I Joe McLeese, Vandalia, which was adopted.

Senator Justus offered Senate Resolution No. 929, regarding Recreation Officer I Justin Donaldson, Elsberry, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Keegan Tinney, Joplin.

Senator Libla introduced to the Senate, Robert Whelan, Poplar Bluff.

On behalf of Senator Pearce, the President introduced to the Senate, Drew Mreen, North Kansas City.

Senator Rupp introduced to the Senate, Sara Stubbett, St. Charles.

Senator Lamping introduced to the Senate, students from West Christian School, St. Louis County.

Senator Silvey introduced to the Senate, teachers and students from Nashua Elementary School, Kansas

City.

Senator Emery introduced to the Senate, Principal Jeff Kramer, Coaches Troy Schulte and Charles Plattner, and members of the Archie High School girls basketball team: Kara Fisher, Kaily Kurzweil, Stefani Simms, Mallory Wiskur, Leslie Iseman, Jordan Schulte, Tiffany Greenwood, Samantha Ogden, Taylor Plattner, Mary Kurzweil, Arely Guajardo, Mallory Lyons, Brooke Wiskur and Quincy Young.

Senator Cunningham introduced to the Senate, Kayla Merrill, Caden Merrill, Alea Merrill, Trinity Merrill, Elliot Merrill, Karla Ward, Jacob Collins, Terese Smoot, Jessica Smoot, Sarah Smoot, Hannah Smoot and Jessica Vaughn, Homeschoolers from Willow Springs.

Senator Curls introduced to the Senate, Melissa Stone, Columbia.

Senator Dempsey introduced to the Senate, Adriana Rhine, West Plains; and Johnathan “Jake” Pelikan, St. Charles.

Senator Nieves introduced to the Senate, the Physician of the Day, Dr. Ravi Johar, Chesterfield.

Senator Nieves introduced to the Senate, Ralph Haynes, New Haven.

Senators Nieves and Schmitt introduced to the Senate, Ann Dunn and nineteen students from Academy of St. Louis, Chesterfield.

Senator Schaefer introduced to the Senate, fourth grade students from Our Lady of the Lourdes Interparish School, Columbia; and Lauren Hervey, Caroline Neuner and Hannah Hulshof were made honorary pages.

On behalf of Senator Pearce, the President introduced to the Senate, Court Hyken, St. Louis County.

Senator Dixon introduced to the Senate, Gena Valente, Mt. Vernon.

Senator Chappelle-Nadal introduced to the Senate, Gabe Fleisher, St. Louis County.

Senator Chappelle-Nadal introduced to the Senate, Chris Givan, Hutchinson, Kansas.

Senator LeVota introduced to the Senate, Nathan Ellermier, Liberty; and Olivia Sandbothe, Des Moines, Iowa.

Senator Brown introduced to the Senate, Susie Johnson, Camden County.

Senator Kehoe introduced to the Senate, Brett Nardoni, St. Charles.

On behalf of Senator Pearce, the President introduced to the Senate, LuAnn Stillwell, Holly Jennings and seventh grade students: Nathan Sheehan, Jarrett Kreisel, Christopher Meloy, Colton Hartford, Hope Yersak, Audrey Gillum, Molly Shumard and Cassie Marks, Warrensburg Middle School.

Senator Justus introduced to the Senate, Alec Kelley, St. Charles.

Senator Justus introduced to the Senate, Rosie Thalhuber, Columbia.

Senator Walsh introduced to the Senate, Daphne Lew, Corey Linehan and students: Rory Johnson, Robert Hoop, Devan Miller, Paris Moore, Brittany Parks, William Strickland and Shannon Washington, Riverview Gardens High School.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FOURTH DAY—WEDNESDAY, MAY 8, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

THIRD READING OF SENATE BILLS

SCS for SB 378-Pearce (In Fiscal Oversight)

SS for SCS for SB 210-Lamping

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager) (In Fiscal Oversight)
2. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight)
3. HCS for HB 168 (Kraus) (In Fiscal Oversight)
4. HCS for HB 58 (Rupp)
5. HB 409-Love and Remole
(In Fiscal Oversight)
6. HB 339-Wieland, et al (Dempsey)
7. HCS for HBs 593 & 695 (Schaaf)
8. HB 142-Dugger, with SCS (Walsh)

9. HCS for HB 17, with SCS (Schaefer)
10. HCS for HB 19, with SCS (Schaefer)
11. HB 18-Stream, with SCS (Schaefer)
12. HCS for HB 117, with SCS (Rupp)
13. HB 148-Davis, et al, with SCS
14. HB 103-Kelley (127), et al, with SCS
(Munzlinger)
15. HB 428-Schatz, with SCS
16. HCS for HJRs 5 & 12, with SCS (Kraus)
17. HCS for HBs 48 & 216 (Kraus)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 411-Kehoe

SS for SCS for SB 437-Pearce

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)	SB 272-Nieves, with SA 2 (pending)
SB 13-Schaefer, with SCS	SB 285-Romine
SB 21-Dixon	SB 291-Rupp
SB 22-Dixon	SB 292-Rupp
SB 30-Brown, with SCS	SB 308-Schaaf
SB 48-Lamping	SB 315-Pearce
SB 53-Lamping	SB 325-Nieves
SB 61-Keaveny, with SCA 1 (pending)	SB 339-Romine
SB 65-Dixon, with SCS	SB 343-Parson
SB 78-Lamping, with SCS, SS for SCS & SA 1 (pending)	SB 364-Parson
SB 82-Schaefer, with SCS	SB 371-Munzlinger, with SCS
SB 109-Brown, with SCS	SB 377-Dixon
SB 133-Keaveny and Holsman, with SCS & SA 1 (pending)	SB 383-Wallingford
SB 141-Dempsey	SB 396-Holsman and Chappelle-Nadal, with SCS
SB 167-Sater and Wallingford, with SCS	SB 403-Rupp, with SCS
SB 174-Parson, with SCS	SB 410-Kehoe
SB 175-Wallingford	SB 419-Lager, with SCS
SB 207-Kehoe, et al, with SCS	SB 423-Nasheed
SB 231-Munzlinger, with SA 1 (pending)	SB 441-Dempsey
SB 239-Emery, with SCS & SA 2 (pending)	SB 448-Schmitt and Keaveny
SB 250-Schaaf, with SCS	SB 455-Nieves, with SCS
SB 259-Schaaf, with SCS	SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HB 274-Brattin, et al, with SCS (Brown)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 346-Molendorp (Wasson)
HB 112-Burlison, with SA 2 (pending) (Brown)	HCS for HBs 374 & 434, with SCS (Dixon)
HB 184-Cox, et al (Parson)	HCS for HBs 404 & 614, with SCS (Kehoe)
HCS for HB 194 (Parson)	HB 432-Funderburk, et al, with SCS & SA 1 (pending) (Lager)
HB 196-Lauer, et al, with SCS, SA 1 & point of order (pending) (Romine)	HCS for HB 457, with SCS (Rupp)
HCS for HB 199 (Lamping)	SS for SCS for HB 542 (Munzlinger)
SS for HB 253-Berry, et al (Schmitt)	(In Fiscal Oversight)
(In Fiscal Oversight)	

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 17-Munzlinger and Romine, with HCS, as amended	SS#2 for SCS for SBs 26, 11 & 31-Kraus, with HCS, as amended
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SCS for SB 36-Wallingford and Sifton,
with HA 1
SS for SCS for SB 116-Kraus, with HCS,
as amended

SB 230-Brown, et al, with HA 1

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS,
as amended
SB 23-Parson, with HCS, as amended
SS for SB 34-Cunningham, with HCS,
as amended
SCS for SB 106-Brown, with HA 1, HA 2,
HA 3, HA 4, as amended & HA 5
SCS for SB 117-Kraus, with HCS,
as amended
HCS for HB 1, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS, as amended
(Schaefer)

HCS for HB 7, with SCS, as amended
(Schaefer)
HCS for HB 8, with SCS (Schaefer)
HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)
HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)
HCS#2 for HB 698, with SCS, as amended
(Schmitt)
HCS for HJRs 11 & 7, with SS, as amended
(Parson)

Requests to Recede or Grant Conference

SCS for SB 157 & SB 102-Sater, with HCS,
as amended
(Senate requests House
recede or grant conference)

SS for SB 262-Curls, with HCS, as amended
(Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

HCR 7-Pfautsch, et al (Richard)
HCR 16-Walton Gray, et al
(Chappelle-Nadal)
HCR 25-Allen

HCR 28-Lynch, et al
SCR 3-Walsh
SCR 15-Romine

To be Referred

HCS for HCR 17

HCR 34-Houghton, et al

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY—WEDNESDAY, MAY 8, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I am in perpetual anxiety lest...an accidental quarrel, a personal insult, an imprudent order...make a breach that can never afterward be healed.” (Benjamin Franklin 1774)

God of mercy, we pray in these closing days that we are known for who and what we are for and not just what we are against. May we trust that You would guide our steps and words to be clearly known for the openness and forgiven nature that we convey to one another and people we serve. So grant us patience and love to willingly protect the reputation and interest of others as we seek to do Your will this day and every day. And we would ask that you provide comfort and grace to Senator Holsman’s family as they hold a vigil for their dying Grandfather. Grant them mercy and remembrance of Your goodness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 930, regarding Julia Mize, which was adopted.

Senator Nasheed offered Senate Resolution No. 931, regarding Kathleen Ratcliffe, which was adopted.

Senator Nasheed offered Senate Resolution No. 932, regarding Gloria L. Taylor, which was adopted.

Senator Nasheed offered Senate Resolution No. 933, regarding Dawn Fuller, which was adopted.

Senator Dempsey offered Senate Resolution No. 934, regarding Johnathan “Jake” Pelikan, St. Charles, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **HB 542**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 77**.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 77, Page 1, Line 3 in the Title, by deleting all of said line and inserting in lieu thereof “to children.”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. “Bullying” means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by students on school property, at any school function, or on a school bus. “Cyberbullying” is bullying as defined in this subsection through the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.**

3. Each district’s antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences

for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall require, **at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall be included in the student handbook. The school district administration shall notify the parents or legal guardians of the individual alleged in the report to be responsible for the bullying incident and the parents or legal guardians of the target of the bullying incident;**

(3) A procedure for reporting an act of bullying, including a provision that permits a person to report an act of harassment, intimidation, or bullying anonymously. However, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report;

(4) A procedure for prompt investigation of reports of serious violations and complaints, identifying either the principal or the principal's certified staff designee as the person responsible for the investigation;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized;

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members;

(b) The school district annually shall provide information and any appropriate training to the school district staff regarding the policy;

(c) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(d) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying;

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying;

(f) The policy shall be reviewed at least annually for compliance with state and federal law.

5. Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district’s reporting policy and continues to be subjected to bullying shall be informed by the district that he or she may seek other remedies. The information may include but not be limited to informing the target or the target’s parents or legal guardians of the possibility of civil action against the individual alleged to be responsible for the bullying and against the parents or legal guardians of that individual. The target and his or her parents shall also be informed that they may request intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the target.

6. The state board of education is authorized to promulgate rules and regulations to implement this section and shall develop model policies to assist local school districts in developing policies for the prevention of bullying no later than September 1, 2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 330**, entitled:

An Act to repeal sections 331.100, 332.093, 334.104, 334.735, 337.503, 344.040, 346.050, 346.055, 346.085, and 453.070, RSMo, and to enact in lieu thereof nineteen new sections relating to professional licenses.

With House Amendment Nos. 2 and 3.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 330, Page 10, Section 334.104, Line 45, by inserting immediately after the first occurrence of the word “**clinics**” the following

“, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. 1395i-4,”; and

Further amend said bill, Page 14, Section 334.735, Line 24, by deleting all of said line and inserting in lieu thereof the following:

“facility as the] with a supervising physician [sixty-six percent of the time a physician assistant”; and

Further amend said Bill, Page, and Section, Line 32, by deleting the word “**supervision**” and inserting in lieu thereof the word “**supervising**”; and

Further amend said Bill, Page 15, Section 334.735, Line 86, by deleting the phrase “**(2) A**” and inserting

in lieu thereof the phrase “**(2) For a**”; and

Further amend said Bill, Page 16, Section 334.735, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

“to the minimum federal law shall be required [for the physician-physician assistant team in a rural health clinic if a waiver has been granted by the board. However, the board shall be able to void”; and

Further amend said Bill, Page, and Section, Line 114, by deleting the word “**and**”; and

Further amend said Bill, Page, and Section, Line 116, by inserting immediately after the word “perform;” the word “**and**”; and

Further amend said Bill, Page 18, Section 334.735, Line 185, by deleting the first instance of the word “**a**” and inserting in lieu thereof the word “**the**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 330, Page 19, Section 337.503, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“**under this chapter** when promulgating regulations or when”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 9**, entitled:

An Act to repeal sections 178.550, 192.300, 196.311, 267.655, 304.180, 304.184, 348.521, 442.571, 442.576, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof seventeen new sections relating to agriculture, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

“644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the

commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 10, Section 262.795, Line 13, by inserting after all of said section and line, the following:

“262.975. 1. The department of agriculture may contract with an internet website development company to build and maintain the “Missouri International Agricultural Exchange” website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.

2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.

3. The state of Missouri shall have exclusive rights of ownership of all website content produced on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:

(1) Use all informational content provided by the department of agriculture, add to such content, and apply search engine optimization to the website content to achieve a high search engine ranking;

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website;

(3) Prohibit the sale of advertising to any entity on the exchange website that is not related to agriculture or furthers the interest of hate content, obscenity and sexual material, bombs, spyware, adult content, political content, antigroup content and violence, discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted works, counterfeit designer goods, drug and drug paraphernalia, fake documents, gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for personal information, tobacco and cigarettes and traffic devices, and other types of advertising deemed not appropriate by the director; and

(4) Ensure that all website content shall be named a “.com” domain to allow for advertisement.

4. The website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department or the department of economic development;

(2) Provide evidence of prior website development projects produced by the website developer which increased search engine rankings for the client.

5. The department of agriculture, in consultation with the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the exchange website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department of agriculture shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department of agriculture may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall immediately assume ownership of all site-related domain names. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of agriculture may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting immediately after said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed three million dollars in any given fiscal year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“135.1590. **1. This section shall be known and may be cited as the “Show-Me Milk and Infrastructure Stabilization Act”.**

2. As used in this section, the following terms mean:

(1) “Authority”, the Missouri agricultural and small business development authority established in chapter 348;

(2) “Qualified milk producer”, any resident taxpayer actively engaged in business as a producer of grade A milk.

3. For all taxable years beginning on or after January 1, 2013, a qualified milk producer shall be allowed a tax credit against the state tax liability incurred under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265,

in an amount equal to the total aggregate allowable credit per year divided by the number of qualified grade A dairies as determined by the Missouri state milk board. The maximum credit allowed to a qualified milk producer shall not exceed twenty-five thousand dollars per year.

4. Taxpayers shall apply for the milk production tax credit by submitting an application to the authority, on a form provided by the authority. As part of the application, the taxpayer shall provide his or her producer identification number and documentation as to the amount of milk produced by his or her operation during the tax credit allowance period.

5. On or before January 1, 2016, the authority shall issue a report, and make such report available for public inspection, on the total number of pounds of milk produced by each qualified milk producer in each of the three preceding calendar years.

6. The total aggregate amount of tax credits authorized under this section shall not exceed five million dollars in a calendar year.

7. Any individual or business entity may assign, transfer, or sell tax credits allowed in this section. All tax credits allowed under this section must be used in the year in which they are issued. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after January 1, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 2, Line 17, by inserting after all of said line the following:

“Further amend said bill, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines

from the bill and inserting in lieu thereof the following:

“192.300. **1.** The county commissions [and], **with approval of** the county health center boards of the several counties, may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644,** or by the department of social services under chapter 198. The county commissions [and] , **with the approval of** the county health center boards of the several counties, may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or],**with the approval of the** county health board, such commission [or],**with the approval of the** county health board, shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or],**with the approval of the** county health board of any such county, has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commission, with approval of the county health center board, shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commission, with approval of the county health center board, shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources.”; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word “**agricultural**” and inserting in lieu thereof the word “**agriculture**”; and

Further amend said bill and page, Section 267.655, Line 3 by inserting immediately after the first occurrence of the word “**the**” the word “**department**”; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words “**one-half of**”; and

Further amend said bill, page, section and line, by inserting after the word “**no**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word “**All**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 16, by deleting the words “**one-half of**”; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket “[“ before the word “**Any**”; and

Further amend said bill, page and section, Line 38, by placing a closing bracket “]” immediately after “(k)”; and

Further amend said bill, section, and page by renumbering the paragraphs accordingly; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“44.080. 1. Each political subdivision of this state shall establish a local organization for disaster planning in accordance with the state emergency operations plan and program. The executive officer of the political subdivision shall appoint a coordinator who shall have direct responsibility for the organization, administration and operation of the local emergency management operations, subject to the direction and control of the executive officer or governing body. Each local organization for emergency management shall be responsible for the performance of emergency management functions within the territorial limits of its political subdivision, and may conduct these functions outside of the territorial limits as may be required pursuant to the provisions of this law.

2. In carrying out the provisions of this law, each political subdivision may:

(1) Appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons; the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the federal and state governments; [and]

(2) Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation[.]; and

(3) Adopt orders or resolutions with penalties as these specifically relate to the actual or impending occurrence of a natural disaster of major proportions within the county when the safety and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. The violations of such order or resolution shall be an infraction, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be

affected by the issuance of a burn ban order.

49.266. 1. The county commission in all counties of the first, second or fourth classification may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. The county commission in all counties may, by order, promulgate reasonable regulations concerning its emergency management functions and operations and conditions controls, as they specifically relate to the actual occurrence of a natural disaster within the county when the safety or welfare of the inhabitants of such county are threatened by actual or impending circumstances. The regulations may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 and monetary fines as established by the county commission, if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. State agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.

3. Violation of any regulation so adopted is an infraction or may be as provided in subsection 2 of section 44.130 as specified in the adopted regulation.

[3.] **4. The regulations so adopted shall be codified, printed and made available for public use and adequate signs concerning smoking, traffic and parking regulations shall be posted.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 148**, entitled:

An Act to repeal sections 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute for senate bill no. 568, merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, 301.140, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and 301.193, RSMo, and to enact in lieu thereof three new sections relating to salvage motor vehicles.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 148, Page 1, Section A, Line 11, by inserting immediately after said line the following:

“137.090. 1. All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.

137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term “based” means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 43**, entitled:

An Act to repeal sections 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee

substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.180, and 304.820, RSMo, and to enact in lieu thereof seven new sections relating to commercial motor vehicles, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said line the following:

“565.087. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system in the first degree is a class B felony.

565.088. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class D felony.

565.089. 1. A person commits the crime of assault of an employee of a mass transit system while

in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with an employee of a mass transit system while in the scope of his or her duties without the consent of the employee of the mass transit system.

2. As used in this section, “mass transit system” includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the third degree is a class B misdemeanor.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 43, Page 17, Section 302.755, Line 78, by inserting immediately after said line the following:

“ 302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver’s license testing and commercial learner’s permit standards rule issued by the federal motor carrier safety administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 43, Page 1, Section A, Line 10, by inserting after all of said section and line, the following:

“302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until

such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court **[may] shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court **[may] shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents

or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of [subdivisions (9) and (10)] **subdivision (9) or (10)** of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

[302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not

issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.]" and

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points

(except any violation of municipal stop sign ordinance where no accident is involved 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

- (3) Leaving the scene of an accident in violation of section 577.060 12 points
 In violation of any county or municipal ordinance 6 points
- (4) Careless and imprudent driving in violation of subsection 4 of section 304.016 4 points
 In violation of a county or municipal ordinance 2 points
- (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
- (a) For the first conviction 2 points
 (b) For the second conviction 4 points
 (c) For the third conviction 6 points
- (6) Operating with a suspended or revoked license prior to restoration of operating privileges 12 points
- (7) Obtaining a license by misrepresentation 12 points
- (8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs 8 points
- (9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight 12 points
- (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight
 In violation of state law 8 points
 In violation of a county or municipal ordinance or federal law or regulation 8 points
- (11) Any felony involving the use of a motor vehicle 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025 4 points
- (14) Endangerment of a highway worker in violation of section 304.585 4 points
- (15) Aggravated endangerment of a highway worker in violation of section 304.585 12 points
- (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency 4 points
2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. **The operator shall be given the option to complete the driver-improvement program through an online or in-person course.** A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations].

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed

proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs

assessment as described in subdivision [(22)] **(24)** of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a [violation under subdivision (9) of subsection 1 of section 302.302] **conviction for an intoxication-related traffic offense as defined under section 577.023, and who has a prior alcohol-related enforcement contact as defined under section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition

interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

[302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's

driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or

privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental

health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.];” and

“[302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person’s reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator’s principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant’s driving record as certified by the director. Any

applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7),

(8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present

evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, the court or the director shall not grant a limited driving privilege to the applicant. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a limited driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this section shall make application with the Missouri state highway patrol as provided in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for limited driving privileges. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are

subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.】

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, **except as provided under subdivision (8) of this subsection**. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator【;】,

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions

of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege [who] **whose license** at the time of application [for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license] has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for [the first time for] failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, [if] **unless** such person has [not] completed the first ninety days of such revocation[;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of

any other state] **and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;**

[(g)] **(f)** Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

[(h)] **(g)** Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of **subsection 1 of** section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of **subsection 1 of** section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. **A circuit court shall grant a limited driving privilege to any individual**

who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

“302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle [operated] **that he or she operates** is equipped with a functioning,

certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, [upon] compliance with other requirements of law, and [upon] filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations]. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department

of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.

[302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not

exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.】”; and

Further amend said bill, Page 23, Section 304.820, Line 59, by inserting after all of said section and line, the following:

“476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of

section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance **either online or in person** at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.”; and

“577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person’s license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person’s right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer’s report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person’s operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a

period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision [(23)] (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs

assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked [more than once for violation of the provisions of this section] **under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance

with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor."; and

"Section B. Because immediate action is necessary to ensure the safety of the citizens of this state, the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.

Section C. The repeal and reenactment of sections 302.060, 302.302, 302.304, 302.525, 476.385, and 577.041, and the repeal of sections 302.060, 302.304, and 302.525 of this act shall become effective on March 3, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said section and line the following:

"Section 1. 1. Any state department or agency that owns or licenses computerized data that includes personal information shall disclose any breach of the security of the system following notification of the breach in the security of such data to any resident of Missouri whose unencrypted or encrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. Such disclosure shall be made in the most expedient time possible and without unreasonable delay.

2. Any state department or agency that maintains computerized data that includes personal information that the state department or agency does not own shall notify the owner or licensee of such personal information of any breach of the security of the data immediately following discovery, if the personal information was or is reasonably believed to have been acquired by an unauthorized person.

3. For purposes of this section, the following terms shall mean:

(1) "Breach of the security of the system", unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the state department or agency. Good faith acquisition of personal information by an employee or agent of the state department or agency for the purposes of the state department or agency is not a breach of the security of the system, provided that the personal information is not used or subject to further unauthorized disclosure;

(2) "Personal information", an individual's first name or first initial and last name, in combination with any one or more of the following data elements:

(a) Social Security number;

(b) Driver's license number or Missouri identification card number;

(c) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;

(d) Concealed carry endorsement or permit;

(3) "Unauthorized person", any person or agency who does not have written permission by a Missouri resident to access such resident's personal information.

4. For purposes of this section, a state department or agency includes any entity contracting with a state department or agency.

5. (1) For purposes of this section, notice shall be provided in writing to the Missouri resident within five business days of discovery of the breach.

(2) The provisions of this section include breaches made by any state department or agency prior to the effective date of this section. The notice for any breach which occurred prior to the effective date of this section shall be provided to the Missouri resident within thirty days of the effective date of this section.

6. Notwithstanding any other provision of law, nothing in this section shall be construed as authorizing the disclosure or release of any personal information by any state department or agency.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after said line the following:

“Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the “Graham’s Picnic Rock Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 47**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate refuse to concur in **HA 1** to **SCS** for **SB 36** and request the House to recede from its position and take up and pass the bill, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 17**, as amended, and

request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 9**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SB 330**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 106**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 106, with House Amendments Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 106, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 106;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 106 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown

/s/ David Pearce

/s/ Will Kraus

/s/ Scott Sifton

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Charlie Davis

/s/ Sheila Solon

/s/ T.J. McKenna

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—30		

NAYS—Senators—None

Absent—Senators

Dempsey Wallingford Wasson—3

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Brown, **CCS** for **SCS** for **SB 106**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 106

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof six new sections relating to current and former military personnel.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—31	

NAYS—Senators—None

Absent—Senators

Wallingford Wasson—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 43**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 117**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute

for Senate Bill No. 117, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Dan Brown

/s/ David Pearce

/s/ Jolie L. Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Charlie Davis

/s/ Dean Dohrman

/s/ Stephen Webber

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh—31	

NAYS—Senators—None

Absent—Senators

Wallingford Wasson—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Kraus, **CCS** for **HCS** for **SCS** for **SB 117**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 117

An Act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof four new sections relating to military affairs.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
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Keaveny	Kehoe	Kraus	Lager	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Lamping Wallingford—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 17**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 17**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 17** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaaf Schaefer Schmitt Sifton Walsh Wasson—31

NAYS—Senators—None

Absent—Senators

Silvey Wallingford—2

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nieves assumed the Chair.

HB 18, introduced by Representative Stream, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HB 18**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 18

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HB 18** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown Chappelle-Nadal Cunningham Curls Dempsey Dixon Emery Justus

Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 19**, with SCS, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 19** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 19**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for purposes for the several departments and offices of state government;

for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 19** be adopted, which motion prevailed.

Senator Justus requested unanimous consent of the Senate to allow a law enforcement officer to enter the Chamber with side arms, which request was granted.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Kraus	Nasheed	Nieves	Silvey—4
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

The Senate observed a moment of silence in memory of Harold Raymond “Sam” Myers.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 210**, introduced by Senator Lamping, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 210

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof five new sections relating to the common core state standards initiative, with an emergency clause.

Was taken up.

On motion of Senator Lamping, **SS** for **SCS** for **SB 210** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Keaveny	Kehoe
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Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators

Chappelle-Nadal Curls Walsh—3

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Keaveny	Kehoe
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Chappelle-Nadal Curls Sifton Walsh—4

Absent—Senator Kraus—1

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 411, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 411

An Act to repeal sections 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and section 302.700 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, and to enact in lieu thereof six

new sections relating to the operation of commercial motor vehicles, with an existing penalty provision.

Was called from the Informal Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS for SB 411** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Munzlinger moved that **SS for SCS for HB 542**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for SCS for HB 542, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator McKenna—1

Absent—Senator Justus—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from ABC-17 were given permission to take pictures in the Senate Chamber.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HCR 17** and **HCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 114**.

With House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 2, Line 41, by inserting after all of said line, the following:

“(3) Notwithstanding the provisions of subdivision (1) of this subsection, a small brewer may terminate or refuse to continue a franchise with any beer wholesaler without having good cause for termination after a three year period from the date of appointment provided the small brewer first pays compensation to the wholesaler for fair market value. Notwithstanding any provision of this section to the contrary, for purposes of this subsection, the term “brewer” shall mean any person or entity engaged primarily in business as a brewer or manufacturer of beer, and the term “small brewer” shall mean a brewer with an annual volume of less than two hundred thousand barrels of malt beverage and whose case equivalent sales of twenty-four--twelve ounce units in the affected wholesaler’s assigned geographic territory is less than .017 during the measuring period. “Case equivalent sales” means the product derived by dividing the number of cases of twenty-four—twelve ounce units of the brewer’s malt beverage sold by the wholesaler during the measuring period by the total population in the wholesaler’s assigned geographic territory. For the purposes of this subsection, the term “measuring period” shall mean the twelve month calendar period immediately before the date on which the wholesaler receives notice of the termination or refusal to continue the franchise. Prior to the effective date of the termination or refusal to continue, the small brewer shall pay the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination or refusal to continue the franchise plus the actual laid in cost of any inventory on hand and any costs associated with storage of the product until removed by the brewer. For purposes of this subsection, “fair market value” shall be determined in accordance with the provisions of the written agreement, if any, between the brewer and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then “fair market value” shall be determined by agreement of the brewer and wholesaler. However, if the parties cannot so determine within thirty days after the notice of termination or refusal to continue the franchise, then the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act, if the latter

so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration. Unless otherwise agreed to by the parties after the dispute arises, the arbitration proceedings shall be conducted in the wholesaler's assigned territory. For the purpose of this subsection, the term "annual volume" shall mean: (1) the aggregate number of barrels of beer, under trademarks owned by that brewery and brewed, directly or indirectly, by or on behalf of the brewer during the measuring period, on a worldwide basis, plus (2) the aggregate number of barrels of beer brewed, during the measuring period, directly or indirectly, by or on behalf of any person or entity which, at any time during the measuring period, controlled, was controlled by or was under common control with the brewer, on a worldwide basis. Annual volume shall not include beer brewed under contract for any other brewer. There shall be no double counting of the same barrels of beer under clauses one and two of this subparagraph. Nothing contained in this subsection shall relieve a brewer from the obligation to satisfy the notice requirements set forth in section 407.405."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 7, Section 316.150, Line 18, by inserting after all of said section and line, the following:

"407.400. As used in sections 407.400 to 407.420:

(1) "Franchise" means a written or oral arrangement for a definite or indefinite period, in which a person grants to another person a license to use a trade name, trademark, service mark, or related characteristic, and in which there is a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise[, including]; **"franchise" specifically includes**, but **is** not limited to, a commercial relationship of definite duration or continuing indefinite duration, between a "wholesaler", such wholesaler being a person as defined in this section, licensed pursuant to the provisions of chapter 311 to sell at wholesale, intoxicating liquor, as defined in section 311.020, to retailers, duly licensed in this state, and a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state, and wherein a wholesaler is granted the right to offer, sell, and distribute within this state or any designated area thereof such of the supplier's brands of intoxicating liquor, or all of them, as may be specified, **with or without the grant of a license to use a trade name, trademark, service mark, or related characteristic, and whether or not there is a community of interest in the marketing of goods or services**; except that, the term "franchise" shall not apply to persons engaged in sales from warehouses or like places of storage, other than wholesalers as above described, leased departments of retail stores, places of original manufacture, nor shall the term "franchise" apply to a commercial relationship that does not contemplate the establishment or maintenance of a place of business within the state of Missouri. As used herein "place of business" means a fixed, geographical location at which goods, products or services are displayed or demonstrated for sale. **It is the general assembly's intent to make clear that this subdivision was correctly interpreted as set forth in the Missouri cases of High Life Sales Company v. Brown-Forman Corporation, 823 S.W.2d 493(Mo. 1992) and Brown-Forman Distillers Corp. v McHenry, 566 S.W.2d 194 (Mo. 1978), rather than in Missouri Beverage Company, Inc. v. Shelton Brothers, Inc., 796 F. Supp. 2d 988 (W.D. Mo. 2011), aff'd. 11-2456 (8th Cir. February 28, 2012). Further, the general assembly declares that this subdivision was not correctly interpreted in Missouri Beverage Company, Inc. v Shelton Brothers, Inc., 796 F. Supp 2d 988 (W.D. Mo. 2011), aff'd 11-2456 (8th Cir. February**

28, 2012);

(2) The term “goods” includes any personal property, real property, or any combination thereof;

(3) The term “other property” includes a franchise, license distributorship, or other similar right, privilege, or interest;

(4) The term “person” includes an individual, corporation, trust, estate, partnership, unincorporated association, or any other legal or commercial entity;

(5) The term “pyramid sales scheme” includes any plan or operation for the sale or distribution of goods, services or other property wherein a person for a consideration acquires the opportunity to receive a pecuniary benefit, which is not primarily contingent on the volume or quantity of goods, services, or other property sold or distributed or to be sold or distributed to persons for purposes of resale to consumers, and is based upon the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same plan or operation; and

(6) The term “sale or distribution” includes the acts of leasing, renting or consigning.

407.413. 1. If more than one franchise for the same brand or brands of intoxicating liquor is granted to different wholesalers in this state, it is a violation of sections 407.400 to 407.420 for any supplier to discriminate between the wholesalers with respect to any of the terms, provisions, and conditions of these franchises.

2. **(1)** Notwithstanding the terms, provisions and conditions of any franchise, no supplier shall unilaterally terminate or refuse to continue or change substantially the condition of any franchise with the wholesaler unless the supplier has first established good cause for such termination, noncontinuance or change.

(2) This subsection does not apply to a “supplier”, being a person engaged in the business as a manufacturer, distiller, rectifier, or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state who sells less than ten thousand cases of distilled spirits in the state, or who sells less than ten thousand cases of wine in the state, the volume thresholds being measured for the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, provided such supplier of distilled spirits shall be obligated nevertheless, prior to the effective date of the termination, noncontinuance, or change, to pay to the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination, noncontinuance, or change, including without limitation the actual laid in cost of any inventory on hand, and provided further that this exception shall only apply to a termination, noncontinuance, or change concerning distilled spirits that is less than the volume threshold set forth in this sentence. The exception in the preceding sentence shall not affect a supplier’s obligation to satisfy the notice requirements set forth in section 407.405. For purposes of this subsection, “fair market value” shall be determined in accordance with the provisions of the written agreement, if any, between the supplier and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then for a supplier of distilled spirits that sells less than ten thousand cases of distilled spirits in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncompliance, or change, “fair market value” shall be determined by agreement of the supplier and wholesaler, but if the parties cannot so determine within thirty days after the notice, then

the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act if the latter so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration.

3. Any wholesaler may bring an action in a court of competent jurisdiction against a supplier for violation of any of the provisions of this section and may recover damages sustained by such wholesaler together with the costs of the action and reasonable attorney's fees.

4. In any action brought by a wholesaler against a supplier for termination, noncontinuance or substantial change in violation of the provisions of this section, it is a complete defense for the supplier to prove that the termination, noncontinuance or change was done in good faith and for good cause.

5. As used in this section, "good faith" is the duty of each party to any franchise and all officers, employees or agents thereof to act in a fair and equitable manner towards each other, and "good cause" means the following:

(1) Failure by the wholesaler to comply substantially with the provisions of an agreement or understanding with the supplier, which provisions are both essential and reasonable;

(2) Use of bad faith or failure to observe reasonable commercial standards of fair dealing in the trade;
or

(3) Revocation or suspension for more than thirty-one days of a beer wholesaler's federal basic permit or of any state or local license required of a beer wholesaler for the normal operation of its business.

6. As to brewers and beer wholesalers, the provisions of this section shall only apply to agreements entered into on or after August 28, 1998, and to agreements which are renewed or substantially amended on or after August 28, 1998. As used in the preceding sentence, "substantially amended" means a written amendment that materially alters the fundamental business relationship between brewer and wholesaler. "Substantially amended" does not include changes or amendments that are contemplated in writing by the parties to an agreement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HCS** for **HJR**s 11 and 7, as amended, and has taken up and passed **CCS** for **SS** for **HCS** for **HJR**s 11 and 7.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 935, regarding Carol J. Voss, which was adopted.

Senator Nieves offered Senate Resolution No. 936, regarding the Fiftieth Anniversary of the Holy

Trinity Lutheran Church, Saint Clair, which was adopted.

Senator Nieves offered Senate Resolution No. 937, regarding Justin Campbell Broadbooks, Wildwood, which was adopted.

Senator Wasson offered Senate Resolution No. 938, regarding Betty Walker, Strafford, which was adopted.

Senator Libla offered Senate Resolution No. 939, regarding Cremer Jackson, Kennett, which was adopted.

Senator Cunningham offered Senate Resolution No. 940, regarding Rod Gorman, Rogersville, which was adopted.

Senator Romine offered Senate Resolution No. 941, regarding Janice L. Robinson, Festus, which was adopted.

Senator Schaaf offered Senate Resolution No. 942, regarding Kaystin Weisenberger, Columbia, which was adopted.

Senator Lamping offered Senate Resolution No. 943, regarding Madeline Miles Nathe, St. Louis, which was adopted.

HOUSE BILLS ON THIRD READING

Senator Lamping moved that **HCS** for **HB 199** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Lamping offered **SS** for **HCS** for **HB 199**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 199

An Act to repeal 32.087, 77.030, 115.003, 115.005, 115.007, 115.121, 115.249, 115.259, 115.281, 115.299, 115.300, 115.341, 115.349, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.493, 115.607, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, 144.615, 190.335, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof forty-one new sections relating to elections, with an effective date for certain sections and an emergency clause for a certain sections.

Senator Lamping moved that **SS** for **HCS** for **HB 199** be adopted.

Senator Kraus assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 16, Section 115.007, Line 9, by inserting immediately after said line the following:

“115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members

of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, to the board of election commissioners in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 57, Section 190.335, Line 2, by inserting after all of said line the following:

“198.310. 1. For the purpose of purchasing nursing home district sites, erecting nursing homes and related facilities and furnishing the same, building additions to and repairing old buildings, the board of directors may borrow money and issue bonds for the payment thereof in the manner provided herein. The question of the loan shall be submitted by an order of the board of directors of the district. Notice of the submission of the question, the amount and the purpose of the loan shall be given as provided in section 198.250.

2. The question shall be submitted in substantially the following form:

Shall the Nursing Home District borrow money in the amount of dollars for the purpose of and issue bonds in payment thereof?

3. If [two-thirds] **constitutionally required percentage** the votes cast are for the loan, the board shall, subject to the restrictions of subsection 4, be vested with the power to borrow money in the name of the district, to the amount and for the purposes specified on the ballot, and issue the bonds of the district for the payment thereof.

4. The loans authorized by this section shall not be contracted for a period longer than twenty years, and the entire amount of the loan shall at no time exceed, including the existing indebtedness of the district, in the aggregate, ten percent of the value of taxable tangible property therein, as shown by the last completed assessment for state and county purposes, the rate of interest to be agreed upon by the parties, but in no case to exceed the highest legal rate allowed by contract; when effected, it shall be the duty of the directors to provide for the collection of an annual tax sufficient to pay the interest on the indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within the time the

principal becomes due.

198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide at a minimum housing[,] **and services**[, and emergency call buttons to the apartment residents] in any county of the third **or fourth** classification [without a township form of government and with more than twenty-eight thousand two hundred but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants] **within its corporate limits**. Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 16, Section 115.121, Lines 13-14 of said page, by striking all of the opening brackets “[”, closing brackets “]” and underlined language from said lines; and

Further amend said bill, page 22, section 115.341, lines 17-20 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 22-24, section 115.349, by striking all of said section from the bill; and

Further amend said bill, page 60, section B, lines 24-25, by striking all of said section from the bill; and further amend said bill, and page, section C, line 26, by striking the “C”, and inserting in lieu thereof the following: “B”; and

further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Lamping requested a roll call vote be taken on the adoption of **SA 3**. He was joined in his request by Senators McKenna, Richard, Schaefer and Sifton.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Justus	Keaveny	Kraus	LeVota	McKenna
Pearce	Schaaf	Sifton	Wallingford	Walsh—13			

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Kehoe	Lager	Lamping	Libla
Munzlinger	Nasheed	Nieves	Parson	Richard	Romine	Rupp	Sater
Schaefer	Schmitt	Silvey	Wasson—20				

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

Senator Schmitt offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 61, Section C, Line 1, by inserting after the word “community”, the following: “, because of the need to ensure fair representation on boards of election commissioners”; and further amend line 6, by inserting after the number “32.087”, the following: “, 115.027”; and further amend line 12, by inserting after the number “32.087”, the following: “, 115.027”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 2, Section A, Line 2, by inserting after all of said line the following:

“26.226. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election. The candidates for the election shall be nominated and placed on the ballot in accordance with the provisions of sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. During any period of time when the office of lieutenant governor is vacant, the chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy, provided however, that any duties of the lieutenant governor as president of the senate shall be performed by the president pro tempore of the senate during the period of such vacancy.”; and

Further amend said bill, page 61, Section C, line 1 by inserting after the word “community” the following: “, because of the need to determine how to fill a vacancy in the office of lieutenant governor”; and further amend line 8 by inserting after the word “sections” the following: “26.226,”; and further amend line 14 by inserting after the word “sections” the following: “26.226,”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Pages 12-13, Section 77.030, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for House Committee Substitute for House Bill No. 199, Page 13, Section 77.030, Line 15, by inserting immediately after said line, the following:

“78.090. **1.** Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of sections 78.010 to [78.420] **78.400** shall be nominated by a primary election, **except as provided in this section**, and no other names shall be placed upon the general ballot except those selected in the manner herein prescribed. The primary election for such nomination shall be held on the first Tuesday after the first Monday in February preceding the municipal election.

2. (1) In lieu of conducting a primary election under this section, any city organized under sections 78.010 to 78.400 may, by order or ordinance, provide for the elimination of the primary election and the conduct of elections for mayor and councilman as provided in this subsection.

(2) Any person desiring to become a candidate for mayor or councilman shall file with the city clerk a signed statement of such candidacy, stating whether such person is a resident of the city and a qualified voter of the city, that the person desires to be a candidate for nomination to the office of mayor or councilman to be voted upon at the next municipal election for such office, that the person is eligible for such office, that the person requests to be placed on the ballot, and that such person will serve if elected. Such statement shall be sworn to or affirmed before the city clerk.

(3) Under the requirements of section 115.023, the city clerk shall notify the requisite election authority who shall cause the official ballots to be printed, and the names of the candidates shall appear on the ballots in the order that their statements of candidacy were filed with the city clerk. Above the names of the candidates shall appear the words “Vote for (number to be elected)”. The ballot shall also include a warning that voting for more than the total number of candidates to be elected to any office invalidates the ballot.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS for HCS for HB 199**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS for HCS for HB 199**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Richard
Romine	Sater	Schaaf	Schaefer	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Curls	Justus	Kraus	LeVota	McKenna	Pearce	Sifton	Walsh—8
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Absent—Senators

Rupp	Schmitt—2
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Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Curls	Justus	McKenna	Sifton	Walsh—6
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Absent—Senators

Rupp	Schmitt—2
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Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HB 168**; **SS** for **HB 253**; and **SCS** for **SB 378**, begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 23**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 23

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 23, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, House Amendment No. 1 to House Amendment No. 11, House

Amendment No. 11 as amended, House Amendment Nos. 12, 13, 14, 16, 17, 18, 19, House Substitute Amendment No. 1 for House Amendment No. 20, House Amendment Nos. 21, 22, 23, & 24, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 23, as amended;

2. That the Senate recede from its position on Senate Bill No. 23;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 23 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael Parson

/s/ Mike Kehoe

/s/ Mike Cunningham

Jolie Justus

/s/ S. Kiki Curls

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Lincoln Hough

John Rizzo

Senator Parson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Kraus—1

Absent—Senator Schmitt—1

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Parson, **CCS** for **HCS** for **SB 23**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 23

An Act to repeal sections 32.087, 33.080, 64.196, 67.1010, 71.285, 99.845, 137.090, 137.095, 137.720, 137.1018, 144.010, 144.020, 144.021, 144.030, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.605, 144.610, 144.613, 144.615, 169.270, 169.291, 169.301, 169.324, 169.350, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 198.345, 302.302, 302.341, 360.045, 374.150, 476.385, and 577.041, RSMo, and 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute no. 2

for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof sixty new sections relating to taxation, with penalty provisions, an emergency clause for certain sections, and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nasheed—2

Absent—Senator Schmitt—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Nasheed Schmitt—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **SB 148**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 148**, as amended, was taken up.

Senator Wasson moved that **HCS** for **SB 148**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Wasson, **HCS** for **148**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kraus moved that **SS** for **SCS** for **SB 116**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 116**, as amended, was taken up.

Senator Kraus moved that **HCS** for **SS** for **SCS** for **SB 116**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Kraus, **HCS** for **SS** for **SCS** for **SB 116**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Brown moved that **SB 230**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Brown moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Brown, **SB 230**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NOS. 11 & 7

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, with Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, as amended;

2. That the House recede from its position on House Committee Substitute for House Joint Resolution Nos. 11 & 7;

3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jason Smith

/s/ Bill Reiboldt

/s/ Linda Black

FOR THE SENATE:

/s/ Mike Parson

/s/ Brian Munzlinger

/s/ Dan W. Brown, Sr.

Jolie Justus

Scott Sifton

Senator Parson moved that the above conference committee report be adopted.

At the request of Senator Parson, the above motion was withdrawn, which placed the bill back on the calendar.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 248**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said line the following:

“67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any **county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and any** county of the first classification with more than one hundred thirty-five thousand four

hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said Section and Line the following:

“67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.

67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District (“District”) shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal

descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.

140.050. 1. Except as provided in section 52.361, the county clerk shall file the delinquent lists in the county clerk's office and within ten days thereafter make, under the seal of the commission, the lists into a back tax book as provided in section 140.060.

2. Except as provided in section 52.361, when completed, the clerk shall deliver the book **or an**

electronic copy thereof to the collector taking duplicate receipts therefor, one of which the clerk shall file in the clerk's office and the other the clerk shall file with the director of revenue. The clerk shall charge the collector with the aggregate amount of taxes, interest, and clerk's fees contained in the back tax book.

3. The collector shall collect such back taxes and may levy upon, seize and distrain tangible personal property and may sell such property for taxes.

4. In the city of St. Louis, the city comptroller or other proper officer shall return the back tax book together with the uncollected tax bills within thirty days to the city collector.

5. If any county commission or clerk in counties not having a county auditor fails to comply with section 140.040, and this section, to the extent that the collection of taxes cannot be enforced by law, the county commission or clerk, or their successors in office, shall correct such omissions at once and return the back tax book to the collector who shall collect such taxes.

140.115. Any person other than the owner or a mortgagee or other lienholder described in section 139.070 who pays the original taxes, as charged against the tract of land or town lot described in the back tax book together with interest from the day upon which the tax first became delinquent at the rate specified in section 140.100 shall not invoke a lien on said property or person without the knowledge and consent of the owner. Any such lien so invoked on said property or person without the knowledge and consent of the owner shall be null and void.

140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or [neighborhood improvement district] special assessments are delinquent and unpaid are subject to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments as provided for in this chapter on the fourth Monday in August of each year.

2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county or city taxes or special assessments without judicial proceedings, unless the notice of sale contains the names of all record owners thereof, or the names of all owners appearing on the land tax book and all other information required by law. Delinquent taxes or unpaid special assessments, penalty, interest and costs due thereon may be paid to the county collector at any time before the property is sold therefor. The collector shall send notices to the publicly recorded owner of record before any delinquent and unpaid taxes or unpaid special assessments as specified in this section subject to sale are published. The first notice shall be by first class mail. A second notice shall be sent by certified mail only if the assessed valuation of the property is greater than one thousand dollars. If the assessed valuation of the property is not greater than one thousand dollars, only the first notice shall be required. If any second notice sent by certified mail under this section is returned to the collector unsigned, then notice shall be sent before the sale by first class mail to both the owner of record and the occupant of the real property. The postage for the mailing of the notices shall be paid out of the county treasury, and such costs shall be added to the costs of conducting the sale, and the county treasury shall be reimbursed to the extent that such postage costs are recovered at the sale. The failure of the taxpayer or the publicly recorded owner to receive the notice provided for in this section shall not relieve the taxpayer or publicly recorded owner of any tax liability imposed by law.

3. The entry in the back tax book by the county clerk of the delinquent lands, lots, mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes or unpaid special assessments [as provided in section 67.469], together with penalty, interest and costs.

140.160. 1. No proceedings for the sale of land and lots for delinquent taxes pursuant to this chapter or unpaid special assessments [as provided in section 67.469], relating to the collection of delinquent and back taxes and unpaid special assessments and providing for foreclosure sale and redemption of land and lots therefor, shall be valid unless initial proceedings therefor shall be commenced within three years after delinquency of such taxes and unpaid special assessments, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefor shall be commenced, had or maintained, except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax-exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.

2. The county auditor in all counties having a county auditor shall annually audit collections, deposits, and supporting reports of the collector and provide a copy of such audit to the county collector and to the governing body of the county. A copy of the audit may be provided to all applicable taxing entities within the county at the discretion of the county collector.

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or collector of any county within the state of Missouri, and the same sells for a greater amount than the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the county, when such sale has been or may hereafter be made, to make a written statement describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and all costs in the case together with the amount of surplus money in each case. The statement shall be subscribed and sworn to by the sheriff or collector making it before some officer competent to administer oaths within this state, and then presented to the county commission of the county where the sale has been or may be made; and on the approval of the statement by the commission, the sheriff or collector making the same shall pay the surplus money into the county treasury, take the receipt in duplicate of the treasurer for the surplus of money and retain one of the duplicate receipts himself and file the other with the county commission, and thereupon the commission shall charge the treasurer with the amount.

2. The treasurer shall place such moneys in the county treasury to be held for the use and benefit of the person entitled to such moneys or to the credit of the school fund of the county, to be held in trust for the term of three years for the publicly recorded owner or owners of the property sold at **the time of** the delinquent land tax auction or their legal representatives. At the end of three years, if such fund shall not be called for **as part of a redemption or collector's deed issuance**, then it shall become a permanent school fund of the county.

3. County commissions shall compel owners or agents to make satisfactory proof of their claims before receiving their money; provided, that no county shall pay interest to the claimant of any such fund.

140.290. 1. After payment shall have been made the county collector shall give the purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry a numerical number and which shall describe the land so purchased, each tract or lot separately stated, the total amount of the tax, with penalty, interest and costs, and the year or years of delinquency for which said lands or lots were

sold, separately stated, and the aggregate of all such taxes, penalty, interest and costs, and the sum bid on each tract.

2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax, penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also be noted in the certificate of purchase, in a separate column to be provided therefor. Such certificate of purchase shall also recite the name and address of the owner or reputed owner if known, and if unknown then the party or parties to whom each tract or lot of land was assessed, together with the address of such party, if known, and shall also have incorporated therein the name and address of the purchaser. Such certificate of purchase shall also contain the true date of the sale and the time when the purchaser will be entitled to a deed for said land, if not redeemed as in this chapter provided, and the rate of interest that such certificate of purchase shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such certificate shall be authenticated by the county collector, who shall record the same in a permanent record book in his office before delivery to the purchaser.

3. Such certificate shall be assignable, but no assignment thereof shall be valid unless endorsed on such certificate and acknowledged before some officer authorized to take acknowledgment of deeds and an entry of such assignment entered in the record of said certificate of purchase in the office of the county collector.

4. [For each certificate of purchase issued, including the recording of the same, the county collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid by the person requesting such recital of assignment, and which shall not be treated as a part of the cost of the sale.] For each certificate of purchase issued, as a part of the cost of the sale, the purchaser shall pay to the collector the fee necessary to record such certificate of purchase in the office of the county recorder. The collector shall record the certificate of purchase before delivering such certificate of purchase to the purchaser.

5. No collector shall be authorized to issue a certificate of purchase to any nonresident of the state of Missouri, however, any nonresident as described in subsection 2 of section 140.190 may appoint an agent, and such agent shall comply with the provisions of section 140.190 pertaining to a nonresident.

6. This section shall not apply to any post-third-year tax sale, except for nonresidents as provided in subsection 5 of this section.

140.405. 1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, except that such requirements shall not apply to post-third-year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property. Such title search report shall be declared invalid if the effective date is more than one hundred twenty days from the date the purchaser applies for a collector's deed under section 140.250 or 140.420.

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the

United States Postal Service, or any combination thereof, notice shall be presumed received by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance with subsection 4 of this section.

3. If the owner of record or **the holder of** any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) **Notices of right to redeem sent by** first class mail;
- (2) **Notices of right to redeem sent by** certified mail [notice];
- (3) Addressed envelopes **for all notices**, as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and

(5) Any returned regular mailed envelopes. As provided in this section, at such time the purchaser notifies the collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, **and the holder of** any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. If the property is redeemed, the person redeeming the property shall pay the costs incurred by the purchaser in providing notice under this section. Recoverable costs on any property sold at a tax sale shall include the title search, postage, and costs for the recording of any certificate of purchase issued and for recording the release of such certificate of purchase and all the costs of the sale required in sections 140.150

to 140.405.

9. Failure of the purchaser to comply with this section shall result in such purchaser's loss of all interest in the real estate.

140.460. 1. Such conveyance shall be executed by the county collector, under his hand and seal, [witnessed by the county clerk] and acknowledged before the county recorder or any other officer authorized to take acknowledgments and the same shall be recorded in the recorder's office before delivery; a fee for recording shall be paid by the purchaser and shall be included in the costs of sale.

2. Such deed shall be prima facie evidence that the property conveyed was subject to taxation at the time assessed, that the taxes were delinquent and unpaid at the time of sale, of the regularity of the sale of the premises described in the deed, and of the regularity of all prior proceedings, that said land or lot had not been redeemed and that the period therefor had elapsed, and prima facie evidence of a good and valid title in fee simple in the grantee of said deed; and such deed shall be in the following form, as nearly as the nature of the case will admit, namely:

Whereas, A. B. did, on the day of, 20. . . , produce to the undersigned, C. D., collector of the county of in the state of Missouri, a certificate of purchase, in writing, bearing date the day of 20. . , signed by E. F., who at the last mentioned date was collector of said county, from which it appears that the said A. B. did, on the day of, 20. . , purchase at public auction at the door of the courthouse in said county, the tract, parcel or lot of land lastly in this indenture described, and which lot was sold to for the sum of dollars and cents, being the amount due on the following tracts or lots of land, returned delinquent in the name of G. H., for nonpayment of taxes, costs and charges for the year , namely: (Here set out the lands offered for sale); which said lands have been recorded, among other tracts, in the office of said collector, as delinquent for the nonpayment of taxes, costs, and charges due for the year last aforesaid, and legal publication made of the sale of said lands; and it appearing that the said A. B. is the legal owner of said certificate of purchase and the time fixed by law for redeeming the land therein described having now expired, the said G. H. nor any person in his behalf having paid or tendered the amount due the said A. B. on account of the aforesaid purchase, and for the taxes by him since paid, and the said A. B., having demanded a deed for the tract of land mentioned in said certificate, and which was the least quantity of the tract above described that would sell for the amount due thereon for taxes, costs and charges, as above specified, and it appearing from the records of said county collector's office that the aforesaid lands were legally liable for taxation, and has been duly assessed and properly charged on the tax book with the taxes for the years ;

Therefore, this indenture, made this day of , 20. . , between the state of Missouri, by C. D., collector of said county, of the first part, and the said A. B., of the second part, Witnesseth: That the said party of the first part, for and in consideration of the premises, has granted, bargained and sold unto the said party of the second part, his heirs and assigns, forever, the tract or parcel of land mentioned in said certificate, situate in the county of , and state of Missouri, and described as follows, namely: (Here set out the particular tract or parcel sold), To have and to hold the said last mentioned tract or parcel of land, with the appurtenances thereto belonging, to the said party of the second part, his heirs and assigns forever, in as full and ample a manner as the collector of said county is empowered by law to sell the same.

In Testimony Whereof, the said C. D., collector of said county of , has hereunto set his hand,

and affixed his official seal, the day and year last above written.

Witness: (L.S.)

Collector of. County.

State of Missouri, County, ss:

Before me, the undersigned,, in and for said county, this day, personally came the above-named C. D., collector of said county, and acknowledged that he executed the foregoing deed for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and seal this day of., 20.

. (L.S.)

140.470. [1.] In case circumstances should exist requiring any variation from the foregoing form, in the recital part thereof, the necessary change shall be made by the county collector executing such deed, and the same shall not be vitiated by any such change, provided the substance be retained.

[2. The county collector shall be entitled to demand and receive from the person applying therefor, for each tax deed, one dollar and fifty cents, which shall include the acknowledgment.]

140.665. Whenever the word “collector” is used in sections 140.050 to 140.660, as applicable to counties which have adopted township organization, it shall be construed to mean [“treasurer and ex officio collector”] “**collector-treasurer**”. Where applicable it shall also refer to the collector, or other proper officer, collecting taxes in any city or town. Where applicable the word “county” as used in sections 140.050 to 140.660 shall be construed “city” and the words “county clerk” shall be construed “city clerk or other proper officer”.

140.730. 1. Tangible personal property [taxes assessed] **subject to assessment** on and after January 1, 1946, and all personal taxes delinquent at that date, shall constitute a debt, as of the date on which such taxes were levied for which a personal judgment may be recovered against the party assessed with such taxes before any court of this state having jurisdiction.

2. All actions commenced pursuant to this law shall be prosecuted in the name of the state of Missouri, at the relation and to the use of the collector and against the person or persons named in the tax bill, and in one petition and in one count thereof may be included the said taxes for all such years as may be delinquent and unpaid, and said taxes shall be set forth in a tax bill or bills of said personal back taxes duly authenticated by the certificate of the collector and filed with the petition; and said tax bill or tax bills so certified shall be prima facie evidence that the amount claimed in said suit is just and correct, and all notices and process in suits pursuant to this chapter shall be sued and served in the same manner as in civil actions, and the general laws of this state as to practice and proceedings and appeals and writs of error in civil cases shall apply, as far as applicable, to the above actions; provided, however, that in no case shall the state, county, city or collector be liable for any costs nor shall any be taxed against them or any of them.

3. For the purpose of this chapter, personal tax bills shall become delinquent on the first day of January following the year the taxes are due, and suits thereon may be instituted on and after the first day of February following, and within three years from said day. If the collector, after using due diligence, is unable to collect any personal property taxes charged in the delinquent tax list within three years following the year the taxes are due, the collector may remove such personal property taxes from the delinquent or back taxes books in the same manner as real estate is removed under section 137.260. Such abated amounts

shall be reported on the annual settlement made by a collector of revenue.

4. Said personal tax shall be presented and allowed against the estates of deceased or insolvent debtors, in the same manner and with like effect, as other indebtedness of said debtors. The remedy hereby provided for the collection of personal tax bills is cumulative, and shall not in any manner impair other methods existing or hereafter provided for the collection of the same.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 35**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 42**, entitled:

An Act to repeal sections 57.010, 57.104, 57.280, 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof nine new sections relating to county criminal justice.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 3, Section 57.280, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following:

“duties]. Beginning October 1, 2013, moneys in the fund shall be used to supplement the 2013 sheriff’s salary and any future increase in salary, benefit package and cost of living to an amount no greater than the annual salary of an associate circuit judge. Any such”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 1 Line 20 by inserting after said line the following:

“Further amend said bill, Page 3, Section 57.280, Line 46, by inserting after the period on said line the following:

“The provisions of this subsection shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.”; and “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 8, Section 488.5029, Line 4, by striking the following: “the department of revenue and”; and

Further amend Line 10, by striking “departments” and inserting in lieu thereof the following:
“Department”; and

Further amend Line 12, by striking the word “each” and inserting in lieu thereof the following:
“the”; and

Further amend Lines 13-20, by striking all of said lines; and

Further amend said bill and section, Page 9, Lines 38-46, by striking all of said lines; and

Further amend said section by renumbering the subsections accordingly; and

Further amend Line 49, by striking “the department of revenue and”; and

Further amend Lines 54-55, by striking the following: “issuance, renewal, and suspension of a concealed carry endorsement and the”; and

Further amend Line 56, by inserting at the end of said line the word **“and”**; and

Further amend Lines 57-60, by striking all of said lines and inserting in lieu thereof the following:

“(5) The right of the debtor to apply in writing to the court in which the debt”; and

Further amend said bill, Pages 10-13, Section 571.104, by striking all of said section the bill.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 13, Section 571.104, Line 122, by inserting after all of said section and line the following:

“590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a Department of Public Safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 9, Section 488.5029, Line 70, by inserting after all of said line the following:

“488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, [excluding] including cases disposed of by a [traffic] violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.

2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[3.] 4. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in

any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[4.] 5. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

6. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the Peace Officers Standards and Training Commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 216**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 45**, entitled:

An Act to repeal sections 56.807, 487.020, 488.026, and 488.426, RSMo, and to enact in lieu thereof four new sections relating to judicial procedures.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 3, Section 56.807, Line 74 by inserting after said line the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 4, Section 487.020, Line 32, by inserting after all of said section and line the following:

“478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multi-county circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3. For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates

prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[3.] **4.** Except in circuits where associate circuit judges are selected under the provisions of sections 25(a) to (g) of article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[4.] **5.** In counties not subject to sections 25(a) to (g) of article V of the constitution, associate circuit judges shall be elected by the county at large.

[5.] **6.** No associate circuit judge shall practice law, or do a law business, nor shall he **or she** accept, during his **or her** term of office, any public appointment for which he **or she** receives compensation for his services.

[6.] **7.** No person shall be elected as an associate circuit judge unless he **or she** has resided in the county for which he **or she** is to be elected at least one year prior to the date of his **or her** election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 5, Section 488.426, Line 20, by inserting after said line the following:

“Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **SS** for **HB 253**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 253**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	Nasheed	Pearce	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	McKenna	Nasheed	Schaaf
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Walsh—9

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 510**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 322**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 345**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 134**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 451**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 116**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HB 533**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 278**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 650**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 440**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 110**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 625**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HJR 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 320**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 175**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 128**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS for HB 114**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 450**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS for HB 349**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 85**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 418**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 722**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 611**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 944, regarding Robin Lee Winter, Park Hills, which was adopted.

Senator Parson offered Senate Resolution No. 945, regarding Doyle Nimmo, which was adopted.

Senator Parson offered Senate Resolution No. 946, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Duggan, Buffalo, which was adopted.

Senator Lamping offered Senate Resolution No. 947, regarding Alexis Maria Jordan, St. Louis, which was adopted.

Senator Curls offered Senate Resolution No. 948, regarding Robert “Bob” Kessel, which was adopted.

INTRODUCTIONS OF GUESTS

Senator McKenna introduced to the Senate, fourth grade students from Dunklin R-V School District, Herculaneum.

Senator Pearce introduced to the Senate, Sidney Livo and fourth grade students from Santa Fe School, Waverly.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIFTH DAY—THURSDAY, MAY 9, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

THIRD READING OF SENATE BILLS

SCS for SB 378-Pearce

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 473 (Lager)
(In Fiscal Oversight) | 15. HB 510-Torpey and Wieland |
| 2. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight) | 16. HB 322-Gosen, et al, with SCS (Rupp) |
| 3. HCS for HB 168 (Kraus) | 17. HCS for HB 345, with SCS |
| 4. HCS for HB 58 (Wasson) | 18. HCS for HB 134, with SCS (Schmitt) |
| 5. HB 409-Love and Remole (Parson)
(In Fiscal Oversight) | 19. HB 451-Fraker, et al (Sater) |
| 6. HB 339-Wieland, et al (Dempsey) | 20. HB 116-Dugger, with SCS (Dixon) |
| 7. HCS for HBs 593 & 695 (Schaaf) | 21. HB 533-Riddle, et al, with SCS
(Munzlinger) |
| 8. HB 142-Dugger, with SCS (Walsh) | 22. HB 278-Brattin, et al (Emery) |
| 9. HCS for HB 117, with SCS (Rupp) | 23. HB 650-Ross, et al, with SCS |
| 10. HB 148-Davis, et al, with SCS (Brown) | 24. HCS for HB 440, with SCS |
| 11. HB 103-Kelley (127), et al, with SCS
(Munzlinger) | 25. HCS for HB 110, with SCS (Kraus) |
| 12. HB 428-Schatz, with SCS (Wasson) | 26. HB 625-Burlison, with SCS |
| 13. HCS for HJR 5 & 12, with SCS (Kraus) | 27. HJR 16-McCaherty, et al, with SCS
(Schaaf) |
| 14. HCS for HBs 48 & 216 (Kraus) | 28. HCS for HB 320 |
| | 29. HCS for HB 175, with SCS (Parson) |
| | 30. HCS for HB 128 (Rupp) |

- | | |
|---|-------------------------------------|
| 31. HCS for HB 114 | 34. HB 85-Kelley (127), et al |
| 32. HB 450-Carpenter, et al, with SCS
(Silvey) | 35. HCS for HB 418 |
| 33. HCS for HB 349 (Kehoe) | 36. HCS for HB 722, with SCS |
| | 37. HCS for HB 611, with SCS (Rupp) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 437-Pearce

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 3-Rupp, with SA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 13-Schaefer, with SCS | SB 285-Romine |
| SB 21-Dixon | SB 291-Rupp |
| SB 22-Dixon | SB 292-Rupp |
| SB 30-Brown, with SCS | SB 308-Schaaf |
| SB 48-Lamping | SB 315-Pearce |
| SB 53-Lamping | SB 325-Nieves |
| SB 61-Keaveny, with SCA 1 (pending) | SB 339-Romine |
| SB 65-Dixon, with SCS | SB 343-Parson |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 364-Parson |
| SB 82-Schaefer, with SCS | SB 371-Munzlinger, with SCS |
| SB 109-Brown, with SCS | SB 377-Dixon |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 383-Wallingford |
| SB 141-Dempsey | SB 396-Holsman and Chappelle-Nadal, with
SCS |
| SB 167-Sater and Wallingford, with SCS | SB 403-Rupp, with SCS |
| SB 174-Parson, with SCS | SB 410-Kehoe |
| SB 175-Wallingford | SB 419-Lager, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 423-Nasheed |
| SB 231-Munzlinger, with SA 1 (pending) | SB 441-Dempsey |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 448-Schmitt and Keaveny |
| SB 250-Schaaf, with SCS | SB 455-Nieves, with SCS |
| SB 259-Schaaf, with SCS | SJR 2-Lager |

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
HB 55-Flanigan and Allen, with SCS
(Schaefer)
HB 112-Burlison, with SA 2 (pending)
(Brown)
HB 184-Cox, et al (Parson)
HCS for HB 194 (Parson)
HB 196-Lauer, et al, with SCS, SA 1 &
point of order (pending) (Romine)

HB 274-Brattin, et al, with SCS (Brown)
HB 346-Molendorp (Wasson)
HCS for HBs 374 & 434, with SCS (Dixon)
HCS for HBs 404 & 614, with SCS (Kehoe)
HB 432-Funderburk, et al, with SCS &
SA 1 (pending) (Lager)
HCS for HB 457, with SCS (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended
SCS for SB 42-Munzlinger, with HCS,
as amended
SCS for SB 45-Dixon, with HCS, as amended

SB 77-Lamping, with HA 1
SS for SCS for SB 114-Schmitt, with HA 1,
as amended
SCS for SB 248-Wasson, with HA 1 & HA 2

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS,
as amended
SB 23-Parson, with HCS, as amended
(Senate adopted CCR and passed CCS)
SS for SB 34-Cunningham, with HCS,
as amended
SCS for SB 106-Brown, with HA 1, HA 2,
HA 3, HA 4, as amended & HA 5
(Senate adopted CCR and passed CCS)
SCS for SB 117-Kraus, with HCS,
as amended
(Senate adopted CCR and passed CCS)
HCS for HB 1, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS, as amended
(Schaefer)
HCS for HB 7, with SCS, as amended
(Schaefer)
HCS for HB 8, with SCS (Schaefer)
HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)

HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)
HCS#2 for HB 698, with SCS, as amended
(Schmitt)

HCS for HJR 11 & 7, with SS, as amended
(Parson)
(House adopted CCR and passed CCS)

Requests to Recede or Grant Conference

SCS for SB 9-Pearce, with HCS,
as amended
(Senate requests House recede
or grant conference)
SCS for SB 17-Munzlinger and Romine,
with HCS, as amended
(Senate requests House recede
or grant conference)
SCS for SB 36-Wallingford and Sifton, with HA 1
(Senate requests House recede &
take up and pass bill)
SB 43-Munzlinger, with HCS, as amended
(Senate requests House recede
or grant conference)

SCS for SB 157 & SB 102-Sater, with HCS,
as amended
(Senate requests House recede
or grant conference)
SS for SB 262-Curls, with HCS, as amended
(Senate requests House recede
or grant conference)
SB 330-Wasson, with HCS, as amended
(Senate requests House recede
or grant conference)

RESOLUTIONS

Reported from Committee

HCR 7-Pfautsch, et al (Richard)
HCR 16-Walton Gray, et al
(Chappelle-Nadal)
HCR 25-Allen

HCR 28-Lynch, et al
SCR 3-Walsh
SCR 4-Schmitt, et al
SCR 15-Romine

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIFTH DAY—THURSDAY, MAY 9, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have made us for yourself and our hearts are restless until they rest in you.” (St. Augustine)

Dear Lord, this week has been filled with so many activities, some exciting, some perplexing but all crammed with final decisions to be made. Continue to bless our efforts so understanding and compromise for the greatest good is made and we can leave this place content we have done our very best as You have directed us. Watch our going out and coming in so we may arrive safely home to find rest and peace with those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 949, regarding the Ninetieth Birthday of Jessie Davis, Rogersville, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 436** and has taken up and passed **SCS** for **HCS** for **HB 436**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 90**, entitled:

An Act to repeal sections 52.010, 54.040, 54.330, 77.030, 78.090, 115.003, 115.005, 115.007, 115.124, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.493, and 115.601, RSMo, and to enact in lieu thereof twenty-five new sections relating to elections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 90, Page 14, Section 115.493, Line 3, by enclosing in brackets the word: "twelve" on said Line and inserting immediately thereafter the phrase:

"twenty-two"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23, by inserting after all of said line the following:

"79.070. No person shall be an alderman unless he or she is at least [twenty-one] **eighteen** years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 90, Page 15, Section 115.601, Line 48, by inserting after all of said Section and Line the following:

"116.030. The following shall be substantially the form of each page of referendum petitions on any law passed by the general assembly of the state of Missouri:

County

Page No.

PETITION FOR REFERENDUM

We, the undersigned, registered voters of the state of Missouri and County (or city of St. Louis), respectfully order that the Senate (or House) Bill No. entitled (title of law), passed by the general assembly of the state of Missouri, at the regular (or special) session of the general assembly, shall be referred to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the day of,, unless the general assembly shall designate another date, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name. **Ballot title goes here.**

I,, being first duly sworn, say (print or type names of signers)

NAME	DATE	REGISTERED VOTING ADDRESS	ZIP	CONGR.	NAME
(Signature)	SIGNED	(Street)(City, Town or Village)	CODE	DIST.	(Printed or typed)
(Here follow numbered lines for signers)					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do do not (check one) expect to be paid for circulating this petition. If paid, list the payer

.....

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)

.....

Address of Affiant

Subscribed and sworn to before me this day of, A.D.

.....

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires

If this form is followed substantially and the requirements of section 116.050 **and section 116.080** are met, it shall be sufficient, disregarding clerical and merely technical errors.

116.040. The following shall be substantially the form of each page of each petition for any law or amendment to the Constitution of the state of Missouri proposed by the initiative:

County

Page No.

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and County (or city of St. Louis), respectfully order that the following proposed law (or amendment to the constitution) shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the day of,, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name. **Ballot title goes here.**

CIRCULATOR'S AFFIDAVIT

State Of Missouri,

County Of

I,, being first duly sworn, say (print or type names of signers)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street)(City, Town or Village)	ZIP CODE	CONGR. DIST.	NAME (Printed or typed)
		(Here follow numbered lines for signers)			

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do do not (check one) expect to be paid for circulating this petition. If paid, list the payer

.....

Signature of Affiant

(Person obtaining
signatures)

(Printed Name of Affiant)

.....

Address of Affiant

Subscribed and sworn to before me this day of, A.D.

.....

Signature of Notary

Address of Notary

Notary Public (Seal)

My commission expires

If this form is followed substantially and the requirements of section 116.050 and section 116.080 are met, it shall be sufficient, disregarding clerical and merely technical errors.

116.080. 1. Each petition circulator shall be at least eighteen years of age and registered with the secretary of state. **No person shall qualify as a petition circulator who has been convicted of, found guilty of, or pled guilty to an offense involving forgery under the laws of this state or an offense under the laws of any other jurisdiction if that offense would be considered forgery under the laws of this state** [Signatures collected by any circulator who has not registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the final day for filing petitions with the secretary of state shall not

be counted.

2. Each petition circulator shall supply the following information to the secretary of state's office:

- (1) Name of petition;
- (2) Name of circulator;
- (3) Residential address, including street number, city, state and zip code;
- (4) Mailing address, if different;
- (5) Have you been or do you expect to be paid for soliciting signatures for this petition?

☐ YES ☐ NO;

(6) If the answer to subdivision (5) is yes, then identify the payor;

(7) Signature of circulator.

3. The circulator information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation:

I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT].

[4.] 2. Each petition circulator shall subscribe and swear to the proper affidavit on each petition page such circulator submits before a notary public commissioned in Missouri. When notarizing a circulator's signature, a notary public shall sign his or her official signature and affix his or her official seal to the affidavit only if the circulator personally appears before the notary and subscribes and swears to the affidavit in his or her presence.

[5.] 3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is guilty of a class A misdemeanor punishable, notwithstanding the provisions of section 560.021 to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both.

116.115. Any person who submits a sample sheet to or files an initiative petition with the secretary of state may withdraw the petition upon written notice to the secretary of state. If such notice is submitted to the secretary of state, the proposed petition shall no longer be circulated by any person, committee, or other entity. The secretary of state shall vacate the certification of the official ballot title within three days of receiving notice of the withdrawal.

116.153. Within thirty days of issuing certification that the petition contains a sufficient number of valid signatures pursuant to section 116.150, the joint committee on legislative research shall hold a public hearing in Jefferson City to take public comments concerning the proposed measure. Such hearing shall be a public meeting under chapter 610. Within five business days after the end of the public hearing, the joint committee on legislative research shall provide a summary of the hearing to the secretary of state or his or her designee and the secretary of state shall post a copy of the summary on the website of the office of the secretary of state.

116.190. 1. Any citizen who wishes to challenge the official ballot title or the fiscal note prepared for a proposed constitutional amendment submitted by the general assembly, by initiative petition, or by constitutional convention, or for a statutory initiative or referendum measure, may bring an action in the

circuit court of Cole County. The action must be brought within ten days after the official ballot title is certified by the secretary of state in accordance with the provisions of this chapter.

2. The secretary of state shall be named as a party defendant in any action challenging the official ballot title prepared by the secretary of state. When the action challenges the fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be named as a party defendant. The president pro tem of the senate, the speaker of the house and the sponsor of the measure and the secretary of state shall be the named party defendants in any action challenging the official summary statement, fiscal note or fiscal note summary prepared pursuant to section 116.155.

3. The petition shall state the reason or reasons why the summary statement portion of the official ballot title is insufficient or unfair and shall request a different summary statement portion of the official ballot title. Alternatively, the petition shall state the reasons why the fiscal note or the fiscal note summary portion of the official ballot title is insufficient or unfair and shall request a different fiscal note or fiscal note summary portion of the official ballot title.

4. The action shall be placed at the top of the civil docket. Insofar as the action challenges the summary statement portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision certify the summary statement portion of the official ballot title to the secretary of state. Insofar as the action challenges the fiscal note or the fiscal note summary portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision, either certify the fiscal note or the fiscal note summary portion of the official ballot title to the secretary of state or remand the fiscal note or the fiscal note summary to the auditor for preparation of a new fiscal note or fiscal note summary pursuant to the procedures set forth in section 116.175. Any party to the suit may appeal to the supreme court within ten days after a circuit court decision. In making the legal notice to election authorities under section 116.240, and for the purposes of section 116.180, the secretary of state shall certify the language which the court certifies to him.

5. Any action brought under this section that is not fully and finally adjudicated within one hundred eighty days of filing, including all appeals, shall be extinguished, unless a court extends such period upon a finding of good cause for such extension. Such good cause shall consist only of court-related scheduling issues and shall not include requests for continuance by the parties.

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition, or a referendum petition may be circulated for signatures, a sample sheet must be submitted to the secretary of state in the form in which it will be circulated. When a person submits a sample sheet of a petition he or she shall designate to the secretary of state the name and address of the person to whom any notices shall be sent pursuant to sections 116.140 and 116.180. The secretary of state shall refer a copy of the petition sheet to the attorney general for his approval and to the state auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of state and attorney general must each review the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons for rejection, if any.

2. Within two business days of receipt of any such sample sheet, the office of the secretary of state shall conspicuously post on its website the text of the proposed measure, a disclaimer stating that such text may not constitute the full and correct text as required under section 116.050, and the name of the person or organization submitting the sample sheet. The posting shall be removed within three days of either the withdrawal of the petition under section 116.115 or the rejection for any reason of the petition. The secretary of state's failure to comply with this section shall be considered a violation

under subsection 3 of section 610.027.

3. Upon receipt of a petition from the office of the secretary of state, the attorney general shall examine the petition as to form. If the petition is rejected as to form, the attorney general shall forward his or her comments to the secretary of state within ten days after receipt of the petition by the attorney general. If the petition is approved as to form, the attorney general shall forward his or her approval as to form to the secretary of state within ten days after receipt of the petition by the attorney general.

[3.] 4. The secretary of state shall review the comments and statements of the attorney general as to form and make a final decision as to the approval or rejection of the form of the petition. The secretary of state shall send written notice to the person who submitted the petition sheet of the approval within [thirty] **fifteen** days after submission of the petition sheet. The secretary of state shall send written notice if the petition has been rejected, together with reasons for rejection, within [thirty] **fifteen** days after submission of the petition sheet.

116.334. 1. If the petition form is approved, the secretary of state shall **make a copy of the sample petition available on the secretary of state's website and refer a copy of the sample petition to the state auditor for purposes of preparing a fiscal note summary. For a period of fifteen days after the petition is approved as to form, the secretary of state shall accept public comments regarding the proposed measure and provide copies of such comments upon request.** Within [ten] **twenty-three** days of receipt of such approval, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure which shall be a concise statement not exceeding one hundred words. This statement shall be in the form of a question using language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. Signatures obtained prior to the date the official ballot title is certified by the secretary of state shall not be counted.

3. Signatures for statutory initiative petitions shall be filed not later than six months prior to the general election during which the petition's ballot measure is submitted for a vote, and shall also be collected not earlier than the day after the day upon which the previous general election was held.

Section B. The provisions of this act are severable. If any provision of this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions are valid except to the extent that the court finds the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the will of the people.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said Section and Line the following:

“115.017. There shall be a board of election commissioners:

- (1) In each county which has or hereafter has over nine hundred thousand inhabitants;
- (2) In each city not situated in a county;
- (3) [In each city which has over three hundred thousand inhabitants on January 1, 1978, and is situated

in more than one county;

(4)] In each county of the first classification containing any part of a city which has over three hundred thousand inhabitants; provided that the county commission of a county which becomes a county of the first classification after December 31, 1998, may, prior to such date, adopt an order retaining the county clerk as the election authority. The county may subsequently establish a board of election commissioners as provided in subdivision [(5)] **(4)** of this section;

[(5)] **(4)** In each county of the first class which elects to have such a board through procedures provided in section 115.019.

115.021. 1. [In each city which has over three hundred thousand inhabitants on January 1, 1978, and is situated in more than one county, the board of election commissioners for the city shall have jurisdiction in that part of the city situated in the county containing the major portion of the city.

2. In each county of the first class containing the major portion of a city which has over three hundred thousand inhabitants, the board of election commissioners shall have jurisdiction in that part of the county outside the city.

3.] In each city not situated in a county, the board of election commissioners shall have jurisdiction throughout the city.

[4.] 2. In all other counties, the election authority shall have jurisdiction throughout the county.

3. In each county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government, the board of election commissioners shall have jurisdiction throughout such area.

115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. Notwithstanding the provisions of subsection 1 of this section to the contrary, in each county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government, the board of election commissioners shall be composed of the

chairperson and vice chairperson of each of the following board of election commissioners holding office at the time of the enactment of this subsection until such commissioners are appointed pursuant to subsection 1 of section 115.029:

(1) The board of election commissioners that, at the time of the enactment of this subsection, has jurisdiction in the part of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is situated in the county containing the major portion of the city; and

(2) The board of election commissioners that, at the time of the enactment of this section, has jurisdiction in the part of a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants that is located outside of the city referenced in subdivision (1) of this subsection.

115.029. 1. In each county [of the first class containing the major portion of a city which has more than three hundred thousand inhabitants] **with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government**, each election commissioner shall be appointed [on April 21, 1982,] for a term of four years and until his successor is appointed, confirmed and sworn. Successors shall be appointed in like manner for a term of four years and until their successors are appointed, confirmed and sworn.

2. In each county containing a portion but not the major portion of a city which has more than three hundred thousand inhabitants, each election commissioner shall be appointed on June 15, 1981, for a term of four years and until his successor is appointed, confirmed and sworn. Successors shall be appointed in like manner for a term of four years and until their successors are appointed, confirmed and sworn. The first two election commissioners appointed after May 10, 1994, shall be appointed for terms of two years and until their successors are appointed, confirmed and sworn. One of those appointed to a two-year term shall be a member of one major political party and one shall be a member of the other major political party.

The next two election commissioners appointed, and all successors, shall be appointed for terms of four years and until their successors are appointed, confirmed and sworn.

3. In all other cities and counties which have or hereafter have a board of election commissioners, each commissioner's term of office shall coincide with the term of the governor who appoints him and until the commissioner's successor is appointed, confirmed and sworn."; and

Further amend said bill, Section 115.300, Page 8, Line 8, by inserting after all of said Section and Line the following:

"115.353. All declarations of candidacy shall be filed as follows:

(1) For presidential elector, United States senator, representative in Congress, statewide office, circuit judge not subject to the provisions of article V, section 25 of the Missouri Constitution, state senator and state representative, in the office of the secretary of state;

(2) For all county offices which for the purpose of election procedures shall include associate circuit judges not subject to the provisions of article V, section 25 of the Missouri Constitution, in the office of the county election authority;

(3) For all county offices, in the office of the county election authority. In any county in which there [are two boards] **is a board** of election commissioners, the [county clerk] **board of elections** shall be deemed to be the election authority for purposes of this section.”; and

Further amend said bill, Section 115.601, Page 15, Line 48, by inserting after all of said section and line the following:

“115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person’s election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. **No person who is an employee of a county, with the exception of a person elected to public office in such county, or has any contractual relationship with such county shall be elected to, or serve on, the county committee of such county unless such election or commencement of service occurs on or before November 4, 2013.** Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city.

3. In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4. In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the

county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

5. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

6. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

7. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 90, Page 3, Section 77.030, Line 27, by inserting after all of said line the following:

“77.675. 1. In addition to the process for passing ordinances provided in section 77.080, the council of any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants may adopt or repeal any ordinance by passage of a bill that sets forth the ordinance and specifies that the ordinance so proposed shall be submitted to the registered voters of the city at the next municipal election. The bill shall be passed under the procedures in section 77.080, except that it shall take effect upon approval of a majority of the voters rather than upon the approval and signature of the mayor.

2. If the mayor approves the bill and signs it, the question shall be submitted to the voters in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance.)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said Section and Line the following:

“115.121. 1. The general election day shall be the first Tuesday after the first Monday in November of even-numbered years.

2. The primary election day shall be the [first] **third** Tuesday after the first Monday in [August] **June** of even-numbered years.

3. The election day for the election of political subdivision and special district officers shall be the first Tuesday after the first Monday in April each year; and shall be known as the general municipal election day.

4. In addition to the primary election day provided for in subsection 2 of this section, for the year 2003, the first Tuesday after the first Monday in August, 2003, also shall be a primary election day for the purpose of permitting school districts and other political subdivisions of Missouri to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district or other political subdivision voting thereon, to provide funds for the acquisition, construction, equipping, improving, restoration, and furnishing of facilities to replace, repair, reconstruct, reequip, restore, and refurnish facilities damaged, destroyed, or lost due to severe weather, including, without limitation, windstorms, hail storms, flooding, tornadic winds, rainstorms and the like which occurred during the month of April or May, 2003.

5. Notwithstanding the provisions of subsection 1 of section 115.125, the officer or agency calling an election on the first Tuesday after the first Monday of August, 2003, shall notify the election authorities responsible for conducting the election not later than 5:00 p.m. on the sixth Tuesday prior to the election. For purposes of any such election, all references in section 115.125 to the tenth Tuesday prior to such election shall be deemed to refer to the sixth Tuesday prior to such election.

6. In addition to the general election day provided for in subsection 1 of this section, for the year 2009 the first Tuesday after the first Monday in November shall be a general election day for the purpose of permitting school districts to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district, to provide funds for school districts to acquire, construct, equip, improve, restore, and furnish public school facilities in accordance with the provisions of Section 54F of the Internal Revenue Code of 1986, as amended, which provides for qualified school construction bonds and the provisions of Section 54AA of the Internal Revenue Code of 1986, as amended, which provides for build America bonds, as well as in accordance with the provisions of Section 103 of the Internal Revenue Code of 1986, as amended, which provides for traditional government bonds.”; and

Further amend said bill, Section 115.300, Page 8, Line 8, by inserting after all of said Section and Line the following:

“115.341. For the nomination of candidates to be elected at the next general election, a primary election shall be held on the [first] **third** Tuesday after the first Monday in [August] **June** of even-numbered years.

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the [last] **first** Tuesday in [March] **February** immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the [last] **second** Tuesday in [February] **January** immediately preceding the primary election.

3. Each declaration of candidacy for nomination in a primary election shall state the candidate's full name, residence address, office for which such candidate proposes to be a candidate, the party ticket on

which he or she wishes to be a candidate and that if nominated and elected he or she will qualify. The declaration shall be in substantially the following form: I,, a resident and registered voter of the county of and the state of Missouri, residing at, do announce myself a candidate for the office of on the party ticket, to be voted for at the primary election to be held on the day of, ..., and I further declare that if nominated and elected to such office I will qualify.

.....	Subscribed and sworn to
Signature of candidate	before me this day
	of,
.....	
Residence address	Signature of election
	official or other officer
	authorized to administer oaths
.....	
Mailing address (if different)	
..... Telephone Number (Optional)	

If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate before an official authorized to accept his or her declaration of candidacy. If the declaration is to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall be subscribed and sworn to by the candidate before a notary public or other officer authorized by law to administer oaths.”; and

Further amend said bill, Section 115.601, Page 15, Line 48, by inserting after all of said Section and Line the following:

“Section B. The repeal and reenactment of sections 115.121, 115.341, and 115.349 of section A of this act shall become effective on January 1, 2016.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 78..090, Line 23, by inserting after said line the following:

“96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120, shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the

incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

“Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?”

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.”; and

Further amend said bill, Page 15, Section 115.601, Line 48 by inserting after said line the following:

Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 90, Page 1, Section A, Line 7, by inserting after all of said line the following:

“11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state or a designated employee of the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 90, Page 5, Section 115.124, Line 41, by inserting after all of said section and line the following:

“115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration. **Any documentation presented under this subsection must contain the applicant’s legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted.**

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 90, Section 115.300, Page 8, Line 8, by inserting after all of said Line the following:

“115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

..... Candidate's Signature

..... Printed Name of Candidate.

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.

4. No person shall be appointed to any public office if the person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence, or any county or municipal taxes or user fees.

115.346. 1. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.

2. No person shall be appointed to any public office if the person is delinquent in the payment of

any state income taxes, personal property taxes, real property taxes on the place of residence, or any county or municipal taxes or user fees.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 90, Page 1, In the Title, Line 4, by inserting after “RSMo,” the following: “and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after “RSMo,” the following: “and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,”; and

Further amend said bill, Page 3, Section 77.030, Line 27, by deleting the words “**the adoption of the ordinance or**”; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting after all of said line the following:

“[77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

**Shall the terms of council members which are currently set at two years in.....
(city) be extended to four years for members elected after August 28, 2013?**

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under

subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question.]a”;
and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said Section and Line the following:

“115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. The term of service of any such individual appointed to serve as an election commissioner under this section in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants prior to the effective date of this section shall terminate as of the effective date of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 90, Section 115.601, Page 15, Line 48, by inserting after all of said Line the following:

“205.207. 1. The governing body of any county of the third classification without a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants and with a city of the third classification with more than eight thousand but fewer than nine thousand inhabitants as the county seat, that operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county under this chapter and impose a sales tax on all retail sales made within the county which are subject to under chapter 144. The tax authorized in this section shall be not more than two percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body

of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and

to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 90, Section 54.330, Page 2, Line 22, by inserting after all of said Line the following:

“71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term “contiguous and compact” does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term “contiguous and compact” does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term “common-interest community” shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A “common-interest community” shall be defined as real property with respect to which a person,

by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway

shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision**

(2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of the adoption of the annexation ordinance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 90, Page 2, Section 54.330, Line 22, by inserting after all of said line the following:

“71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days’ notice thereof, either personally or by United States mail to the owner or owners, or the owner’s agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants, or in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants,** the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification where such city establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 90, Page 15, Section 115.601, Line 48, by inserting after said line the following:

“247.060. 1. The management of the business and affairs of the district is hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his **or her** election[, or if not a voter or resident of said district, shall have received service from the district at his or her primary place of residence one whole year immediately prior to his or her election]. A member shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of his election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

2. After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board.

3. The initial members of the board shall be appointed by the circuit court and one shall serve until the immediately following first Tuesday after the first Monday in April, two shall serve until the first Tuesday after the first Monday in April on the second year following their appointment and the remaining appointees shall serve until the first Tuesday after the first Monday in April on the third year following their appointment. On the expiration of such terms and on the expiration of any subsequent term, elections shall be held as otherwise provided by law, and such elections shall be held in April pursuant to section 247.180.

4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday after the first Monday in June until the first Tuesday in April of the third year following the year of their election. All directors elected thereafter shall serve from the first Tuesday in April until the first Tuesday in April of the third year following the year of their election.

5. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a member shall not be paid for attending more than four meetings in any calendar month. However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week. In addition, the president of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

6. In no event, however, shall a board member receive any attendance fees or additional compensation

authorized in subsection 5 of this section until after such board member has completed a minimum of six hours training regarding the responsibilities of the board and its members concerning the basics of water treatment and distribution, budgeting and rates, water utility planning, the funding of capital improvements, the understanding of water utility financial statements, the Missouri sunshine law, and this chapter.

7. The circuit court of the county having jurisdiction over the district shall have jurisdiction over the members of the board of directors to suspend any member from exercising his or her office, whensoever it appears that he or she has abused his or her trust or become disqualified; to remove any member upon proof or conviction of gross misconduct or disqualification for his or her office; or to restrain and prevent any alienation of property of the district by members, in cases where it is threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of the district.

8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon petition, filed by or at the instance of any member of the board, or at the instance of any ten voters residing in the district who join in the petition, verified by the affidavit of at least one of them. The petition shall be heard in a summary manner after ten days' notice in writing to the member or officer complained of. An appeal shall lie from the judgment of the circuit court as in other causes, and shall be speedily determined; but an appeal does not operate under any condition as a supersedeas of a judgment of suspension or removal from office.

247.080. 1. The exercise of the powers conferred upon the district by sections 247.010 to 247.220 shall be by its board of directors, acting as a board.

2. The board shall have power and it shall be its duty to employ necessary help and to contract for such professional service as the demands of the district require in creating and operating a waterworks system contemplated in this law, and shall pay out of the funds of the district available for such purposes reasonable compensation for the service rendered. It shall have made by a competent accountant an annual audit of the receipts and expenditures of the district. All persons employed shall serve for an indefinite term and at the will of the board, and party politics shall not enter into the selection of employees.

3. The board shall have regular monthly meetings and the president thereof may call special meetings as occasion requires. It shall establish an office for its meeting place and for the transaction of business.

4. All persons charged with handling of funds shall be required to give bond to be fixed and approved by the board, but at the expense of the district.

5. All contracts made by the district shall conform to [law] **section 432.070** governing contracts [of other municipal corporations]. It shall have power to authorize and enter into all contracts in behalf of the district, and shall provide an official seal for district, and all official documents shall be attested by the seal.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23, by inserting after all of said section and line the following:

“96.155. 1. The board of trustees of a hospital established under this chapter, with the concurrence of the council of the city of the third class, may, by resolution, abolish the property tax authorized by section 96.150 to fund the operations of a hospital in accordance with sections 96.150 to 96.228 and impose a sales tax on all retail sales made within the city which are subject to sales tax under chapter

144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the operations of a hospital under sections 96.150 to 96.228. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the board of trustees of such a hospital submits to the voters residing within the city of the third class at a state general, primary, or special election a proposal to authorize the board of trustees to impose a tax under this section. If two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by two-thirds of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital operated under sections 96.150 to 96.228, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City of the Third Class City Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the board of trustees of the city hospital for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such board of trustees. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city of the third class. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city of the third class equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the board of trustees shall submit to the voters of the city of the third class a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the

calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the board of trustees shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city of the third class, the director shall remit the balance in the account to the district and close the account of that city hospital. The director shall notify each board of trustees of each instance of any amount refunded or any check redeemed from receipts due the hospital operated under sections 96.150 to 96.228.”; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting after all of said section and line the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570 **or sections 96.150 to 92.228**, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or section 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165**, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

205.205. 1. The governing body of any [hospital district] **county which has established a county hospital** under sections 205.160 to 205.379 [in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants or any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants] may, by resolution, abolish the property tax authorized [in such district] **by section 205.200 to fund a county hospital** under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the **county** hospital [district]. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the [hospital district] **county** submits to the voters residing within the [district] **county** at a state general,

primary, or special election a proposal to authorize the governing body of the [district] **county** to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the **county** hospital [district], except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "**County** Hospital [District] Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the [district] **county** equal to at least ten percent of the number of registered voters of the [district] **county** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the [district] **county** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the [hospital district] **county** shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to

the [district] **county** and close the account of that [district] **county**. The director shall notify each [district] **county** of each instance of any amount refunded or any check redeemed from receipts due the [district] **county**.

7. The levy of a sales tax by a county under this section or section 205.202 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the county.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall not be more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and

the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. The levy of a sales tax by a hospital district under section 205.205 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the hospital district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Bill No. 90, Page 1, Section A, Line 7, by inserting immediately after said line the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute

a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting

thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent

of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of** all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** residence of the purchaser, **and remitted to that local taxing entity** and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose

behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.”; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting immediately after said line the following:

“144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except**

as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection**, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers.

Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.** Except as otherwise provided, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020** and sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their "gross receipts", defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected **and remitted** on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the

next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term “boat” includes all motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] 2. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisal by the director.

[4.] 3. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] 4. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] **sales** tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] **sales** tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] 5. In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] **sales** tax[,], all of its lease receipts would be subject to the [use] **sales** tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] 6. The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of**

subsection 1 of section [144.440] 144.020 shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[(3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[(4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[(5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

[(6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[(7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[(8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on **the titling of** motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and sections 144.440 to 144.455**, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] **as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date

of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1 of this section** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020**;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state.”; and

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act.

Section B. Because of the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 265**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 41**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 41, Section A, Page 1, Line 2, by inserting the following after all of said Line:

“71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term “contiguous and compact” does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term “contiguous and compact” does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term “common-interest community” shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A “common-interest community” shall be defined as real property with respect to which a person, by virtue of such person’s ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. “Ownership of a unit” does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A “cooperative” shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member’s ownership interest in the association to exclusive possession of a unit;

(c) A “planned community” shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present

evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that

the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was

a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of the adoption of the annexation ordinance.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 41, Page 1, Lines 2-3 in the Title, by deleting the words “private nuisance actions” and inserting in lieu thereof the words “environmental protection”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“260.262. A person selling lead-acid batteries at retail or offering lead-acid batteries for retail sale in the state shall:

(1) Accept, at the point of transfer, in a quantity at least equal to the number of new lead-acid batteries purchased, used lead-acid batteries from customers, if offered by customers;

(2) Post written notice which must be at least four inches by six inches in size and must contain the universal recycling symbol and the following language:

(a) It is illegal to discard a motor vehicle battery or other lead-acid battery;

(b) Recycle your used batteries; and

(c) State law requires us to accept used motor vehicle batteries, or other lead-acid batteries for recycling, in exchange for new batteries purchased; and

(3) Manage used lead-acid batteries in a manner consistent with the requirements of the state hazardous waste law;

(4) Collect at the time of sale a fee of fifty cents for each lead-acid battery sold. Such fee shall be added to the total cost to the purchaser at retail after all applicable sales taxes on the battery have been computed. The fee imposed, less six percent of fees collected, which shall be retained by the seller as collection costs, shall be paid to the department of revenue in the form and manner required by the department and shall include the total number of batteries sold during the preceding month. The department of revenue shall promulgate rules and regulations necessary to administer the fee collection and enforcement. The terms “sold at retail” and “retail sales” do not include the sale of batteries to a person solely for the purpose of resale, if the subsequent retail sale in this state is to the ultimate consumer and is subject to the fee. However, this fee shall not be paid on batteries sold for use in agricultural operations upon written certification by the purchaser; and

(5) The department of revenue shall administer, collect, and enforce the fee authorized pursuant to this section pursuant to the same procedures used in the administration, collection, and enforcement of the general state sales and use tax imposed pursuant to chapter 144 except as provided in this section. The proceeds of the battery fee, less four percent of the proceeds, which shall be retained by the department of revenue as collection costs, shall be transferred by the department of revenue into the hazardous waste fund, created pursuant to section 260.391. The fee created in subdivision (4) and this subdivision shall be effective October 1, 2005. The provisions of subdivision (4) and this subdivision shall terminate December 31, [2013] **2018.**

260.380. 1. After six months from the effective date of the standards, rules and regulations adopted by the commission pursuant to section 260.370, hazardous waste generators located in Missouri shall:

(1) Promptly file and maintain with the department, on registration forms it provides for this purpose, information on hazardous waste generation and management as specified by rules and regulations. Hazardous waste generators shall pay a one hundred dollar registration fee upon initial registration, and a one hundred dollar registration renewal fee annually thereafter to maintain an active registration. Such fees shall be deposited in the hazardous waste fund created in section 260.391;

(2) Containerize and label all hazardous wastes as specified by standards, rules and regulations;

(3) Segregate all hazardous wastes from all nonhazardous wastes and from noncompatible wastes, materials and other potential hazards as specified by standards, rules and regulations;

(4) Provide safe storage and handling, including spill protection, as specified by standards, rules and regulations, for all hazardous wastes from the time of their generation to the time of their removal from the site of generation;

(5) Unless provided otherwise in the rules and regulations, utilize only a hazardous waste transporter holding a license pursuant to sections 260.350 to 260.430 for the removal of all hazardous wastes from the premises where they were generated;

(6) Unless provided otherwise in the rules and regulations, provide a separate manifest to the transporter for each load of hazardous waste transported from the premises where it was generated. The generator shall specify the destination of such load on the manifest. The manner in which the manifest shall be completed, signed and filed with the department shall be in accordance with rules and regulations;

(7) Utilize for treatment, resource recovery, disposal or storage of all hazardous wastes, only a hazardous waste facility authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act, or any facility exempted from the permit required pursuant to section 260.395;

(8) Collect and maintain such records, perform such monitoring or analyses, and submit such reports on any hazardous waste generated, its transportation and final disposition, as specified in sections 260.350 to 260.430 and rules and regulations adopted pursuant to sections 260.350 to 260.430;

(9) Make available to the department upon request samples of waste and all records relating to hazardous waste generation and management for inspection and copying and allow the department to make unhampered inspections at any reasonable time of hazardous waste generation and management facilities located on the generator's property and hazardous waste generation and management practices carried out on the generator's property;

(10) Pay annually, on or before January first of each year, effective January 1, 1982, a fee to the state of Missouri to be placed in the hazardous waste fund. The fee shall be five dollars per ton or portion thereof of hazardous waste registered with the department as specified in subdivision (1) of this subsection for the twelve-month period ending June thirtieth of the previous year. However, the fee shall not exceed fifty-two thousand dollars per generator site per year nor be less than one hundred fifty dollars per generator site per year;

(a) All moneys payable pursuant to the provisions of this subdivision shall be promptly transmitted to the department of revenue, which shall deposit the same in the state treasury to the credit of the hazardous waste fund created in section 260.391;

(b) The hazardous waste management commission shall establish and submit to the department of revenue procedures relating to the collection of the fees authorized by this subdivision. Such procedures shall include, but not be limited to, necessary records identifying the quantities of hazardous waste registered, the form and submission of reports to accompany the payment of fees, the time and manner of payment of fees, which shall not be more often than quarterly.

2. Missouri treatment, storage, or disposal facilities shall pay annually, on or before January first of each

year, a fee to the department equal to two dollars per ton or portion thereof for all hazardous waste received from outside the state. This fee shall be based on the hazardous waste received for the twelve-month period ending June thirtieth of the previous year.

3. Exempted from the requirements of this section are individual householders and farmers who generate only small quantities of hazardous waste and any person the commission determines generates only small quantities of hazardous waste on an infrequent basis, except that:

(1) Householders, farmers and exempted persons shall manage all hazardous wastes they may generate in a manner so as not to adversely affect the health of humans, or pose a threat to the environment, or create a public nuisance; and

(2) The department may determine that a specific quantity of a specific hazardous waste requires special management. Upon such determination and after public notice by press release or advertisement thereof, including instructions for handling and delivery, generators exempted pursuant to this subsection shall deliver, but without a manifest or the requirement to use a licensed hazardous waste transporter, such waste to:

(a) Any storage, treatment or disposal site authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act which the department designates for this purpose; or

(b) A collection station or vehicle which the department may arrange for and designate for this purpose.

4. Failure to pay the fee, or any portion thereof, prescribed in this section by the due date shall result in the imposition of a penalty equal to fifteen percent of the original fee. The fee prescribed in this section shall expire December 31, [2013] **2018**, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

260.475. 1. Every hazardous waste generator located in Missouri shall pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars per ton annually on all hazardous waste which is discharged, deposited, dumped or placed into or on the soil as a final action, and two dollars per ton on all other hazardous waste transported off site. No fee shall be imposed upon any hazardous waste generator who registers less than ten tons of hazardous waste annually pursuant to section 260.380, or upon:

(1) Hazardous waste which must be disposed of as provided by a remedial plan for an abandoned or uncontrolled hazardous waste site;

(2) Fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;

(3) Solid waste from the extraction, beneficiation and processing of ores and minerals, including phosphate rock and overburden from the mining of uranium ore and smelter slag waste from the processing of materials into reclaimed metals;

(4) Cement kiln dust waste;

(5) Waste oil; or

(6) Hazardous waste that is:

(a) Reclaimed or reused for energy and materials;

- (b) Transformed into new products which are not wastes;
- (c) Destroyed or treated to render the hazardous waste nonhazardous; or
- (d) Waste discharged to a publicly owned treatment works.

2. The fees imposed in this section shall be reported and paid to the department on an annual basis not later than the first of January. The payment shall be accompanied by a return in such form as the department may prescribe.

3. All moneys collected or received by the department pursuant to this section shall be transmitted to the department of revenue for deposit in the state treasury to the credit of the hazardous waste fund created pursuant to section 260.391. Following each annual reporting date, the state treasurer shall certify the amount deposited in the fund to the commission.

4. If any generator or transporter fails or refuses to pay the fees imposed by this section, or fails or refuses to furnish any information reasonably requested by the department relating to such fees, there shall be imposed, in addition to the fee determined to be owed, a penalty of fifteen percent of the fee shall be deposited in the hazardous waste fund.

5. If the fees or any portion of the fees imposed by this section are not paid by the date prescribed for such payment, there shall be imposed interest upon the unpaid amount at the rate of ten percent per annum from the date prescribed for its payment until payment is actually made, all of which shall be deposited in the hazardous waste fund.

6. The state treasurer is authorized to deposit all of the moneys in the hazardous waste fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided for by law relative to state deposits. Interest received on such deposits shall be credited to the hazardous waste fund.

7. This fee shall expire December 31, [2013] **2018**, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

444.772. 1. Any operator desiring to engage in surface mining shall make written application to the director for a permit.

2. Application for permit shall be made on a form prescribed by the commission and shall include:

- (1) The name of all persons with any interest in the land to be mined;
- (2) The source of the applicant's legal right to mine the land affected by the permit;
- (3) The permanent and temporary post office address of the applicant;

(4) Whether the applicant or any person associated with the applicant holds or has held any other permits pursuant to sections 444.500 to 444.790, and an identification of such permits;

(5) The written consent of the applicant and any other persons necessary to grant access to the commission or the director to the area of land affected under application from the date of application until the expiration of any permit granted under the application and thereafter for such time as is necessary to assure compliance with all provisions of sections 444.500 to 444.790 or any rule or regulation promulgated pursuant to them. Permit applications submitted by operators who mine an annual tonnage of less than ten thousand tons shall be required to include written consent from the operator to grant access to the

commission or the director to the area of land affected;

(6) A description of the tract or tracts of land and the estimated number of acres thereof to be affected by the surface mining of the applicant for the next succeeding twelve months; and

(7) Such other information that the commission may require as such information applies to land reclamation.

3. The application for a permit shall be accompanied by a map in a scale and form specified by the commission by regulation.

4. The application shall be accompanied by a bond, security or certificate meeting the requirements of section 444.778, a geologic resources fee authorized under section 256.700, and a permit fee approved by the commission not to exceed one thousand dollars. The commission may also require a fee for each site listed on a permit not to exceed four hundred dollars for each site. If mining operations are not conducted at a site for six months or more during any year, the fee for such site for that year shall be reduced by fifty percent. The commission may also require a fee for each acre bonded by the operator pursuant to section 444.778 not to exceed twenty dollars per acre. If such fee is assessed, the per-acre fee on all acres bonded by a single operator that exceed a total of two hundred acres shall be reduced by fifty percent. In no case shall the total fee for any permit be more than three thousand dollars. Permit and renewal fees shall be established by rule, except for the initial fees as set forth in this subsection, and shall be set at levels that recover the cost of administering and enforcing sections 444.760 to 444.790, making allowances for grants and other sources of funds. The director shall submit a report to the commission and the public each year that describes the number of employees and the activities performed the previous calendar year to administer sections 444.760 to 444.790. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the total cost of submitting an application shall be three hundred dollars. The issued permit shall be valid from the date of its issuance until the date specified in the mine plan unless sooner revoked or suspended as provided in sections 444.760 to 444.790. Beginning August 28, 2007, the fees shall be set at a permit fee of eight hundred dollars, a site fee of four hundred dollars, and an acre fee of ten dollars, with a maximum fee of three thousand dollars. Fees may be raised as allowed in this subsection after a regulation change that demonstrates the need for increased fees.

5. An operator desiring to have his or her permit amended to cover additional land may file an amended application with the commission. Upon receipt of the amended application, and such additional fee and bond as may be required pursuant to the provisions of sections 444.760 to 444.790, the director shall, if the applicant complies with all applicable regulatory requirements, issue an amendment to the original permit covering the additional land described in the amended application.

6. An operation may withdraw any land covered by a permit, excepting affected land, by notifying the commission thereof, in which case the penalty of the bond or security filed by the operator pursuant to the provisions of sections 444.760 to 444.790 shall be reduced proportionately.

7. Where mining or reclamation operations on acreage for which a permit has been issued have not been completed, the permit shall be renewed. The operator shall submit a permit renewal form furnished by the director for an additional permit year and pay a fee equal to an application fee calculated pursuant to subsection 4 of this section, but in no case shall the renewal fee for any operator be more than three thousand dollars. For any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the permit as to such acreage shall be renewed by applying on a

permit renewal form furnished by the director for an additional permit year and payment of a fee of three hundred dollars. Upon receipt of the completed permit renewal form and fee from the operator, the director shall approve the renewal. With approval of the director and operator, the permit renewal may be extended for a portion of an additional year with a corresponding prorating of the renewal fee.

8. Where one operator succeeds another at any uncompleted operation, either by sale, assignment, lease or otherwise, the commission may release the first operator from all liability pursuant to sections 444.760 to 444.790 as to that particular operation if both operators have been issued a permit and have otherwise complied with the requirements of sections 444.760 to 444.790 and the successor operator assumes as part of his or her obligation pursuant to sections 444.760 to 444.790 all liability for the reclamation of the area of land affected by the former operator.

9. The application for a permit shall be accompanied by a plan of reclamation that meets the requirements of sections 444.760 to 444.790 and the rules and regulations promulgated pursuant thereto, and shall contain a verified statement by the operator setting forth the proposed method of operation, reclamation, and a conservation plan for the affected area including approximate dates and time of completion, and stating that the operation will meet the requirements of sections 444.760 to 444.790, and any rule or regulation promulgated pursuant to them.

10. At the time that a permit application is deemed complete by the director, the operator shall publish a notice of intent to operate a surface mine in any newspaper qualified pursuant to section 493.050 to publish legal notices in any county where the land is located. If the director does not respond to a permit application within forty-five calendar days, the application shall be deemed to be complete. Notice in the newspaper shall be posted once a week for four consecutive weeks beginning no more than ten days after the application is deemed complete. The operator shall also send notice of intent to operate a surface mine by certified mail to the governing body of the counties or cities in which the proposed area is located, and to the last known addresses of all record landowners of contiguous real property or real property located adjacent to the proposed mine plan area. The notices shall include the name and address of the operator, a legal description consisting of county, section, township and range, the number of acres involved, a statement that the operator plans to mine a specified mineral during a specified time, and the address of the commission. The notices shall also contain a statement that any person with a direct, personal interest in one or more of the factors the commission may consider in issuing a permit may request a public meeting, a public hearing or file written comments to the director no later than fifteen days following the final public notice publication date.

11. The commission may approve a permit application or permit amendment whose operation or reclamation plan deviates from the requirements of sections 444.760 to 444.790 if it can be demonstrated by the operator that the conditions present at the surface mining location warrant an exception. The criteria accepted for consideration when evaluating the merits of an exception or variance to the requirements of sections 444.760 to 444.790 shall be established by regulations.

12. Fees imposed pursuant to this section shall become effective August 28, 2007, and shall expire on December 31, [2013] **2018**. No other provisions of this section shall expire.”; and

Further amend said bill and page, Section 537.291, Line 15, by inserting after all of said section and line the following:

“644.054. 1. Fees imposed in sections 644.052 and 644.053 shall, except for those fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052, become effective October 1, 1990, and shall

expire September 1, [2013] **2018**. Fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052 shall become effective August 28, 2000, and shall expire on September 1, [2013] **2018**. The clean water commission shall promulgate rules and regulations on the procedures for billing and collection. All sums received through the payment of fees shall be placed in the state treasury and credited to an appropriate subaccount of the natural resources protection fund created in section 640.220. Moneys in the subaccount shall be expended, upon appropriation, solely for the administration of sections 644.006 to 644.141. Fees collected pursuant to subsection 10 of section 644.052 by a city, a public sewer district, a public water district or other publicly owned treatment works are state fees. Five percent of the fee revenue collected shall be retained by the city, public sewer district, public water district or other publicly owned treatment works as reimbursement of billing and collection expenses.

2. The commission may grant a variance pursuant to section 644.061 to reduce fees collected pursuant to section 644.052 for facilities that adopt systems or technologies that reduce the discharge of water contaminants substantially below the levels required by commission rules.

3. Fees imposed in subsections 2 to 6 of section 644.052 shall be due on the date of application and on each anniversary date of permit issuance thereafter until the permit is terminated.

[4. The director of the department of natural resources shall conduct a comprehensive review of the fee structure in sections 644.052 and 644.053. The review shall include stakeholder meetings in order to solicit stakeholder input. The director shall submit a report to the general assembly by December 31, 2012, which shall include its findings and a recommended plan for the fee structure. The plan shall also include time lines for permit issuance, provisions for expedited permits, and recommendations for any other improved services provided by the fee funding.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 41, Page 1, Section 537.291, Line 15, by inserting after all of said section and line the following:

“644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 327**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 327, Page 1, Section A, Line 3 by inserting after said line the following:

“478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person’s blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department’s role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 33**.

With House Amendment Nos. 2, 3, 4, 5 and 6.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children’s diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term “temporary leave of absence” shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians’ services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, or podiatrist; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, or podiatrist may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care

services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) Beginning July 1, 1990, the services of a certified pediatric or family nursing practitioner with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this

subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this [subsection] **subdivision**, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of

physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the [Missouri] MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall

be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. Beginning July 1, 2013, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154, or their successor codes, under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill, Page 3, Section 209.200, Line 23, by inserting after all of said section and line, the following:

“Section B. Because immediate action is necessary to ensure adequate provision of behavior assessment and intervention services under the MO HealthNet program, section 208.152 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 208.152 of section A of this act shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said line the following:

“9.149. December fourth shall be designated as “PKS Day” in Missouri. Pallister-Killian Mosaic Syndrome, commonly known as Pallister-Killian Syndrome or PKS, is a disorder usually caused by the presence of an abnormal extra chromosome and is characterized by vision and hearing

impairments, seizure disorders, and early childhood, intellectual disability, distinctive facial features, sparse hair, areas of unusual skin coloring, weak muscle tone, and other birth defects. It is recommended to the people of the state that this day be appropriately observed by participating in awareness and educational activities on the symptoms and impact of Pallister-Killian Syndrome and to support programs of research, education, and community service.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said line the following:

“208.895. 1. Upon **the** receipt of a [properly completed] referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] or **a** physician’s order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] Process the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3)] Arrange for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity within five business days of receiving the referral if additional information is required to process the referral; [and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days]

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant’s area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver

or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract] **has not complied with subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The department shall** [include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor] notify the referring entity [within five days] **or individual** of receipt of referral if additional information is needed to process the referral. [The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract.]

3. The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based **service** providers for including, but not limited to, reassessment and level of care recommendations. [These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.]

4. [The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective.**

5. The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) "Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

(a) Is conducted by an assessor trained to perform home- and community-based care assessments;

(b) Uses forms provided by the department;

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process;

(2) A "referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

(a) The stated need for MO HealthNet home- and community-based services;

(b) The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and

(c) The physical address and phone number of the client or person needing services.

Additional information which may assist the department may also be submitted.

7. The department shall:

(1) Develop an automated electronic assessment care plan tool to be used by providers; and

(2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.

8. At the end of the first year of this plan being in effect, the department of health and senior services shall prepare a report for the appropriation committee for health, mental health and social services or a committee appointed by the speaker to review the following:

(1) How well the department is doing on meeting the fifteen-day requirement;

(2) The process the department used to approve the assessors;

(3) Financial data on the cost of the program prior to and after enactment of this section;

(4) Any audit information available on assessments performed outside the department; and

(5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.

208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010."; and

Further amend said bill, Page 3, Section 209.200, Line 23, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197;

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

(1) **Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**

(2) **Was placed on the employee disqualification list under this section after the date of hire;**

(3) **Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;**

(4) **Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**

(5) **Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“34.470. 1. As used in this section, the following terms shall mean:

(1) “Direct labor”, all work performed to fulfill a contract under the provisions of this section, excluding supervision and administration;

(2) “Qualifying disability”, a significant mental or physical impairment, including blindness, that impedes a person who is seeking, entering, or maintaining gainful employment. Such significant disability shall be certified by the division of vocational rehabilitation within the department of elementary and secondary education; the Social Security Administration Title 42, Section 423 of the United States Code; the Social Security Administration Title 42, Section 416(i)(1)(B) of the United States Code; or a person eligible for services from the division of developmental disabilities of the department of mental health;

(3) “Qualifying vendor”:

(a) A person with a qualifying disability;

(b) A business or entity, whether for profit or nonprofit, that employs individuals with a qualifying disability, provided such individuals perform at least seventy-five percent of the direct labor hours required to fulfill a state contract for goods or services; or

©) Any nonprofit agency serving people with significant disabilities that meets the eligibility criteria to participate in the federal AbilityOne program, or its successor program, as described in 41 U.S.C. Section 46-48c.

2. The broad purpose of this legislation is to provide persons with a qualifying disability access to job opportunities in the private sector competitive job market and additional job opportunities for individuals who choose facility-based employment in their community. Notwithstanding any other provision of this chapter to the contrary, the division of purchasing within the office of administration shall set a goal of procuring at least three percent of goods and services from qualifying vendors. The division shall develop and maintain a list of goods and services that are available from qualifying vendors and which such division determines are suitable for procurement from qualifying vendors by departments of the state, approve prices for goods and services identified under this section, review bids received by qualifying vendors, and award and renew contracts for the purchase of goods and services under this section without competitive bidding. Such procurement list, and revision thereof, shall be submitted to the board for approval and, upon approval, be distributed to all purchasing officers of the state, its departments and all political subdivisions. All products or services offered for purchase to a state department or a political subdivision by a qualifying vendor shall have significant value added by blind or significantly disabled persons as determined by the office of administration. Suspected violations of the eligibility criteria for a qualifying vendor may be reported to and shall be investigated by the department of labor and industrial relations.

3. Individuals with a qualifying disability shall be paid at least minimum wage for direct labor hours performed in fulfillment of any contract awarded under the provisions of this section.

4. The amount of goods and services that may be purchased in accordance with this section shall

not exceed twenty-five million dollars.

5. It shall be the duty of the office of administration to determine the fair market price of all products and services offered for sale to the various departments of the state by qualifying vendors. The fair market price shall be competitive with the cost of procuring the goods or services from another source; shall, at a minimum, recover for the qualifying vendor the cost of raw materials, labor, overhead, and delivery; and shall be revised from time to time in accordance with changing cost factors. The office of administration may make such rules and regulations necessary to carry out the purposes of this section including specifications, time of delivery, assignment of products and services to be supplied by qualifying vendors, and other relevant matters of procedure. After a contract has been awarded, all state departments as defined in section 34.010 shall purchase the products and services on the procurement list as determined by the office of administration in accordance with this section. The office of administration may authorize the purchase of products and services from other sources when requisitions cannot reasonably be fulfilled by a qualifying vendor.

6. In assessing the suitability of any potential addition to the procurement list, the office of administration shall consider the interest of small businesses and businesses owned by disadvantaged persons by determining whether the addition would have a severe adverse impact on the current contractor for the commodity or service. Generally, an impact up to fifteen percent of the total revenue of the contractor would not be deemed severe. However, in deciding whether a proposed addition to the procurement list would have a severe adverse impact on the current contractor, the office of administration shall consider:

(1) Financial and employment information provided by the current contractor regarding the impact on the contractor's sales;

(2) Whether the contractor has been a consistent supplier of the commodity or service and, therefore, more dependent on such sales; and

(3) Any other factor the office of administration deems relevant.

7. Except as otherwise provided in this section, all departments shall purchase goods and services produced by a qualifying vendor if:

(1) The goods or services offered for sale by a qualifying vendor reasonably conform to the needs and specifications of the department; and

(2) The qualifying vendor can supply the goods or services within a reasonable time.

8. In furtherance of this act, the Governor may elect to appoint a committee of no fewer than five senior state agency procurement officials, at least one representative of a qualified nonprofit agency for the blind, and one representative of a qualified nonprofit agency for the significantly disabled, and one private citizen to collaborate to further the Act. Such committee will be unpaid, not require appropriation, and would serve in an advisory capacity only.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 33, Page 3, Section 209.200, Line 23, by inserting after all of said section and line the following:

“210.116. Notwithstanding any other provision of law, no child who is or is suspected to be the victim of abuse and neglect shall be denied access to mental health care and treatment, regardless of the person or entity responsible for the child’s care, custody, and control.

210.160. 1. In every case involving an abused or neglected child which results in a judicial proceeding, the judge shall appoint a guardian ad litem to appear for and represent:

(1) A child who is the subject of proceedings pursuant to sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, RSMo, or sections 453.005 to 453.170, RSMo, or proceedings to determine custody or visitation rights under sections 452.375 to 452.410, RSMo; or

(2) A parent who is a minor, or who is a mentally ill person or otherwise incompetent, and whose child is the subject of proceedings under sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, RSMo, or sections 453.005 to 453.170, RSMo.

2. The guardian ad litem shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child’s family members or placements of the child, and upon appointment by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Employees of the division, officers of the court, and employees of any agency involved shall fully inform the guardian ad litem of all aspects of the case of which they have knowledge or belief.

3. The appointing judge shall require the guardian ad litem to faithfully discharge such guardian ad litem’s duties, and upon failure to do so shall discharge such guardian ad litem and appoint another. The appointing judge shall have the authority to examine the general and criminal background of persons appointed as guardians ad litem, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are appointed to represent. The judge in making appointments pursuant to this section shall give preference to persons who served as guardian ad litem for the child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

4. The guardian ad litem may be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. However, no fees as a judgment shall be taxed against a party or parties who have not been found to have abused or neglected a child or children. Such an award of guardian fees shall constitute a final judgment in favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in accordance with chapter 513, RSMo.

5. The court may designate volunteer advocates, who may or may not be attorneys licensed to practice law, to assist in the performance of the guardian ad litem duties for the court. Nonattorney volunteer advocates shall not provide legal representation. The court shall have the authority to examine the general and criminal background of persons designated as volunteer advocates, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are designated to represent. The volunteer advocate shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child’s family members or placements of the child, and upon designation by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Any such designated person shall receive no compensation from public funds. This shall not preclude reimbursement for reasonable expenses.

6. Any person appointed to perform guardian ad litem duties shall have completed a training program in:

(1) Child abuse and neglect. The requirement of this subsection shall be satisfied if the guardian ad litem has a degree or significant training and experience in a mental health profession; and

(2) Permanency planning [and]. The guardian ad litem shall advocate for timely court hearings whenever possible to attain permanency for a child as expeditiously as possible to reduce the effects that prolonged foster care may have on a child.

A nonattorney volunteer advocate shall have access to a court appointed attorney guardian ad litem should the circumstances of the particular case so require.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 267**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 57**, entitled:

An Act to repeal sections 8.683, 8.685, 71.285, 144.032, and 205.205, RSMo, and to enact in lieu thereof nine new sections relating to certain civil actions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 57, Page 1, In the Title, Line 3, by deleting the word “civil” and inserting in lieu thereof the word “legal”; and

Further amend said bill, Page 11, Section 206.165, Line 68, by inserting after all of said section and line the following:

“313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related

duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses. Notwithstanding any other provision of law to the contrary, any fines collected for offenses committed under this subsection shall be deposited into the Veterans Commission Capitol Improvement Trust Fund established in section 42.300.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 34**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 34

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 34, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of

the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 34, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 34;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Cunningham
 /s/ Scott T. Rupp
 /s/ Michael L. Parson
 /s/ Ryan McKenna
 /s/ Gina Walsh

FOR THE HOUSE:

/s/ Lyndall Fraker
 /s/ Dave Schatz
 /s/ Kevin McManus

Senator Cunningham moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Emery Nieves—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Cunningham, **CCS** for **HCS** for **SS** for **SB 34**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE BILL NO. 34

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater

Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh Wasson—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lamping moved that the Senate refuse to concur in **HA 1** for **SB 77** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 42**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Romine moved that the Senate refuse to concur in **HCS** for **SB 57**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator McKenna moved that the Senate refuse to concur in **HCS** for **SB 90**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Lamping moved that the Senate refuse to concur in **HA 2**, **HA 3**, **HA 4**, **HA 5** and **HA 6** to **SCS** for **SB 33** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that the Senate refuse to concur in **HA 1** to **SB 327** and request the House to recede from its position and take up and pass the bill, which motion prevailed.

Senator Nieves assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Frank Meyer and Edna McDaniel, as members of the Missouri Quality Home Care Council;

Also,

Noelle C. Collins, Democrat, as a member of the Missouri Women's Council;

Also,

Jeanne Marie Dee and Travis Ford, as members of the Missouri State Board of Accountancy;

Also,

Glenn M. McCumber and Keith G. Hankins, Republicans, as members of the Missouri Southern State University Board of Governors;

Also,

Timothy Flora, as a member of the Board of Private Investigator and Private Fire Investigator Examiners;

Also,

Kathleen Tofall, as a member of the Sentencing and Corrections Oversight Commission;

Also,

Michael C. Rader, as a member of the Kansas City Board of Police Commissioners;

Also,

Elizabeth M. Pierson, as a member of the Advisory Committee for 911 Service Oversight; and

Gary Vandiver, Democrat, as a member of the State Soil and Water Districts Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

SENATE BILLS ON THIRD READING

SCS for **SB 378**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 378

An Act to repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 378** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh—31	

NAYS—Senator Wasson—1

Absent—Senator Sifton—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 41**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HJR 14**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri, and adopting one new section relating to the fifth state building fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SS** for **SB 262** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SCS** for **SB 157** and **SB 102** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1** to **SCS** for **SB 36** and request the Senate grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SCS** for **SB 17** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SCS** for **SB 9** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SB 330** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SB 43** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SCS**, as amended, for **HCS** for **HB 1035** and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SA 1** to **HB 316** and requests the Senate to recede from its position on **SA 1** and take up and pass **HB 316**.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 9**, as amended: Senators Pearce, Munzlinger, Sater, Curls and Chappelle-Nadal.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 17**, as amended: Senators Munzlinger, Lamping, Romine, Curls and Chappelle-Nadal.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 43**, as amended: Senators Munzlinger, Schaefer, Kehoe, Holsman and McKenna.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 157** and **SB 102**, as amended: Senators Sater, Kraus, Silvey, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 262**, as amended: Senators Curls, Rupp, Parson, Wallingford and Justus.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 330**, as amended: Senators Wasson, Cunningham, Sater, Keaveny and

Sifton.

HOUSE BILLS ON THIRD READING

HCS for HBs 374 and 434, with SCS, entitled:

An Act to repeal sections 478.320, 478.370, 478.375, 478.385, 478.387, 478.437, 478.463, 478.513, 478.527, 478.550, 478.570, 478.600, 478.610, 478.625, 478.630, 478.690, 478.700, 478.705, 478.710, 478.715, 478.730, and 478.750, RSMo, and to enact in lieu thereof twenty-three new sections relating to the transfer of judicial positions by the supreme court.

Was called from the Informal Calendar and taken up by Senator Dixon.

SCS for HCS for HBs 374 and 434, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 374 and 434**

An Act to repeal sections 32.056, 43.518, 408.040, 476.057, 477.405, 478.320, 487.020, 488.305, 488.426, 488.2250, 488.5320, 513.430, 514.040, 525.020, 525.040, 525.070, 525.080, 525.230, 525.310, 544.455, 557.011, 559.036, 559.115, 632.498, and 632.505, RSMo, and to enact in lieu thereof twenty-six new sections relating to judicial procedures.

Was taken up.

Senator Dixon moved that **SCS for HCS for HBs 374 and 434** be adopted.

Senator Dixon offered **SS for SCS for HCS for HBs 374 and 434, entitled:**

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 374 and 434**

An Act to repeal sections 32.056, 43.518, 408.040, 454.475, 476.057, 477.405, 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, 478.320, 487.010, 487.020, 488.305, 488.426, 488.2250, 488.5320, 513.430, 514.040, 525.020, 525.040, 525.070, 525.080, 525.230, 525.310, 544.455, 557.011, 559.036, 559.115, 632.498, and 632.505, RSMo, and to enact in lieu thereof twenty-eight new sections relating to judicial procedures, with an effective date for certain sections.

Senator Dixon moved that **SS for SCS for HCS for HBs 374 and 434** be adopted.

Senator Romine offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 and 434, Page 63, Section 632.505, Line 4 of said page, by inserting immediately after said line the following:

“Section 1. It is the intent of the legislature to reject and abrogate earlier case law interpretations

on the meaning of or definition of “sexually violent offense” to include, but not be limited to, holdings in: *Robertson v. State*, 392 S.W.3d 1 (Mo. App. W.D., 2012); and *State ex rel. Whitaker v. Satterfield*, 386 S.W.3d 893 (Mo. App. S.D., 2012); and all cases citing, interpreting, applying, or following those cases. It is the intent of the legislature to apply these provisions retroactively.”; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 and 434, Page 13, Section 477.405, Line 21, by inserting immediately thereafter the following:

“478.008. 1. Veterans treatment courts may be established by any circuit court, or combination of circuit courts, upon agreement of the presiding judges of such circuit courts to provide an alternative for the judicial system to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel.

2. A veterans treatment court shall combine judicial supervision, drug testing, and substance abuse and mental health treatment to participants who have served or are currently serving the United States armed forces, including members of the reserves, national guard, or state guard.

3. (1) Each circuit court, which establishes such courts as provided in subsection 1 of this section, shall establish conditions for referral of proceedings to the veterans treatment court; and

(2) Each circuit court shall enter into a memorandum of understanding with each participating prosecuting attorney in the circuit court. The memorandum of understanding shall specify a list of felony offenses ineligible for referral to the veterans treatment court. The memorandum of understanding may include other parties considered necessary including, but not limited to, defense attorneys, treatment providers, and probation officers.

4. (1) A circuit that has adopted a veterans treatment court under this section may accept participants from any other jurisdiction in this state based upon either the residence of the participant in the receiving jurisdiction or the unavailability of a veterans treatment court in the jurisdiction where the participant is charged.

(2) The transfer can occur at any time during the proceedings, including, but not limited to, prior to adjudication. The receiving court shall have jurisdiction to impose sentence, including, but not limited to, sanctions, incentives, incarceration, and phase changes.

(3) A transfer under this subsection is not valid unless it is agreed to by all of the following:

(a) The defendant or respondent;

(b) The attorney representing the defendant or respondent;

(c) The judge of the transferring court and the prosecutor of the case; and

(d) The judge of the receiving veterans treatment court and the prosecutor of the veterans treatment court.

(4) If the defendant is terminated from the veteran’s treatment court program the defendant’s

case shall be returned to the transferring court for disposition.

5. The defendant in any criminal proceeding accepted by a veterans treatment court for disposition shall be a nonviolent person, as determined by the prosecuting attorney. Any proceeding accepted by the veterans treatment court program for disposition shall be upon agreement of the parties.

6. Except for good cause found by the court, a veterans treatment court shall make a referral for substance abuse or mental health treatment, or a combination of substance abuse and mental health treatment, through the Department of Defense health care, the Veterans Administration, or a community-based treatment program. Community-based programs utilized shall receive state or federal funds in connection with such referral and shall only refer the individual to a program which is certified by the Missouri department of mental health, unless no appropriate certified treatment program is located within the same county as the veterans treatment court.

7. Any statement made by a participant as part of participation in the veterans treatment court program, or any report made by the staff of the program, shall not be admissible as evidence against the participant in any criminal, juvenile, or civil proceeding. Notwithstanding the foregoing, termination from the veterans treatment court program and the reasons for termination may be considered in sentencing or disposition.

8. Notwithstanding any other provision of law to the contrary, veterans treatment court staff shall be provided with access to all records of any state or local government agency relevant to the treatment of any program participant.

9. Upon general request, employees of all such agencies shall fully inform a veterans treatment court staff of all matters relevant to the treatment of the participant. All such records and reports and the contents thereof shall:

- (1) Be treated as closed records;
- (2) Not be disclosed to any person outside of the veterans treatment court;
- (3) Be maintained by the court in a confidential file not available to the public.

10. Upon successful completion of the treatment program, the charges, petition, or penalty against a veterans treatment court participant may be dismissed, reduced, or modified. Any fees received by a court from a defendant as payment for substance abuse or mental health treatment programs shall not be considered court costs, charges, or fines.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 and 434, Page 15, Section 478.073, Line 3, by striking the words “by April first”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 and 434, Page 2, Section A, Line 10, by inserting after all of said line the following:

“1.010. **1.** The common law of England and all statutes and acts of parliament made prior to the fourth year of the reign of James the First, of a general nature, which are not local to that kingdom and not repugnant to or inconsistent with the Constitution of the United States, the constitution of this state, or the statute laws in force for the time being, are the rule of action and decision in this state, any custom or usage to the contrary notwithstanding, but no act of the general assembly or law of this state shall be held to be invalid, or limited in its scope or effect by the courts of this state, for the reason that it is in derogation of, or in conflict with, the common law, or with such statutes or acts of parliament; but all acts of the general assembly, or laws, shall be liberally construed, so as to effectuate the true intent and meaning thereof.

2. The general assembly expressly excludes from this section the common law of England as it relates to claims arising out of the rendering of or failure to render health care services by a health care provider, it being the intent of the general assembly to replace those claims with statutory causes of action.”; and

Further amend said bill, page 39, 525.310, line 25 of said page, by inserting after all of said line the following:

“538.210. **1. A statutory cause of action for damages against a health care provider for personal injury or death arising out of the rendering of or failure to render health care services is hereby created, replacing any such common law cause of action. The elements of such cause of action are that the health care provider failed to use that degree of skill and learning ordinarily used under the same or similar circumstances by similarly situated health care providers and that such failure proximately caused injury or death.**

2. In any action [against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services] referenced in subsection 1 of this section, no plaintiff shall recover more than three hundred fifty thousand dollars for noneconomic damages irrespective of the number of defendants.

[2.] 3. (1) Such limitation shall also apply to any individual or entity, or their employees or agents that provide, refer, coordinate, consult upon, or arrange for the delivery of health care services to the plaintiff; and

(2) Who is a defendant in a lawsuit brought against a health care provider under this chapter, or who is a defendant in any lawsuit that arises out of the rendering of or the failure to render health care services.

(3) No individual or entity whose liability is limited by the provisions of this chapter shall be liable to any plaintiff based on the actions or omissions of any other entity or person who is not an employee of such individual or entity whose liability is limited by the provisions of this chapter.

Such limitation shall apply to all claims for contribution.

[3.] 4. In any action against a health care provider for damages for personal injury or death arising out of the rendering of or the failure to render health care services, where the trier of fact is a jury, such jury shall not be instructed by the court with respect to the limitation on an award of noneconomic damages, nor shall counsel for any party or any person providing testimony during such proceeding in any way inform

the jury or potential jurors of such limitation.

[4.] 5. For purposes of sections 538.205 to 538.230, any spouse claiming damages for loss of consortium of their spouse shall be considered to be the same plaintiff as their spouse.

[5.] 6. Any provision of law or court rule to the contrary notwithstanding, an award of punitive damages against a health care provider governed by the provisions of sections 538.205 to 538.230 shall be made only upon a showing by a plaintiff that the health care provider demonstrated willful, wanton or malicious misconduct with respect to his actions which are found to have injured or caused or contributed to cause the damages claimed in the petition.

[6.] 7. For purposes of sections 538.205 to 538.230, all individuals and entities asserting a claim for a wrongful death under section 537.080 shall be considered to be one plaintiff.

8. The limitation on awards for noneconomic damages provided for in this section shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall submit that value to the secretary of state, to publish in the Missouri Register as soon after each January first as practicable. Publication of the value shall be exempt from the provisions of section 536.021. Notwithstanding any provision of this subsection to the contrary, the limitation on awards for noneconomic damages provided for in this section shall not exceed five hundred thousand dollars.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

Senator Dixon moved that **HCS** for **HBs 374** and **434**, with **SCS**, **SS** for **SCS** and **SA 4** (pending), be placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The following message corrects the message delivered on May 9, 2013 to reflect the adoption of **HA 1** to **SCS** for **SB 33**.

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 33**.

With House Amendment Nos. 1*, 2, 3, 4, 5 and 6.

* **HA 1** is attached.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 33, Page 3, Section 209.200, Line 20, by inserting immediately after all of said line the following:

“(f) “Professional therapy dog”, a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler’s occupation or profession. Such dogs, with their handlers,

perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has dissolved the conference committee on **SCS** for **HCS** for **HB 1**, and has taken up and adopted **SCS** for **HCS** for **HB 1** and has taken up and passed **SCS** for **HCS** for **HB 1**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Mike Lair
/s/ Genise Montecillo

Senator Schaefer moved that the above conference committee report be adopted.

Senator Kehoe assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators

Curls	Parson—2
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Absent with leave—Senator Holsman—1

Vacancies—None

The conference committee report on **SCS** for **HCS** for **HB 2** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Chappelle-Nadal	LeVota	Nasheed	Rupp—4
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
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Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Chappelle-Nadal	LeVota	Nasheed	Rupp—4
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lamping requested unanimous consent of the Senate to allow his motion requesting conference on **SCS** for **SB 33** to include **HA 1**, which request was granted.

Senator Parson moved that the Senate refuse to adopt the **CCR** on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and request the House grant the Senate a further conference; and further that the conferees be allowed to exceed the differences, which motion prevailed.

THIRD READING OF SENATE BILLS

Senator Pearce moved that **SS** for **SCS** for **SB 437** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **SB 437** was read the 3rd time and passed by the following vote:

YEAS—Senators

Curls	Dempsey	Dixon	Emery	Justus	Keaveny	Kraus	Lager
Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Schaaf	Schmitt	Sifton	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Kehoe	LeVota	Nasheed	Sater	Schaefer
Walsh—9							

Absent—Senator Rupp—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 3** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 4** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 4**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 5** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 5**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 6**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 6**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 7**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 8** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 8**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 9** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 9**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 11**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 11**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 12** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has dissolved the conference committee on **SCS** for **HCS** for **HB 13**, and has taken up and adopted **SCS** for **HCS** for **HB 13** and has taken up and passed **SCS** for **HCS** for **HB 13**.

Senator Kraus assumed the Chair.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan
/s/ Genise Montecillo

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Pearce	Richard	Romine	Rupp	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senator LeVota—1

Absent—Senators

Lager	Parson	Schaaf—3
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Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 3**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Denny Hoskins
/s/ Gail McCann Beatty

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	LeVota	McKenna	Nasheed	Walsh—7
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Absent—Senator Lager—1

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	LeVota	McKenna	Nasheed	Walsh—7
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee

Substitute for House Bill No. 5.

2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ Michael Kehoe

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Mark Parkinson

/s/ Gail McCann Beatty

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus LeVota—2

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 5**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus LeVota—2

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6, as amended.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Craig Redmon
/s/ Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 6**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7, as amended.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

/s/ Michael Kehoe

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Thomas Flanigan

/s/ Kevin McManus

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Marsha Haefer
Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 9** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott T. Rupp

FOR THE HOUSE:

/s/ Rick Stream

/s/ Tom Flanigan

/s/ Michael Kehoe

/s/ Jill Schupp

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 10** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Sue Allen
Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 10**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Emery LeVota—2

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11, as amended.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott T. Rupp
/s/ Michael Kehoe
/s/ S. Kiki Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan
Jeanne Kirkton

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford

Wasson—25

NAYS—Senators

Curls	Justus	Keaveny	Lager	LeVota	Nasheed	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 11**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social

Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Kehoe	Kraus	Lamping
Libla	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Curls	Emery	Justus	Keaveny	Lager	LeVota	Nasheed	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 12** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
 /s/ Scott T. Rupp
 /s/ Michael Kehoe
 /s/ S. Kiki Curls
 /s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
 /s/ Tom Flanigan
 Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator LeVota—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 12**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh
Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HCS** for **HBs 374** and **434**, with **SCS**, **SS** for **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 4 was again taken up.

At the request of Senator Brown, the above amendment was withdrawn.

Senator Pearce assumed the Chair.

At the request of Senator Dixon, **HCS** for **HBs 374** and **434**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HCS for **HBs 404** and **614**, with **SCS**, entitled:

An Act to repeal sections 287.067 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

Was called from the Informal Calendar and taken up by Senator Kehoe.

SCS for **HCS** for **HBs 404** and **614**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 404 and 614

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.610, 287.715, and 287.745, RSMo, and to enact in lieu thereof twelve new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Was taken up.

Senator Kehoe moved that **SCS** for **HCS** for **HBs 404** and **614** be adopted.

Senator Rupp offered **SS** for **SCS** for **HCS** for **HBs 404** and **614**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 404 and 614

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.243, 287.280, 287.610, 287.715, 287.745, and 287.955, RSMo, and to enact in lieu thereof fourteen new sections relating to workers' compensation, with an existing penalty provision and an effective date.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HBs 404** and **614** be adopted.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 404 and 614, Page 21, Section 287.200, Lines 24-26 of said page, by striking all of said lines and inserting in lieu thereof the following: **"of permanent total disability and death; and"**; and

Further amend said bill and section, Page 22, Line 22 of said page, by striking "2023" and inserting in lieu thereof the following: **"2038"**; and

Further amend said bill, Page 29, Section 287.213, Line 3 of said page, by striking "2023" and inserting in lieu thereof the following: **"2038"**.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Rupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 404 and 614, Page 58, Section 287.955, Line 21, by inserting immediately after said line, the following:

"287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall become effective on January 1, 2014."; and

Further amend the title and enacting clause accordingly.

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 404 and 614, Page 28, Section 287.213, Line 1, by inserting immediately after “287.200.” the following: **“The surcharge shall be increased in an amount that shall generate, as nearly as possible, one hundred percent of the moneys to be paid for the administration and defense of the mesothelioma fund in the following calendar year.”**; and further amend line 27, by inserting immediately after the word “fund” the following: **“, shall use assistant attorneys general except in circumstances where an actual or potential conflict of interest exists, to provide legal services as may be required in all claims made for recovery against the mesothelioma fund,”**; and

Further amend said section, page 29, line 1, by inserting immediately at the end of said line, the following: **“Any legal expenses incurred by the attorney general’s office in the handling of claims against the mesothelioma fund, including, but not limited to, medical examination fees, expert witness fees, court reporter expenses, travel costs, and related legal expenses shall be paid by the mesothelioma fund. The payment of such legal expenses shall be contingent upon annual appropriations made by the general assembly, from the fund, to the attorney general’s office for this specific purpose.”**.

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Kehoe, **HCS** for **HBs 404** and **614**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SB 262**, as amended. Representatives: Molendorp, Scharnhorst, and McNeil.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 157** and **SB 102**, as amended. Representatives: Phillips, Dugger, and Nichols.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 17**, as amended. Representatives: Thomson, Scharnhorst, and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has

appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 330**, as amended. Representatives: Burlison, Keeney, and Kratky.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 9**, as amended. Representatives: Guernsey, Richardson, and Mitten.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 43**, as amended. Representatives: Kolkmeier, Schatz, and Schieffer.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 350**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 17** and has taken up and passed **SCS** for **HCS** for **HB 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 18** and has taken up and passed **SCS** for **HB 18**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 19** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 19**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **HB 253** and has taken up and passed **SS** for **HB 253**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and the conferees be allowed to exceed the differences.

The Speaker hereby reappoints the following Conference Committee to act with a like committee from the Senate on **SCS** for **HCS** for **HJR**s **11** and **7**, as amended. Representatives: Richardson, Reiboldt, and Black.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SCS** for **SB 240**.

Bill ordered enrolled.

REFERRALS

President Pro Tem Dempsey referred **HJR 16**, with **SCS**; **HCS** for **HB 320**; **HCS** for **HB 114**; and **HCS** for **HB 349** to the Committee on Governmental Accountability and Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HJRs 11** and **7**, as amended: Senators Parson, Munzlinger, Brown, Justus and Sifton.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate grant the House a conference on **SCS** for **SB 36**, as amended, which motion prevailed.

Senator Schmitt moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 1035**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Sater moved that the Senate recede from its position on **SA 1** to **HB 316**, which motion prevailed.

On motion of Senator Sater, **HB 316** was read the 3rd reading time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 36**, as amended: Senators Wallingford, Dixon, Romine, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee

from the House on **SCS** for **HCS** for **HB 1035**, as amended: Senators Schmitt, Pearce, Dixon, McKenna and Holsman.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HCS** for **HBs 374** and **434**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HBs 374** and **434**, as amended, was again taken up.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 950, regarding Robin Barnes, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 951, regarding Edna Rinker, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 952, regarding Dr. Jonathan Apostol, Monett, which was adopted.

Senator Silvey offered Senate Resolution No. 953, regarding Rachel “Spunky” Kinahan, which was adopted.

Senator Lager offered Senate Resolution No. 954, regarding Tyler Maberry, which was adopted.

Senator Kehoe offered Senate Resolution No. 955, regarding Devin Koestner, Lohman, which was adopted.

Senator Justus offered Senate Resolution No. 956, regarding Alec Elliott Kelley, Lake St. Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 957, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Roger Krofft, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 958, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Hubert S. Marshall, St. Joseph, which was adopted.

Senator Romine offered Senate Resolution No. 959, regarding Nancy S. Kaalberg, which was adopted.

Senators Brown and Kehoe offered Senate Resolution No. 960, regarding Shane Zimmer, Howard Booe, Scott Seib and Bryan Libbert of the Bawlszenhier Brewmasters softball team, which was adopted.

Senator LeVota offered Senate Resolution No. 961, regarding Nathan Ellermeier, Columbia, which was adopted.

Senator LeVota offered Senate Resolution No. 962, regarding Project Shine, Independence School District, which was adopted.

Senator Sater offered Senate Resolution No. 963, regarding Ozark Beach hydroelectric plant, Forsyth,

which was adopted.

Senator LeVota offered Senate Resolution No. 964, regarding Arbor Day, Independence, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Mrs. Amy Brauner and Mrs. Phyllis Struempf and fifty-eight seventh grade students from St. Peters Interparish School, Jefferson City.

On motion of Senator Richard, the Senate adjourned until 2:00 p.m., Monday, May 13, 2013.

SENATE CALENDAR

SIXTY-SIXTH DAY—MONDAY, MAY 13, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS#2 for HJR 14

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 473 (Lager) (In Fiscal Oversight) | 9. HCS for HB 117, with SCS (Rupp) |
| 2. HCS for HB 215, with SCS (Dixon) (In Fiscal Oversight) | 10. HB 148-Davis, et al, with SCS (Brown) |
| 3. HCS for HB 168 (Kraus) | 11. HB 103-Kelley (127), et al, with SCS (Munzlinger) |
| 4. HCS for HB 58 (Wasson) | 12. HB 428-Schatz, with SCS (Wasson) |
| 5. HB 409-Love and Remole (Parson) (In Fiscal Oversight) | 13. HCS for HJRs 5 & 12, with SCS (Kraus) |
| 6. HB 339-Wieland, et al (Dempsey) | 14. HCS for HBs 48 & 216 (Kraus) |
| 7. HCS for HBs 593 & 695 (Schaaf) | 15. HB 510-Torpey and Wieland (Rupp) |
| 8. HB 142-Dugger, with SCS (Walsh) | 16. HB 322-Gosen, et al, with SCS (Rupp) |
| | 17. HCS for HB 345, with SCS (Lager) |
| | 18. HCS for HB 134, with SCS (Schmitt) |

- | | |
|---|---|
| 19. HB 451-Fraker, et al (Sater) | 29. HCS for HB 175, with SCS (Parson) |
| 20. HB 116-Dugger, with SCS (Dixon) | 30. HCS for HB 128 (Rupp) |
| 21. HB 533-Riddle, et al, with SCS
(Munzlinger) | 31. HCS for HB 114 (Brown) (In Fiscal
Oversight) |
| 22. HB 278-Brattin, et al (Emery) | 32. HB 450-Carpenter, et al, with SCS
(Silvey) |
| 23. HB 650-Ross, et al, with SCS
(Munzlinger) | 33. HCS for HB 349 (Kehoe) (In Fiscal
Oversight) |
| 24. HCS for HB 440, with SCS (Munzlinger) | 34. HB 85-Kelley (127), et al (Dixon) |
| 25. HCS for HB 110, with SCS (Kraus) | 35. HCS for HB 418 (Silvey) |
| 26. HB 625-Burlison, with SCS (Wasson) | 36. HCS for HB 722, with SCS (Lamping) |
| 27. HJR 16-McCaherty, et al, with SCS
(Schaaf) (In Fiscal Oversight) | 37. HCS for HB 611, with SCS (Rupp) |
| 28. HCS for HB 320 (Lager) (In Fiscal
Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 3-Rupp, with SA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 13-Schaefer, with SCS | SB 285-Romine |
| SB 21-Dixon | SB 291-Rupp |
| SB 22-Dixon | SB 292-Rupp |
| SB 30-Brown, with SCS | SB 308-Schaaf |
| SB 48-Lamping | SB 315-Pearce |
| SB 53-Lamping | SB 325-Nieves |
| SB 61-Keaveny, with SCA 1 (pending) | SB 339-Romine |
| SB 65-Dixon, with SCS | SB 343-Parson |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 364-Parson |
| SB 82-Schaefer, with SCS | SB 371-Munzlinger, with SCS |
| SB 109-Brown, with SCS | SB 377-Dixon |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 383-Wallingford |
| SB 141-Dempsey | SB 396-Holsman and Chappelle-Nadal,
with SCS |
| SB 167-Sater and Wallingford, with SCS | SB 403-Rupp, with SCS |
| SB 174-Parson, with SCS | SB 410-Kehoe |
| SB 175-Wallingford | SB 419-Lager, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 423-Nasheed |
| SB 231-Munzlinger, with SA 1 (pending) | SB 441-Dempsey |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 448-Schmitt and Keaveny |
| SB 250-Schaaf, with SCS | SB 455-Nieves, with SCS |
| SB 259-Schaaf, with SCS | SJR 2-Lager |

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)	HB 274-Brattin, et al, with SCS (Brown)
HB 55-Flanigan and Allen, with SCS (Schaefer)	HB 346-Molendorp (Wasson)
HB 112-Burlison, with SA 2 (pending) (Brown)	SS for SCS for HCS for HBs 374 & 434 (Dixon) (In Fiscal Oversight)
HB 184-Cox, et al (Parson)	HCS for HBs 404 & 614, with SCS & SS for SCS (pending) (Kehoe)
HCS for HB 194 (Parson)	HB 432-Funderburk, et al, with SCS & SA 1 (pending) (Lager)
HB 196-Lauer, et al, with SCS, SA 1 & point of order (pending) (Romine)	HCS for HB 457, with SCS (Rupp)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus, with HCS, as amended	SS for SCS for SB 114-Schmitt, with HA 1, as amended
SCS for SB 45-Dixon, with HCS, as amended	SCS for SB 248-Wasson, with HA 1 & HA 2

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS, as amended	SCS for SB 117-Kraus, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 9-Pearce, with HCS, as amended	SCS for SB 157 & SB 102-Sater, with HCS, as amended
SCS for SB 17-Munzlinger and Romine, with HCS, as amended	SS for SB 262-Curls, with HCS, as amended
SB 23-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)	SB 330-Wasson, with HCS, as amended
SS for SB 34-Cunningham, with HCS, as amended (Senate adopted CCR and passed CCS)	HB 307-Riddle, et al, with SS for SCS, as amended (Schmitt)
SCS for SB 36-Wallingford and Sifton, with HA 1	HCS#2 for HB 698, with SCS, as amended (Schmitt)
SB 43-Munzlinger, with HCS, as amended	HCS for HB 1035, with SCS, as amended (Schmitt)
SCS for SB 106-Brown, with HA 1, HA 2, HA 3, HA 4, as amended & HA 5 (Senate adopted CCR and passed CCS)	HCS for HJR 11 & 7, with SS, as amended (Parson) (Further conference granted)

Requests to Recede or Grant Conference

SCS for SB 33-Lamping, with HA 1, HA 2,
HA 3, HA 4, HA 5 & HA 6 (Senate
requests House recede or grant
conference)

SB 41-Munzlinger, with HCS, as amended
(Senate requests House recede or
grant conference)

SCS for SB 42-Munzlinger, with HCS, as
amended (Senate requests House
recede or grant conference)

SB 57-Romine, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 77-Lamping, with HA 1 (Senate
requests House recede or grant
conference)

SB 90-McKenna, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 327-Dixon, with HA 1 (Senate requests
House recede & take up and pass bill)

RESOLUTIONS

Reported from Committee

HCR 7-Pfautsch, et al (Richard)
HCR 16-Walton Gray, et al
(Chappelle-Nadal)
HCR 25-Allen

HCR 28-Lynch, et al (Brown)
SCR 3-Walsh
SCR 4-Schmitt, et al
SCR 15-Romine

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SIXTH DAY—MONDAY, MAY 13, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Faith comes by hearing and hearing by the Word of God.” (Romans 10:17)

Blessed Lord, we begin our final week grateful that we have come to this point knowing that You have been with us and opened our hearts and minds to Your prompting. As the pressures continue to rise and the clock continues to click off the seconds of our remaining time here, quiet our souls so that we might deal with all that comes our way with unstressed hearts and clear minds so our decisions are prudent and wise. And let our mantra be: “Father not my will but Your will be done.” In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 9, 2013 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

On behalf of Senator Rupp, Senator Richard offered Senate Resolution No. 965, regarding Sara Stubbett, which was adopted.

Senator Romine offered Senate Resolution No. 966, regarding Ronald D. Swafford, which was adopted.

Senator Romine offered Senate Resolution No. 967, regarding Melissa Thurman, which was adopted.

Senator Romine offered Senate Resolution No. 968, regarding Sally Grounds, Bismarck, which was adopted.

Senator Schmitt offered Senate Resolution No. 969, regarding John Carney, which was adopted.

Senator Dempsey offered Senate Resolution No. 970, regarding Adriana Rhine, West Plains, which was adopted.

Senator Wasson offered Senate Resolution No. 971, regarding Tyler Campbell, Nixa, which was adopted.

Senator Nieves offered Senate Resolution No. 972, regarding West Saint Louis County Chamber of Commerce, Ellisville, which was adopted.

Senator Nieves offered Senate Resolution No. 973, regarding the Veterans Administration Saint Louis Health Care System volunteer service and the Disabled American Veterans transportation department, which was adopted.

Senator Nieves offered Senate Resolution No. 974, regarding the One Hundredth Anniversary of Farmers and Merchants Bank, St. Clair, which was adopted.

Senator Nieves offered Senate Resolution No. 975, regarding Verne Luther, Chesterfield, which was adopted.

Senator Nieves offered Senate Resolution No. 976, regarding Merrill C. Hinzpeter, Chesterfield, which was adopted.

Senator Sifton offered Senate Resolution No. 977, regarding Kelsey Jean Meline, which was adopted.

Senator Sifton offered Senate Resolution No. 978, regarding Kale Evan Gosney, which was adopted.

Senator Sifton offered Senate Resolution No. 979, regarding Blake Moreland Lawrence, which was adopted.

Senator Schmitt offered Senate Resolution No. 980, regarding Edward Barry Stevens, Saint Louis, which was adopted.

Senator McKenna offered Senate Resolution No. 981, regarding Jarrod Allen Snyder, Cedar Hill, which was adopted.

Senator Wasson offered Senate Resolution No. 982, regarding the Fifty-sixth Nixa Sucker Day Parade and Festival, which was adopted.

Senator LeVota offered Senate Resolution No. 983, regarding the 2013 Fort Osage Teacher of the Year, Kathy Smith, which was adopted.

Senator Holsman offered Senate Resolution No. 984, regarding Murrielisa Smith, Kansas City, which

was adopted.

Senator LeVota offered Senate Resolution No. 985, regarding Olivia Sandbothe, Kirksville, which was adopted.

On behalf of Senator Rupp, Senator Richard offered Senate Resolution No. 986, regarding Chief Thomas A. Bishop, Saint Peters Police Department, which was adopted.

Senator Holsman offered Senate Resolution No. 987, regarding James B. Nutter, Sr., Kansas City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **HCR 7** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 7** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 409**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 350**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 350**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no

objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HJR**s 5 and 12, with **SCS** and **HCS** for **HB**s 48 and 216 to the Committee on Governmental Accountability and Fiscal Oversight.

CONCURRENT RESOLUTIONS

Senator Brown moved that **HCR 28** be taken up for adoption, which motion prevailed.

On motion of Senator Brown, **HCR 28** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

Senator Schmitt moved that **SCR 4** be taken up for adoption, which motion prevailed.

On motion of Senator Schmitt, **SCR 4** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

Senator Romine moved that **SCR 15** be taken up for adoption, which motion prevailed.

Senator Romine offered **SS** for **SCR 15**, entitled:

SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the easily extracted, high purity lead ore in Missouri was a critical reason for the early development of Missouri and has provided good jobs, a way of life, and significant economic development to Missourians for centuries; and

WHEREAS, the lead industry in Missouri is the only primary, domestic source for that strategic material in America; and

WHEREAS, new technology now makes production of primary lead metal a safe, cost effective, and valuable means of continuing to provide a strategic material for numerous uses including munitions, protective barriers for x-rays, radioactive fallout, and radioactive contamination, and batteries for numerous uses including cars, trucks, electric vehicles, renewable energy storage, and peaking power reduction; and

WHEREAS, encouraging a safe, healthy, and lucrative lead industry in Missouri will give rise to good paying jobs, significant economic development, and the resources to mitigate the legacy of environmental issues caused by lead extraction:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force; and

BE IT FURTHER RESOLVED that the mission of task force shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The effects of a prompt environmental settlement giving rise to efficient and cost effective remediation;
- (2) Ways to promote the development of a clean lead industry;
- (3) Clean lead industry legislative proposals including rules and regulations necessary for implementation;
- (4) The economic potential of implementing clean lead industry policies; and

BE IT FURTHER RESOLVED that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

BE IT FURTHER RESOLVED that the task force shall consist of all of the following members:

- (1) The Governor, or his or her designee, to serve as a member of the task force; and
- (2) One member of the general assembly of the majority party appointed by the president pro tem of the senate, to serve as the chair of the task force; and
- (3) One member of the general assembly of the majority party appointed by the speaker of the house of representatives, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) The Attorney General, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (5) The Director of the Department of Natural Resources, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (6) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate; and
- (7) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives; and
- (8) A representative of industry appointed by the president pro tem of the senate; and
- (9) A representative of industry appointed by the speaker of the house of representatives; and

BE IT FURTHER RESOLVED that the staff of Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

BE IT FURTHER RESOLVED that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

BE IT FURTHER RESOLVED that the task force shall terminate by either a majority of members voting for termination, or by February 1, 2014, whichever occurs first; and

BE IT FURTHER RESOLVED that on the date of termination, the task force shall deliver a report of findings and recommendations to the General Assembly; and

BE IT FURTHER RESOLVED that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and the Director of the Department of Natural Resources.

Senator Romine moved that **SS** for **SCR 15** be adopted, which motion prevailed.

On motion of Senator Romine, **SCR 15**, as amended by **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

Senator Walsh moved that **SCR 3** be taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Walsh, **SCR 3**, entitled:

SENATE CONCURRENT RESOLUTION NO. 3

Relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Walsh, title to the concurrent resolution was agreed to.

Senator Walsh moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Wasson moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SB 248** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 45**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Curls moved that the Senate conferees on **HCS** for **SS** for **SB 262**, as amended, be allowed to exceed the differences in sections of the bill relating to navigators, exclusive network plans and deemer language relative to the Department of Insurance, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Kraus, **HCS** for **HB 168** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 58** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 409** was placed on the Informal Calendar.

At the request of Senator Dempsey, **HB 339** was placed on the Informal Calendar.

At the request of Senator Schaaf, **HCS** for **HBs 593** and **695** was placed on the Informal Calendar.

At the request of Senator Walsh, **HB 142**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 117**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HB 148**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 103**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **HB 428**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sifton, **HB 510** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 322**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 345**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **HCS** for **HB 134**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HB 451** was placed on the Informal Calendar.

HB 116, introduced by Representative Dugger, with **SCS**, entitled:

An Act to repeal sections 50.055 and 50.057, RSMo, and to enact in lieu thereof two new sections relating to county government accounts audits.

Was taken up by Senator Dixon.

SCS for **HB 116**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 116

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.055, 50.057, 50.622, 50.1030, 56.809, 70.605, 103.025, 104.190, 104.480, 169.020, and 238.272, RSMo, and to enact in lieu thereof twenty-three new sections relating to public accounts, with penalty provisions.

Was taken up.

Senator Dixon moved that **SCS** for **HB 116** be adopted.

Senator Dixon offered **SS** for **SCS** for **HB 116**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 116

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.055, 50.057, 50.622, 50.1030, 56.809, 70.605, 103.025, 104.190, 104.480, 169.020, and 238.272, RSMo, and to enact in lieu thereof twenty-three new sections relating to public accounts, with penalty provisions.

Senator Dixon moved that **SS** for **SCS** for **HB 116** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 116, Page 18, Section 29.260, Line 18, by inserting immediately after all of said line, the following:

“29.305. 1. The state auditor shall make a one-time report on the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The auditor may make additional comparisons including other sentences imposed for homicide offenses.

2. In selecting the cases in which a death sentence was not imposed, the auditor shall use a scientific method of random sampling that includes all cases filed on or after January 1, 1990.

3. The comparison shall include the following costs estimated by the auditor to be related to the cases examined and compared under subsection 1 of this section:

(1) Staff salaries, benefits, and operating expenses for the attorney general’s office, including any contracts for assistance;

(2) Staff salaries, benefits, and operating expenses for the department of corrections, including costs related to housing inmates sentenced to death, carrying out the death penalty, and any contracts for assistance;

(3) Staff salaries, including salaries of prosecuting and circuit attorneys, benefits, operating expenses charged to counties, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, additional investigations, and contracts for assistance;

(4) Staff salaries, benefits, and operating expenses for the Missouri state public defender system; and

(5) Staff salaries, benefits, and operating expenses for the supreme court, courts of appeals, and circuit courts.

4. The auditor shall present the report to the governor, members of the general assembly, and the Missouri supreme court by June 30, 2015.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 116, Page 4, Section 29.005, Lines 6-8, by striking the words “or any other entity for which the state has oversight responsibility,”.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Dixon, **HB 116**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 533**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **HB 278** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 650**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 440**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 110**, with **SCS**, was placed on the Informal Calendar.
HB 625, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 175**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 128** was placed on the Informal Calendar.

At the request of Senator Silvey, **HB 450**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 85** was placed on the Informal Calendar.

At the request of Senator Silvey, **HCS** for **HB 418** was placed on the Informal Calendar.

At the request of Senator Lamping, **HCS** for **HB 722**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 611**, with **SCS**, was placed on the Informal Calendar.

HB 339, introduced by Representative Wieland, et al, entitled:

An Act to amend chapter 303, RSMo, by adding thereto one new section relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law.

Was called from the Informal Calendar and taken up by Senator Dempsey.

Senator Kraus assumed the Chair.

On motion of Senator Dempsey, **HB 339** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 36**, as amended. Representatives: Hicks, Cox and Lafaver.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 1035**, as amended. Representatives: Kelley (127), Curtman and Swearingen.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 357**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 58**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 58, Page 1, Section A, Line 2, by inserting after all of said line the following:

“71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days’ notice thereof, either personally or by United States mail to the owner or owners, or the owner’s agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce

a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants, or in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants,** the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification where such city establishes its own procedures for abatement of weeds or trash,

and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 58, Section A, Page 1, Line 2, by inserting after all of said line the following:

“71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term “contiguous and compact” does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term “contiguous and compact” does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term “common-interest community” shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A “common-interest community” shall be defined as real property with respect to which a person, by virtue of such person’s ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. “Ownership of a unit” does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A “cooperative” shall be defined as a common-interest community in which the real property is

owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the

area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with

a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area**

shall be brought within five years of the date of the adoption of the annexation ordinance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 229**, entitled:

An Act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the mental health employment disqualification registry.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 29**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 205**, entitled:

An Act to repeal section 211.036, RSMo, and to enact in lieu thereof two new sections relating to foster children.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HCS for **HB 58**, entitled:

An Act to repeal section 379.1510, RSMo, and to enact in lieu thereof one new section relating to portable electronics insurance, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Wasson.

Senator Wasson offered **SS** for **HCS** for **HB 58**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 58

An Act to repeal section 379.1510, RSMo, and to enact in lieu thereof one new section relating to portable electronics insurance, with an emergency clause.

Senator Wasson moved that **SS** for **HCS** for **HB 58** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **HCS** for **HB 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown

Chappelle-Nadal

Cunningham

Curls

Dempsey

Dixon

Emery

Holsman

Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 451, introduced by Representative Fraker, et al, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for counties to decrease their budgets.

Was called from the Informal Calendar and taken up by Senator Sater.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 451, Page 2, Section 50.622, Line 23, by inserting immediately after all of said line, the following:

“208.1050. 1. There is hereby created in the state treasury the “Missouri Senior Services

Protection Fund”, which shall consist of money collected under subsection 2 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subsection 2 of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The state treasurer shall deposit from moneys that otherwise would have been deposited into the general revenue fund an amount equal to fifty-five million one hundred thousand dollars into the Missouri senior services protection fund. At least one-quarter of such amount shall be deposited on or before July 15, 2013, an additional one-quarter by October 15, 2013, and an additional one-quarter by January 15, 2014. The remaining amount shall be deposited by March 15, 2014. Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.

Section B. Because immediate action is necessary to protect low-income seniors and disabled persons, the enactment of section 208.1050 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 208.1050 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 1** is out of order as it goes beyond the scope of the underlying bill.

President Kinder assumed the Chair.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Sater, **HB 451** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 322, introduced by Representative Gosen, et al, with **SCS**, entitled:

An Act to repeal section 303.024, RSMo, and to enact in lieu thereof two new sections relating to the modernization of certain information provided by insurance companies, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Parson.

SCS for **HB 322**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 322

An Act to repeal sections 303.024 and 303.200, RSMo, and to enact in lieu thereof five new sections relating to providing and presenting certain insurance documents through electronic means, with penalty provisions.

Was taken up.

Senator Parson moved that **SCS** for **HB 322** be adopted.

Senator LeVota offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 322, Page 1, by inserting after all of said line the following:

“301.301. [1. Any person replacing a stolen license plate tab issued on or after January 1, 2009, may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a police report that is corresponding with the stolen license plate tab.

2.] Any person replacing a stolen license plate tab [issued prior to January 1, 2009,] may receive at no cost up to two sets of two license plate tabs per year when the application for the replacement tab is accompanied with a notarized affidavit verifying that such license plate tab or tabs were stolen.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Parson raised the point of order that **SA 1** is out of order as it goes beyond the scope of the language of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Parson moved that **SCS** for **HB 322** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HB 322** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater

Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh Wasson—32

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 208**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 69**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 127**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to public assistance benefits.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 127, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“208.146. 1. The program established under this section shall be known as the “Ticket to Work Health Assurance Program”. Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income

Program or meets the definition of an employed individual with a medically improved disability under TWWIIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred percent of the federal poverty level. For purposes of this subdivision, “gross income” includes all income of the person and the person’s spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an “independent living account” means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person’s disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse’s earned income;

(c) A twenty dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker’s dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent up to and including three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. The provisions of this section shall expire [six years after] August 28, [2007] **2019**.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age

but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) of this subsection shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of intellectual disability and developmental disability program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after

July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) **Effective August 28, 2013**, persons who are [independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets] **in foster care under the responsibility of the state of Missouri on the date such persons attain the age of eighteen years, or at any time during the thirty-day period preceding their eighteenth birthday, without regard to income or assets, if such persons:**

(a) Are under twenty-six years of age;

(b) Are not eligible for coverage under another mandatory coverage group; and

(c) Were covered by Medicaid while they were in foster care.

2. Rules and regulations to implement this section shall be promulgated in accordance with [section 431.064 and] chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical

assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955. A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(i).”; and

Further amend said bill, Page 10, Section 208.240, Line 5, by inserting after all of said section and line the following:

“208.895. 1. Upon **the** receipt of a properly completed referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] or a physician’s order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] Process, **review and approve or deny** the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3) Arrange] **For approved referrals, arrange** for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician’s order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] (3) Notify the referring entity **or individual** within five business days of receiving the referral if

[additional information] **a different physical address** is required to [process the referral; and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days] **schedule the assessment. The referring entity has five days to provide a current physical address if requested by the department. If a different physical address is needed, the fifteen-day limit included in subdivision (1) of this subsection is suspended until the information is received by the department;**

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract shall include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor notify the referring entity within five days of receipt of referral if additional information is needed to process the referral.

The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract] **has not complied with subdivision (1) of subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin to the provider based on the assessment and care plan recommendation submitted by the provider.**

3. [The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed

by home- and community-based providers for including, but not limited to, reassessment and level of care recommendations. These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.

4. The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective. If the department assessment determines the client does not meet level of care, the state shall not be responsible for the cost of services claimed prior to the department’s written notification to the provider of such denial.**

4. The department shall implement subsections 2 and 3 of this section unless the Centers for Medicare and Medicaid Services disapproves any necessary state plan amendments or waivers to implement the provisions in subsections 2 and 3 of this section allowing providers to perform assessments.

5. The department’s auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) “Assessment” means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

(a) Is conducted by an assessor trained to perform home- and community-based care assessments;

(b) Uses forms provided by the department;

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant’s assessment and authorization process.

(2) A “properly completed referral” shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

(a) The stated need for MO HealthNet home- and community-based services;

(b) The name, date of birth, and Social Security number of the client or person needing service, or the client’s or person’s MO HealthNet number; and

(c) The current physical address and phone number of the client or person needing services.

Addition information which may assist the department including contact information of a responsible

party shall also be submitted.

7. The department shall:

- (1) Develop an automated electronic assessment care plan tool to be used by providers; and**
- (2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.**

8. No later than December 31, 2014, the department of health and senior services shall submit a report to the general assembly that reviews the following:

- (1) How well the department is doing on meeting the fifteen-day requirement;**
- (2) The process the department used to approve the assessors;**
- (3) Financial data on the cost of the program prior to and after enactment of this section;**
- (4) Any audit information available on assessments performed outside the department; and**
- (5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.**

208.990. 1. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage individuals shall meet the eligibility criteria set forth in 42 CFR 435, including but not limited to the requirements that:

- (1) The individual is a resident of the state of Missouri;**
- (2) The individual has a valid Social Security number;**
- (3) The individual is a citizen of the United States or a qualified alien as described in Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. Section 1641, who has provided satisfactory documentary evidence of qualified alien status which has been verified with the Department of Homeland Security under a declaration required by Section 1137(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that the applicant or beneficiary is an alien in a satisfactory immigration status; and**
- (4) An individual claiming eligibility as a pregnant woman shall verify pregnancy.**

2. Notwithstanding any other provisions of law to the contrary, effective January 1, 2014, the family support division shall conduct an annual redetermination of all MO HealthNet participants' eligibility as provided in 42 CFR 435.916. The department may contract with an administrative service organization to conduct the annual redeterminations if it is cost effective.

3. The department, or family support division, shall conduct electronic searches to redetermine eligibility on the basis of income, residency, citizenship, identity and other criteria as described in 42 CFR 435.916 upon availability of federal, state, and commercially available electronic data sources. The department, or family support division, may enter into a contract with a vendor to perform the electronic search of eligibility information not disclosed during the application process and obtain an applicable case management system. The department shall retain final authority over eligibility determinations made during the redetermination process.

4. Notwithstanding any other provisions of law to the contrary, applications for MO HealthNet benefits shall be submitted in accordance with the requirements of 42 CFR 435.907 and other

applicable federal law. The individual shall provide all required information and documentation necessary to make an eligibility determination, resolve discrepancies found during the redetermination process, or for a purpose directly connected to the administration of the medical assistance program.

5. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage under section 208.995, individuals shall meet the eligibility requirements set forth in subsection 1 of this section and all other eligibility criteria set forth in 42 CFR 435 and 457, including, but not limited to, the requirements that:

(1) The department of social services shall determine the individual's financial eligibility based on projected annual household income and family size for the remainder of the current calendar year;

(2) The department of social services shall determine household income for the purpose of determining the modified adjusted gross income by including all available cash support provided by the person claiming such individual as a dependent for tax purposes;

(3) The department of social services shall determine a pregnant woman's household size by counting the pregnant woman plus the number of children she is expected to deliver;

(4) CHIP-eligible children shall be uninsured, shall not have access to affordable insurance, and their parent shall pay the required premium;

(5) An individual claiming eligibility as an uninsured woman shall be uninsured.

208.995. 1. For purposes of this section and section 208.990, the following terms mean:

(1) "Child" or "children", a person or persons who are under nineteen years of age;

(2) "CHIP-eligible children", children who meet the eligibility standards for Missouri's children's health insurance program as provided in sections 208.631 to 208.658, including paying the premiums required under sections 208.631 to 208.658;

(3) "Department", the Missouri department of social services, or a division or unit within the department as designated by the department's director;

(4) "MAGI", the individual's modified adjusted gross income as defined in Section 36B(d)(2) of the Internal Revenue Code of 1986, as amended, and:

(a) Any foreign earned income or housing costs;

(b) Tax-exempt interest received or accrued by the individual; and

(c) Tax-exempt Social Security income;

(5) "MAGI equivalent net income standard", an income eligibility threshold based on modified adjusted gross income that is not less than the income eligibility levels that were in effect prior to the enactment of Public Law 111-148 and Public Law 111-152.

2. (1) Effective January 1, 2014, notwithstanding any other provision of law to the contrary, the following individuals shall be eligible for MO HealthNet coverage as provided in this section:

(a) Individuals covered by MO HealthNet for families as provided in section 208.145;

(b) Individuals covered by transitional MO HealthNet as provided in 42 U.S.C. Section 1396r-6;

(c) Individuals covered by extended MO HealthNet for families on child support closings as provided in 42 U.S.C. Section 1396r-6;

(d) Pregnant women as provided in subdivisions (10), (11), and (12) of subsection 1 of section 208.151;

(e) Children under one year of age as provided in subdivision (12) of subsection 1 of section 208.151;

(f) Children under six years of age as provided in subdivision (13) of subsection 1 of section 208.151;

(g) Children under nineteen years of age as provided in subdivision (14) of subsection 1 of section 208.151;

(h) CHIP-eligible children; and

(i) Uninsured women as provided in section 208.659.

(2) Effective January 1, 2014, the department shall determine eligibility for individuals eligible for MO HealthNet under subdivision (1) of this subsection based on the following income eligibility standards, unless and until they are changed:

(a) For individuals listed in paragraphs (a), (b) and (c) of subdivision (1) of this subsection, the department shall apply the July 16, 1996, Aid to Families with Dependent Children (AFDC) income standard as converted to the MAGI equivalent net income standard;

(b) For individuals listed in paragraphs (f) and (g) of subdivision (1) of this subsection, the department shall apply one hundred thirty-three percent of the federal poverty level converted to the MAGI equivalent net income standard;

(c) For individuals listed in paragraph (h) of subdivision (1) of this subsection, the department shall convert the income eligibility standard set forth in section 208.633 to the MAGI equivalent net income standard;

(d) For individuals listed in paragraphs (d), (e) and (i) of subdivision (1) of this subsection, the department shall apply one hundred eighty-five percent of the federal poverty level converted to the MAGI equivalent net income standard;

(3) Individuals eligible for MO HealthNet under subdivision (1) of this subsection shall receive all applicable benefits under section 208.152.

3. The department or appropriate divisions of the department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. The department shall submit such state plan amendments and waivers to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services as the

department determines are necessary to implement the provisions of this section.

660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

- (1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;
- (2) The person's name will be included in the employee disqualification list of the department;
- (3) The consequences of being so listed including the length of time to be listed; and
- (4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197;

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may

disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 127, Page 9, Section 208.152, Line 302, by inserting after all of said section and line the following:

“208.164. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) “Abuse”, a documented pattern of inducing, furnishing, or otherwise causing a recipient to receive services or merchandise not otherwise required or requested by the recipient, attending physician or appropriate utilization review team; a documented pattern of performing and billing tests, examinations, patient visits, surgeries, drugs or merchandise that exceed limits or frequencies determined by the department for like practitioners for which there is no demonstrable need, or for which the provider has created the need through ineffective services or merchandise previously rendered. The decision to impose any of the sanctions authorized in this section shall be made by the director of the department, following a determination of demonstrable need or accepted medical practice made in consultation with medical or other health care professionals, or qualified peer review teams;

(2) “Department”, the department of social services;

(3) “Excessive use”, the act, by a person eligible for services under a contract or provider agreement between the department of social services or its divisions and a provider, of seeking and/or obtaining medical assistance benefits from a number of like providers and in quantities which exceed the levels that are considered medically necessary by current medical practices and standards for the eligible person’s needs;

(4) “Fraud”, a known false representation, including the concealment of a material fact that provider knew or should have known through the usual conduct of his profession or occupation, upon which the provider claims reimbursement under the terms and conditions of a contract or provider agreement and the policies pertaining to such contract or provider agreement of the department or its divisions in carrying out the providing of services, or under any approved state plan authorized by the federal Social Security Act;

(5) “Health plan”, a group of services provided to recipients of medical assistance benefits by providers under a contract with the department;

(6) “Medical assistance benefits”, those benefits authorized to be provided by sections 208.152 and 208.162;

(7) “Prior authorization”, approval to a provider to perform a service or services for an eligible person required by the department or its divisions in advance of the actual service being provided or approved for a recipient to receive a service or services from a provider, required by the department or its designated division in advance of the actual service or services being received;

(8) “Provider”, any person, partnership, corporation, not-for-profit corporation, professional corporation, or other business entity that enters into a contract or provider agreement with the department or its divisions for the purpose of providing services to eligible persons, and obtaining from the department or its divisions reimbursement therefor;

(9) “Recipient”, a person who is eligible to receive medical assistance benefits allocated through the department;

(10) “Service”, the specific function, act, successive acts, benefits, continuing benefits, requested by an

eligible person or provided by the provider under contract with the department or its divisions.

2. The department or its divisions shall have the authority to suspend, revoke, or cancel any contract or provider agreement or refuse to enter into a new contract or provider agreement with any provider where it is determined the provider has committed or allowed its agents, servants, or employees to commit acts defined as abuse or fraud in this section.

3. The department or its divisions shall have the authority to impose prior authorization as defined in this section:

(1) When it has reasonable cause to believe a provider or recipient has knowingly followed a course of conduct which is defined as abuse or fraud or excessive use by this section; or

(2) When it determines by rule that prior authorization is reasonable for a specified service or procedure.

4. If a provider or recipient reports to the department or its divisions the name or names of providers or recipients who, based upon their personal knowledge has reasonable cause to believe an act or acts are being committed which are defined as abuse, fraud or excessive use by this section, such report shall be confidential and the reporter's name shall not be divulged to anyone by the department or any of its divisions, except at a judicial proceeding upon a proper protective order being entered by the court.

5. Payments for services under any contract or provider agreement between the department or its divisions and a provider may be withheld by the department or its divisions from the provider for acts or omissions defined as abuse or fraud by this section, until such time as an agreement between the parties is reached or the dispute is adjudicated under the laws of this state.

6. The department or its designated division shall have the authority to review all cases and claim records for any recipient of public assistance benefits and to determine from these records if the recipient has, as defined in this section, committed excessive use of such services by seeking or obtaining services from a number of like providers of services and in quantities which exceed the levels considered necessary by current medical or health care professional practice standards and policies of the program.

7. The department or its designated division shall have the authority with respect to recipients of medical assistance benefits who have committed excessive use to limit or restrict the use of the recipient's Medicaid identification card to designated providers and for designated services; the actual method by which such restrictions are imposed shall be at the discretion of the department of social services or its designated division.

8. The department or its designated division shall have the authority with respect to any recipient of medical assistance benefits whose use has been restricted under subsection 7 of this section and who obtains or seeks to obtain medical assistance benefits from a provider other than one of the providers for designated services to terminate medical assistance benefits as defined by this chapter, where allowed by the provisions of the federal Social Security Act.

9. The department or its designated division shall have the authority with respect to any provider who knowingly allows a recipient to violate subsection 7 of this section or who fails to report a known violation of subsection 7 of this section to the department of social services or its designated division to terminate or otherwise sanction such provider's status as a participant in the medical assistance program. Any person making such a report shall not be civilly liable when the report is made in good faith.

10. Nothing in this section shall prohibit providers from using clinical decision support tools as

an alternative to prior authorization to determine the clinical appropriateness of services or procedures.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 161**, entitled:

An Act to repeal sections 334.108, 354.410, 354.415, 354.430, 354.603, 376.405, 376.426, 376.777, 376.961, 376.962, 376.964, 376.966, 376.968, 376.970, 376.973, and 376.1363, RSMo, and to enact in lieu thereof twenty-two new sections relating to health insurance, with penalty provisions and an effective date.

With House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 161, Page 1, Line 4, by inserting after all of said line the following:

“Further amend House Committee Substitute for Senate Bill No. 161, Page 1, Section A, Line 6, by inserting after all of said line the following:

“208.146. 1. The program established under this section shall be known as the “Ticket to Work Health Assurance Program”. Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred percent of the federal poverty level. For purposes of this subdivision, “gross income” includes all income of the person and the person’s spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-

employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an “independent living account” means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse's earned income;

(c) A twenty dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent up to and including three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the

federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. The provisions of this section shall expire [six years after] August 28, [2007] **2019**.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain

eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) of this subsection shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of intellectual disability and developmental disability program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or

local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) **Effective August 28, 2013**, persons who are [independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets] **in foster care under the responsibility of the state of Missouri on the date such persons attain the age of eighteen years, or at any time during the thirty-day period preceding their eighteenth birthday, without regard to income or assets, if such persons:**

(a) Are under twenty-six years of age;

(b) Are not eligible for coverage under another mandatory coverage group; and

(c) Were covered by Medicaid while they were in foster care.

2. Rules and regulations to implement this section shall be promulgated in accordance with [section 431.064 and] chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955. A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes

of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(i).

208.895. 1. Upon **the** receipt of a properly completed referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] or **a** physician's order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] **Process, review and approve or deny** the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3) Arrange] **For approved referrals, arrange** for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity **or individual** within five business days of receiving the referral if [additional information] **a different physical address** is required to [process the referral; and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days] **schedule the assessment. The referring entity has five days to provide a current physical address if requested by the department. If a different physical address is needed, the fifteen-day limit included in subdivision (1) of this subsection is suspended until the information is received by the department;**

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract shall include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor notify the referring entity within five days of receipt of referral if additional information is needed to process the referral.

The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract] **has not complied with subdivision (1) of subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin to the provider based on the assessment and care plan recommendation submitted by the provider.**

3. [The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based providers for including, but not limited to, reassessment and level of care recommendations. These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.

4. The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective. If the department assessment determines the client does not meet level of care, the state shall not be responsible for the cost of services claimed prior to the department's written notification to the provider of such denial.**

4. The department shall implement subsections 2 and 3 of this section unless the Centers for Medicare and Medicaid Services disapproves any necessary state plan amendments or waivers to implement the provisions in subsections 2 and 3 of this section allowing providers to perform assessments.

5. The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) “Assessment” means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

- (a) Is conducted by an assessor trained to perform home- and community-based care assessments;**
- (b) Uses forms provided by the department;**

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process.

(2) A “properly completed referral” shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

- (a) The stated need for MO HealthNet home- and community-based services;**
- (b) The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and**
- (c) The current physical address and phone number of the client or person needing services.**

Addition information which may assist the department including contact information of a responsible party shall also be submitted.

7. The department shall:

- (1) Develop an automated electronic assessment care plan tool to be used by providers; and**
- (2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.**

8. No later than December 31, 2014, the department of health and senior services shall submit a report to the general assembly that reviews the following:

- (1) How well the department is doing on meeting the fifteen-day requirement;**
- (2) The process the department used to approve the assessors;**
- (3) Financial data on the cost of the program prior to and after enactment of this section;**
- (4) Any audit information available on assessments performed outside the department; and**
- (5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.**

208.990. 1. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage individuals shall meet the eligibility criteria set forth in 42 CFR 435, including but not limited to the requirements that:

- (1) The individual is a resident of the state of Missouri;**

(2) The individual has a valid Social Security number;

(3) The individual is a citizen of the United States or a qualified alien as described in Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. Section 1641, who has provided satisfactory documentary evidence of qualified alien status which has been verified with the Department of Homeland Security under a declaration required by Section 1137(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that the applicant or beneficiary is an alien in a satisfactory immigration status; and

(4) An individual claiming eligibility as a pregnant woman shall verify pregnancy.

2. Notwithstanding any other provisions of law to the contrary, effective January 1, 2014, the family support division shall conduct an annual redetermination of all MO HealthNet participants' eligibility as provided in 42 CFR 435.916. The department may contract with an administrative service organization to conduct the annual redeterminations if it is cost effective.

3. The department, or family support division, shall conduct electronic searches to redetermine eligibility on the basis of income, residency, citizenship, identity and other criteria as described in 42 CFR 435.916 upon availability of federal, state, and commercially available electronic data sources. The department, or family support division, may enter into a contract with a vendor to perform the electronic search of eligibility information not disclosed during the application process and obtain an applicable case management system. The department shall retain final authority over eligibility determinations made during the redetermination process.

4. Notwithstanding any other provisions of law to the contrary, applications for MO HealthNet benefits shall be submitted in accordance with the requirements of 42 CFR 435.907 and other applicable federal law. The individual shall provide all required information and documentation necessary to make an eligibility determination, resolve discrepancies found during the redetermination process, or for a purpose directly connected to the administration of the medical assistance program.

5. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage under section 208.995, individuals shall meet the eligibility requirements set forth in subsection 1 of this section and all other eligibility criteria set forth in 42 CFR 435 and 457, including, but not limited to, the requirements that:

(1) The department of social services shall determine the individual's financial eligibility based on projected annual household income and family size for the remainder of the current calendar year;

(2) The department of social services shall determine household income for the purpose of determining the modified adjusted gross income by including all available cash support provided by the person claiming such individual as a dependent for tax purposes;

(3) The department of social services shall determine a pregnant woman's household size by counting the pregnant woman plus the number of children she is expected to deliver;

(4) CHIP-eligible children shall be uninsured, shall not have access to affordable insurance, and their parent shall pay the required premium;

(5) An individual claiming eligibility as an uninsured woman shall be uninsured.

208.995. 1. For purposes of this section and section 208.990, the following terms mean:

(1) “Child” or “children”, a person or persons who are under nineteen years of age;

(2) “CHIP-eligible children”, children who meet the eligibility standards for Missouri's children's health insurance program as provided in sections 208.631 to 208.658, including paying the premiums required under sections 208.631 to 208.658;

(3) “Department”, the Missouri department of social services, or a division or unit within the department as designated by the department's director;

(4) “MAGI”, the individual's modified adjusted gross income as defined in Section 36B(d)(2) of the Internal Revenue Code of 1986, as amended, and:

(a) Any foreign earned income or housing costs;

(b) Tax-exempt interest received or accrued by the individual; and

(c) Tax-exempt Social Security income;

(5) “MAGI equivalent net income standard”, an income eligibility threshold based on modified adjusted gross income that is not less than the income eligibility levels that were in effect prior to the enactment of Public Law 111-148 and Public Law 111-152.

2. (1) Effective January 1, 2014, notwithstanding any other provision of law to the contrary, the following individuals shall be eligible for MO HealthNet coverage as provided in this section:

(a) Individuals covered by MO HealthNet for families as provided in section 208.145;

(b) Individuals covered by transitional MO HealthNet as provided in 42 U.S.C. Section 1396r-6;

(c) Individuals covered by extended MO HealthNet for families on child support closings as provided in 42 U.S.C. Section 1396r-6;

(d) Pregnant women as provided in subdivisions (10), (11), and (12) of subsection 1 of section 208.151;

(e) Children under one year of age as provided in subdivision (12) of subsection 1 of section 208.151;

(f) Children under six years of age as provided in subdivision (13) of subsection 1 of section 208.151;

(g) Children under nineteen years of age as provided in subdivision (14) of subsection 1 of section 208.151;

(h) CHIP-eligible children; and

(i) Uninsured women as provided in section 208.659.

(2) Effective January 1, 2014, the department shall determine eligibility for individuals eligible for MO HealthNet under subdivision (1) of this subsection based on the following income eligibility standards, unless and until they are changed:

(a) For individuals listed in paragraphs (a), (b) and (c) of subdivision (1) of this subsection, the department shall apply the July 16, 1996, Aid to Families with Dependent Children (AFDC) income standard as converted to the MAGI equivalent net income standard;

(b) For individuals listed in paragraphs (f) and (g) of subdivision (1) of this subsection, the department shall apply one hundred thirty-three percent of the federal poverty level converted to the MAGI equivalent net income standard;

(c) For individuals listed in paragraph (h) of subdivision (1) of this subsection, the department shall convert the income eligibility standard set forth in section 208.633 to the MAGI equivalent net income standard;

(d) For individuals listed in paragraphs (d), (e) and (i) of subdivision (1) of this subsection, the department shall apply one hundred eighty-five percent of the federal poverty level converted to the MAGI equivalent net income standard;

(3) Individuals eligible for MO HealthNet under subdivision (1) of this subsection shall receive all applicable benefits under section 208.152.

3. The department or appropriate divisions of the department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. The department shall submit such state plan amendments and waivers to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services as the department determines are necessary to implement the provisions of this section.”; and”; and

Further amend said bill, Page 5, Line 9, by inserting after all of said line the following:

“Further amend said Bill, Page 39, Section 376.1900, Line 56, by inserting after all of said line the following:

“660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt

by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall

terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197;

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained**

through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

(1) **Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**

(2) **Was placed on the employee disqualification list under this section after the date of hire;**

(3) **Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;**

(4) **Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**

(5) **Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 161, Page 38, Section 376.1900, Line 3, by deleting the word **"website"** and inserting in lieu thereof the phrase **"web-based or similar electronic-based communications network"**; and

Further amend said bill and section, Page 39, Line 56, by inserting after all of said section and line the following:

"376.2000. 1. Sections 376.2000 to 376.2014 shall be known and may be cited as the "Health Insurance Marketplace Innovation Act of 2013".

2. As used in sections 376.2000 to 376.2014, the following terms mean:

(1) **"Department", the department of insurance, financial institutions and professional registration;**

(2) **"Director", the director of the department of insurance, financial institutions and professional registration;**

(3) **"Exchange", any health benefit exchange established or operating in this state, including any**

exchange established or operated by the United States Department of Health and Human Services.

(4) “Navigator”, a person that, for compensation, provides information or services in connection with eligibility, enrollment, or program specifications of any health benefit exchange operating in this state, including any person that is selected to perform the activities and duties identified in 42 U.S.C. 18031(i) in this state, any person who receives funds from the United States Department of Health and Human Services to perform any of the activities and duties identified in 42 U.S.C. 18031(i), or any other person certified by the United States Department of Health and Human Services, or a health benefit exchange operating in this state, to perform such defined or related duties irrespective of whether such person is identified as a navigator, certified application counselor, in-person assister, or other title.

376.2002. 1. No individual or entity shall perform, offer to perform, or advertise any service as a navigator in this state, or receive navigator funding from the state or an exchange unless licensed as a navigator by the department under sections 376.2000 to 376.2014.

2. A navigator may:

(1) Provide fair and impartial information and services in connection with eligibility, enrollment, and program specifications of any health benefit exchange operating in this state, including information about the costs of coverage, advance payments of premium tax credits, and cost sharing reductions;

(2) Facilitate the selection of a qualified health plan;

(3) Initiate the enrollment process;

(4) Provide referrals to any applicable office of health insurance consumer assistance, ombudsman, or other agency for any enrollee with a grievance, complaint, or question regarding their health plan, coverage, or determination under the plan; and

(5) Use culturally and linguistically appropriate language to communicate the information authorized in this subsection.

3. Unless also properly licensed as an insurance producer in this state with authority for health under section 375.014, a navigator shall not:

(1) Sell, solicit, or negotiate health insurance;

(2) Engage in any activity that would require an insurance producer license;

(3) Provide advice concerning the benefits, terms, and features of a particular health plan or offer advice about which exchange health plan is better or worse for a particular individual or employer;

(4) Recommend or endorse a particular health plan or advise consumers about which health plan to choose; or

(5) Provide any information or services related to health benefit plans or other products not offered in the exchange.

4. The following entities or persons are exempt from the requirement to be licensed as a navigator:

(1) An entity or person licensed as an insurance producer in this state with authority for health under section 375.014;

(2) A law firm or licensed attorney in this state; and

(3) A “health care provider” as defined in section 376.1350 provided that:

(a) The health care provider does not receive any funds from the United States Department of Health and Human Services or a health exchange operating in this state to act as a navigator; and

(b) The activities or functions performed are related to advising, assisting, or counseling patients regarding private or public coverage or financial matters related to medical treatments or government assistance programs.

However, nothing in this section shall prohibit a health care provider from voluntarily becoming licensed as a navigator.

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual’s knowledge and belief. Before approving the application, the director shall find that the individual:

(1) Is eighteen years of age or older;

(2) Resides in this state or maintains his or her principal place of business in the state;

(3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;

(4) Has successfully passed the written examination prescribed by the director;

(5) When applicable, has the written consent of the director under 18 U.S.C. 1033 or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce;

(6) Has identified the entity with which he or she is affiliated and supervised; and

(7) Has paid the fees prescribed by the director.

2. An entity that acts as a navigator, supervises the activities of individual navigators, or receives funding to perform such activities shall obtain a navigator entity license. An entity applying for an entity navigator license shall make application on a form containing the information prescribed by the director.

3. The director may require any documents deemed necessary to verify the information contained in an application submitted in accordance with subsections 1 and 2 of this section.

4. Entities licensed as navigators shall, in a manner prescribed by the director, provide a list of all individual navigators that are employed by or in any manner affiliated with the navigator entity and shall report any changes in employment or affiliation within twenty days of such change.

5. The director shall require that each navigator obtain a surety bond in an amount acceptable to the director or otherwise demonstrate a level of financial responsibility capable of protecting all persons against the wrongful acts, misrepresentations, errors, omissions, or negligence of the navigator. The director may ask for a copy of the bond or other evidence of financial responsibility at any time.

6. Prior to any exchange becoming operational in this state, the director shall prescribe initial training, continuing education, and written examination standards and requirements for navigators.

376.2006. 1. A navigator license shall be valid for two years.

2. A navigator may file an application for renewal of a license and pay the renewal fee as prescribed by the director. Any navigator who fails to timely file for license renewal shall be charged a late fee in an amount prescribed by the director.

3. Prior to the filing date for an application for renewal of a license, an individual licensee shall comply with any ongoing training and continuing education requirements established by the director. Such navigator shall file with the director, by a method prescribed by the director, proof of satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the ongoing training and continuing education requirements shall result in the expiration of the license.

376.2008. Upon contact with a person who acknowledges having existing health insurance coverage obtained through an insurance producer, a navigator shall advise the person to consult with a licensed insurance producer regarding coverage in the private market.

376.2010. 1. The director may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate a navigator license or may levy a fine not to exceed one thousand dollars for each violation, or any combination of actions, for any one or more of the causes listed in section 375.141, 375.936 or for other good cause. In the event that the action by the director is not to renew or to deny an application for a license, the director shall notify the applicant or licensee in writing and shall advise the applicant or licensee of the reason for the denial or nonrenewal. Appeal of the nonrenewal or denial of the application for a navigator license shall be made under the provisions of chapter 621.

2. In addition to imposing the penalties authorized by subsection 1 of this section, the director may require that restitution be made to any person who has suffered financial injury because of a violation of this section.

3. The director shall have the power to examine and investigate the business affairs and records of any navigator to determine whether the individual or entity has engaged or is engaging in any violation of this section.

4. The navigator license held by an entity may be suspended or revoked, renewal or reinstatement thereof may be refused, or a fine may be levied, with or without a suspension, revocation, or refusal to renew a license, if the director finds that an individual licensee's violation was known or should have been known by the employing or supervising entity and the violation was not reported to the director and no corrective action was undertaken on a timely basis.

376.2011. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step

toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048.

3. A violation of sections 376.2000 to 376.2014 is a level two violation under section 374.049.

376.2012. 1. Each licensed navigator shall report to the director within thirty calendar days of the final disposition of the matter of any administrative action taken against him or her in another jurisdiction or by another governmental agency in this state. This report shall include a copy of the order, consent to order, or other relevant legal documents.

2. Within thirty days of the initial pretrial hearing date, a navigator shall report to the director any criminal prosecution of the navigator in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

3. An entity that acts as a navigator that terminates the employment, engagement, affiliation, or other relationship with an individual navigator shall notify the director within twenty days following the effective date of the termination, using a format prescribed by the director if the reason for termination is one of the reasons set forth in section 375.141 or 375.936 or if the entity has knowledge that the navigator was found by a court or governmental body to have engaged in any such activities. Upon the written request of the director, the entity shall provide additional information, documents, records, or other data pertaining to the termination or activity of the individual.

376.2014. 1. The requirements of sections 379.930 to 379.952 and chapters 375, 376, 407 and any related rules shall apply to navigators. The activities and duties of a navigator shall be deemed to constitute transacting the business of insurance.

2. If any provision of sections 376.2000 to 376.2014 or its application to any person or circumstance is held invalid by a court of competent jurisdiction or by federal law, the invalidity does not affect other provisions or applications of sections 376.2000 to 376.2014 that can be given effect without the invalid provision or application. The provisions of sections 376.2000 to 376.2014 are severable, and the valid provisions or applications shall remain in full force and effect.

3. The director may promulgate rules and regulations to implement and administer the provisions of sections 376.2000 to 376.2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 376.2000 to 376.2014 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 376.2000 to 376.2014 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings, consumer complaints, and investigations into compliance with state law, regardless as to how a health insurance product may be sold or

marketed in this state or to residents of this state.”; and

Further amend said bill and page, Section B, Line 1, by inserting after all of said section the following:

“Section C. Because of the need to ensure that navigators are adequately trained to provide essential health insurance information to the public, Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, and 376.2014 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, and 376.2014 of Section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HB 103, introduced by Representative Kelley (127), et al, with **SCS**, entitled:

An Act to repeal sections 304.013, 304.032, and 304.034, RSMo, and to enact in lieu thereof three new sections relating to all-terrain and utility vehicle use in municipalities, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

SCS for **HB 103**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 103

An Act to repeal sections 174.700, 174.703, 174.706, 301.301, 301.449, 302.341, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.013, 304.032, 304.120, 304.180, 304.820, 307.400, and 544.157, RSMo, and to enact in lieu thereof twenty-seven new sections relating to transportation, with penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 103** be adopted.

Senator Lager assumed the Chair.

Senator Dempsey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 103, Page 7, Section 302.341, Lines 72-89, by striking all of said lines; and

Further amend said bill and section, page 8, lines 90-91, by striking all of said lines and inserting in lieu thereof the following:

“3. As used in subsection 2 of this section, traffic violations shall include all ordinance violations regardless of whether the ordinance violation is prosecuted as a civil infraction or not.”.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 103, Page 39, Section 307.400, Line 97, by inserting after all of said line the following:

“407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property shall keep a register containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:

(1) Copper, brass, or bronze;

(2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener; [or]

(3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; **or**

(4) Catalytic converter;

whatever may be the condition or length of such metal. The record shall contain the following data: a copy of the driver’s license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained, which shall contain a current address of the person from whom the material is obtained, and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof.

2. The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement officer.

3. Anyone convicted of violating this section shall be guilty of a class A misdemeanor.

4. This section shall not apply to any of the following transactions:

(1) Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars, **unless the scrap metal is a catalytic converter;**

(2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or

(3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 103, Page 39, Section 307.400, Line 97, by inserting immediately after said line the following:

“390.064. 1. As used in this section, the following terms shall mean:

(1) “Contract carrier”, a passenger contract carrier that for compensation transports railroad employees;

(2) “Railroad employee”, shall have the same meaning ascribed to the term “employee” as used in 49 C.F.R. Part 228.5, as such regulation may be periodically amended.

2. Notwithstanding any other provision to the contrary, contract carriers that transport railroad employees on a road or highway of this state shall be subject to the safety standards set forth in Title 49, Code of Federal Regulations, Part 391, except 391.11(b)(4) and Subpart E, Parts 392, 393, 395, and 396, except section 396.17.

3. The department of transportation shall promulgate rules and regulations to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Walsh moved that the above amendment be adopted, which motion failed.

Senator Kraus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 103, Page 6, Section 302.341, Line 33, by striking the opening “[” and closing “]” brackets as they appear on said line, and further amend said line by striking the word “twenty”; and further amend line 36 by striking the opening “[” and closing “]” brackets as they appear on said line, and further amend line 37 by striking the word “twenty”.

Senator Kraus moved that the above amendment be adopted.

Senator Dempsey offered **SSA 1** for **SA 4**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 103, Page 6, Section 302.341, Line 33, by striking “twenty” and inserting in lieu thereof the following: **“thirty”**; and further amend line 37 by striking the word “twenty” and inserting in lieu thereof the following: **“thirty”**.

Senator Dempsey moved that the above substitute amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Bill No. 103, Page 5, Section 301.449, Line 51, by inserting immediately after said line the following:

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- (1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
(except any violation of municipal stop sign ordinance where no accident is involved 1 point)
- (2) Speeding
In violation of a state law 3 points
In violation of a county or municipal ordinance 2 points
- (3) Leaving the scene of an accident
in violation of section 577.060 12 points
In violation of any county or municipal ordinance 6 points
- (4) Careless and imprudent driving in violation of subsection 4 of section 304.016 4 points
In violation of a county or municipal ordinance 2 points
- (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction 2 points
(b) For the second conviction 4 points

- (c) For the third conviction..... 6 points
- (6) Operating with a suspended or
revoked license prior to restoration of
operating privileges 12 points
- (7) Obtaining a license by
misrepresentation 12 points
- (8) For the first conviction of
driving while in an intoxicated condition
or under the influence of controlled
substances or drugs 8 points
- (9) For the second or subsequent
conviction of any of the following offenses
however combined: driving while in an
intoxicated condition, driving under the
influence of controlled substances or drugs
or driving with a blood alcohol content of
eight-hundredths of one percent or more by
weight 12 points
- (10) For the first conviction for
driving with blood alcohol content
eight-hundredths of one percent or more by weight
In violation of state law 8 points
In violation of a county or municipal
ordinance or federal law or regulation 8 points
- (11) Any felony involving the use
of a motor vehicle 12 points
- (12) Knowingly permitting unlicensed
operator to operate a motor vehicle 4 points
- (13) For a conviction for failure to
maintain financial responsibility pursuant
to county or municipal ordinance or
pursuant to section 303.025 4 points

- (14) Endangerment of a highway worker
in violation of section 304.585 4 points
- (15) Aggravated endangerment of a
highway worker in violation of section 304.585 12 points
- (16) For a conviction of violating a
municipal ordinance that prohibits tow
truck operators from stopping at or
proceeding to the scene of an accident
unless they have been requested to stop
or proceed to such scene by a party involved
in such accident or by an officer of a
public safety agency 4 points
- (17) Endangerment of an emergency
responder in violation of section 304.894 4 points**
- (18) Aggravated endangerment of
an emergency responder in violation of
section 304.894 12 points**

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's

license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, page 37, section 304.820, line 71, by inserting immediately after all of said line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency

responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle shall not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument; or

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302 upon conviction.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302 upon conviction.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders

were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

Senator Pearce offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Bill No. 103, Page 2, Section A, Line 15, by inserting immediately thereafter the following:

“37.005. 1. Except as provided herein, the office of administration shall be continued as set forth in house bill 384, seventy-sixth general assembly and shall be considered as a department within the meaning used in the Omnibus State Reorganization Act of 1974. The commissioner of administration shall appoint directors of all major divisions within the office of administration.

2. The commissioner of administration shall be a member of the governmental emergency fund committee as ex officio comptroller and the director of the department of revenue shall be a member in place of the chief of the planning and construction division.

3. The office of administration is designated the “Missouri State Agency for Surplus Property” as required by Public Law 152, eighty-first Congress as amended, and related laws for disposal of surplus federal property. All the powers, duties and functions vested by sections 37.075 and 37.080, and others, are transferred by type I transfer to the office of administration as well as all property and personnel related to the duties. The commissioner shall integrate the program of disposal of federal surplus property with the processes of disposal of state surplus property to provide economical and improved service to state and local agencies of government. The governor shall fix the amount of bond required by section 37.080. All employees transferred shall be covered by the provisions of chapter 36 and the Omnibus State Reorganization Act of 1974.

4. The commissioner of administration shall replace the director of revenue as a member of the board of fund commissioners and assume all duties and responsibilities assigned to the director of revenue by sections 33.300 to 33.540 relating to duties as a member of the board and matters relating to bonds and bond coupons.

5. All the powers, duties and functions of the administrative services section, section 33.580 and others, are transferred by a type I transfer to the office of administration and the administrative services section is abolished.

6. The commissioner of administration shall, in addition to his or her other duties, cause to be prepared a comprehensive plan of the state's field operations, buildings owned or rented and the communications systems of state agencies. Such a plan shall place priority on improved availability of services throughout

the state, consolidation of space occupancy and economy in operations.

7. The commissioner of administration shall from time to time examine the space needs of the agencies of state government and space available and shall, with the approval of the board of public buildings, assign and reassign space in property owned, leased or otherwise controlled by the state. Any other law to the contrary notwithstanding, upon a determination by the commissioner that all or part of any property is in excess of the needs of any state agency, the commissioner may lease such property to a private or government entity. Any revenue received from the lease of such property shall be deposited into the fund or funds from which moneys for rent, operations or purchase have been appropriated. The commissioner shall establish by rule the procedures for leasing excess property.

8. The commissioner of administration is hereby authorized to coordinate and control the acquisition and use of electronic data processing (EDP) and automatic data processing (ADP) in the executive branch of state government. For this purpose, the office of administration will have authority to:

(1) Develop and implement a long-range computer facilities plan for the use of EDP and ADP in Missouri state government. Such plan may cover, but is not limited to, operational standards, standards for the establishment, function and management of service centers, coordination of the data processing education, and planning standards for application development and implementation;

(2) Approve all additions and deletions of EDP and ADP hardware, software, and support services, and service centers;

(3) Establish standards for the development of annual data processing application plans for each of the service centers. These standards shall include review of post-implementation audits. These annual plans shall be on file in the office of administration and shall be the basis for equipment approval requests;

(4) Review of all state EDP and ADP applications to assure conformance with the state information systems plan, and the information systems plans of state agencies and service centers;

(5) Establish procurement procedures for EDP and ADP hardware, software, and support service;

(6) Establish a charging system to be used by all service centers when performing work for any agency;

(7) Establish procedures for the receipt of service center charges and payments for operation of the service centers. The commissioner shall maintain a complete inventory of all state-owned or -leased EDP and ADP equipment, and annually submit a report to the general assembly which shall include starting and ending EDP and ADP costs for the fiscal year previously ended, and the reasons for major increases or variances between starting and ending costs. The commissioner shall also adopt, after public hearing, rules and regulations designed to protect the rights of privacy of the citizens of this state and the confidentiality of information contained in computer tapes or other storage devices to the maximum extent possible consistent with the efficient operation of the office of administration and contracting state agencies.

9. Except as provided in subsection 12 of this section, the fee title to all real property now owned or hereafter acquired by the state of Missouri, or any department, division, commission, board or agency of state government, other than real property owned or possessed by the state highways and transportation commission, conservation commission, state department of natural resources, and the University of Missouri, shall on May 2, 1974, vest in the governor. The governor may not convey or otherwise transfer the title to such real property, unless such conveyance or transfer is first authorized by an act of the general assembly. The provisions of this subsection requiring authorization of a conveyance or transfer by an act

of the general assembly shall not, however, apply to the granting or conveyance of an easement to any rural electric cooperative as defined in chapter 394, municipal corporation, quasi-governmental corporation owning or operating a public utility, or a public utility, except railroads, as defined in chapter 386. The governor, with the approval of the board of public buildings, may, upon the request of any state department, agency, board or commission not otherwise being empowered to make its own transfer or conveyance of any land belonging to the state of Missouri which is under the control and custody of such department, agency, board or commission, grant or convey without further legislative action, for such consideration as may be agreed upon, easements across, over, upon or under any such state land to any rural electric cooperative, as governed in chapter 394, municipal corporation, or quasi-governmental corporation owning or operating a public utility, or a public utility, except railroad, as defined in chapter 386. The easement shall be for the purpose of promoting the general health, welfare and safety of the public and shall include the right of ingress or egress for the purpose of constructing, maintaining or removing any pipeline, power line, sewer or other similar public utility installation or any equipment or appurtenances necessary to the operation thereof, except that railroad as defined in chapter 386 shall not be included in the provisions of this subsection unless such conveyance or transfer is first authorized by an act of the general assembly. The easement shall be for such consideration as may be agreed upon by the parties and approved by the board of public buildings. The attorney general shall approve the form of the instrument of conveyance. The commissioner of administration shall prepare management plans for such properties in the manner set out in subsection 7 of this section.

10. The commissioner of administration shall administer a revolving "Administrative Trust Fund" which shall be established by the state treasurer which shall be funded annually by appropriation and which shall contain moneys transferred or paid to the office of administration in return for goods and services provided by the office of administration to any governmental entity or to the public. The state treasurer shall be the custodian of the fund, and shall approve disbursements from the fund for the purchase of goods or services at the request of the commissioner of administration or the commissioner's designee. The provisions of section 33.080 notwithstanding, moneys in the fund shall not lapse, unless and then only to the extent to which the unencumbered balance at the close of any fiscal year exceeds one-eighth of the total amount appropriated, paid, or transferred to the fund during such fiscal year, and upon approval of the oversight division of the joint committee on legislative research. The commissioner shall prepare an annual report of all receipts and expenditures from the fund.

11. All the powers, duties and functions of the department of community affairs relating to statewide planning are transferred by type I transfer to the office of administration.

12. The titles which are vested in the governor by or pursuant to this section to real property assigned to any of the educational institutions referred to in section 174.020 on June 15, 1983, are hereby transferred to and vested in the board of regents of the respective educational institutions, and the titles to real property and other interests therein hereafter acquired by or for the use of any such educational institution, notwithstanding provisions of this section, shall vest in the board of regents of the educational institution. The board of regents may not convey or otherwise transfer the title to or other interest in such real property unless the conveyance or transfer is first authorized by an act of the general assembly, except as provided in section 174.042, and except that the board of regents may grant easements over, in and under such real property without further legislative action.

13. Notwithstanding any provision of subsection 12 of this section to the contrary, the board of governors of Missouri Western State University, University of Central Missouri, Missouri State University,

or Missouri Southern State University, or the board of regents of Southeast Missouri State University, Northwest Missouri State University, or Harris-Stowe State University, or the board of curators of Lincoln University may convey or otherwise transfer for fair market value, except in fee simple, the title to or other interest in such real property without authorization by an act of the general assembly. [The provisions of this subsection shall expire August 28, 2017.]

14. All county sports complex authorities, and any sports complex authority located in a city not within a county, in existence on August 13, 1986, and organized under the provisions of sections 64.920 to 64.950, are assigned to the office of administration, but such authorities shall not be subject to the provisions of subdivision (4) of subsection 6 of section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo, as amended.

15. All powers, duties, and functions vested in the administrative hearing commission, sections 621.015 to 621.205 and others, are transferred to the office of administration by a type III transfer.” ; and

Further amend said bill, page 57, Section B, line 3, by inserting after the word “recalls” the following: “, and the importance of allowing higher education institutions to provide responses to potential property lessors in a timely manner”, and further amend line 4 by inserting after the word “section” the following: “37.005 and”, and further amend line 7 by inserting after the word “section” the following: “37.005 and”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Munzlinger raised the point of order that **SA 6** is out of order as it goes beyond the scope of the underlying legislation.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Munzlinger moved that **SCS** for **HB 103**, as amended, be adopted, which motion prevailed.

Senator Munzlinger moved that **SCS** for **HB 103**, as amended, be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Dempsey referred **SCS** for **HB 103**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 23**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 23**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 106**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 106**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 117**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 117**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 34**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 34**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SA 2** and **SA 3** to **HCS** for **HBs 256, 33** and **305** and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1** to **SB 77** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SB 57** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SCS** for **SB 42** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS**, as amended, for **SB 90** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 3, HA 4, HA 5** and **HA 6** to **SCS** for **SB 33** and

grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1** to **SB 327** and request the Senate grant the House a conference on **SB 327**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 41** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 129**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS**, as amended, for **HCS** for **HB 199** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 2** to **HB 400** and has taken up and passed **HB 400**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 90**, as amended: Representatives Dugger, Hough, and Swearingen.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 42**, as amended: Representatives Jones (50), Houghton, and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 57**, as amended: Representatives: Engler, Keeney, and Roorda.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HA 1** to **SB 77**: Representatives: Allen, Flanigan, and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 57**, as amended: Representatives: Engler, Keeney, and Roorda.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HA 1, HA 2, HA 3, HA 4, HA 5** and **HA 6** to **SCS** for **SB 33**: Representatives: Grisamore, Neely, and Newman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **HCS** for **SS** for **SB 262**, as amended, are allowed to exceed the differences.

Senator Schmitt assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 33**, as amended: Senators Lamping, Sater, Schaaf, Chappelle-Nadal and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 41**, as amended: Senators Munzlinger, Schaefer, Lager, Sifton and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 42**, as amended: Senators Munzlinger, Parson, Kraus, Chappelle-Nadal and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 57**, as amended: Senators Romine, Richard, Libla, McKenna and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SB 77**, as amended: Senators Lamping, Brown, Emery, Justus and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 90**, as amended: Senators McKenna, Wasson, Kraus, Silvey and LeVota.

PRIVILEGED MOTIONS

Senator Wasson moved that the Senate request the House to grant further conference on **HCS** for **SB 330**, as amended, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 43**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 43

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 43, with

House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 43, as amended;
2. That the Senate recede from its position on Senate Bill No. 43;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ Kurt Schaefer

/s/ Mike Kehoe

/s/ Jason Holsman

/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Glen Kolkmeyer

/s/ Dave Schatz

/s/ Ed Schieffer

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Cunningham	Emery	Schmitt—3
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, **CCS** for **HCS** for **SB 43**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to repeal sections 302.302, 302.700, 302.720, 302.735, 302.740, 302.755, 304.180, 304.820, 476.385, 577.041, RSMo, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee

substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof nineteen new sections relating to transportation, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Cunningham	Emery	Nieves	Schmitt—4
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Sifton	Silvey	Wallingford	Walsh	Wasson—29			

NAYS—Senators

Cunningham	Emery	Nieves	Schmitt—4
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe moved that the Senate refuse to recede from its position on **SA 2** and **SA 3** to **HCS** for **HBs 256, 33** and **305** and grant the House a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate conferees be allowed to exceed the differences on **HA 5** to **HCS** for **SCS** for **SB 17**, as amended, which motion prevailed.

Senator Lamping moved that the Senate refuse to recede from its position on **SS** for **HCS** for **HB 199**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SB 161**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that the Senate grant the House a conference on **SB 327**, as amended, which motion prevailed.

Senator Romine moved that **SB 58**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Romine moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nieves—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

HA 2 was taken up.

Senator Schaaf raised the point of order that **HA 2** is out of order as it goes beyond the subject matter of the bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Romine moved that the above amendment be adopted, which motion prevailed by the following

vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Brown	Emery	Schaaf—3
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Romine, **SB 58**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus	Nieves—2
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HB 409, introduced by Representatives Love and Remole, entitled:

An Act to repeal sections 290.210 and 290.262, RSMo, and to enact in lieu thereof two new sections

relating to prevailing wages.

Was called from the Informal Calendar and taken up by Senator Parson.

Senator Kehoe assumed the Chair.

Senator Parson offered **SS** for **HB 409**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 409

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof one new section relating to prevailing wage.

Senator Parson moved that **SS** for **HB 409** be adopted.

At the request of Senator Parson, **HB 409**, with **SS** (pending), was placed on the Informal Calendar.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SB 327**, as amended: Senators Dixon, Romine, Wasson, Justus and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HB 199**, as amended: Senators Lamping, Richard, Kehoe, Holsman and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **HBs 256, 33 and 305**, as amended: Senators Kehoe, Munzlinger, Wasson, Justus and Keaveny.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 10, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you Senate Bill No. 16 entitled:

AN ACT

To amend chapter 262, RSMo, by adding thereto one new section relating to children performing agriculture work.
On May 10, 2013, I approved said Senate Bill No. 16.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 10, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you Senate Bill No. 329 entitled:

AN ACT

To repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.
On May 10, 2013, I approved said Senate Bill No. 329.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 988, regarding Nicholas Wray Diekroeger, Chesterfield, which was adopted.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-SEVENTH DAY—TUESDAY, MAY 14, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

HOUSE BILLS ON SECOND READING

HCS#2 for HJR 14

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 473 (Lager)
(In Fiscal Oversight)

HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight)

HCS for HJR 5 & 12, with SCS (Kraus)
(In Fiscal Oversight)
HCS for HB 48 & 216 (Kraus)
(In Fiscal Oversight)
HJR 16-McCaherty, et al, with SCS
(Schaaf) (In Fiscal Oversight)

HCS for HB 320 (Lager) (In Fiscal
Oversight)
HCS for HB 114 (Brown) (In Fiscal
Oversight)
HCS for HB 349 (Kehoe) (In Fiscal
Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 3-Rupp, with SA 1 (pending)
SB 13-Schaefer, with SCS
SB 21-Dixon
SB 22-Dixon
SB 30-Brown, with SCS
SB 48-Lamping
SB 53-Lamping
SB 61-Keaveny, with SCA 1 (pending)
SB 65-Dixon, with SCS
SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending)
SB 82-Schaefer, with SCS
SB 109-Brown, with SCS
SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending)
SB 141-Dempsey
SB 167-Sater and Wallingford, with SCS
SB 174-Parson, with SCS
SB 175-Wallingford
SB 207-Kehoe, et al, with SCS
SB 231-Munzlinger, with SA 1 (pending)
SB 239-Emery, with SCS & SA 2 (pending)
SB 250-Schaaf, with SCS
SB 259-Schaaf, with SCS

SB 272-Nieves, with SA 2 (pending)
SB 285-Romine
SB 291-Rupp
SB 292-Rupp
SB 308-Schaaf
SB 315-Pearce
SB 325-Nieves
SB 339-Romine
SB 343-Parson
SB 364-Parson
SB 371-Munzlinger, with SCS
SB 377-Dixon
SB 383-Wallingford
SB 396-Holsman and Chappelle-Nadal,
with SCS
SB 403-Rupp, with SCS
SB 410-Kehoe
SB 419-Lager, with SCS
SB 423-Nasheed
SB 441-Dempsey
SB 448-Schmitt and Keaveny
SB 455-Nieves, with SCS
SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
HB 55-Flanigan and Allen, with SCS
(Schaefer)
HB 85-Kelley (127), et al (Dixon)

SCS for HB 103-Kelley (127), et al
(Munzlinger) (In Fiscal Oversight)
HCS for HB 110, with SCS (Kraus)
HB 112-Burlison, with SA 2 (pending) (Brown)

HB 116-Dugger, with SCS, SS for SCS & SA 2 (pending) (Dixon)
 HCS for HB 117, with SCS (Wasson)
 HCS for HB 128 (Kraus)
 HCS for HB 134, with SCS (Schmitt)
 HB 142-Dugger, with SCS (Walsh)
 HB 148-Davis, et al, with SCS (Brown)
 HCS for HB 168 (Kraus)
 HCS for HB 175, with SCS (Parson)
 HB 184-Cox, et al (Parson)
 HCS for HB 194 (Parson)
 HB 196-Lauer, et al, with SCS, SA 1 & point of order (pending) (Romine)
 HB 274-Brattin, et al, with SCS (Brown)
 HB 278-Brattin, et al (Emery)
 HCS for HB 345, with SCS (Lager)
 HB 346-Molendorp (Wasson)
 SS for SCS for HCS for HBs 374 & 434 (Dixon) (In Fiscal Oversight)

HCS for HBs 404 & 614, with SCS & SS for SCS (pending) (Kehoe)
 HB 409-Love and Remole, with SS (pending) (Parson)
 HCS for HB 418 (Silvey)
 HB 428-Schatz, with SCS (Wasson)
 HB 432-Funderburk, et al, with SCS & SA 1 (pending) (Lager)
 HCS for HB 440, with SCS (Munzlinger)
 HB 450-Carpenter, et al, with SCS (Silvey)
 HCS for HB 457, with SCS (Rupp)
 HB 510-Torpey and Wieland (Sifton)
 HB 533-Riddle, et al, with SCS (Munzlinger)
 HCS for HBs 593 & 695 (Schaaf)
 HCS for HB 611, with SCS (Kraus)
 HB 625-Burlison, with SCS (Wasson)
 HB 650-Ross, et al, with SCS (Munzlinger)
 HCS for HB 722, with SCS (Lamping)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus, with HCS, as amended
 SS for SCS for SB 114-Schmitt, with HA 1, as amended

SB 127-Sater, with HCS, as amended
 SB 205-Sater, with HCS
 SCS for SB 229-Brown, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS, as amended
 SCS for SB 9-Pearce, with HCS, as amended
 SCS for SB 17-Munzlinger and Romine, with HCS, as amended
 SCS for SB 33-Lamping, with HA 1, HA 2, HA 3, HA 4, HA 5 & HA 6
 SCS for SB 36-Wallingford and Sifton, with HA 1
 SB 41-Munzlinger, with HCS, as amended

SCS for SB 42-Munzlinger, with HCS, as amended
 SB 43-Munzlinger, with HCS, as amended (Senate adopted CCR and passed CCS)
 SB 57-Romine, with HCS, as amended
 SB 77-Lamping, with HA 1
 SB 90-McKenna, with HCS, as amended
 SCS for SB 157 & SB 102-Sater, with HCS, as amended
 SS for SB 262-Curls, with HCS, as amended

SB 327-Dixon, with HA 1
SB 330-Wasson, with HCS, as amended
(Senate requests further conference)
HCS for HB 199, with SS, as amended (Lamping)
HCS for HBs 256, 33 & 305, with SA 2 & SA 3
(Kehoe)
HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)

HCS#2 for HB 698, with SCS, as amended
(Schmitt)
HCS for HB 1035, with SCS, as amended
(Schmitt)
HCS for HJR 11 & 7, with SS, as amended
(Parson) (Further conference
granted)

Requests to Recede or Grant Conference

SCS for SB 45-Dixon, with HCS, as
amended (Senate requests House
recede or grant conference)
SB 161-Pearce, with HCS, as amended
(Senate requests House recede or
grant conference)

SCS for SB 248-Wasson, with HA 1 & HA 2
(Senate requests House recede or
grant conference)

RESOLUTIONS

Reported from Committee

HCR 16-Walton Gray, et al
(Chappelle-Nadal)

HCR 25-Allen (Sifton)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SEVENTH DAY—TUESDAY, MAY 14, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Nevertheless, amid the greatest difficulties of my Administration, when I could not see any other resort, I would place my whole reliance on God, knowing that all would go well, and that He would decide for the right.” (Abraham Lincoln, 10/24/1863)

Heavenly Father, we pray this day knowing that time is running out and as we deal with various difficulties we ask once again that You would help us rely on You and know that You have decided what is right for us and will guide and direct our hearts and minds in all we do and say. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCC-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 989, regarding Drew Mreen, Kansas City, which was adopted.

Senators LeVota and Pearce offered Senate Resolution No. 990, regarding Chris Creason, which was adopted.

CONCURRENT RESOLUTIONS

Senator Chappelle-Nadal moved that **HCR 16** be taken up for adoption, which motion prevailed.

On motion of Senator Chappelle-Nadal, **HCR 16** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators—None

Absent—Senators

Nasheed	Nieves	Rupp	Schaefer—4
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Absent with leave—Senators—None

Vacancies—None

PRIVILEGED MOTIONS

Senator Wallingford, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 36**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 36

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 36, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 36, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 36;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 36, be Third Read and Finally Passed.

FOR THE SENATE:
/s/ Wayne Wallingford

FOR THE HOUSE:
/s/ Ron Hicks

/s/ Bob Dixon
 /s/ Gary Romine
 /s/ Jolie Justus
 /s/ Joseph P. Keaveny

/s/ Stanley Cox
 /s/ Jeremy LaFaver

Senator Wallingford moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wallingford, **CCS** for **SCS** for **SB 36**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 36

An Act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to juvenile criminal offenders.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 418**, entitled:

An Act to repeal sections 86.900, 86.990, 86.1000, 86.1010, 86.1030, 86.1100, 86.1110, 86.1150, 86.1180, 86.1210, 86.1220, 86.1230, 86.1240, 86.1250, 86.1270, 86.1310, 86.1380, 86.1420, 86.1500, 86.1530, 86.1540, 86.1580, 86.1590, 86.1610, and 86.1630, RSMo, and to enact in lieu thereof twenty-seven new sections relating to Kansas City police retirement systems.

Was called from the Informal Calendar and taken up by Senator Silvey.

On motion of Senator Silvey, **HCS** for **HB 418** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Justus Nasheed—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 510, introduced by Representatives Torpey and Wieland, entitled:

An Act to repeal sections 347.039 and 347.153, RSMo, and to enact in lieu thereof three new sections relating to series limited liability companies.

Was called from the Informal Calendar and taken up by Senator Sifton.

On motion of Senator Sifton, **HB 510** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Pearce	Richard	Romine	Rupp	Sater

Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh Wasson—32

NAYS—Senators—None

Absent—Senators

Nasheed Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

PRIVILEGED MOTIONS

Senator Brown moved that **SCS** for **SB 229**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 229** was taken up.

Senator Brown moved that **HCS** for **SCS** for **SB 229** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Nasheed Parson Rupp—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Brown, **HCS** for **SCS** for **SB 229** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nieves	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Nasheed	Parson	Rupp—3
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 388**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 505**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 161**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 336**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 653**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 306**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment Nos. 1 and 2.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 306, Page 1, In the Title, Lines 2-3, by striking: “the designation of the state dogs” and inserting in lieu thereof the following: “state designations”; and

Further amend said bill, Page 2, Section 10.113, Line 11, by inserting after all of said line the following: **“10.115. The cheese known as “Provel” is designated the official cheese of the state of Missouri.”**; and

Further amend the title and enacting clause accordingly.

SENATE COMMITTEE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 306, Page 1, Section 10.112, Line 1, by striking “1.”; and further amend lines 5 to 16, by striking all of said lines; and

Further amend said bill and section, Page 2, Lines 17 to 30, by striking all of said lines; and

Further amend said bill and page, Section 10.113, line 1, by striking “1.”; and further amend lines 3 to 11, by striking all of said lines.

Senator Brown, Chairman of the Committee on Veterans’ Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans’ Affairs and Health, to which was referred **HCS** for **HB 986**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

PRIVILEGED MOTIONS

Senator Sater moved that **SB 205**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 205** was taken up.

Senator Sater moved that **HCS** for **SB 205**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus Lager—2

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Sater, **HCS** for **SB 205**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Lager—2

Absent—Senators

Rupp Schmitt—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Dempsey assumed the Chair.

BILLS DELIVERED TO THE GOVERNOR

SB 350, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended and **HCS** for **HB 349**, begs leave to report that it has considered the same and recommends that the bills do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was

referred **HCS** for **HB 343**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HBs 374** and **434**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 533, introduced by Representative Riddle, et al, with **SCS**, entitled:

An Act to repeal section 571.030, RSMo, and to enact in lieu thereof two new sections relating to a state employee keeping a firearm in his or her vehicle, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

SCS for **HB 533**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 533

An Act to repeal section 571.030, RSMo, and to enact in lieu thereof one new section relating to a state employee keeping a firearm in his or her vehicle, with a penalty provision.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 533** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 533, Page 1, In the Title, Line 3, by striking the words “a state employee keeping a firearm in his or her vehicle” and inserting in lieu thereof the following: “firearms”; and

Further amend said bill, page 6, section 571.030, line 186 by inserting after all of said line the following:

“571.067. No county, municipality, or other governmental body, or an agent of a county, municipality, or other governmental body, may participate in any program in which individuals are given a thing of value in exchange for surrendering a firearm to the county, municipality, or other governmental body unless:

(1) The county, municipality, or governmental body has adopted a resolution, ordinance, or rule authorizing the participation of the county, municipality, or governmental body, or participation by an agent of the county, municipality, or governmental body, in such a program; and

(2) The resolution, ordinance, or rule enacted pursuant to this section provides that any firearm received shall be offered for sale or trade to a licensed firearms dealer. The proceeds from any sale or gains from trade shall be the property of the county, municipality, or governmental body. Any proceeds collected under this subdivision shall be deposited with the municipality, county, or governmental body unless the proceeds are collected by a sheriff, in which case the proceeds shall be deposited in the county sheriff’s revolving fund under section 50.535. Any firearm remaining in the possession of the county, municipality, or governmental body after the firearm has been offered for sale or trade to at least two licensed firearms dealers may be destroyed.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 533, Page 6, Section 571.030, Line 186, by inserting immediately after said line, the following:

“Section 1. The general assembly of the state of Missouri strongly promotes responsible gun ownership, including parental supervision of minors in the proper use, storage, and ownership of all firearms, the prompt reporting of stolen firearms, and the proper enforcement of all state gun laws. The general assembly of the state of Missouri hereby condemns any unlawful transfer of firearms and the use of any firearm in any criminal or unlawful activity.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 533, Page 3, Section 571.030, Line 75, by striking the word “and”; and further amend line 79, by inserting immediately after the word “duties” the following:

“; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district chief who is employed on a full-time basis and who has a valid concealed carry endorsement, when such uses are reasonably associated with or are necessary to the fulfillment of such person’s official duties”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SCS** for **HB 533**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **HB 533**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton—7
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Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 41**, as amended: Representatives: Hough, Cox, and Mitten.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **HBs 256, 33** and **305**, as amended. Representatives: Jones (50), Elmer, and Otto.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SS** for **HCS** for **HB 199**, as amended. Representatives: Dugger, Diehl, and Conway (10).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **CCR No. 2** on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, and has taken up and passed **CCS No. 2** for **SS** for **HCS** for **HJR**s **11** and **7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 717**, entitled:

An Act to repeal sections 208.151, 210.110, 210.145, 210.152, 210.153, 210.278, 210.482, 210.487, 210.950, 211.036, 211.447, 453.010, 453.072, 488.607, 556.061, 558.026, 566.030, 566.032, 566.034, 566.060, 566.062, 566.064, 566.067, 566.068, 566.083, and 566.212, RSMo, and to enact in lieu thereof thirty-four new sections relating to children and families, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 727**, entitled:

An Act to repeal sections 208.152, 209.150, 209.152, 209.200, 209.202, 301.143, 304.028, and 630.170, RSMo, and to enact in lieu thereof nine new sections relating to individuals with disabilities, with a penalty provision, an expiration date for a certain section, and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HCS** for **HJR**s **11** and **7**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE JOINT RESOLUTION NOS. 11 & 7

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, with Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, as amended;

2. That the House recede from its position on House Committee Substitute for House Joint Resolution Nos. 11 & 7;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bill Reiboldt

/s/ Todd Richardson

/s/ Linda Black

FOR THE SENATE:

/s/ Mike L. Parson

/s/ Brian Munzlinger

/s/ Dan Brown

/s/ Jolie Justus

/s/ Scott Sifton

Senator Kraus assumed the Chair.

Senator Parson moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	Nasheed	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, **CCS No. 2** for **SS** for **HCS** for **HJR**s **11** and **7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NOS. 11 & 7

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to farm.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt

Sifton Silvey Wallingford Wasson—28

NAYS—Senators

Chappelle-Nadal Justus Keaveny LeVota Nasheed Walsh—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from ABC 17 News were given permission to take pictures in the Senate Chamber.

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 127**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SJR 16**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Joint Resolution No. 16, Page 6, Section B, Line 5, by striking the word “Shall” and inserting in lieu thereof the word “**Should**”; and

Further amend said line by striking the word “amended” and inserting in lieu thereof the word “**changed**”; and

Further amend said line by striking the words “and use”; and

Further amend said resolution and page, Section C, Line 5, by striking the words “Additional revenue is estimated to be” and inserting in lieu thereof the following:

“**This change is expected to produce**”; and

Further amend said resolution, page, section, Lines 5-6, by striking the words “transportation safety and

job creation fund” and inserting in lieu thereof the following:

“Transportation Safety and Job Creation Fund”; and

Further amend said resolution, page, section, Line 6, by striking the word “gasoline” and inserting in lieu thereof the word **“gas”**; and

Further amend said resolution, page, section, Line 7, by striking the second use of the word “will” and inserting in lieu thereof the word **“shall”**.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Joint Resolution No. 16, Page 2, Section 30(d), Line 10, by inserting immediately after the word, **“be”** the following words, **“used for administrative purposes or”**; and

Further amend said bill, page, section, Line 11, by inserting after the word, **“article.”** the following words, **“The oversight division of the committee on legislative research shall conduct a program evaluation of the department of transportation to ensure the additional funds under section 30(e) are used as required under this article and provide a report to the general assembly by January 1, 2017.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 222**, entitled:

An Act to repeal sections 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, and 527.290, RSMo, and to enact in lieu thereof nineteen new sections relating to domestic violence, with existing penalty provisions.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 222, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

“452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) **“Coerce” means to force a person to act in a given manner or to compel by pressure or threat;**

(2) **“Custody” means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;**

[(2)] (3) **“Joint legal custody” means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned,**

or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

[(3)] (4) “Joint physical custody” means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

[(4)] (5) “Third-party custody” means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child’s parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child’s best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child’s adjustment to the child’s home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child’s custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

(b) A violation of section 568.020;

- (c) A violation of subdivision (2) of subsection 1 of section 568.060;
- (d) A violation of section 568.065;
- (e) A violation of section 568.080;
- (f) A violation of section 568.090; or
- (g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based

on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 7 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial

or visitation rights from any further harm.

14. If the court finds that a parent of a child, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion, the court may deny custody to the parent.

452.400. 1. (1) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical health or impair his or her emotional development. The court shall enter an order specifically detailing the visitation rights of the parent without physical custody rights to the child and any other children for whom such parent has custodial or visitation rights. In determining the granting of visitation rights, the court shall consider evidence of domestic violence. If the court finds that domestic violence has occurred, the court may find that granting visitation to the abusive party is in the best interests of the child.

(2) (a) The court shall not grant visitation to the parent not granted custody if such parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

b. A violation of section 568.020;

c. A violation of subdivision (2) of subsection 1 of section 568.060;

d. A violation of section 568.065;

e. A violation of section 568.080;

f. A violation of section 568.090; or

g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in granting visitation to a parent not granted custody if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

(c) The court may exercise its discretion in granting visitation to a parent not granted custody if such parent, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion.

(3) The court shall consider the parent's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault on other persons and shall grant visitation in a manner that best protects the child and the parent or other family or household member who is the victim of domestic violence, and any other children for whom the parent has custodial or visitation rights from any further harm.

(4) The court, if requested by a party, shall make specific findings of fact to show that the visitation arrangements made by the court best protect the child or the parent or other family or household member who is the victim of domestic violence, or any other child for whom the parent has custodial or visitation rights from any further harm.

2. (1) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child, but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical health or impair his or her emotional development.

(2) (a) In any proceeding modifying visitation rights, the court shall not grant unsupervised visitation to a parent if the parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

b. A violation of section 568.020;

c. A violation of subdivision (2) of subsection 1 of section 568.060;

d. A violation of section 568.065;

e. A violation of section 568.080;

f. A violation of section 568.090; or

g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the division may exercise its discretion regarding the placement of a child taken into the custody of the state in which a parent or any person residing in the home has been found guilty of, or pled guilty to, any such offense.

(3) When a court restricts a parent's visitation rights or when a court orders supervised visitation because of allegations of abuse or domestic violence, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised visitation may be ordered. "Supervised visitation", as used in this section, is visitation which takes place in the presence of a responsible adult appointed by the court for the protection of the child.

3. The court shall mandate compliance with its order by all parties to the action, including parents, children and third parties. In the event of noncompliance, the aggrieved person may file a verified motion for contempt. If custody, visitation or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts which constitute a violation of the judgment of dissolution, [or] legal separation **or judgment of paternity**. The state courts administrator shall develop a simple form for pro se motions to the aggrieved person, which shall be provided to the person by the circuit clerk. Clerks, under the supervision of a circuit clerk, shall explain to aggrieved parties the procedures for filing the form. Notice of the fact that clerks will provide such assistance shall be conspicuously posted in the clerk's offices. The location of the office where the family access motion may be filed shall be conspicuously posted in the court building. The performance of duties described in this section shall not constitute the practice of law as defined in section 484.010. Such form for pro se motions shall not require the assistance of legal counsel to prepare and file. The cost of filing the motion shall be the standard court costs otherwise due for instituting a civil action in the circuit court.

4. Within five court days after the filing of the family access motion pursuant to subsection 3 of this section, the clerk of the court shall issue a summons pursuant to applicable state law, and applicable local

or supreme court rules. A copy of the motion shall be personally served upon the respondent by personal process server as provided by law or by any sheriff. Such service shall be served at the earliest time and shall take priority over service in other civil actions, except those of an emergency nature or those filed pursuant to chapter 455. The motion shall contain the following statement in boldface type:

“PURSUANT TO SECTION 452.400, RSMO, YOU ARE REQUIRED TO RESPOND TO THE CIRCUIT CLERK WITHIN TEN DAYS OF THE DATE OF SERVICE. FAILURE TO RESPOND TO THE CIRCUIT CLERK MAY RESULT IN THE FOLLOWING:

- (1) AN ORDER FOR A COMPENSATORY PERIOD OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY AT A TIME CONVENIENT FOR THE AGGRIEVED PARTY NOT LESS THAN THE PERIOD OF TIME DENIED;**
- (2) PARTICIPATION BY THE VIOLATOR IN COUNSELING TO EDUCATE THE VIOLATOR ABOUT THE IMPORTANCE OF PROVIDING THE CHILD WITH A CONTINUING AND MEANINGFUL RELATIONSHIP WITH BOTH PARENTS;**
- (3) ASSESSMENT OF A FINE OF UP TO FIVE HUNDRED DOLLARS AGAINST THE VIOLATOR;**
- (4) REQUIRING THE VIOLATOR TO POST BOND OR SECURITY TO ENSURE FUTURE COMPLIANCE WITH THE COURT’S ORDERS;**
- (5) ORDERING THE VIOLATOR TO PAY THE COST OF COUNSELING TO REESTABLISH THE PARENT-CHILD RELATIONSHIP BETWEEN THE AGGRIEVED PARTY AND THE CHILD; AND**
- (6) A JUDGMENT IN AN AMOUNT NOT LESS THAN THE REASONABLE EXPENSES, INCLUDING ATTORNEY’S FEES AND COURT COSTS ACTUALLY INCURRED BY THE AGGRIEVED PARTY AS A RESULT OF THE DENIAL OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY.”.**

5. If an alternative dispute resolution program is available pursuant to section 452.372, the clerk shall also provide information to all parties on the availability of any such services, and within fourteen days of the date of service, the court may schedule alternative dispute resolution.

6. Upon a finding by the court pursuant to a motion for a family access order or a motion for contempt that its order for custody, visitation or third-party custody has not been complied with, without good cause, the court shall order a remedy, which may include, but not be limited to:

- (1) A compensatory period of visitation, custody or third-party custody at a time convenient for the aggrieved party not less than the period of time denied;
- (2) Participation by the violator in counseling to educate the violator about the importance of providing the child with a continuing and meaningful relationship with both parents;
- (3) Assessment of a fine of up to five hundred dollars against the violator payable to the aggrieved party;
- (4) Requiring the violator to post bond or security to ensure future compliance with the court’s access orders; and
- (5) Ordering the violator to pay the cost of counseling to reestablish the parent-child relationship between the aggrieved party and the child.

7. The reasonable expenses incurred as a result of denial or interference with custody or visitation, including attorney's fees and costs of a proceeding to enforce visitation rights, custody or third-party custody, shall be assessed, if requested and for good cause, against the parent or party who unreasonably denies or interferes with visitation, custody or third-party custody. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

8. Final disposition of a motion for a family access order filed pursuant to this section shall take place not more than sixty days after the service of such motion, unless waived by the parties or determined to be in the best interest of the child. Final disposition shall not include appellate review.

9. Motions filed pursuant to this section shall not be deemed an independent civil action from the original action pursuant to which the judgment or order sought to be enforced was entered.

453.015. As used in sections 453.010 to 453.400, the following terms mean:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) **"Minor" or "child", any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;**

[(2)] (3) **"Parent", a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;**

[(3)] (4) **"Putative father", the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016 and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087; and**

[(4)] (5) **"Stepparent", the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated.**

453.040. The consent to the adoption of a child is not required of:

(1) A parent whose rights with reference to the child have been terminated pursuant to law, including section 211.444 or section 211.447 or other similar laws in other states;

(2) A parent of a child who has legally consented to a future adoption of the child;

(3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition;

(4) A man who has not been established to be the father and who is not presumed by law to be the father, and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in the child and acknowledging that this statement is irrevocable when executed and follows the consent as set forth in section 453.030;

(5) A parent or other person who has not executed a consent and who, after proper service of process, fails to file an answer or make an appearance in a proceeding for adoption or for termination of parental rights at the time such cause is heard;

(6) A parent who has a mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(7) A parent who has for a period of at least six months, for a child one year of age or older, or at least sixty days, for a child under one year of age, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least six months immediately prior to the filing of the petition for adoption, willfully, substantially and continuously neglected to provide him with necessary care and protection;

(8) A man who has reason to believe he is the biological father of an unborn child and who attempted to coerce the mother of the child to obtain an abortion;

(9) A parent whose rights to the child may be terminated for any of the grounds set forth in section 211.447 and whose rights have been terminated after hearing and proof of such grounds as required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an adoption petition.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 222, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district’s determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district’s discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, “need to know” is defined as school personnel who are directly responsible for the student’s education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase “act of school violence” or “violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;

- (5) [Forcible] Rape **in the first degree** under section 566.030;
- (6) [Forcible] Sodomy **in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse **in the first degree** pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and

the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. “Acts of violence” as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district’s discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education’s written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children’s division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children’s division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children’s division within twenty-four hours of receiving the information. Reports made to the children’s division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children’s division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children’s division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the

alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

167.115. 1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**
- (6) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**
- (7) Burglary in the first degree under section 569.160;
- (8) Robbery in the first degree under section 569.020;
- (9) Distribution of drugs under section 195.211;
- (10) Distribution of drugs to a minor under section 195.212;
- (11) Arson in the first degree under section 569.040;
- (12) Voluntary manslaughter under section 565.023;
- (13) Involuntary manslaughter under section 565.024;

- (14) Second degree assault under section 565.060;
- (15) Sexual assault under section 566.040 **as it existed prior to August 28, 2013, or rape in the second degree under section 566.031;**
- (16) Felonious restraint under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;
- (19) Child molestation in the first degree pursuant to section 566.067;
- (20) Deviate sexual assault pursuant to section 566.070 **as it existed prior to August 28, 2013, or sodomy in the second degree under section 566.061;**
- (21) Sexual misconduct involving a child pursuant to section 566.083; or
- (22) Sexual abuse pursuant to section 566.100 **as it existed prior to August 28, 2013, or sexual abuse in the first degree under section 566.100.**

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

4. The superintendent shall notify the appropriate division of the juvenile or family court upon any pupil's suspension for more than ten days or expulsion of any pupil that the school district is aware is under the jurisdiction of the court.

5. The superintendent or the superintendent's designee may be called to serve in a consultant capacity at any dispositional proceedings pursuant to section 211.031 which may involve reference to a pupil's academic treatment plan.

6. Upon the transfer of any pupil described in this section to any other school district in this state, the superintendent or the superintendent's designee shall forward the written notification given to the superintendent pursuant to subsection 2 of this section to the superintendent of the new school district in which the pupil has enrolled. Such written notification shall be required again in the event of any subsequent transfer by the pupil.

7. As used in this section, the terms "school" and "school district" shall include any charter, private or parochial school or school district, and the term "superintendent" shall include the principal or equivalent chief school officer in the cases of charter, private or parochial schools.

8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261 shall not be civilly liable for providing such information.

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

(1) The pupil shall be given oral or written notice of the charges against such pupil;

(2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;

(3) The pupil shall be given an opportunity to present such pupil's version of the incident; and

(4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

(1) Such pupil has been convicted of; or

(2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:

(a) First degree murder under section 565.020;

(b) Second degree murder under section 565.021;

(c) First degree assault under section 565.050;

(d) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**

(e) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**

(f) Statutory rape under section 566.032;

(g) Statutory sodomy under section 566.062;

(h) Robbery in the first degree under section 569.020;

(i) Distribution of drugs to a minor under section 195.212;

(j) Arson in the first degree under section 569.040;

(k) Kidnapping, when classified as a class A felony under section 565.110. Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: rape **in the first degree** under section 566.030; **forcible rape under section 566.030 as it existed prior to August 28, 2013; rape as it existed prior to August 13, 1980;** statutory rape in the first degree under section 566.032; statutory rape in the second degree under

section 566.034; **rape in the second degree under section 566.031**; sexual assault under section 566.040 **as it existed prior to August 28, 2013**; **sodomy in the first degree under section 566.060**; forcible sodomy under section 566.060 **as it existed prior to August 28, 2013**; **sodomy as it existed prior to January 1, 1995**; statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section 566.064; child molestation in the first degree under section 566.067; child molestation in the second degree under section 566.068; **sodomy in the second degree under section 566.061**; deviate sexual assault under section 566.070 **as it existed prior to August 28, 2013**; sexual misconduct involving a child under section 566.083; sexual contact with a student while on public school property under section 566.086; **sexual misconduct in the first degree under section 566.093**; sexual misconduct in the first degree under section 566.090 **as it existed prior to August 28, 2013**; **sexual misconduct in the second degree under section 566.095**; sexual misconduct in the second degree under section 566.093 **as it existed prior to August 28, 2013**; sexual misconduct in the third degree under section 566.095 **as it existed prior to August 28, 2013**; **sexual abuse in the first degree under section 566.100**; sexual abuse under section 566.100 **as it existed prior to August 28, 2013**; **sexual abuse in the second degree under section 566.101**; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance under section 568.080; promoting sexual performance by a child under section 568.090; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree under section 573.020; promoting obscenity in the second degree when the penalty is enhanced to a class D felony under section 573.030; promoting child pornography in the first degree under section 573.025; promoting child pornography in the second degree under section 573.035; possession of child pornography under section 573.037; furnishing pornographic materials to minors under section 573.040; or coercing acceptance of obscene material under section 573.065.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

188.023. Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including [forcible rape, sexual assault] **rape in the first or second degree**, or incest, shall be required to report such offenses in the same manner as provided for by section 210.115.

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 **as it existed prior to August 28, 2013, rape in the first degree under section 566.030**, forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060**, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the

child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter; or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control

necessary for the child's physical, mental, or emotional health and development. Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape **or rape in the first degree**. When the biological father has pled guilty to, or is convicted of, the forcible rape **or rape in the first degree** of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination

is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child.

217.010. As used in this chapter and chapter 558, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Administrative segregation unit", a cell for the segregation of offenders from the general population of a facility for relatively extensive periods of time;

(2) "Board", the board of probation and parole;

(3) "Chief administrative officer", the institutional head of any correctional facility or his designee;

(4) "Correctional center", any premises or institution where incarceration, evaluation, care, treatment, or rehabilitation is provided to persons who are under the department's authority;

(5) "Department", the department of corrections of the state of Missouri;

(6) “Director”, the director of the department of corrections or his designee;

(7) “Disciplinary segregation”, a cell for the segregation of offenders from the general population of a correctional center because the offender has been found to have committed a violation of a division or facility rule and other available means are inadequate to regulate the offender’s behavior;

(8) “Division”, a statutorily created agency within the department or an agency created by the departmental organizational plan;

(9) “Division director”, the director of a division of the department or his designee;

(10) “Local volunteer community board”, a board of qualified local community volunteers selected by the court for the purpose of working in partnership with the court and the department of corrections in a reparative probation program;

(11) “Nonviolent offender”, any offender who is convicted of a crime other than murder in the first or second degree, involuntary manslaughter, kidnapping, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, robbery in the first degree or assault in the first degree;

(12) “Offender”, a person under supervision or an inmate in the custody of the department;

(13) “Probation”, a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the board;

(14) “Volunteer”, any person who, of his own free will, performs any assigned duties for the department or its divisions with no monetary or material compensation.

339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee’s designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties executing the same where the instruments have been prepared by the licensee or under his or her supervision or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to

violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission

which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: **rape in the first degree, forcible rape, rape**, statutory rape in the first degree, statutory rape in the second degree, **rape in the second degree**, sexual assault, **sodomy in the first degree**, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, **sodomy in the second degree**, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree **under section 566.090 as it existed prior to August 28, 2013**, sexual abuse **under section 566.100 as it existed prior to August 28, 2013**, **sexual abuse in the first or second degree**, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class D felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission.”; and

Further amend said bill, Page 16, Section 527.290, Line 14, by inserting after all of said section and line the following:

“556.036. 1. A prosecution for murder, **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, **attempted sodomy in the first degree**, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced

within the following periods of limitation:

(1) For any felony, three years, except as provided in subdivision (4) of this subsection;

(2) For any misdemeanor, one year;

(3) For any infraction, six months;

(4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term “person who has a legal duty to represent an aggrieved party” shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant’s complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state; or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy,

kidnapping, **attempted sodomy in the first degree**, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.

556.061. In this code, unless the context requires a different definition, the following shall apply:

(1) “Affirmative defense” has the meaning specified in section 556.056;

(2) “Burden of injecting the issue” has the meaning specified in section 556.051;

(3) “Commercial film and photographic print processor”, any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(4) “Confinement”:

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

a. A court orders the person’s release; or

b. The person is released on bail, bond, or recognizance, personal or otherwise; or

c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;

(b) A person is not in confinement if:

a. The person is on probation or parole, temporary or otherwise; or

b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;

(5) “Consent”: consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

(a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

(b) It is given by a person who by reason of youth, mental disease or defect, [or] intoxication, **a drug-induced state, or any other reason** is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(c) It is induced by force, duress or deception;

(6) “Criminal negligence” has the meaning specified in section 562.016;

(7) “Custody”, a person is in custody when the person has been arrested but has not been delivered to a place of confinement;

(8) “Dangerous felony” means the felonies of arson in the first degree, assault in the first degree, **attempted rape in the first degree if physical injury results**, attempted forcible rape if physical injury results, **attempted sodomy in the first degree if physical injury results**, attempted forcible sodomy if physical injury results, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy,

kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and, abuse of a child [pursuant to subdivision (2) of subsection 3 of] **if the child dies as a result of injuries sustained from conduct chargeable under** section 568.060, child kidnapping, and parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153;

(9) “Dangerous instrument” means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;

(10) “Deadly weapon” means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;

(11) “Felony” has the meaning specified in section 556.016;

(12) “Forcible compulsion” means either:

(a) Physical force that overcomes reasonable resistance; or

(b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;

(13) “Incapacitated” means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person’s conduct, or unable to communicate unwillingness to an act[. A person is not incapacitated with respect to an act committed upon such person if he or she became unconscious, unable to appraise the nature of such person’s conduct or unable to communicate unwillingness to an act, after consenting to the act];

(14) “Infraction” has the meaning specified in section 556.021;

(15) “Inhabitable structure” has the meaning specified in section 569.010;

(16) “Knowingly” has the meaning specified in section 562.016;

(17) “Law enforcement officer” means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;

(18) “Misdemeanor” has the meaning specified in section 556.016;

(19) “Offense” means any felony, misdemeanor or infraction;

(20) “Physical injury” means physical pain, illness, or any impairment of physical condition;

(21) “Place of confinement” means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;

(22) “Possess” or “possessed” means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the

power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(23) “Public servant” means any person employed in any way by a government of this state who is compensated by the government by reason of such person’s employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(24) “Purposely” has the meaning specified in section 562.016;

(25) “Recklessly” has the meaning specified in section 562.016;

(26) “Ritual” or “ceremony” means an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) “Serious emotional injury”, an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) “Serious physical injury” means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) “Sexual conduct” means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification;

(30) “Sexual contact” means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) “Sexual performance”, any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) “Voluntary act” has the meaning specified in section 562.011.

558.018. 1. The court shall sentence a person [who has pleaded guilty to or] **to an extended term of imprisonment if it finds the defendant is a persistent sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual offender] **attempting to commit or committing the following offenses:**

(1) Statutory rape in the first degree or statutory sodomy in the first degree;

(2) Rape in the first degree or sodomy in the first degree attempted or committed on or after August 28, 2013;

(3) Forcible rape committed or attempted any time during the period of August 13, 1980 to August 27, 2013;

(4) Forcible sodomy committed or attempted any time during the period of January 1, 1995 to August 27, 2013;

(5) Rape committed or attempted before August 13, 1980;

(6) Sodomy committed or attempted before January 1, 1995.

2. A “persistent sexual offender” is one who has previously [pleaded guilty to or has been found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection] **been found guilty of attempting to commit or committing any of the offenses listed in subsection 1 of this section.**

3. The term of imprisonment for one found to be a persistent sexual offender shall be imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019 shall not apply to any person imprisoned under this subsection, and “imprisonment for life” shall mean imprisonment for the duration of the person’s natural life.

4. The court shall sentence a person [who has pleaded guilty to or has] **to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender and has** been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender.

5. For purposes of this section, a “predatory sexual offender” is a person who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony; or

(2) Has previously committed an act which would constitute an offense listed in subsection 4 of this section, whether or not the act resulted in a conviction; or

(3) Has committed an act or acts against more than one victim which would constitute an offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged with an additional offense or offenses as a result of such act or acts.

6. A person found to be a predatory sexual offender shall be imprisoned for life with eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be predatory sexual offenders for the purposes of determining the minimum prison term or the length of sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no event shall a person found to be a predatory sexual offender receive a final discharge from parole.

7. Notwithstanding any other provision of law, the court shall set the minimum time required to be served before a predatory sexual offender is eligible for parole, conditional release or other early release by the department of corrections. The minimum time to be served by a person found to be a predatory sexual

offender who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the preceding crimes] **committing or attempting to commit any of the offenses listed in subsection 1 of this section and is found guilty of committing or attempting to commit any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than thirty years;

(2) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony and [pleads guilty to or] is found guilty of attempting to commit or committing [forcible rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree] **any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than fifteen years;

(3) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(4) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony, and pleads guilty to or is found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of subsection 5 of this section shall be any number of years within the range to which the person could have been sentenced pursuant to the applicable law if the person was not found to be a predatory sexual offender.

8. Notwithstanding any provision of law to the contrary, the department of corrections, or any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual offender or a predatory sexual offender.

558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except [that,] in the case of multiple sentences of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy or] **any offense committed during or at the same time as, or multiple offenses of, the following felonies:**

(1) **Rape in the first degree, forcible rape, or rape;**

(2) **Statutory rape in the first degree;**

(3) **Sodomy in the first degree, forcible sodomy, or sodomy;**

(4) **Statutory sodomy in the first degree; or**

(5) An attempt to commit any of the [aforesaid and for other offenses committed during or at the same time as that rape, forcible rape, sodomy, forcible sodomy or an attempt to commit any of the aforesaid, the

sentences of imprisonment imposed for the other offenses may run concurrently, but] **felonies listed in this subsection.**

In such case, the sentence of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy] **any felony listed in this subsection** or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. **The sentences imposed for any other offense may run concurrently.**

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the start of his conditional release term, the court shall direct the manner in which the sentence or sentences imposed by the court shall run with respect to any resulting probation, parole or conditional release revocation term or terms. If the subsequent sentence to imprisonment is in another jurisdiction, the court shall specify how any resulting probation, parole or conditional release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

3. A court may cause any sentence it imposes to run concurrently with a sentence an individual is serving or is to serve in another state or in a federal correctional center. If the Missouri sentence is served in another state or in a federal correctional center, subsection 4 of section 558.011 and section 217.690 shall apply as if the individual were serving his sentence within the department of corrections of the state of Missouri, except that a personal hearing before the board of probation and parole shall not be required for parole consideration.

559.115. 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection [5] **8** of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this [section] **subsection** or order such placement under subsection 4 of section 559.036. Upon the recommendation or order of the court, the department of corrections shall assess each offender to determine the appropriate **one hundred twenty-day** program in which to place the offender, [including] **which may include placement in the shock incarceration program** or institutional treatment **program**. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a [treatment] program **under this subsection**, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. [The court shall release the offender unless such release constitutes an abuse of discretion. If the court determined that there is an abuse of discretion, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days of the offender's sentence. If

the court does not respond when an offender successfully completes the program, the offender shall be released on probation. Upon successful completion of a shock incarceration program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release.] The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days [of the offender's sentence. If the department determines that an offender is not successful in a program, then after one hundred days of incarceration the circuit court shall receive from] **from the date the offender was delivered to the department of corrections. If the department determines the offender has not successfully completed a one hundred twenty-day program under this subsection, the offender shall be removed from the program and the court shall be advised of the removal.** The department [of corrections a] **shall** report on the offender's participation in the program and [department] **may provide** recommendations for terms and conditions of an offender's probation. The court shall then [release the offender on probation or order the offender to remain in the department to serve the sentence imposed] **have the power to grant probation or order the execution of the offender's sentence.**

4. If the court is advised that an offender is not eligible for placement in a one hundred twenty-day program under subsection 3 of this section, the court shall consider other authorized dispositions. If the department of corrections one hundred twenty-day program **under subsection 3 of this section** is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C or class D nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 558.018, the court shall request [that the offender be placed in the sexual offender assessment unit of the department of corrections] **the department of corrections to conduct a sexual offender assessment** if the defendant has pleaded guilty to or has been found guilty of sexual abuse when classified as a class B felony. **Upon completion of the assessment, the department shall provide to the court a report on the offender and may provide recommendations for terms and conditions of an offender's probation. The assessment shall not be considered a one hundred twenty-day program as provided under subsection 3 of this section. The process for granting probation to an offender who has completed the assessment shall be as provided under subsections 2 and 6 of this section.**

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration [for one hundred twenty days for participation in a department of corrections program] **under this section** prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; forcible rape pursuant to section 566.030 **as it existed prior to August 28, 2013; rape in the first degree under section 566.030**; forcible sodomy pursuant to section 566.060 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060**; statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; an offender who has been found to be a predatory sexual offender pursuant to section 558.018; or any offense in which there exists a statutory prohibition against either probation or parole.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;
- (2) Have been found guilty of, or plead guilty to, **rape in the first degree under section 566.030 or forcible rape under section 566.030 as it existed prior to August 28, 2013**;
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;
- (4) Have been found guilty of, or plead guilty to, **sodomy in the first degree under section 566.060 or forcible sodomy under section 566.060 as it existed prior to August 28, 2013**;
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;
- (6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;
- (7) Have been found to be a predatory sexual offender under section 558.018; or
- (8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide.

566.020. 1. [Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.

2.] Whenever in this chapter the criminality of conduct depends upon a child being thirteen years of age or younger, it is no defense that the defendant believed the child to be older.

[3.] 2. Whenever in this chapter the criminality of conduct depends upon a child being under seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

[4.] 3. Consent is not an affirmative defense to any offense under chapter 566 if the alleged victim is less than twelve years of age.

566.030. 1. A person commits the [crime] **offense** of [forcible] **rape in the first degree** if [such person] **he or she** has sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of rape in the first degree** or an attempt to commit [forcible] **rape in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

(2) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] **rape in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] **rape in the first degree or attempt to commit rape in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] **rape in the first degree or attempt to commit rape in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] **rape in the first degree** or an attempt to

commit [forcible] rape **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.040.] **566.031.** 1. A person commits the [crime] **offense** of [sexual assault] **rape in the second degree** if he **or she** has sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Sexual assault] **The offense of rape in the second degree** is a class C felony.

566.060. 1. A person commits the [crime] **offense** of [forcible] sodomy **in the first degree** if [such person] **he or she** has deviate sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of sodomy in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years [of age] **old**, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] sodomy **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] sodomy **in the first degree or attempt to commit sodomy in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] sodomy **in the first degree or an attempt to commit sodomy in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] sodomy **in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.070.] **566.061.** 1. A person commits the [crime of deviate sexual assault] **offense of sodomy in the second degree** if he **or she** has deviate sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Deviate sexual assault] **The offense of sodomy in the second degree** is a class C felony.

566.093. 1. A person commits the [crime] **offense** of sexual misconduct in the [second] **first** degree if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. **The offense of** sexual misconduct in the [second] **first** degree is a class B misdemeanor unless the [actor] **person** has previously been [convicted] **found guilty** of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the [crime] **offense** of sexual misconduct in the [third] **second** degree if he **or she** solicits or requests another person to engage in sexual conduct under circumstances in which he **or she** knows that [his requests] **such request** or solicitation is likely to cause affront or alarm.

2. **The offense of** sexual misconduct in the [third] **second** degree is a class C misdemeanor.

566.100. 1. A person commits the [crime] **offense** of sexual abuse **in the first degree** if he **or she** subjects another person to sexual contact **when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion.

2. **The offense of** sexual abuse **in the first degree** is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case [the crime] **it** is a class B felony.

[566.090.] **566.101.** 1. A person commits the [crime] **offense** of sexual [misconduct] **abuse** in the [first] **second** degree if [such person] **he or she** purposely subjects another person to sexual contact without that person's consent.

2. **The offense of** sexual [misconduct] **abuse** in the [first] **second** degree is a class A misdemeanor, unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony.

566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of **rape in the second degree under section 566.031**, sexual assault under section 566.040 **as it existed prior to August 28, 2013**, **rape in the first degree under section 566.030**, or forcible rape under section 566.030 **as it existed prior to August 28, 2013** to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, **rape in the first or second degree**, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a sexual assault, domestic assault, stalking, [or] forcible rape, **or rape in the first or second degree** case shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

589.015. As used in sections 589.010 to 589.040:

(1) The term “center” shall mean the state center for the prevention and control of sexual assault established pursuant to section 589.030;

(2) The term “sexual assault” shall include:

(a) The acts of rape **in the first or second degree**, forcible rape, **rape**, statutory rape in the first degree, statutory rape in the second degree, sexual assault, sodomy **in the first or second degree**, forcible sodomy, **sodomy**, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault, sexual misconduct and sexual abuse, or attempts to commit any of the aforesaid, as these acts are defined in chapter 566;

(b) The act of incest, as this act is defined in section 568.020;

(c) The act of abuse of a child, as defined in subdivision (1) of subsection 1 of section 568.060, which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;

(d) The act of use of a child in a sexual performance as defined in section 568.080; and

(e) The act of enticement of a child, as defined in section 566.151, or any attempt to commit such act.

590.700. 1. As used in this section, the following terms shall mean:

(1) “Custodial interrogation”, the questioning of a person under arrest, who is no longer at the scene of the crime, by a member of a law enforcement agency along with the answers and other statements of the person questioned. “Custodial interrogation” shall not include:

(a) A situation in which a person voluntarily agrees to meet with a member of a law enforcement agency;

(b) A detention by a law enforcement agency that has not risen to the level of an arrest;

(c) Questioning that is routinely asked during the processing of the arrest of the suspect;

(d) Questioning pursuant to an alcohol influence report;

(e) Questioning during the transportation of a suspect;

(2) “Recorded” and “recording”, any form of audiotape, videotape, motion picture, or digital recording.

2. All custodial interrogations of persons suspected of committing or attempting to commit murder in

the first degree, murder in the second degree, assault in the first degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, arson in the first degree, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, statutory rape in the first degree, statutory sodomy in the first degree, child abuse, or child kidnapping shall be recorded when feasible.

3. Law enforcement agencies may record an interrogation in any circumstance with or without the knowledge or consent of a suspect, but they shall not be required to record an interrogation under subsection 2 of this section:

- (1) If the suspect requests that the interrogation not be recorded;
- (2) If the interrogation occurs outside the state of Missouri;
- (3) If exigent public safety circumstances prevent recording;
- (4) To the extent the suspect makes spontaneous statements;
- (5) If the recording equipment fails; or
- (6) If recording equipment is not available at the location where the interrogation takes place.

4. Each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

5. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency if the governor finds that the agency did not act in good faith in attempting to comply with the provisions of this section.

6. Nothing in this section shall be construed as a ground to exclude evidence, and a violation of this section shall not have impact other than that provided for in subsection 5 of this section. Compliance or noncompliance with this section shall not be admitted as evidence, argued, referenced, considered or questioned during a criminal trial.

7. Nothing contained in this section shall be construed to authorize, create, or imply a private cause of action.

632.480. As used in sections 632.480 to 632.513, the following terms mean:

- (1) "Agency with jurisdiction", the department of corrections or the department of mental health;
- (2) "Mental abnormality", a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree constituting such person a menace to the health and safety of others;
- (3) "Predatory", acts directed towards individuals, including family members, for the primary purpose of victimization;
- (4) "Sexually violent offense", the felonies of **rape in the first degree**, forcible rape, rape, statutory rape in the first degree, **sodomy in the first degree**, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes, or child molestation in the first or second degree, sexual abuse, **sexual abuse in the first degree**, **rape in the second degree**, sexual assault, **sexual assault in the first degree**, **sodomy in the second degree**, deviate sexual assault, **deviate sexual assault in the first degree**, or the act of abuse of a child [as defined in subdivision (1) of subsection 1 of section

568.060 which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060] **involving either sexual contact, a prohibited sexual act, sexual abuse, or sexual exploitation of a minor, or any felony offense that contains elements substantially similar to the offenses listed above;**

(5) “Sexually violent predator”, any person who suffers from a mental abnormality which makes the person more likely than not to engage in predatory acts of sexual violence if not confined in a secure facility and who:

(a) Has pled guilty or been found guilty, or been found not guilty by reason of mental disease or defect pursuant to section 552.030 of a sexually violent offense; or

(b) Has been committed as a criminal sexual psychopath pursuant to section 632.475 and statutes in effect before August 13, 1980.

Section B. Because immediate action is necessary to protect children the repeal and reenactment of sections 556.061 and 568.060 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 556.061 and 568.060 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senators Lamping and Walsh offered Senate Resolution No. 991, regarding Camille Angela Palmer, Florissant, which was adopted.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 992, regarding Cheryl Blaise, Macon, which was adopted.

Senator Sater offered Senate Resolution No. 993, regarding Connell Insurance, Hollister, which was adopted.

Senator Sater offered Senate Resolution No. 994, regarding Ethan Daniel Jobes, Mt. Vernon, which was adopted.

Senator Wasson offered Senate Resolution No. 995, regarding Darlene Harmon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 996, regarding Corrections Officer II Everett Asquith, which was adopted.

Senator Munzlinger offered Senate Resolution No. 997, regarding Anita Hearn, which was adopted.

Senator Munzlinger offered Senate Resolution No. 998, regarding Corrections Officer I Susan

Kattelman, which was adopted.

Senator Munzlinger offered Senate Resolution No. 999, regarding Corrections Officer I Tina Graver, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1000, regarding Dr. Evelyn E. Jorgenson, Moberly, which was adopted.

Senator Cunningham offered Senate Resolution No. 1001, regarding Jack Lovan, Willow Springs, which was adopted.

PRIVILEGED MOTIONS

Senator Schmitt moved that **SS** for **SCS** for **SB 114**, with **HA 1**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

Senator Kehoe assumed the Chair.

HA 1, as amended, was taken up.

Senator Schmitt moved that the above amendment be adopted.

Pursuant to the provisions of Senate Rule 91, Senator Sifton was excused from voting on the adoption of **HA 1**, as amended, third reading and final passage of the bill and the emergency clause.

Senator Kraus assumed the Chair.

Photographers from KOMV-TV were given permission to take pictures in the Senate Chamber.

Senator Schaaf offered a substitute motion that the Senate refuse to adopt **HA 1**, as amended, to **SS** for **SCS** for **SB 114** and request the House to recede from its position and failing to do so grant the Senate a conference thereon.

At the request of Senator Schmitt, his motion to adopt **HA 1**, as amended, to **SS** for **SCS** for **SB 114** was withdrawn, which placed the bill back on the calendar.

Senator Rupp moved that the Senate conferees be allowed to exceed the differences on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 236**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 256**, entitled:

An Act to repeal sections 160.2100, 174.335, 210.950, 211.447, and 595.220, RSMo, and to enact in lieu thereof six new sections relating to child abuse and neglect.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Section 595.220, Page 12, Line 45, by inserting the following at the end of said line:

“The department shall provide reimbursement regardless of whether or not the findings indicate that the child was abused.”; and

Further amend said section and page, Lines 53-54, by deleting **“paragraph (a) of this subdivision by the rules authorized under subsection 7 of this section”** and inserting in lieu thereof the following:

“subparagraph a under rules authorized under subsection 7 of this section”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. “Bullying” means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of but is not limited to physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. Bullying is prohibited by students on school property, at any school function, or on a school bus. “Cyberbullying” is bullying as defined in this subsection through the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

3. Each district’s antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat all students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district’s antibullying policy shall require, at a minimum, the following components:

(1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall be included in the student handbook;

(3) A procedure for reporting an act of bullying;

(4) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized;

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy;

(b) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(c) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying;

(d) The administration of the school district shall instruct its school counselors to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include, but not be limited to: cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section;

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Page 3, Section 174.335, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 252**, entitled:

An Act to repeal sections 105.711, 136.055, 301.020, 301.3031, and 302.183, RSMo, and to enact in lieu thereof eight new sections relating to the department of revenue, with a penalty provision, and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 252, Pages 7 to 9, Section 136.055, Lines 1 to 51, by deleting all of said section from the bill; and

Further amend said bill, Pages 9 to 11, Section 301.020, Lines 1 to 99, by deleting all of said section from the bill; and

Further amend said bill, Page 12, Section 301.3033, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

“301.3033. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War I memorial trust fund established pursuant to this section. Whenever a vehicle owner pursuant to this chapter makes an application for a license plate, other than a military license plate previously described, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of one dollar to the World War I memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund.

2. There is established in the state treasury the “World War I Memorial Trust Fund”. The state treasurer shall credit to and deposit in the World War I memorial trust fund all amounts received pursuant to subsection 1 of this section and any other” ; and

Further amend said bill, page, and section, Line 6, by deleting “2.” and inserting in lieu thereof the following:

“3.” ; and

Further amend said bill, page, and section, Line 11, by deleting “3.” and inserting in lieu thereof the following:

“4.” ; and

Further amend said bill, page, and section, Line 16, by deleting “**subsection 9 of section 301.020**” and inserting in lieu thereof the following:

“subsection 1 of this section” ; and

Further amend said bill, Page 13, Section 302.065, Lines 18 to 26, by deleting all of said lines and inserting in lieu thereof the following:

“a concealed carry endorsement. By December 31, 2013,” ; and

Further amend said bill, page, and section, Line 30, by deleting all of said line and inserting in lieu thereof the following:

“4. The provisions of this section shall not apply to:

(1) Original application forms, which may be retained but not scanned;

(2) Test score documents issued by state highway patrol driver examiners;

(3) Documents demonstrating lawful presence of any applicant who is not a citizen of the United States, including documents demonstrating duration of the person’s lawful presence in the United

States: and

(4) Any document required to be” ; and

Further amend said bill, page, and section, Line 33, by deleting the word “**permit**” and inserting in lieu thereof the following:

“permit; and

(5) Any other document at the request of and for the convenience of the applicant where the applicant requests the department of revenue review alternative documents as proof required for issuance of a driver license, nondriver license, or instruction permit” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 14, Section 302.065, Line 39, by inserting after all of said line the following:

“6. Any person harmed or damaged by any violation of section 302.065 may bring a civil action for damages, including non-economic and punitive damages, as well as injunctive relief, in the circuit court where that person resided at the time of the violation or in the circuit court or the circuit court of Cole County to recover such damages from the department of revenue and any persons participating in such violation. Sovereign immunity shall not be available as a defense for the department of revenue in such an action. In the event the plaintiff prevails on any count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the defendants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 16, Section 302.189, Line 23, by inserting after all of said section and line the following:

“571.500. No state agency or department, or contractor or agent working for the state, shall construct, enable by providing or sharing records to, maintain, participate in, or develop, or cooperate or enable the federal government in developing, a database or record of the number or type of firearms, ammunition, or firearms accessories that an individual possesses.”; and

Further amend said bill, Page 16, Section B, Lines 1-7, by deleting all of said lines and inserting in lieu thereof the following:

“Section B. Because of the need to ensure that the privacy of Missouri citizens is protected and not violated by the agencies of this state, the enactment of sections 302.065, 302.189 and 571.500 and the repeal and reenactment of section 302.183 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 302.065, 302.189 and 571.500 and the repeal and reenactment of section 302.183 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 11, Section 301.020, Line 99, by inserting after all of said section the following:

“301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of economic development. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer **as defined in section 301.010** or semitrailer which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 16, Section 302.189, Line 23, by inserting after all of said line the following:

“Section 1. Notwithstanding any other state law to the contrary, no state agency shall disclose to the federal government the statewide list of persons who have obtained a concealed carry endorsement or permit. Nothing in this section shall be construed to restrict access to individual records by any criminal justice agency authorized to access the Missouri uniform law enforcement system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Richard, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 110**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 110, Page 1, Section A, Line 2, by inserting after all of said line the following:

“210.482. 1. If the emergency placement of a child in a private home is necessary due to the unexpected absence of the child’s parents, legal guardian, or custodian, the juvenile court or children’s division:

(1) May request that a local or state law enforcement agency or juvenile officer, subject to any required federal authorization, immediately conduct a name-based criminal history record check to include full orders of protection and outstanding warrants of each person over the age of seventeen residing in the home by using the Missouri uniform law enforcement system (MULES) and the National Crime Information Center to access the Interstate Identification Index maintained by the Federal Bureau of Investigation; and

(2) Shall determine or, in the case of the juvenile court, shall request the division to determine whether any person over the age of seventeen years residing in the home is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the home, the children’s division shall inquire of the person with whom an emergency placement of a child will be made whether any children less than seventeen years of age residing in the home have ever been certified as an adult and convicted of or pled guilty or nolo contendere to any crime.

2. If a name-based search has been conducted pursuant to subsection 1 of this section, within fifteen calendar days after the emergency placement of the child in the private home, and if the private home has not previously been approved as a foster or adoptive home, all persons over the age of seventeen residing in the home and all children less than seventeen residing in the home who the division has determined have been certified as an adult for the commission of a crime shall report to a local law enforcement agency for the purpose of providing [two] **three** sets of fingerprints each and accompanying fees, pursuant to section 43.530. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division.** Results of the checks [will] **shall** be provided to the juvenile court or children’s division office requesting such information. Any child placed in emergency placement in a private home shall be removed immediately if any person residing in the home fails to provide fingerprints after being requested to do so, unless the person refusing to provide fingerprints ceases to reside in the private home.

3. If the placement of a child is denied as a result of a name-based criminal history check and the denial is contested, all persons over the age of seventeen residing in the home and all children less than seventeen years of age residing in the home who the division has determined have been certified as an adult for the commission of a crime shall, within fifteen calendar days, submit to the juvenile court or the children’s division [two] **three** sets of fingerprints in the same manner described in subsection 2 of this section, accompanying fees, and written permission authorizing the juvenile court or the children’s division to forward the fingerprints to the state criminal record repository for submission to the Federal Bureau of Investigation. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be retained by the division.**

4. **No person who submits fingerprints under this section shall be required to submit additional fingerprints under this section or section 210.487 unless the original fingerprints retained by the division are lost or destroyed.**

5. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

[5.] 6. For the purposes of this section, “emergency placement” refers to those limited instances when the juvenile court or children’s division is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child’s primary caretaker.

210.487. 1. When conducting investigations of persons for the purpose of foster parent licensing, the division shall:

(1) Conduct a search for all persons over the age of seventeen in the applicant’s household and for any child less than seventeen years of age residing in the applicant’s home who the division has determined has been certified as an adult for the commission of a crime for evidence of full orders of protection. The office of state courts administrator shall allow access to the automated court information system by the division. The clerk of each court contacted by the division shall provide the division information within ten days of a request; and

(2) Obtain [two] **three** sets of fingerprints for any person over the age of seventeen in the applicant’s household and for any child less than seventeen years of age residing in the applicant’s home who the division has determined has been certified as an adult for the commission of a crime in the same manner set forth in subsection 2 of section 210.482. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division.** The highway patrol shall assist the division and provide the criminal fingerprint background information, upon request; and

(3) Determine whether any person over the age of seventeen residing in the home and any child less than seventeen years of age residing in the applicant’s home who the division has determined has been certified as an adult for the commission of a crime is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the applicant’s home, the children’s division shall inquire of the applicant whether any children less than seventeen years of age residing in the home have ever been certified as an adult and been convicted of or pled guilty or nolo contendere to any crime.

2. After the initial investigation is completed under subsection 1 of this section[.]:

(1) No person who submits fingerprints under subsection 1 of this section or section 210.482 shall be required to submit additional fingerprints under this section or section 210.482 unless the original fingerprints retained by the division are lost or destroyed; and

(2) The children’s division and the department of health and senior services may waive the requirement for a fingerprint background check for any subsequent recertification.

3. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

4. The division may make arrangements with other executive branch agencies to obtain any investigative background information.

5. The division may promulgate rules that are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions

of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 302**.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41 by inserting after all of said line the following:

“376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services and products under a vision plan shall require that the optometrist provide optometric services and products to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services or products are not covered services or products under the vision plan.

2. For purposes of this section, the following terms shall mean:

(1) “Covered services”, services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;

(3) “Health carrier”, the same meaning as such term is defined in section 376.1350;

(4) “Vision plan”, any policy or contract of insurance which provides for coverage of vision care services or products.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 302, Page 1, In the Title, Line 2, by deleting the words “emergency prescription refills” and inserting in lieu thereof the words “public health”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“196.056. 1. A nonprofit organization may prepare food in a private home or other area for distribution to the end consumer at a charitable fundraising event.

2. The nonprofit organization shall inform the consumer by placing a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

3. The nonprofit organization may notify the regulatory authority in writing or via electronic mail prior to the beginning of the event. If made, such notification shall include the following: name of the nonprofit organization; date, time, and location of the event; name and contact information of the person responsible for the event.

4. This section does not apply to a food establishment regulated by the department of health and senior services providing food for the event.

5. This section shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any city not within a county, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, and any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41, by inserting after all of said line the following:

“338.321. 1. The “Missouri Oral Chemotherapy Parity Interim Committee” is hereby created to study the disparity in patient co-payments between orally and intravenously administered chemotherapies, the reasons for the disparity, and the patient benefits in establishing co-payment parity between oral and infused chemotherapy agents. The committee shall consider information on the costs or actuarial analysis associated with the delivery of patient oncology treatments. The conclusions of this study shall satisfy any statutorily required actuarial analysis.

2. The Missouri oral chemotherapy parity interim committee shall consist of the following members:

- (1) Two members of the senate, appointed by the president pro tempore of the senate;**
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives;**
- (3) One member who is an oncologist or physician with expertise in the practice of oncology licensed in this state under chapter 334;**
- (4) One member who is an oncology nurse licensed in this state under chapter 335;**
- (5) One member who is a representative of a Missouri pharmacy benefit management company;**
- (6) One member from an organization representing licensed pharmacists in this state;**
- (7) One member from the business community representing businesses on health insurance issues;**
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;**
- (9) One patient advocate;**
- (10) One member from the organization representing a majority of hospitals in this state;**
- (11) One member from a health carrier as such term is defined under section 376.1350;**

(12) One member from the organization representing a majority of health carriers in this state, as such term is defined under section 376.1350; and

(13) One member from the Leukemia and Lymphoma Society.

3. All members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2013. The department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. No later than January 1, 2014, the committee shall submit a report to the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the appropriate legislative committee of the general assembly regarding the results of the study and any legislative recommendations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41 by inserting after said line the following:

"338.202. 1. As used in this section, the following terms mean:

(1) "AWP", average wholesale price as indicated by the National Drug Code, assigned by the federal Food and Drug Administration, as amended;

(2) "Compounded drugs", a prescription drug or device that has been prepared, incorporated, mixed and packaged or labeled as the result of a prescriber's prescription or prescription drug order based on the prescriber/patient/pharmacist relationship in the course of professional practice; and

(3) "Repackaged drugs", prescription drugs that are repackaged or which the container, wrapping, or labeling is otherwise changed to further the distribution of such prescription drug; however, the term does not include such activity when performed by the pharmacist responsible for dispensing the prescription drug.

2. For purposes of determining whether a health care provider has requested an excessive charge for a repackaged drug, a charge which exceeds the original manufacturer's AWP for such repackaged drugs shall be deemed excessive. With respect to repackaged or compounded drugs, charges greater than the sum of the original manufacturer's AWP for each individual drug or ingredient shall be deemed excessive. For the purposes of this section, any ingredient which does not have a National Drug Code shall not be reimbursable.

3. If an employer or insurer determines that a health care provider's charges for compounded or repackaged drugs are excessive pursuant to this section, the provider shall not receive payment for such drugs and is liable to return to the employer or insurer any charge already tendered."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 99**, entitled:

An Act to repeal sections 78.090, 79.070, 115.003, 115.005, 115.007, 115.199, 115.249, 115.259, 115.281, 115.299, 115.300, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.493, 115.601, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof twenty-six new sections relating to elections.

With House Amendment Nos. 1, 2, 3, 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 99, Page 2, Section 115.199, by removing all of said Section from the bill; and

Further amend said bill, Page 13, Section 193.148, by removing all of said Section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 99, Page 11, Section 115.493, Line 3, by enclosing in brackets the word: “twelve” on said line and inserting immediately thereafter the phrase: “**twenty-two**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose **a tax** upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of

the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall

submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the

provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of** all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed,

if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.”; and

Further amend said bill, Section 115.601, Page 12, Line 48, by inserting after all of said Section and Line the following:

“144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection,** upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection,** a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or

electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and**

outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. Except as otherwise provided, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020 and** sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their “gross receipts”, defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed at the rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term “boat” includes all motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise

provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] **2.** In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisement by the director.

[4.] **3.** No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] **4.** The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] **sales** tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] **sales** tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] **5.** In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] **sales** tax[,], all of its lease receipts would be subject to the [use] **sales** tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] **6.** The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of** section [144.440] **144.020** shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[(3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[(4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[(5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from

schools supported by such organization;

[(6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[(7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[(8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and** sections 144.440 to 144.455, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] **as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1 of this section** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required

to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020**;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state.”; and

Further amend said bill, Section 473.737, Page 15, Line 28, by inserting after all of said section and line the following:

“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and

144.615, as amended by this act.

Section B. Because of the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 99, Page 1, In the Title, Line 2, by inserting after “sections” the following: “77.030,”; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting after “RSMo,” the following: “and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,”; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after “Sections” the following: “77.030,”; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after “RSMo,” the following: “and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,”; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after all of said line the following:

“77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by approval of a majority of the

voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

☐ YES

☐ NO

(3) If a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after approval of the ballot question.”; and

Further amend said bill, Page 15, Section 473.737, Line 28, by inserting after all of said line the following:

“[77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question.]”; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said line the following:

“11.010. The official manual, commonly known as the “Blue Book”, compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state or a designated employee of the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said section and line, the following:

“67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six tenths of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes.

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by

the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent up to six tenths of one percent)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill, Page 2, Section 79.070, Line 4, by inserting after all of said section and line the following:

“94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required

to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under [subsections] **subsection 1**[, 2, and 3] of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 125**.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 2 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill

No. 125, Page 3, Lines 16 to 34, by deleting all of said lines and inserting in lieu thereof the following:

“5.] 4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section in the following school year.” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 125 Page 5, Line 13, by inserting after all of said line the following:

“Further amend said bill, Page 6, Section 168.221, Line 109, by inserting after all of said line the following:

“8. Should the state mandate that professional development for teachers be provided in local school districts and any funds be utilized for such, a metropolitan school district shall be allowed to utilize a professional development plan for teachers which is known within the administration as the “St. Louis Plan,” should the district and the teacher decide jointly to participate in such plan.” ; and”
; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Section 161.092, Lines 64 to 71, by deleting all of said lines and inserting in lieu thereof the following:

“(14) Promulgate rules under which the board shall classify the public schools of the state; provided that the appropriate scoring guides, instruments, and procedures used in determining the accreditation status of a district shall be subject to a public meeting upon notice in a newspaper of general circulation in each of the three most populous cities in the state and also a newspaper that is a certified minority business enterprise or woman-owned business enterprise in each of the two most populous cities in the state, and notice to each district board of education, each superintendent of a school district, and to the speaker of the house of representatives, the president pro tem of the senate, and the members of the joint committee on education, at least fourteen days in advance of the meeting, which shall be conducted by the department of elementary and secondary education not less than ninety days prior to their application in accreditation, with all comments received to be reported to the state board of education;” ;and

Further amend said bill, page, and section, Line 72, by inserting after all of said line the following:

“162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited [for two successive school years by the state board of education, its corporate organization shall lapse. The corporate organization of any school district that is classified as unaccredited shall lapse on June thirtieth of the

second full school year of such unaccredited classification after the school year during which the unaccredited classification is initially assigned. The territory theretofore embraced within any district that lapses pursuant to this section or any portion thereof may be attached to any district for school purposes by the state board of education; but no school district, except a district classified as unaccredited pursuant to section 163.023 and section 160.538 shall lapse where provision is lawfully made for the attendance of the pupils of the district at another school district that is classified as provisionally accredited or accredited by the state board of education], **the state board of education shall, upon a district's initial classification or reclassification as unaccredited:**

(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or

(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.

2. [Prior to or] **If at the time any school district in this state shall [lapse, but after the school district has been] be classified as unaccredited, the department of elementary and secondary education shall conduct [a] at least two public [hearing] hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited. [The purpose of the hearing shall be to:**

(1) Review any plan by the district to return to accredited status; or

(2) Offer any technical assistance that can be provided to the district.

3. Except as otherwise provided in section 162.1100, in a metropolitan school district or an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants and in any other school district if the local board of education does not anticipate a return to accredited status, the state board of education may appoint a special administrative board to supervise the financial operations, maintain and preserve the financial assets or, if warranted, continue operation of the educational programs within the district or what provisions might otherwise be made in the best interest of the education of the children of the district. The special administrative board shall consist of two persons who are residents of the school district, who shall serve without compensation, and a professional administrator, who shall chair the board and shall be compensated, as determined by the state board of education, in whole or in part with funds from the district.

4.] **3. Upon [lapse of the district] classification of a district as unaccredited, the state board of education may:**

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the unaccredited district and:

(a) Appoint a special administrative board, [if such a board has not already been appointed, and authorize the special administrative board to retain the authority granted to a board of education] for the operation of all or part of the district. **The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district and to have all powers and duties of any other general superintendent of schools in a seven-director school district. Any special administrative board appointed under this section shall be responsible for the operation of the district until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or**

[(2)] (b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

[(3)] (d) Establish one or more school districts within the territory of the lapsed district, with a governance structure [consistent with the laws applicable to districts of a similar size] **specified by the state board of education**, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date. [The special administrative board may retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse.

5.] 4. If the state board of education chooses, upon a district's initial classification as unaccredited, to allow the district to remain under the continued governance of the existing school district board of education under terms and conditions established by the state board of education in subsection 3 of this section, the state board of education shall annually review such decision under the terms of this section for so long as the district remains unaccredited or provisionally accredited, with consideration

given to the following:

(1) If the unaccredited district earns an improved score of at least five points in academic achievement on the department's annual performance report as compared to the score it earned in the prior year or if the score is sufficient for accredited status, the state board of education may continue to allow the district to remain under the continued governance of the existing school district board of education under terms and conditions established by the state board of education;

(2) If the unaccredited district does not earn an improved score of at least five points in academic achievement on the department's annual performance report as compared to the score it earned in the prior year or has a score that is insufficient for accredited status, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section;

(3) In no case shall a district remain under the continued governance of the existing school district board of education if it suffers three consecutive years of unaccredited status. In such cases of continuous unaccredited status, the state board of education shall immediately proceed under subdivision (2) of subsection 3 of this section.

5. A special administrative board appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the special administrative board shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. **Neither the special administrative board nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees, shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, the special administrative board, its members or employees. Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees shall be available to the special administrative board, its members and employees.**

6. [Upon recommendation of the special administrative board, the state board of education may assign the funds, assets and liabilities of the lapsed district to another district or districts. Upon assignment, all authority of the special administrative board shall transfer to the assigned districts.

7.] Neither the special administrative board nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

[8.] 7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

[9. (1) The governing body of a school district, upon an initial declaration by the state board of education that such district is provisionally accredited, may, and, upon an initial declaration by the state board of education that such district is unaccredited, shall develop a plan to be submitted to the voters of the school district to divide the school district if the district cannot attain accreditation within three years of the initial declaration that such district is unaccredited. In the case of such a district being declared unaccredited, such plan shall be presented to the voters of the district before the district lapses. In the case of such a district being declared provisionally accredited, such plan may be presented before the close of the current accreditation cycle.

(2) The plan may provide that the school district shall remain intact for the purposes of assessing, collecting and distributing taxes for support of the schools, and the governing body of the district shall develop a plan for the distribution of such taxes equitably on a per-pupil basis if the district selects this option.

(3) The makeup of the new districts shall be racially balanced as far as the proportions of students allow.

(4) If a majority of the district's voters approve the plan, the state board of education shall cooperate with the local board of education to implement the plan, which may include use of the provisions of this section to provide an orderly transition to new school districts and achievement of accredited status for such districts.

10.] **8.** In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

162.083. 1. The state board of education may appoint additional members to any special administrative board appointed under section 162.081.

2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.

(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.

(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.

(3) The election shall be conducted in a manner consistent with the election laws applicable to the school district.

3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board from standing for an elected term on the board.

4. [If the state board of education appoints a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.

5.] On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a school district as otherwise authorized by law.

162.1300. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including

attachment of a school district’s territory to another district or dissolution, such that a school district receives additional students as a result of such change, the statewide assessment scores and all other performance data for those students whom the district received shall not be used for three years when calculating the performance of the receiving district for three school years for purposes of the Missouri school improvement program.” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 14, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 350 entitled:

AN ACT

To repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

I disapprove of Senate Bill No. 350. My reasons for disapproval are as follows:

Senate Bill No. 350 is not comprehensive tax credit reform. Instead, it eliminates only part of a single program – the renters’ portion of the Property Tax Credit – that assists low income seniors and disabled individuals.

Effective tax credit reform must be broad-based and designed to ensure that all tax credit programs provide a strong return for taxpayers, our communities and our economy. Such an approach is fiscally prudent and would build upon the State of Missouri’s strong financial foundation. Senate Bill No. 350 does not constitute comprehensive tax credit reform.

Moreover, savings from the repeal of the renters’ portion of the Property Tax Credit would not be used to assist Missouri seniors. Instead, the fiscal year 2014 budget directs savings that would be realized from the program’s repeal to programs unrelated to seniors. Thus, under Senate Bill No. 350, seniors would lose their existing tax benefit and those savings would be directed elsewhere. Such a scenario is not acceptable.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 350 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

On motion of Senator Richard, the Senate recessed until 7:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

conferees on **SS** for **HCS** for **HB 199**, as amended, are allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 127**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SB 330**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 45**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SCS** for **SB 248**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 161**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS**, as amended, for **HCS** for **HBs 374** and **434** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **HCS** for **HBs 256, 33** and **305**, as amended, are allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended, are allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has reappointed the following conferees. Representatives: Burlison, Keeney, Kratkey to work with a like committee from the Senate on **HCS** for **SB 330**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following Conference Committee to act with a like committee from the Senate on **SB 327**, as amended. Representatives: Haahr, Cornejo, and Roorda.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 45**, as amended. Representatives: Hough, Elmer, and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 161**, as amended. Representatives: Stream, Richardson, and McNeil.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 127**, as amended. Representatives: Lichtenegger, Barnes, and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HA 1** and **HA 2** to **SCS** for **SB 248**. Representatives: Fraker, Crawford, and Kratky.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 127**, as amended: Senators Sater, Wasson, Romine, Holsman and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 161**, as amended: Senators Pearce, Rupp, Wallingford, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 248**, as amended: Senators Wasson, Dixon, Cunningham, Justus and McKenna.

President Pro Tem Dempsey reappointed the following conference committee to act with a like committee from the House on **HCS** for **SB 330**, as amended: Senators Wasson, Cunningham, Sater, Keaveny and Sifton.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 653**, with **SCS**; **HCS** for **HB 986**, with **SCS**; and **HCS** for **HB 343**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Keaveny moved that **SB 99**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 99**, as amended, was taken up.

Senator Keaveny moved that **HCS** for **SB 99**, as amended, be adopted, which motion prevailed by the

following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus Nieves—2

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Keaveny, **HCS** for **SB 99**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Kraus Nieves—2

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nieves—1

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Silvey moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 256**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kehoe moved that **SS No. 2** for **SCS** for **SJR 16**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS No. 2** for **SCS** for **SJR 16**, as amended, was taken up.

Senator Kehoe moved that **HCS** for **SS No. 2** for **SCS** for **SJR 16**, as amended, be adopted.

Senator Lager assumed the Chair.

Senator Kraus assumed the Chair.

Senator Nieves assumed the Chair.

At the request of Senator Kehoe, his motion to adopt **HCS** for **SS No. 2** for **SCS** for **SJR 16**, as amended, was withdrawn, which placed the joint resolution back on the calendar.

Senator Rupp, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, as amended;

2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Scott T. Rupp
 /s/ Mike Cunningham
 /s/ Michael L. Parson
 /s/ Scott Sifton
 /s/ Gina Walsh

FOR THE HOUSE:

/s/ Todd Richardson
 /s/ Bill Lant
 Stephen Webber

Senator Rupp moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Kraus—1

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 1**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE NO. 2 FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 1

An Act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.150, 287.200, 287.210, 287.220, 287.280, 287.610, 287.715, 287.745, and 287.955, RSMo, and to enact in lieu thereof fourteen new sections relating to workers' compensation, with an existing penalty provision and an effective date.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Ann Romaker, Kansas City.

On motion of Senator Richard the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 15, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

SB 350-Dempsey

HOUSE BILLS ON SECOND READING

HCS#2 for HJR 14

HCS for HB 727

HCS for HB 717

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 473 (Lager)
(In Fiscal Oversight)

2. HCS for HB 215, with SCS (Dixon)
(In Fiscal Oversight)

- | | |
|--|--|
| 3. HCS for HJR 5 & 12, with SCS (Kraus)
(In Fiscal Oversight) | 10. HCS for HB 505, with SCS (Dixon) |
| 4. HCS for HBs 48 & 216 (Kraus)
(In Fiscal Oversight) | 11. HCS for HB 161, with SCS |
| 5. HJR 16-McCaherty, et al, with SCS
(Schaaf) (In Fiscal Oversight) | 12. HB 336-Hinson, et al (Silvey) |
| 6. HCS for HB 320 (Lager) (In Fiscal Oversight) | 13. HCS for HB 653, with SCS (Pearce)
(In Fiscal Oversight) |
| 7. HCS for HB 114 (Brown)
(In Fiscal Oversight) | 14. HCS for HB 306, with SCA 1 & SCA 2
(Pearce) |
| 8. HCS for HB 349 (Kehoe) | 15. HCS for HB 986, with SCS (Wasson)
(In Fiscal Oversight) |
| 9. HCS for HB 388, with SCS (Parson) | 16. HCS for HB 343, with SCS (Kraus)
(In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 3-Rupp, with SA 1 (pending) | SB 272-Nieves, with SA 2 (pending) |
| SB 13-Schaefer, with SCS | SB 285-Romine |
| SB 21-Dixon | SB 291-Rupp |
| SB 22-Dixon | SB 292-Rupp |
| SB 30-Brown, with SCS | SB 308-Schaaf |
| SB 48-Lamping | SB 315-Pearce |
| SB 53-Lamping | SB 325-Nieves |
| SB 61-Keaveny, with SCA 1 (pending) | SB 339-Romine |
| SB 65-Dixon, with SCS | SB 343-Parson |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 364-Parson |
| SB 82-Schaefer, with SCS | SB 371-Munzlinger, with SCS |
| SB 109-Brown, with SCS | SB 377-Dixon |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 383-Wallingford |
| SB 141-Dempsey | SB 396-Holsman and Chappelle-Nadal, with
SCS |
| SB 167-Sater and Wallingford, with SCS | SB 403-Rupp, with SCS |
| SB 174-Parson, with SCS | SB 410-Kehoe |
| SB 175-Wallingford | SB 419-Lager, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 423-Nasheed |
| SB 231-Munzlinger, with SA 1 (pending) | SB 441-Dempsey |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 448-Schmitt and Keaveny |
| SB 250-Schaaf, with SCS | SB 455-Nieves, with SCS |
| SB 259-Schaaf, with SCS | SJR 2-Lager |

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
 HB 55-Flanigan and Allen, with SCS
 (Schaefer)
 HB 85-Kelley (127), et al (Dixon)
 SCS for HB 103-Kelley (127), et al
 (Munzlinger) (In Fiscal Oversight)
 HCS for HB 110, with SCS (Kraus)
 HB 112-Burlison, with SA 2 (pending) (Brown)
 HB 116-Dugger, with SCS, SS for SCS &
 SA 2 (pending) (Dixon)
 HCS for HB 117, with SCS (Wasson)
 HCS for HB 128 (Kraus)
 HCS for HB 134, with SCS (Schmitt)
 HB 142-Dugger, with SCS (Walsh)
 HB 148-Davis, et al, with SCS (Brown)
 HCS for HB 168 (Kraus)
 HCS for HB 175, with SCS (Parson)
 HB 184-Cox, et al (Parson)
 HCS for HB 194 (Parson)
 HB 196-Lauer, et al, with SCS, SA 1 &
 point of order (pending) (Romine)

HB 274-Brattin, et al, with SCS (Brown)
 HB 278-Brattin, et al (Emery)
 HCS for HB 345, with SCS (Lager)
 HB 346-Molendorp (Wasson)
 HCS for HBs 404 & 614, with SCS & SS for
 SCS (pending) (Kehoe)
 HB 409-Love and Remole, with SS
 (pending) (Parson)
 HB 428-Schatz, with SCS (Wasson)
 HB 432-Funderburk, et al, with SCS &
 SA 1 (pending) (Lager)
 HCS for HB 440, with SCS (Munzlinger)
 HB 450-Carpenter, et al, with SCS (Silvey)
 HCS for HB 457, with SCS (Rupp)
 HCS for HBs 593 & 695 (Schaaf)
 HCS for HB 611, with SCS (Kraus)
 HB 625-Burlison, with SCS (Wasson)
 HB 650-Ross, et al, with SCS (Munzlinger)
 HCS for HB 722, with SCS (Lamping)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
 with HCS, as amended
 SB 110-Brown, with HCS, as amended
 SS for SCS for SB 114-Schmitt, with
 HA 1, as amended
 SS for SCS for SB 125-Nasheed, with
 HA 1, as amended

SB 222-Lamping, with HCS, as amended
 SS for SB 252-Kraus, with HCS, as amended
 SCS for SB 302-Wasson, with HA 1, HA 2,
 HA 3 & HA 4
 SS#2 for SCS for SJR 16-Kehoe, with HCS,
 as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS,
 as amended
 (Senate adopted CCR and passed CCS)

SCS for SB 9-Pearce, with HCS, as amended
 SCS for SB 17-Munzlinger and Romine,
 with HCS, as amended

SCS for SB 33-Lamping, with HA 1, HA 2,
HA 3, HA 4, HA 5 & HA 6
SCS for SB 36-Wallingford and Sifton,
with HA 1
(Senate adopted CCR and passed CCS)
SB 41-Munzlinger, with HCS, as amended
SCS for SB 42-Munzlinger, with HCS,
as amended
SB 43-Munzlinger, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 45-Dixon, with HCS, as amended
SB 57-Romine, with HCS, as amended
SB 77-Lamping, with HA 1
SB 90-McKenna, with HCS, as amended
SB 127-Sater, with HCS, as amended
SCS for SB 157 & SB 102-Sater, with HCS,
as amended

SB 161-Pearce, with HCS, as amended
SCS for SB 248-Wasson, with HA 1 & HA 2
SS for SB 262-Curls, with HCS, as amended
SB 327-Dixon, with HA 1
SB 330-Wasson, with HCS, as amended
(Further conference granted)
HCS for HB 199, with SS, as amended
(Lamping)
HCS for HBs 256, 33 & 305, with SA 2 &
SA 3 (Kehoe)
HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)
HCS#2 for HB 698, with SCS, as amended
(Schmitt)
HCS for HB 1035, with SCS, as amended
(Schmitt)

Requests to Recede or Grant Conference

SCS for SB 256-Silvey, with HCS,
as amended
(Senate requests House recede or
grant conference)

HCS for HBs 374 & 434, with SS for SCS,
as amended (Dixon)
(House requests Senate recede or
grant conference)

RESOLUTIONS

Reported from Committee

HCR 25-Allen (Sifton)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 15, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Come to me all you that are weary and are carrying heavy burdens, and I will give you rest.” (Matthew 11:28)

Merciful and loving God, we hear Your invitation to come to You when we are feeling tired and burdened under the weight of so many bills and so little time; so give to us rest for our minds, bodies and spirits, and we will continue the race we are called to finish. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The Lieutenant Governor was present.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 51**, entitled:

An Act to repeal sections 301.301, 302.341, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.022, 304.154, 304.180, 304.184, 304.820, 307.180, and 307.400, RSMo, and to enact in lieu thereof fifteen new sections relating to regulation of motor vehicles, with existing penalty provisions.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 51, Page 21, Section 304.022, Line 68, by inserting after the word “purposes” the following:

“or any other purpose that the department of transportation determines by rule. The department may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void”; and

Further amend said bill, Pages 21 and 22, Section 304.153, by removing said section from the bill; and

Further amend said bill, Page 23, Section 304.154, Line 37 by inserting after the word “classification” the following: **“or located any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants or located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat”;** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2**

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 51, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“34.040. 1. All purchases in excess of three thousand dollars shall be based on competitive bids, except as otherwise provided in this chapter.

2. On any purchase where the estimated expenditure shall be twenty-five thousand dollars or over, except as provided in subsection 5 of this section, the commissioner of administration shall:

(1) Advertise for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before bids for such purchases are to be opened. Other methods of advertisement, which may include minority business purchase councils, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post a notice of the proposed purchase in his or her office; and

(3) Solicit bids by mail or other reasonable method generally available to the public from prospective suppliers. All bids for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening bids.

3. The contract shall be let to the lowest and best bidder. The commissioner of administration shall have the right to reject any or all bids and advertise for new bids, or purchase the required supplies on the open market if they can be so purchased at a better price. When bids received pursuant to this section are unreasonable or unacceptable as to terms and conditions, noncompetitive, or the low bid exceeds available funds and it is determined in writing by the commissioner of administration that time or other circumstances will not permit the delay required to resolicit competitive bids, a contract may be negotiated pursuant to this section, provided that each responsible bidder who submitted such bid under the original solicitation is notified of the determination and is given a reasonable opportunity to modify their bid and submit a best and final bid to the state. In cases where the bids received are noncompetitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible bidder under the original solicitation.

4. The director of the department of revenue shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. No points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.

5. All bids shall be based on standard specifications wherever such specifications have been approved by the commissioner of administration. The commissioner of administration shall make rules governing the delivery, inspection, storage and distribution of all supplies so purchased and governing the manner in which all claims for supplies delivered shall be submitted, examined, approved and paid. The commissioner shall determine the amount of bond or deposit and the character thereof which shall accompany bids or contracts.

[5] 6. The department of natural resources may, without the approval of the commissioner of administration required pursuant to this section, enter into contracts of up to five hundred thousand dollars to abate illegal waste tire sites pursuant to section 260.276 when the director of the department determines that urgent action is needed to protect public health, safety, natural resources or the environment. The department shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. Any rule or portion of a rule, as that term is defined in section 536.010, that

is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[6] 7. The commissioner of administration and other agencies to which the state purchasing law applies shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in this state but fails to collect and properly pay the tax as provided in chapter 144. For the purposes of this section, "affiliate of the vendor" shall mean any person or entity that is controlled by or is under common control with the vendor, whether through stock ownership or otherwise.

136.055. 1. Any person who is selected or appointed by the state director of revenue as"; and

Further amend said amendment, Page 2, Line 8, by deleting all of said line and inserting in lieu thereof the following:

7. The department shall reimburse reasonable costs incurred associated with the transactions required in a contract license office.

8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--**[three] five dollars [and fifty cents] and [seven] ten dollars** for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--**[two dollars and fifty cents] five dollars;**

(3) For each **address change or** instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--**[two] five dollars [and fifty cents] and [five] ten dollars** for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--**[two] five dollars [and fifty cents];**

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic **[telephone] transmission reception--two dollars.**

2. The director of revenue shall award fee office contracts under this section through a competitive

bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section the following:

“32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more

local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose **a tax** upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from vendors not located in Missouri. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to such titling. If a majority of the

votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to such titling. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to such titling, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to such titling. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from vendors located outside of Missouri is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from vendors located outside of Missouri is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010

to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of** all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** residence of the purchaser, **and remitted to that local taxing entity** and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in paragraph (9) hereof,** upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection (1) of section 144.020,** a tax equivalent to four percent of the purchase price paid or charged,

or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words “This ticket is subject to a sales tax.”.

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.** Except as otherwise provided, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020** and sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their “gross receipts”, defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected **and remitted** on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term “boat” includes all motorboats and vessels as the terms “motorboat” and “vessel” are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for

the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] 2. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] 4. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] sales tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] 5. In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] sales tax[,], all of its lease receipts would be subject to the [use] sales tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] 6. The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of** section 144.440 shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[(3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[(4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[(5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

[(6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[(7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[(8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020 on the titling of** motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and** sections 144.440 to 144.455, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] **as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and

regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020;**

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state.”; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said section the following:

“Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of

sections 32.087 and 144.757, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087 and 144.757, as amended by this act.

Section B. Because of the need to replace local revenues which became unexpectedly unavailable for local governments to provide for local law enforcement, fire protection, emergency personnel, and other vital services and due to the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line, the following:

“302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person’s identity or driving a motor vehicle without the owner’s consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person’s habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled

guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of [subdivisions (9) and (10)] **subdivision (9) or (10)** of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then

the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

[302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while

intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months

immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.]; and

“302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points

(except any violation of municipal stop sign ordinance where no accident
is involved 1 point)

(2) Speeding

In violation of a state law 3 points

In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060 12 points

In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation of subsection 4 of

section 304.016 4 points

In violation of a county or municipal ordinance 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction 2 points

(b) For the second conviction 4 points

- (c) For the third conviction 6 points
- (6) Operating with a suspended or revoked license prior
to restoration of operating privileges 12 points
- (7) Obtaining a license by misrepresentation 12 points
- (8) For the first conviction of driving while in an intoxicated condition or under the influence of
controlled substances or drugs 8 points
- (9) For the second or subsequent conviction of any of the following offenses however combined: driving
while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving
with a blood alcohol content of eight-hundredths of one percent or more by weight 12 points
- (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or
more by weight
In violation of state law 8 points
In violation of a county or municipal ordinance or federal law or regulation 8 points
- (11) Any felony involving the use of a motor vehicle 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal
ordinance or pursuant to section 303.025 4 points
- (14) Endangerment of a highway worker in violation of section 304.585 4 points
- (15) Aggravated endangerment of a highway worker in violation of
section 304.585 12 points
- (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping
at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene
by a party involved in such accident or by an officer of a public safety agency 4 points
2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator
points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the
director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.
3. An additional two points shall be assessed when personal injury or property damage results from any
violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and
certified by the reporting court.
4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes
both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed
for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence
could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no
person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of
subsection 1 of this section for offenses arising out of the same occurrence.
5. The director of revenue shall put into effect a system for staying the assessment of points against an
operator. The system shall provide that the satisfactory completion of a driver-improvement program or,

in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. **The operator shall be given the option to complete the driver-improvement program through an online or in-person course.** A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations].

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the

provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision [(22)] **(24)** of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a

person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a [violation under subdivision (9) of subsection 1 of section 302.302] **conviction for an intoxication-related traffic offense as defined under section 577.023, and who has a prior alcohol-related enforcement contact as defined under section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

[302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver

examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall

name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.]; and

“[302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person’s reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator’s principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant’s driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under

paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person

has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, the court or the director shall not grant a limited driving privilege to the applicant. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving

privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a limited driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this section shall make application with the Missouri state highway patrol as provided in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for limited driving privileges. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.】

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, **except as provided under subdivision (8) of this subsection.** Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator[;],

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the

court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege [who] **whose license** at the time of application [for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license] has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for [the first time for] failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, [if] **unless** such person has [not] completed the first ninety days of such revocation[;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state] **and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;**

[(g)] **(f)** Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

[(h)] **(g)** Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance

of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of **subsection 1 of section 302.060**, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of **subsection 1 of section 302.060**, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.”; and

Further amend said bill, Page 3, Section 302.341, Line 46, by inserting after all of said section and line, the following:

“302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person’s driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle [operated] **that he or she operates** is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, [upon] compliance with other requirements of law, and [upon] filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations]. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted

driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.

[302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.]; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said section and line, the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid

for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance **either online or in person** at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the

commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.”; and

“577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person’s license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall

take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person's right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession. 3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision [(23)] (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled

in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked [more than once for violation of the provisions of this section] **under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor.”; and

“Section B. Because immediate action is necessary to ensure the safety of the citizens of this state, the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.

Section C. The repeal and reenactment of sections 302.060, 302.302, 302.304, 302.525, 476.385, and 577.041, and the repeal of sections 302.060, 302.304, and 302.525 of this act shall become effective on

March 3, 2014.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81, by inserting after all of said line the following:

“Section 1. Notwithstanding any other provisions of law to the contrary, the license of a trailer, as defined in section 301.010, shall be permanent until the owner of the trailer sells, trades, or disposes of the trailer. After the initial registration and licensing of the trailer, no annual registration shall be required and no annual fee shall be charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying

commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with

and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[11.] 12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

[301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for

registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by

the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line, the following:

“64.196. 1. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance adopted under this section shall conflict with liquefied petroleum gas installations regulations established under section 323.020.”; and

“135.710. 1. As used in this section, the following terms mean:

(1) “Alternative fuels”, any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

- (a) Ethanol;
- (b) Natural gas;
- (c) Compressed natural gas, **or CNG**;
- (d) Liquefied natural gas, **or LNG**;
- (e) Liquefied petroleum gas, **LP gas, propane, or autogas**;
- (f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

(2) “Department”, the department of natural resources;

(3) “Eligible applicant”, a business entity that is the owner of a qualified alternative fuel vehicle refueling property **or makes more than twenty-five qualified conversions in a one-year period;**

(4) **“Motor vehicle”, any automobile, truck, truck-tractor, or any motor bus or self propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:**

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds; or

(b) A vehicle solely operated on rails;

(5) “Qualified alternative fuel vehicle refueling property”, property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens which, if constructed after August 28, 2008, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply;

[(5)] (6) “Qualified conversion”, the conversion of a motor vehicle fueled solely by petroleum-based fuels to a motor vehicle which incorporates an alternative fuel listed under subdivision (1) of this subsection as either the primary or secondary source. The converted vehicle must operate using an alternative fuel decal under subsection 1 of section 142.869, if applicable. Installations which inject fuel additives are not considered qualified conversions;

(7) “Qualified Missouri contractor”, a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years.

2. For all tax years beginning on or after January 1, [2009] **2014**, but before January 1, [2012] **2017**, any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the refueling property. The credit allowed in this [section] **subsection** per eligible applicant shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment on any qualified alternative fuel vehicle refueling property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified alternative fuel vehicle refueling property;

(2) Costs associated with the purchase of an existing qualified alternative fuel vehicle refueling property;

or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing facilities were placed in service at a qualified alternative fuel vehicle refueling property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

(1) In taxable year 2009, three million dollars;

(2) In taxable year 2010, two million dollars; and

(3) In taxable year 2011,] one million dollars **per year**.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. An alternative fuel vehicle refueling property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the alternative fuel vehicle refueling property ceased to sell alternative fuel and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid

and void.

9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, [2008] **2013**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

“137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) “Grain and other agricultural crops in an unmanufactured condition” shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term “processing” shall not include hulling, cleaning, drying, grating, or polishing;

(2) “Hydroelectric power generating equipment”, very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) “Intangible personal property”, for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) “Real property” includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for **generation, transportation or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas, solar or wind power equipment**, water, and sewage;

(5) “Tangible personal property” includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.”; and

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Equipment or property with a retail value of fifty thousand dollars or less required for the use, transmission, generation or storage of alternative or renewable energy as used in an eligible alternative energy operation as defined under section 30.750 or alternative fuels as defined under

section 135.710 and section 414.400, used either for fleet, transportation, power generation, heat or other such application. Said equipment shall be exempt from the assessment of any state, county or local property taxes for such time as the equipment, property or installation is in working order.”; and

“142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) “Additive”, a substance designed to increase engine power or performance introduced by injection or other means into a fuel system but which is not capable of propelling the vehicle without the primary fuel. Use of additives fuels does not require compliance with subsection 1 of section 142.869;

(2) “Agricultural purposes”, clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

[(2)] (3) “Alternative fuel”, electricity, liquefied petroleum gas (LPG [or], LP gas, **propane or autogas**), compressed natural gas product (**CNG, liquified natural gas or LNG**), or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

[(3)] (4) “Aviation fuel”, any motor fuel specifically compounded for use in reciprocating aircraft engines;

[(4)] (5) “Blend stock”, any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

[(5)] (6) “Blended fuel”, a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

[(6)] (7) “Blender”, any person that produces blended motor fuel outside the bulk transfer/terminal system;

[(7)] (8) “Blending”, the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

[(8)] (9) “Bulk plant”, a bulk motor fuel storage and distribution facility that is not a terminal within the

bulk transfer system and from which motor fuel may be removed by truck;

[(9)] (10) “Bulk transfer”, any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

[(10)] (11) “Bulk transfer/terminal system”, the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

[(11)] (12) “Consumer”, the user of the motor fuel;

[(12)] (13) “Delivery”, the placing of motor fuel or any liquid into the fuel tank of a motor vehicle or bulk storage facility;

[(13)] (14) “Department”, the department of revenue;

[(14)] (15) “Destination state”, the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

[(15)] (16) “Diesel fuel”, any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. “Diesel fuel” does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. “Diesel fuel” does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

[(16)] (17) “Diesel-powered highway vehicle”, a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

[(17)] (18) “Director”, the director of revenue;

[(18)] (19) “Distributor”, a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

[(19)] (20) “Dyed fuel”, diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

[(20)] (21) “Eligible purchaser”, a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

[(21)] (22) “Export”, to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

[(22)] (23) “Exporter”, any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

[(23)] (24) “Farm tractor”, all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

[(24)] (25) “Fuel grade alcohol”, a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

[(25)] (26) “Fuel transportation vehicle”, any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

[(26)] (27) “Gasoline”, all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

[(27)] (28) “Gross gallons”, the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

[(28)] (29) “Heating oil”, a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

[(29)] (30) “Import”, to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

[(30)] (31) “Import verification number”, the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

[(31)] (32) “Importer” includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

[(32)] (33) “Interstate motor fuel user”, any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

[(33)] (34) “Invoiced gallons”, the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

[(34)] (35) “K-1 kerosene”, a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

[(35)] (36) “Kerosene”, the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

[(36)] (37) “Liquid”, any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure

of fourteen and seven-tenths pounds per square inch absolute;

[(37)] (38) “Motor fuel”, gasoline, diesel fuel, kerosene and blended fuel;

[(38)] (39) “Motor vehicle”, any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

[(39)] (40) “Net gallons”, the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

[(40)] (41) “Permissive supplier”, an out-of-state supplier that elects, but is not required, to have a supplier’s license pursuant to this chapter;

[(41)] (42) “Person”, natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

[(42)] (43) “Position holder”, the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

[(43)] (44) “Propel”, the operation of a motor vehicle, whether it is in motion or at rest;

[(44)] (45) “Public highway”, every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

[(45)] (46) “Qualified terminal”, a terminal which has been assigned a terminal control number (“tcn”) by the Internal Revenue Service;

[(46)] (47) “Rack”, a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

[(47)] (48) “Refiner”, any person that owns, operates, or otherwise controls a refinery;

[(48)] (49) “Refinery”, a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

[(49)] (50) “Removal”, any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

[(50)] (51) “Retailer”, a person that engages in the business of selling or dispensing to the consumer within this state;

[(51)] (52) “Supplier”, a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. “Supplier” also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. “Supplier” includes a permissive supplier unless specifically provided otherwise;

[(52)] (53) “Tank wagon”, a straight truck having multiple compartments designed or used to carry motor fuel;

[(53)] (54) “Terminal”, a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

[(54)] (55) “Terminal bulk transfers” include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

[(55)] (56) “Terminal operator”, any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

[(56)] (57) “Transmix”, the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

[(57)] (58) “Transport truck”, a semitrailer combination rig designed or used to transport motor fuel over the highways;

[(58)] (59) “Transporter”, any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

[(59)] (60) “Two-party exchange”, a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

[(60)] **(61)** “Ultimate vendor”, a person that sells motor fuel to the consumer;

[(61)] **(62)** “Undyed diesel fuel”, diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

[(62)] **(63)** “Vehicle fuel tank”, any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.”; and

“142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall [not] **also** apply to motor vehicles registered outside this state which are powered by alternative fuel[, and for which a valid temporary alternative fuel decal has been acquired as provided in this section].

(1) The owners or operators of such motor vehicles [shall] **may**, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of [eight] **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable.

(2) The fuel provider will remit all road tax collected from non-state residents each quarter using a form authorized by the department.

(a) **[All] Eighty percent of the** proceeds from such decal fees **or collections of non-state road tax** shall be deposited as specified in section 142.345.

(b) **Twenty percent of the proceeds from such decal sales or collections of non-state road tax shall be deposited into the Missouri alternative fuel infrastructure tax credit fund under the direction of the department of natural resources.**

(c) Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain [fifty cents] **two dollars** for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the [LP gas or natural gas equipment] **alternative fuel system** is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any [person] **Missouri resident** to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal. 7. No person shall cause to be put, or put, **electricity**, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it.

(1) Qualified conversion sellers as defined by subdivision (6) of subsection 1 of section 135.710 or the sellers of vehicles sold with alternative fuel systems in place shall not be required to obtain alternative fuel decals during the installation of qualified conversions for motor fuel vehicles or the sale of such vehicles. Such conversion sellers or vehicle dealers or their fuel suppliers may elect to fuel such motor fuel vehicles during the conversion or sales process and remit the applicable road tax under this section.

(2) Sales of [fuel] all alternative fuels placed in the supply receptacle of a motor vehicle [displaying such decal] shall be recorded upon an invoice, which invoice shall include the decal number, **if applicable**, the motor vehicle license number and the number of gallons placed in such supply receptacle. **Such invoices shall be kept by the seller for a period of two years.**

(3) Sales of all vehicles propelled by alternative fuels, whether through qualified conversion or equipped by the original manufacturer shall be reported to the department annually.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81 by inserting after said line the following:

“Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said line the following:

“301.449. **1.** Only a community college or four-year public or private institution of higher education, or a foundation or organization representing the college or institution, located in the state of Missouri may itself authorize or may by the director of revenue be authorized to use the school’s official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem-use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an “emblem-use authorization statement”, which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

3. The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129.

4. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law.

5. Notwithstanding the provisions of subsection 1 of this section or subsection 1 of section 301.3150, any community college or four-year public or private institution of higher education, or any foundation or organization representing the college or institution, located outside of the state of Missouri, which has authorized the use of its official emblem to be affixed on multiyear personalized license plates and has had its application for a specialty license plate approved by the joint committee on transportation oversight under section 301.3150 prior to August 28, 2012, may continue to authorize the use of its official emblem on such plates. Nothing in subsection 1 of this section shall be construed to prohibit the manufacture or renewal of multiyear personalized license plates bearing out-of-state university, college, or institution of private learning official emblems if such license plates were approved by the joint committee on transportation oversight under section 301.3150 prior to August 28, 2012.

6. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.”; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said line the following:

“Section B. Because of the need to ensure that motorists who were issued valid special license plates are legally registered within the state of Missouri and because of the need to avoid unnecessary administrative license plate recalls, the repeal and reenactment of section 301.449 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.449 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said line the following:

“301.3172. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special motor vehicle license plates for any vehicle she owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight.

2. Any woman shall apply for the special license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service, payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words “WOMAN VETERAN” at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the

personalization of license plates issued under this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for a vehicle owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director shall consult with the Missouri Veterans Commission when determining or designing the image which shall be placed on the plate authorized under this section.

8. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 51, Page 21, Section 304.022, Line 69, by inserting after said line the following:

“304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 51, Page 19, Section 302.755, Line 78, by inserting after said line the following:

“302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver's license testing and commercial learner's permit standards rule issued by the federal motor carrier safety administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person’s control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is under twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate

a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit. **An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months.**

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and persons under the age of sixteen shall be subject to the following restrictions:

(1) The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2) The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise;

(3) The operator shall not carry any passengers; and

(4) The operator shall not travel over fifty miles from the operator's home address."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- | | |
|--|-----------|
| (1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 | 2 points |
| (except any violation of municipal stop sign ordinance where no accident is involved | 1 point) |
| (2) Speeding | |
| In violation of a state law | 3 points |
| In violation of a county or municipal ordinance | 2 points |
| (3) Leaving the scene of an accident | |
| in violation of section 577.060 | 12 points |

In violation of any county or municipal ordinance	6 points
(4) Careless and imprudent driving in violation of subsection 4 of section 304.016	4 points
In violation of a county or municipal ordinance	2 points
(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:	
(a) For the first conviction	2 points
(b) For the second conviction	4 points
(c) For the third conviction	6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges	12 points
(7) Obtaining a license by misrepresentation	12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs	8 points
(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight	12 points
(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law	8 points

In violation of a county or municipal ordinance or federal law or regulation	8 points
(11) Any felony involving the use of a motor vehicle	12 points
(12) Knowingly permitting unlicensed operator to operate a motor vehicle	4 points
(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025	4 points
(14) Endangerment of a highway worker in violation of section 304.585	4 points
(15) Aggravated endangerment of a highway worker in violation of section 304.585	12 points
(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency	4 points
(17) Endangerment of an emergency responder in violation of section 304.894	4 points
(18) Aggravated endangerment of an emergency responder in violation of section 304.894	12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes

both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Section 304.820, Page 29, Line 59, by inserting after all of said section and line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first

responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term “moving violation” is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle shall not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;

(f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license under section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license under section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 51, Page 27, Section 304.180, Line 139, by inserting immediately after said line the following:

“11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary

rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81, by inserting after said line the following:

“Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the “Graham’s Picnic Rock Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 45**, as amended: Senators Dixon, Schmitt, Schaefer, Justus and Keaveny.

HOUSE BILLS ON SECOND READING

The following Joint Resolution and Bills were read the 2nd time and referred to the Committees indicated:

HCS No. 2 for **HJR 14**—Appropriations.

HCS for **HB 717**—Seniors, Families and Pensions.

HCS for **HB 727**—Seniors, Families and Pensions.

PRIVILEGED MOTIONS

Senator Dixon moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended: Senators Dixon, Schmitt, Emery, Justus and Keaveny.

PRIVILEGED MOTIONS

Senator Nasheed moved that **SS** for **SCS** for **SB 125**, with **HA 1**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1, as amended, was taken up.

Senator Lager assumed the Chair.

Senator Nieves assumed the Chair.

Senator Nasheed moved that **HA 1**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—32

NAYS—Senator Walsh—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Nasheed, **SS** for **SCS** for **SB 125**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—32

NAYS—Senator Walsh—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 330**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 330

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 330, with House Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 330, as amended;
2. That the Senate recede from its position on Senate Bill No. 330;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 330 be Third Read and Finally Passed.

FOR THE SENATE:
/s/ Jay Wasson
/s/ Mike Cunningham
/s/ David Sater
/s/ Joseph P. Keaveny
/s/ Scott Sifton

FOR THE HOUSE:
/s/ Eric Burlison
/s/ Shelley Keeney
/s/ Michele Kratky

Senator Wasson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Schaefer Schmitt—2

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Wasson, **CCS No. 2** for **HCS** for **SB 330**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 330

An Act to repeal sections 331.100, 332.093, 334.104, 346.050, 346.055, 346.085, and 453.070, RSMo, and to enact in lieu thereof six new sections relating to professional licenses.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Schaefer Schmitt—2

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe moved that the Senate conferees on **HCS** for **HBs 256, 33** and **305**, as amended, be allowed to exceed the differences, which motion prevailed.

Senator Lamping, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 33**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 33

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 33, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 33, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 33;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 33, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Lamping

/s/ David Sater

/s/ Rob Schaaf

/s/ Maria Chappelle-Nadal

Paul LeVota

FOR THE HOUSE:

/s/ Jeff Grisamore

/s/ Jim Neely

/s/ Stacey Newman

Senator Lamping moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Lamping, **CCS** for **SCS** for **SB 33**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 33

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof four new sections relating to individuals with mental disabilities.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 51**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that **SB 110**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 110**, as amended, was taken up.

Senator Brown moved that **HCS** for **SB 110**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Brown, **HCS** for **SB 110**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kraus moved that **SS** for **SB 252**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SB 252**, as amended, was taken up.

Senator Kraus moved that **HCS** for **SS** for **SB 252**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	McKenna	Nasheed	Sifton	Walsh—7	
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Kraus, **HCS** for **SS** for **SB 252**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh
Wasson—25							

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton—8
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Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford

Wasson—25

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Sifton	Walsh—6
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Absent—Senators

McKenna	Nasheed—2
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Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schmitt moved that the Senate refuse to concur in **HA 1**, as amended, for **SS** for **SCS** for **SB 114** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, Senator Parson submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 429**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 30**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 152**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 675**, begs leave to

report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 76**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 28**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 60**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 222**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 568**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 733**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 813**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nieves, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HB 632**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 634**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

SENATE AMENDMENT NO. 1

Amend House Bill No. 634, Page 1, In the Title, Line 2 of the title, by striking “the designation of ”; and further amend line 3 of the title, by striking said line and inserting in lieu thereof the following: “state designations.”; and

Further amend said bill, Page 1, Section 9.169, Line 8, by inserting after all of said line the following:

“9.179. March twenty-seventh of each year shall be designated as “Medical Radiation Safety Awareness Day” in Missouri. The citizens of this state and our health care professionals’ community are encouraged to observe the day with activities designed to educate and enhance the awareness of not only the benefits of radiographic medical procedures, but the potential dangers of overexposure to radiation during diagnostic imaging and radiation therapy as well in order to reduce the frequency of adverse events and allow our citizens to make informed decisions about their medical care.”; and

Further amend the title and enacting clause accordingly.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 513**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 42**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 808**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 301**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HBs 373** and **435**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HJR 16**, with **SCS**; **HCS** for **HB 320**; **SCS** for **HB 103**; **HCS** for **HB 343**, with **SCS**; **HCS** for **HB 986**, with **SCS**; and **HCS** for **HB 215**, with **SCS**, begs leave to report that it has considered the same

and recommends that the bills do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 257**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 702**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HJR 8**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Kehoe, Chairman of the Committee on Transportation and Infrastructure, submitted the following reports:

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HB 715**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation and Infrastructure, to which was referred **HCS** for **HB 312**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HB 442**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 252**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended. Representatives: Elmer, Cox, and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 381**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 73**, entitled:

An Act to repeal section 478.007, RSMo, and to enact in lieu thereof two new sections relating to judicial procedures.

With House Amendment No. 1 and 2, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said line the following;

“478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the “Veterans Treatment Intervention Act”.

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) “Servicemember”, any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) “Veteran”, any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a “Military Veterans and Servicemembers Court Program” under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court’s assessment of the defendant’s criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant’s agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans’ treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court’s own motion, except:

(1) If a defendant was previously offered admission to a veterans’ treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the

defendant's admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;**
- (2) Kidnapping or false imprisonment under chapter 565;**
- (3) Aggravated assault under chapter 565;**
- (4) Stalking under chapter 565;**
- (5) Elder abuse under chapter 565;**
- (6) Sexual offenses under chapter 566;**
- (7) Offenses against the family under chapter 568;**
- (8) Robbery or burglary under chapter 569;**
- (9) Arson under chapter 569;**
- (10) Water contamination under chapter 569;**
- (11) Child pornography under chapter 573;**
- (12) Treason; and**

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;**
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;**
- (c) Eligible participants are identified early and promptly placed in the treatment program;**
- (d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;**
- (e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;**
- (f) A coordinated strategy governs treatment program responses to participants' compliance;**
- (g) Ongoing judicial interaction with each treatment program participant is essential;**
- (h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;**
- (i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;**
- (j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.**

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed

service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition

requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said section and line the following:

“488.2250. [For all transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of two dollars per twenty-five-line page for the original of the transcript, and the sum of thirty-five cents per twenty-five-line page for each carbon copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three transcripts in duplication of the notes of the evidence, for the original of which the court reporter shall receive two dollars per legal page and for the copies twenty cents per page. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court] **1. For all appeal transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.**

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter's fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production who shall reimburse the court reporter the sum provided

in subsection 1 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 73, Page 1, Line 30, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 478.007, Line 23, by inserting after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person’s control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is under twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.”; and

Further amend said bill, section 304.152, Page 2, Lines 5-7, by removing all of said lines; and
Renumber remaining subsection accordingly; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said section and line the following:

“307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. **A motorcycle may be equipped with a means of varying the brightness of the vehicle’s brake light for a duration of not more than five seconds upon application of the vehicle’s brakes.**

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 118**, entitled:

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HB 184, introduced by Representative Cox, et al, entitled:

An Act to repeal section 67.1010, RSMo, and to enact in lieu thereof one new section relating to the Pettis county transient guest tax.

Was called from the Informal Calendar and taken up by Senator Parson.

Senator Parson offered **SS** for **HB 184**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 184

An Act to repeal sections 32.087, 67.1010, 135.960, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, RSMo, and to enact in lieu thereof twenty new sections relating to taxation, with an emergency clause for certain sections.

Senator Parson moved that **SS** for **HB 184** be adopted, which motion prevailed.

Senator Parson moved that **SS** for **HB 184** be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **HB 184** to the Committee on Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 30**; **HCS** for **HB 222**, with **SCS**; **HCS** for **HB 813**; and **HJR 8** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HCS for **HB 611**, with **SCS**, entitled:

An Act to repeal sections 285.300, 288.100, and 288.380, RSMo, and to enact in lieu thereof three new sections relating to unemployment compensation, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Kraus.

SCS for **HCS** for **HB 611**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 611

An Act to repeal sections 285.300, 285.515, 288.030, 288.050, 288.100, and 288.380, RSMo, and to enact in lieu thereof six new sections relating to employment, with penalty provisions.

Was taken up.

Senator Kraus moved that **SCS** for **HCS** for **HB 611** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 611, Pages 2-3, Section 285.515, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 611, Page 7, Section 288.030, Line 166, by inserting immediately after said line the following:

“288.040. 1. A claimant who is unemployed and has been determined to be an insured worker shall be eligible for benefits for any week only if the deputy finds that:

(1) The claimant has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the division may prescribe;

(2) The claimant is able to work and is available for work. No person shall be deemed available for work unless such person has been and is actively and earnestly seeking work. Upon the filing of an initial or renewed claim, and prior to the filing of each weekly claim thereafter, the deputy shall notify each claimant of the number of work search contacts required to constitute an active search for work. No person shall be considered not available for work, pursuant to this subdivision, solely because he or she is a substitute teacher or is on jury duty. A claimant shall not be determined to be ineligible pursuant to this subdivision because of not actively and earnestly seeking work if:

(a) The claimant is participating in training approved pursuant to Section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended);

(b) The claimant is temporarily unemployed through no fault of his or her own and has a definite recall date within eight weeks of his or her first day of unemployment; however, upon application of the employer responsible for the claimant’s unemployment, such eight-week period may be extended not to exceed a total of sixteen weeks at the discretion of the director;

(3) The claimant has reported [in person] to an office of the division as directed by the deputy, but at least once every four weeks, except that a claimant shall be exempted from the reporting requirement of this subdivision if:

(a) The claimant is claiming benefits in accordance with division regulations dealing with partial or temporary total unemployment; or

(b) The claimant is temporarily unemployed through no fault of his or her own and has a definite recall date within eight weeks of his or her first day of unemployment; or

(c) [The claimant resides in a county with an unemployment rate, as published by the division, of ten percent or more and in which the county seat is more than forty miles from the nearest division office;

(d)] The director of the division of employment security has determined that the claimant belongs to a group or class of workers whose opportunities for reemployment will not be enhanced by reporting [in person], or is prevented from reporting due to emergency conditions that limit access by the general public

to an office that serves the area where the claimant resides, but only during the time such circumstances exist.

Ineligibility pursuant to this subdivision shall begin on the first day of the week which the claimant was scheduled to claim and shall end on the last day of the week preceding the week during which the claimant does report [in person] to the division's office;

(4) Prior to the first week of a period of total or partial unemployment for which the claimant claims benefits he or she has been totally or partially unemployed for a waiting period of one week. No more than one waiting week will be required in any benefit year. During calendar year 2008 and each calendar year thereafter, the one-week waiting period shall become compensable once his or her remaining balance on the claim is equal to or less than the compensable amount for the waiting period. No week shall be counted as a week of total or partial unemployment for the purposes of this subsection unless it occurs within the benefit year which includes the week with respect to which the claimant claims benefits;

(5) The claimant has made a claim for benefits within fourteen days from the last day of the week being claimed. The fourteen-day period may, for good cause, be extended to twenty-eight days;

(6) The claimant has reported to an employment office to participate in a reemployment assessment and reemployment services as directed by the deputy or designated staff of an employment office, unless the deputy determines that good cause exists for the claimant's failure to participate in such reemployment assessment and reemployment services. For purposes of this section, "reemployment services" may include, but not be limited to, the following:

- (a) Providing an orientation to employment office services;
- (b) Providing job search assistance; and
- (c) Providing labor market statistics or analysis;

Ineligibility under this subdivision shall begin on the first day of the week which the claimant was scheduled to report for the reemployment assessment or reemployment services and shall end on the last day of the week preceding the week during which the claimant does report in person to the employment office for such reemployment assessment or reemployment services;

(7) The claimant is participating in reemployment services, such as job search assistance services, as directed by the deputy if the claimant has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the division, unless the deputy determines that:

- (a) The individual has completed such reemployment services; or
- (b) There is justifiable cause for the claimant's failure to participate in such reemployment services.

2. A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds he or she is or has been suspended by his or her most recent employer for misconduct connected with his or her work. Suspensions of four weeks or more shall be treated as discharges.

3. (1) Benefits based on "service in employment", [defined] **described** in subsections 7 and 8 of section 288.034, shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this law; except that:

- (a) With respect to service performed in an instructional, research, or principal administrative capacity

for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years (or terms) and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) With respect to services performed in any capacity (other than instructional, research, or principal administrative capacity) for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform such services in the second of such academic years or terms;

(c) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits shall not be paid on the basis of such services to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performed such services in the period immediately before such vacation period or holiday recess, and there is reasonable assurance that such individual will perform such services immediately following such vacation period or holiday recess;

(d) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits payable on the basis of services in any such capacity shall be denied as specified in paragraphs (a), (b), and (c) of this subdivision to any individual who performed such services at an educational institution while in the employ of an educational service agency, and for this purpose the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(2) If compensation is denied for any week pursuant to paragraph (b) or (d) of subdivision (1) of this subsection to any individual performing services at an educational institution in any capacity (other than instructional, research or principal administrative capacity), and such individual was not offered an opportunity to perform such services for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of the compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of paragraph (b) or (d) of subdivision (1) of this subsection.

4. (1) A claimant shall be ineligible for waiting week credit, benefits or shared work benefits for any week for which he or she is receiving or has received remuneration exceeding his or her weekly benefit amount or shared work benefit amount in the form of:

(a) Compensation for temporary partial disability pursuant to the workers' compensation law of any state or pursuant to a similar law of the United States;

(b) A governmental or other pension, retirement or retired pay, annuity, or other similar periodic payment which is based on the previous work of such claimant to the extent that such payment is provided from funds provided by a base period or chargeable employer pursuant to a plan maintained or contributed to by such employer; but, except for such payments made pursuant to the Social Security Act or the Railroad Retirement Act of 1974 (or the corresponding provisions of prior law), the provisions of this paragraph shall not apply if the services performed for such employer by the claimant after the beginning of the base period

(or remuneration for such services) do not affect eligibility for or increase the amount of such pension, retirement or retired pay, annuity or similar payment.

(2) If the remuneration referred to in this subsection is less than the benefits which would otherwise be due, the claimant shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration, and, if such benefit is not a multiple of one dollar, such amount shall be lowered to the next multiple of one dollar.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, if a claimant has contributed in any way to the Social Security Act or the Railroad Retirement Act of 1974, or the corresponding provisions of prior law, no part of the payments received pursuant to such federal law shall be deductible from the amount of benefits received pursuant to this chapter.

5. A claimant shall be ineligible for waiting week credit or benefits for any week for which or a part of which he or she has received or is seeking unemployment benefits pursuant to an unemployment insurance law of another state or the United States; provided, that if it be finally determined that the claimant is not entitled to such unemployment benefits, such ineligibility shall not apply.

6. (1) A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds that such claimant's total or partial unemployment is due to a stoppage of work which exists because of a labor dispute in the factory, establishment or other premises in which such claimant is or was last employed. In the event the claimant secures other employment from which he or she is separated during the existence of the labor dispute, the claimant must have obtained bona fide employment as a permanent employee for at least the major part of each of two weeks in such subsequent employment to terminate his or her ineligibility. If, in any case, separate branches of work which are commonly conducted as separate businesses at separate premises are conducted in separate departments of the same premises, each such department shall for the purposes of this subsection be deemed to be a separate factory, establishment or other premises. This subsection shall not apply if it is shown to the satisfaction of the deputy that:

(a) The claimant is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(b) The claimant does not belong to a grade or class of workers of which, immediately preceding the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute.

(2) "Stoppage of work" as used in this subsection means a substantial diminution of the activities, production or services at the establishment, plant, factory or premises of the employing unit. This definition shall not apply to a strike where the employees in the bargaining unit who initiated the strike are participating in the strike. Such employees shall not be eligible for waiting week credit or benefits during the period when the strike is in effect, regardless of diminution, unless the employer has been found guilty of an unfair labor practice by the National Labor Relations Board or a federal court of law for an act or actions preceding or during the strike.

7. On or after January 1, 1978, benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive sport seasons (or similar periods) if such individual performed such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such

seasons (or similar periods).

8. Benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of Section 212(d)(5) of the Immigration and Nationality Act).

(1) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(2) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

9. A claimant shall be ineligible for waiting week credit or benefits for any week such claimant has an outstanding penalty which was assessed based upon an overpayment of benefits, as provided for in subsection 9 of section 288.380.

10. The directors of the division of employment security and the division of workforce development shall submit to the governor, the speaker of the house of representatives, and the president pro tem of the senate no later than October 15, 2006, a report outlining their recommendations for how to improve work search verification and claimant reemployment activities. The recommendations shall include, but not limited to how to best utilize "greathires.org", and how to reduce the average duration of unemployment insurance claims. Each calendar year thereafter, the directors shall submit a report containing their recommendations on these issues by December thirty-first of each year.

11. For purposes of this section, a claimant may satisfy reporting requirements provided under this section by reporting by internet communication or any other means deemed acceptable by the division of employment security.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 611**, as amended, be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 611**, as amended, be read the 3rd time and finally passed and was recognized to close.

President Pro Tem Dempsey referred **SCS** for **HCS** for **HB 611**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

HB 142, introduced by Representative Dugger, with **SCS**, entitled:

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utilities, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Walsh.

SCS for **HB 142**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 142

An Act to repeal sections 393.320 and 393.1075, RSMo, and to enact in lieu thereof two new sections relating to utilities, with a penalty provision.

Was taken up.

Senator Walsh moved that **SCS** for **HB 142** be adopted.

Senator Walsh offered **SS** for **SCS** for **HB 142**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 142

An Act to repeal sections 386.370, 393.190, 393.320, 393.760, and 393.1075, RSMo, and to enact in lieu thereof five new sections relating to utilities, with a penalty provision.

Senator Walsh moved that **SS** for **SCS** for **HB 142** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 142, Page 1, Section A, Line 4, by inserting immediately after said line the following:

“137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created

pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property;

and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale.”; and

Further amend said bill, page 13, section 393.760, line 26 of said page, by inserting after all of said line the following:

“393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility’s sales:

- (1) No less than two percent for calendar years 2011 through 2013;
- (2) No less than five percent for calendar years 2014 through 2017;
- (3) No less than ten percent for calendar years 2018 through 2020; and
- (4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules

shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. **Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding any provision to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;**

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 **of this section**. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a [standard] solar rebate [offer of at least two dollars per installed watt] for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that [become operational after 2009] were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs,

require applications for rebates to be submitted up to one hundred eighty-two days prior to the June 30 operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility shall be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff shall include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. The commission shall rule on the suspension filing within sixty days of the date it is filed. If the commission determines that the maximum average retail rate increase will be reached the commission shall approve the tariff suspension. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling; however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Walsh moved that **SS** for **SCS** for **HB 142**, as amended, be adopted, which motion prevailed.

On motion of Senator Walsh, **SS** for **SCS** for **HB 142**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Brown Libla—2

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 345**, with **SCS**, entitled:

An Act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof thirteen new sections relating to broadband and wireless deployment.

Was called from the Informal Calendar and taken up by Senator Lager.

SCS for **HCS** for **HB 345**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 345

An Act to repeal sections 67.1830, 67.1836, 67.1838, 67.1842, 392.415, 392.420, and 392.461, RSMo, and to enact in lieu thereof twenty-two new sections relating to telecommunications.

Was taken up.

Senator Lager moved that **SCS** for **HCS** for **HB 345** be adopted.

Senator Lager offered **SS** for **SCS** for **HCS** for **HB 345**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 345

An Act to repeal section 67.5103 as truly agreed to and finally passed by senate substitute for house bill no. 331, ninety-seventh general assembly, first regular session, and to enact in lieu thereof three new sections relating to telecommunications.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 345** be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **HCS** for **HB 345** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Romine moved that **HB 196**, with **SCS**, **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

President Pro Tem Dempsey ruled the pending point of order well taken.

SCS for **HB 196** was again taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Romine moved that **SCS** for **HB 196** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **HB 196** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Lamping moved that the conference be dissolved on **SB 77**, as amended, and request the House to recede from its position on **HA 1** and take up and pass **SB 77**, which motion prevailed.

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 161**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 161

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do

recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 161, as amended;
2. That the Senate recede from its position on Senate Bill No. 161;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 161 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce

/s/ Scott T. Rupp

/s/ Wayne Wallingford

/s/ S. Kiki Curls

/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream

/s/ Todd Richardson

/s/ Margo McNeil

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Pearce, **CCS** for **HCS** for **SB 161**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 161

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 650, introduced by Representative Ross, et al, with **SCS**, entitled:

An Act to repeal section 60.570, RSMo, and to enact in lieu thereof one new section relating to land survey program headquarters.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

SCS for **HB 650**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 650

An Act to repeal sections 59.319, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 256.117, 261.023, 640.010, and 640.075, RSMo, and to enact in lieu thereof twenty-four new sections relating to the land survey program, with penalty provisions.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 650** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 650**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 650

An Act to repeal sections 43.543, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 253.180, 253.185, 256.117, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 260.200, 260.205, 260.235, 260.249, 260.262, 260.320, 260.325, 260.330, 260.335, 260.345, 260.365, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 444.772, 621.250, 640.010, 640.012, 640.017, 640.075, 640.715, 640.725, 643.079, 644.051, 644.052, and 644.054, RSMo, and to enact in lieu thereof sixty-seven new sections relating to the department of natural resources, with penalty provisions and an emergency

clause for certain sections.

Senator Lager moved that **SS** for **SCS** for **HB 650** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 14, Section 60.570, Line 21 of said page, by inserting after “available.” the following: **“No department shall charge any fee over or above the amount paid to the office of administration for utilization of the building.”**.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Wallingford offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 650, Pages 65-67, Section 260.320, by striking all of said section from the bill; and

Further amend said bill, pages 67-71, section 260.325, by striking all of said section from the bill; and

Further amend said bill, pages 71-75, section 260.330, by striking all of said section from the bill; and

Further amend said bill, pages 75-80, section 260.335, by striking all of said section from the bill; and

Further amend said bill, pages 80-81, section 260.345, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator McKenna offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO

SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 1, Line 10, by inserting after all of said line the following:

“and further amend said bill, page 163, section 1, line 12 by inserting after all of said line the following:

“Section 2. 1. There is hereby established a joint committee of the general assembly, which shall be known as the “Joint Committee on Solid Waste Management District Operations”, which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tempore of the senate and the house members by the speaker of the house of representatives. The committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairperson or chairpersons designate.

2. The committee shall examine solid waste management district operations, including but not

limited to the efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers.

3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of natural resources and representatives of solid waste management districts.

4. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2013, at which time the joint committee shall be dissolved.

5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.”; and”.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

President Pro Tem Dempsey assumed the Chair.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Sifton offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 650, Pages 127-128, Section 640.236, by striking all of said section and inserting in lieu thereof the following:

“640.236. In all civil actions involving claims for exposure or contamination arising from the ownership, maintenance, management, or control of underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975, or such claims that arise from chat or tailings generated at those sites, brought against persons or entities alleged to have owned, maintained, managed, or controlled such sites, chat, or tailings at any time, such persons and entities shall be exempt from punitive or exemplary damages with respect to all such claims that relate in any way to the ownership, maintenance, management, or control of such sites, chat, or tailings, so long as such persons or entities or their employees, agents, owners, parent, subsidiary, or any related companies have made or are making good faith efforts to remediate such sites. Any evidence may be introduced to demonstrate good faith efforts to remediate including substantial compliance with an order or permit issued by or negotiated with either the state of Missouri or the United States concerning remediation or closure. The total of any awards of punitive or exemplary damages shall not exceed five million dollars against any one defendant, including any employees or agents thereof, in a civil action within this section. The provisions of section 537.675 shall not apply to such action, and one-half of any such awards for punitive or exemplary damages shall be paid into the Missouri lead abatement loan fund established under section 701.337. Nothing in this section shall be construed as precluding any party from pursuing compensatory damages, including claims for natural resource damages.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Romine offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 650, Pages 127-128, Section 640.236, by striking all of said section and inserting in lieu thereof the following:

“640.236. In all civil actions involving claims for exposure or contamination arising from the ownership, maintenance, management, or control of underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975, or such claims that arise from chat or tailings generated at those sites, brought against persons or entities alleged to have owned, maintained, managed, or controlled such sites, chat, or tailings at any time, such persons and entities shall be exempt from punitive or exemplary damages with respect to all such claims that relate in any way to the ownership, maintenance, management, or control of such sites, chat, or tailings, so long as such persons or entities or their employees, agents, owners, parent, subsidiary, or any related companies have made or are making good faith efforts to remediate such sites. Any evidence may be introduced to demonstrate good faith efforts to remediate including substantial compliance with an order or permit issued by or negotiated with either the state of Missouri or the United States concerning remediation or closure. The total of any awards of punitive or exemplary damages shall not exceed five million dollars in the aggregate as to all defendants in a civil action within this section. The provisions of section 537.675 shall not apply to such action, and one-half of any such awards for punitive or exemplary damages shall be paid into the Missouri lead abatement loan fund established under section 701.337. Nothing in this section shall be construed as precluding any party from pursuing compensatory damages, including claims for natural resource damages.”; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above substitute amendment be adopted.

Senator McKenna offered **SA 1** to **SSA 1** for **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 2, Section 640.236, Line 2, by striking the words “five million” and inserting in lieu thereof the following: **“two million five hundred thousand”**.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

SSA 1 for **SA 3**, as amended, was again taken up.

Senator Romine moved that the above substitute amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 163, Section 1,

Line 12, by inserting after all of said line the following:

“Section 2. 1. Beginning January 1, 2015, solid waste management district overhead administration costs as provided in sections 260.330 and 260.335 shall not be greater than thirty-five percent.

2. The department of natural resources shall promulgate rules adjusting the solid waste sanitary landfill charge and solid waste demolition landfill charge in section 260.330, and the division of revenues under subsection 2 of section 260.335 to correspond with the reduction in solid waste management district overhead administration costs as provided in subsection 1 of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion failed.

Senator Lager moved that **SS for SCS for HB 650**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS for SCS for HB 650**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Lager	Lamping
Libla	McKenna	Munzlinger	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Silvey	Wallingford	Walsh	Wasson—22		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Kraus	LeVota	Nasheed
Nieves	Sifton—10						

Absent—Senator Schmitt—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Justus	Kehoe	Lager
Lamping	Libla	McKenna	Munzlinger	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—24

NAYS—Senators

Chappelle-Nadal Curls

Holsman

Keaveny

Kraus

LeVota

Nasheed

Nieves

Sifton—9

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Romine moved that the Senate request the House to grant the Senate further conference on **HCS** for **SB 57**, as amended, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Dixon, **HCS** for **HB 215**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaaf, **HJR 16**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 320** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 349** was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HB 388**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 505**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **HCS** for **HB 161**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Silvey, **HB 336** was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HB 306**, with **SCA 1** and **SCA 2**, was placed on the Informal Calendar.

HCS for **HB 986**, with **SCS**, entitled:

An Act to repeal sections 208.146 and 208.151, RSMo, and to enact in lieu thereof five new sections relating to MO HealthNet, with an emergency clause for a certain section.

Was taken up by Senator Wasson.

SCS for **HCS** for **HB 986**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 986

An Act to repeal sections 208.053 and 208.146, RSMo, and to enact in lieu thereof three new sections relating to public assistance, with an emergency clause for a certain section.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 986** be adopted.

Senator Nasheed offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 7, Section 208.146, Line 87, by inserting immediately after said line the following:

“208.207. 1. Beginning January 1, 2014, individuals aged nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically one year after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically one year after the effective date of the reauthorization of this section unless reauthorized by an act of the general assembly again in which case such program shall automatically sunset one year after the effective date of the second reauthorization; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Wasson, **HCS** for **HB 986**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 256**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 51**, as amended, and grants the Senate a conference

thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SS** for **SCS** for **SB 114**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 224**.

With House Amendment Nos. 1, 2, 3, and 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment Nos. 6, 7 and 8.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 224, Page 1, In the title, Line 3, by deleting the words, “the Kansas City police department” and inserting in lieu thereof the words, “police departments”; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

“86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) “Accumulated contributions”, the sum of all mandatory contributions deducted from the compensation of a member and credited to the member’s individual account, together with members’ interest thereon;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) “Average final compensation”:

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member’s last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member’s entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member’s last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member’s entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member’s benefit attributable to creditable service earned before DROP entry shall be determined using

average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;

(6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(7) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(8) "DROP", the deferred retirement option plan provided for in section 86.251;

(9) "Earnable compensation", the annual salary **established under section 84.160** which a member would earn during one year on the basis of the member's rank or position [as specified in the applicable salary matrix] plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code,

as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a “noneligible participant” is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(10) “Internal Revenue Code”, the federal Internal Revenue Code of 1986, as amended;

(11) “Mandatory contributions”, the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(12) **“Medical board”, the board of three physicians of different disciplines appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which board shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations, which can be based upon the opinion of a single member or that of an outside specialist if one is appointed, upon all the matters referred to such medical board;**

(13) “Member”, a member of the retirement system as defined by sections 86.200 to 86.366;

[(13)] (14) “Members’ interest”, interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

[(14)] (15) “Membership service”, service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case “membership service” means service as a policeman rendered since last becoming a member prior to entering such armed service;

[(15)] (16) “Plan year” or “limitation year”, the twelve consecutive-month period beginning each October first and ending each September thirtieth;

[(16)] (17) “Policeman” or “police officer”, any member of the police force of such cities who holds a rank in such police force;

[(17)] (18) “Prior service”, all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

[(18)] (19) “Reserve officer”, any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

[(19)] (20) “Retirement allowance”, annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

[(20)] (21) “Retirement system”, the police retirement system of the cities as defined in sections 86.200 to 86.366;

~~[(21)]~~ (22) “Surviving spouse”, the surviving spouse of a member who was the member’s spouse at the time of the member’s death.

86.257. 1. Upon the application of [a member in service or of] the board of police commissioners **or any successor body**, any member who has completed ten or more years of creditable service **or upon the police retirement system created by sections 86.200 to 86.366 first attaining, after the effective date of this act, a funded ratio, as defined in section 105.660 and as determined by the system’s annual actuarial valuation, of at least eighty percent, a member who has completed five or more years of creditable service** and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by the actual performance of his or her official duties or by his or her own negligence shall be retired by the board of [trustees of the police retirement system] **police commissioners or any successor body** upon certification by the medical [director] **board** of the police retirement system and approval by the board of trustees of the police retirement system that the member is mentally or physically unable to perform the duties of a police officer, that the inability is permanent or likely to become permanent, and that the member should be retired.

2. Once each year during the first five years following such member’s retirement, and at least once in every three-year period thereafter, the board of trustees may, and upon the member’s application shall, require any nonduty disability beneficiary who has not yet attained sixty years of age to undergo a medical examination at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any nonduty disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her nonduty disability pension may be discontinued until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

3. If the medical [director] **board** certifies to the board of trustees that a nonduty disability beneficiary is able to perform the duties of a police officer, and if the board of trustees concurs on the report, then such beneficiary’s nonduty disability pension shall cease.

4. If upon cessation of a disability pension under subsection 3 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

86.263. 1. Any member **in active service** who is permanently unable to perform the **full and unrestricted** duties of a police officer as the natural, proximate, and exclusive result of an accident occurring within the actual performance of duty at some definite time and place, through no negligence on the member’s part, shall[, upon application,] be retired **by the board of police commissioners or any successor body** upon certification by [the medical director of the police retirement system and approval by the board of trustees of the police retirement system] **one or more physicians of the medical board** that the member is mentally or physically unable to perform the **full and unrestricted** duties of a police officer [and] , that the inability is permanent or [reasonably] likely to become permanent, **and that the member should be retired. The inability to perform the “full and unrestricted duties of a police officer” means the member is unable to perform all the essential job functions for the position of police officer as established by the board of police commissioners or any successor body.**

2. No member shall be approved for retirement under the provisions of subsection 1 of this section

unless the application was made and submitted to the board of **[trustees of the police retirement system] police commissioners or any successor body** no later than five years following the date of accident, provided, that if the accident was reported within five years of the date of the accident and an examination made of the member within thirty days of the date of accident by a health care provider whose services were provided through the board of police commissioners with subsequent examinations made as requested, then an application made more than five years following the date of the accident shall be considered timely.

3. Once each year during the first five years following a member's retirement, and at least once in every three-year period thereafter, the board of trustees may require any disability beneficiary who has not yet attained sixty years of age to undergo a medical examination or medical examinations at a place designated by the medical **[director] board** or such physicians as the medical **[director] board** appoints. If any disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her disability pension may be discontinued **by the board of trustees of the police retirement system** until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

4. If the medical **[director] board** certifies to the board of trustees that a disability beneficiary is able to perform the duties of a police officer, [and if the board of trustees concurs with the medical director's determination,] then such beneficiary's disability pension shall cease.

5. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active service time as a member including the service time prior to receiving disability retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

6. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is not restored to active service, such former disability beneficiary shall be entitled to the retirement benefit to which such former disability beneficiary would have been entitled if such former disability beneficiary had terminated service for any reason other than dishonesty or being convicted of a felony at the time of such cessation of such former disability beneficiary's disability pension. For purposes of such retirement benefits, such former disability beneficiary shall be credited with all of the former disability beneficiary's active service time as a member, but not including any time during which the former disability beneficiary received a disability beneficiary pension under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **“Arrearage”:**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) “Child” means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) “Good cause” means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) “Support” means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant’s financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant’s adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is

charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 224, Page 1, In the title, Line 3, by deleting the words, “the Kansas City Police Department” and inserting in lieu thereof the words, “public employees”; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

“169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) “Accumulated contributions”, the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member’s individual account together with interest thereon in the employees’ contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system’s actuary and approved by the board of trustees;

(3) “Average final compensation”, the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are “consecutive”, only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) “Beneficiary”, any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) “Board of education”, the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) “Board of trustees”, the board provided for in section 169.291 to administer the retirement system;

(7) “Break in service”, an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed, or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A “school or work day” is a day on which the employee’s employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee’s last job description to report to their place of employment for any reason;

(8) “Charter school”, any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) “Compensation”, the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member’s behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) “Creditable service”, the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) “Employee”, any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) “Employer”, the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retirant;

(13) “Employer’s board”, the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) “Library district”, any urban public library district created from or within a school district under the provisions of section 182.703;

(15) “Medical board”, the board of physicians provided for in section 169.291;

(16) “Member”, any person who is a regular employee after the retirement system has been established hereunder (“active member”), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder (“inactive member”). **A person shall cease to be a member if the person has a break in service before earning any vested retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;**

(17) “Minimum normal retirement age”, **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement**, the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] **and** with both years of creditable service and years of age prorated for fractional years; **for any person who becomes a member of the retirement system on or after January 1, 2014, including any person who**

was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;

(18) "Prior service", service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) "Regular employee", any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee's status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) "Retirant", a former member receiving a retirement allowance hereunder;

(21) "Retirement allowance", annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) "School district", any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid

at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.**

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's

average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(2) A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] **retirant** who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326. [Provided, further, any retiree] **Any retirant** who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] **retirant** who retired with at least ten years of creditable

service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following

the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;**

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retiree.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retiree pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to 169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 224, Page 1, In the title, Line3, by deleting the

words, “the Kansas City police department” and inserting in lieu thereof the words, “public employees”; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

“”105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection 4 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee’s straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term “state employee” means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. [All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours.] **Any nonexempt Missouri department of corrections employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by such employee and his or her supervisor. Compensatory time shall be considered accrued upon completion of time worked in excess of such employee’s normal assigned shift and will be the employee’s decision whether to take the time off or request payment for such hours. Each nonexempt state employee shall have the right to retain up to eighty hours of compensatory time at any time during the year.**

4. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee’s department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

5. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

6. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant

positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

“Section 1. No law enforcement agency or organization representing law enforcement officers who are either members or nonmembers of a law enforcement agency shall require the payment of any dues or fees as a condition of employment or continued employment.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.490, Line 66, by inserting after all of said section and line the following:

“313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or

federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said Section and Line the following:

“512.180. 1. Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases tried before municipal court or under the provisions of chapters 482, 534, and 535, **except in actions between a landlord and a tenant under chapter 535.**

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of the supreme court, the record may be a stenographic record or one made by the utilization of electronic, magnetic, or mechanical sound or video recording devices.

534.055. If the tenant has an unauthorized pet on the landlord’s property, the landlord may contact the appropriate local animal control officer or animal shelter to have the pet removed from the property or may terminate the lease agreement. As used in this section, “unauthorized pet” means:

- (1) A pet prohibited by the lease or any local ordinance; or**
- (2) Any animal deemed aggressive.**

534.060. Forcible entries and detainers, and unlawful detainers, may be heard and determined by any associate circuit judge of the county in which they are committed. Neither the provisions of this section or any other section in this chapter shall preclude adoption of a local circuit court rule providing for the

centralized filing of such cases, nor the assignment of such cases to particular associate circuit or circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. Such cases shall be heard and determined by associate circuit judges unless a circuit judge is transferred or assigned to hear such case or cases or unless the plaintiff pursuant to subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges and the case is heard by a circuit judge. If the case is heard before an associate circuit judge who has not been specially assigned to hear the case on the record, to the extent practice and procedure are not provided in this chapter the practice and procedure provided in chapter 517 shall apply. If the case is heard initially before an associate circuit judge who has been specially assigned to hear the case on a record or before a circuit judge, the case shall be heard and determined under the same practice and procedure as would apply if the case was being heard upon an application for trial de novo **unless the case involves an action between a landlord and a tenant**, and in such instances, notwithstanding the specific references to chapter 517 in this chapter, the practice and procedure provided in the Missouri Rules of Civil Procedure and the extant provisions of The Civil Code of Missouri shall apply instead of those contained in chapter 517.

535.020. 1. Whenever any rent has become due and payable, and payment has been demanded by the landlord or the landlord's agent from the lessee or person occupying the premises, and payment thereof has not been made, the landlord or agent may file a statement, verified by affidavit, with any associate circuit judge in the county in which the property is situated, setting forth the terms on which such property was rented, and the amount of rent actually due to such landlord; that the rent has been demanded from the tenant, lessee or person occupying the premises, and that payment has not been made, and substantially describing the property rented or leased. Giving the notice provided in section 441.060 is not required prior to filing a statement or obtaining the relief provided in this chapter. In such case, the clerk of the court shall immediately issue a summons directed to such tenant or lessee and to all persons occupying the premises, by name, requiring them to appear before the judge upon a day to be therein named, and show cause why possession of the property should not be restored to the plaintiff. The landlord or agent may, in such an action for unpaid rent, join a claim for any other unpaid sums, other than property damages, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease; provided that such other sums shall not be considered rent for purposes of this chapter, and judgment for the landlord for recovery of such other sums shall not by itself entitle the landlord to an order for recovery of possession of the premises. The provisions of this section providing for the filing of a statement before an associate circuit judge shall not preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular circuit or associate circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. The case shall be heard and determined under the practice and procedure provided in the Missouri rules of civil procedure, except where otherwise provided by this chapter.

2. If a judgment has been entered in favor of the plaintiff under subsection 1 of this section for recovery of the premises, the sheriff of the county in which the premises is located, within ten days of such judgment, may inspect the premises for the sole purpose of determining safety prior to the removal of any contents as required by the court.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment [or to file an application for a trial de novo] in the circuit court, as the case may be, and that unless the judgment is set aside [or an application for a trial de novo is filed] within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted in the manner provided in chapter 512; but no application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within [ten] **three** days after it becomes due, pending determination of the [trial de novo or] appeal.

535.160. If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial [but before any trial de novo] the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited

only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such appeal [or trial de novo] recover any damage incurred, including damages incurred from an unlawful dispossession.

535.190. If a tenant appears before a judge in an action for nonpayment of rent, the court shall inquire, on the record, about the tenant's current residence and current place of employment.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file

with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after said line the following:

“Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 17**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 256**, as amended. Representatives: Torpey, Hinson, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HA 1** to **HA 1**, **HA 1**, as amended, to **SS** for **SCS** for **SB 114**. Representatives: Jones (50), Richardson, and Hummel.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 51**, as amended. Representatives: Guernsey, Fraker, and Curtis.

Senator Pearce assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 51**, as amended: Senators Munzlinger, Kehoe, Libla, McKenna and LeVota.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 256**, as amended: Senators Silvey, Romine, Sater, Justus and Keaveny.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 26, 2013, for your advice and consent:

John W. Maupin, Republican, 567 North Spoede Road, Creve Coeur, Saint Louis County, Missouri 63141, as a member and Secretary of the St. Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Julie Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 13, 2013, for your advice and consent:

Boyd Harris, Republican, 19510 North Drew Road, Centralia, Boone County, Missouri 65240, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2014, and until his successor is duly appointed and qualified; vice, Boyd Harris, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 15, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on March 13, 2013, for your advice and consent:

Robert E. George, Republican, 1662 South Porter Avenue, Aurora, Lawrence County, Missouri 65605, as a member of the Public Defender Commission, for a term ending March 11, 2019, and until his successor is duly appointed and qualified; vice, Miller M. Leonard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the above appointment be returned to the Governor per his request, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 117**, with **SCS**, entitled:

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HCS** for **HB 117**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 117

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions and a delayed effective date.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 117** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 117**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 117

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions and a delayed effective date.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 117** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 117** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator McKenna—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **HCS** for **HB 986**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Romine offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 7, Section 208.146, Line 87, by inserting after all of said line the following:

“208.993. 1. The president pro tempore of the senate and the speaker of the house of representatives may jointly establish a committee to be known as the “Joint Committee on Medicaid Transformation”.

2. The committee may study the following:

- (1) Development of methods to prevent fraud and abuse in the MO HealthNet system;**
- (2) Advice on more efficient and cost-effective ways to provide coverage for MO HealthNet participants;**
- (3) An evaluation of how coverage for MO HealthNet participants can resemble that of commercially available health plans while complying with federal Medicaid requirements;**
- (4) Possibilities for promoting healthy behavior by encouraging patients to take ownership of their health care and seek early preventative care;**
- (5) Advice on the best manner in which to provide incentives, including a shared risk and savings to health plans and providers to encourage cost-effective delivery of care; and**
- (6) Ways that individuals who currently receive medical care coverage through the MO HealthNet program can transition to obtaining their health coverage through the private sector.**

3. If established, the joint committee shall be composed of twelve members. Six members shall be from the senate, with four members appointed by the president pro tempore of the senate, and two members of the minority party appointed by the president pro tempore of the senate with the advice of the minority leader of the senate. Six members shall be from the house of representatives, with four members appointed by the speaker of the house of representatives, and two members of the minority party appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

4. The provisions of this section shall expire on January 1, 2014.; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above substitute amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. No health information organization may impose connection fees or recurring connection fees on another health information organization for the purpose of exchanging standards-based clinical summaries for patients or for sharing information of an agency of the state of Missouri.

3. As used in this section, the following terms shall mean:

(1) “Fine or penalty”, any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;

(2) “Health care system”, any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or

health care data or health care information for its participants;

(3) “Health information organization”, an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Curls offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 1, In the Title, Line 3, by striking “public assistance” and inserting in lieu thereof the following: “health care services”; and further amend line 4, by inserting immediately after “section” the following: “and an effective date for a certain section”; and

Further amend said bill, page 7, section 208.1050, line 22, by inserting immediately after said line the following:

“376.1900. 1. As used in this section, the following terms shall mean:

(1) “Electronic visit”, or “e-Visit”, an online electronic medical evaluation and management service completed using a secured web-based or similar electronic-based communications network for a single patient encounter. An electronic visit shall be initiated by a patient or by the guardian of a patient with the health care provider, be completed using a federal Health Insurance Portability and Accountability Act (HIPAA) compliant online connection, and include a permanent record of the electronic visit;

(2) “Health benefit plan” shall have the same meaning ascribed to it in section 376.1350;

(3) “Health care provider” shall have the same meaning ascribed to it in section 376.1350;

(4) “Health care service”, a service for the diagnosis, prevention, treatment, cure or relief of a physical or mental health condition, illness, injury or disease;

(5) “Health carrier” shall have the same meaning ascribed to it in section 376.1350;

(6) “Telehealth” shall have the same meaning ascribed to it in section 208.670.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, shall not deny coverage for a health care service on the basis that the health care service is provided through telehealth if the same service would be covered if provided through face-to-face diagnosis, consultation, or treatment.

3. A health carrier may not exclude an otherwise covered health care service from coverage solely because the service is provided through telehealth rather than face-to-face consultation or contact between a health care provider and a patient.

4. A health carrier shall not be required to reimburse a telehealth provider or a consulting provider for site origination fees or costs for the provision of telehealth services; however, subject to correct coding, a health carrier shall reimburse a health care provider for the diagnosis, consultation, or treatment of an insured or enrollee when the health care service is delivered through telehealth on

the same basis that the health carrier covers the service when it is delivered in person.

5. A health care service provided through telehealth shall not be subject to any greater deductible, copayment, or coinsurance amount than would be applicable if the same health care service was provided through face-to-face diagnosis, consultation, or treatment.

6. A health carrier shall not impose upon any person receiving benefits under this section any copayment, coinsurance, or deductible amount, or any policy year, calendar year, lifetime, or other durational benefit limitation or maximum for benefits or services, that is not equally imposed upon all terms and services covered under the policy, contract, or health benefit plan.

7. Nothing in this section shall preclude a health carrier from undertaking utilization review to determine the appropriateness of telehealth as a means of delivering a health care service, provided that the determinations shall be made in the same manner as those regarding the same service when it is delivered in person.

8. A health carrier or health benefit plan may limit coverage for health care services that are provided through telehealth to health care providers that are in a network approved by the plan or the health carrier.

9. Nothing in this section shall be construed to require a health care provider to be physically present with a patient where the patient is located unless the health care provider who is providing health care services by means of telehealth determines that the presence of a health care provider is necessary.

10. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.”; and

Further amend said bill and page, section B, line 6, by inserting immediately after said line the following:

“Section C. The enactment of section 376.1900 of this act shall become effective January 1, 2014.”; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SCS for HCS for HB 986**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS for HCS for HB 986**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 428, introduced by Representative Schatz, with **SCS**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to the issuance of salvage motor vehicle titles.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HB 428**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 428

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to the issuance of salvage motor vehicle titles.

Was taken up.

Senator Wasson moved that **SCS** for **HB 428** be adopted.

Senator Wasson offered **SS** for **SCS** for **HB 428**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 428

An Act to repeal sections 301.193 and 301.260, RSMo, and to enact in lieu thereof three new sections relating to the registration and licensing of motor vehicles.

Senator Wasson moved that **SS** for **SCS** for **HB 428** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HB 428** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed Senator Brown to replace Senator Schaefer on the Conference Committee on **HCS** for **SB 41**, as amended.

PRIVILEGED MOTIONS

Senator Schaefer moved that the Senate refuse to concur in **HCS** for **SB 73**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Curls moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, **HA 4**, **HSA 1** for **HA 5**, **HA 6**, **HA 7** and **HA 8** to **SCS** for **SB 224** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Munzlinger moved that **SCS** for **HB 103**, as amended, be called from the Informal Calendar and

taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HB 103**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President Pro Tem declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1002, regarding the One Hundredth Birthday of Ruby Marie Tate Dryden See, which was adopted.

Senator Schaaf offered Senate Resolution No. 1003, regarding Stroke Awareness Month, which was adopted.

Senator Kehoe offered Senate Resolution No. 1004, regarding the Eightieth Birthday of Norman D. “Bud” DeVore, Iberia, which was adopted.

Senators Dixon and Wasson offered Senate Resolution No. 1005, regarding the One Hundredth Anniversary of the Springfield-Greene County Park Board, which was adopted.

On behalf of Senator Rupp and himself, Senator Lamping offered Senate Resolution No. 1006, regarding Allison Jean Pratt, Defiance, which was adopted.

Senators Lamping and Chappelle-Nadal offered Senate Resolution No. 1007, regarding Emily Rose Bublitz, Florissant, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1008, regarding Audrey Lorine Corbin, St. Louis, which was adopted.

Senators Lamping and Walsh offered Senate Resolution No. 1009, regarding Kelli Audrey Goldman, Florissant, which was adopted.

Senator Wallingford offered Senate Resolution No. 1010, regarding BJ Tanksley, Cape Girardeau, which was adopted.

Senator Sater offered Senate Resolution No. 1011, regarding Scotty Penner, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1012, regarding the Thirtieth Anniversary of Arning Companies, Inc., Cassville, which was adopted.

Senator Dixon offered Senate Resolution No. 1013, regarding Duane Grimme, Satsuma, Florida, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Nieves introduced to the Senate, Kenneth C. Lynn, Tom Hoemeyer, Patricia Powell, Brett Workman, SSG Cameron Carney, SFC Sherry Foxx, Bob White, Ken Strubberg and Marc Magil; and Mrs. Julie Vinnedge.

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Robb Hicks, St. Louis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-NINTH DAY—THURSDAY, MAY 16, 2013

FORMAL CALENDAR

VETOED BILLS

HOUSE BILLS ON SECOND READING

HJR 17-Burlison, et al

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 473 (Lager)
(In Fiscal Oversight) | 16. HB 733-Berry, et al (Silvey) |
| 2. HCS for HJR 5 & 12, with SCS (Kraus)
(In Fiscal Oversight) | 17. HCS for HB 813 (In Fiscal Oversight) |
| 3. HCS for HBs 48 & 216 (Kraus)
(In Fiscal Oversight) | 18. HB 632-Dunn, et al |
| 4. HCS for HB 114 (Brown)
(In Fiscal Oversight) | 19. HB 634-Elmer, with SCA 1 |
| 5. HCS for HB 653, with SCS (Pearce)
(In Fiscal Oversight) | 20. HCS for HB 513 (Emery) |
| 6. HCS for HB 343, with SCS (Kraus) | 21. HB 42-Rowland, with SCS (Nieves) |
| 7. HB 429-Schatz | 22. HB 808-Funderburk, et al (Nieves) |
| 8. HCS for HB 30 (In Fiscal Oversight) | 23. HB 301-Engler, with SCS (Romine) |
| 9. HB 152-Solon, et al, with SCS (Kraus) | 24. HCS for HBs 373 & 435, with SCS
(Dixon) |
| 10. HCS for HB 675 (Pearce) | 25. HCS for HB 257 (Sater) |
| 11. HCS for HB 76, with SCS (Pearce) | 26. HB 702-Englund, et al (Brown) |
| 12. HCS for HB 28, with SCS | 27. HJR 8-Solon, et al (Munzlinger)
(In Fiscal Oversight) |
| 13. HB 60-Engler, with SCS | 28. HB 715-McCaherty (Nieves) |
| 14. HCS for HB 222, with SCS (Schmitt)
(In Fiscal Oversight) | 29. HCS for HB 312 (Lager) |
| 15. HB 568-Lauer and Gatschenberger,
with SCS (Kraus) | 30. HB 442-Hoskins, et al, with SCS
(Lamping) |
| | 31. HCS for HB 252, with SCS (Lamping) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------------|---|
| SB 3-Rupp, with SA 1 (pending) | SB 53-Lamping |
| SB 13-Schaefer, with SCS | SB 61-Keaveny, with SCA 1 (pending) |
| SB 21-Dixon | SB 65-Dixon, with SCS |
| SB 22-Dixon | SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) |
| SB 30-Brown, with SCS | SB 82-Schaefer, with SCS |
| SB 48-Lamping | |

SB 109-Brown, with SCS
 SB 133-Keaveny and Holsman, with SCS &
 SA 1 (pending)
 SB 141-Dempsey
 SB 167-Sater and Wallingford, with SCS
 SB 174-Parson, with SCS
 SB 175-Wallingford
 SB 207-Kehoe, et al, with SCS
 SB 231-Munzlinger, with SA 1 (pending)
 SB 239-Emery, with SCS & SA 2 (pending)
 SB 250-Schaaf, with SCS
 SB 259-Schaaf, with SCS
 SB 272-Nieves, with SA 2 (pending)
 SB 285-Romine
 SB 291-Rupp
 SB 292-Rupp
 SB 308-Schaaf
 SB 315-Pearce

SB 325-Nieves
 SB 339-Romine
 SB 343-Parson
 SB 364-Parson
 SB 371-Munzlinger, with SCS
 SB 377-Dixon
 SB 383-Wallingford
 SB 396-Holsman and Chappelle-Nadal,
 with SCS
 SB 403-Rupp, with SCS
 SB 410-Kehoe
 SB 419-Lager, with SCS
 SB 423-Nasheed
 SB 441-Dempsey
 SB 448-Schmitt and Keaveny
 SB 455-Nieves, with SCS
 SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
 HB 55-Flanigan and Allen, with SCS
 (Schaefer)
 HB 85-Kelley (127), et al (Dixon)
 HCS for HB 110, with SCS (Kraus)
 HB 112-Burlison, with SA 2 (pending)
 (Brown)
 HB 116-Dugger, with SCS, SS for SCS &
 SA 2 (pending) (Dixon)
 HCS for HB 128 (Kraus)
 HCS for HB 134, with SCS (Schmitt)
 HB 148-Davis, et al, with SCS (Brown)
 HCS for HB 161, with SCS (Schmitt)
 HCS for HB 168 (Kraus)
 HCS for HB 175, with SCS (Parson)
 SS for HB 184-Cox, et al (Parson)
 (In Fiscal Oversight)
 HCS for HB 194 (Parson)
 HCS for HB 215, with SCS (Dixon)
 HB 274-Brattin, et al, with SCS (Brown)
 HB 278-Brattin, et al (Emery)
 HCS for HB 306, with SCA 1 & SCA 2 (Pearce)

HCS for HB 320 (Lager)
 HB 336-Hinson, et al (Silvey)
 HB 346-Molendorp (Wasson)
 HCS for HB 349 (Kehoe)
 HCS for HB 388, with SCS (Pearce)
 HCS for HBs 404 & 614, with SCS & SS for
 SCS (pending) (Kehoe)
 HB 409-Love and Remole, with SS
 (pending) (Parson)
 HB 432-Funderburk, et al, with SCS &
 SA 1 (pending) (Lager)
 HCS for HB 440, with SCS (Munzlinger)
 HB 450-Carpenter, et al, with SCS
 (Silvey)
 HCS for HB 457, with SCS (Rupp)
 HCS for HB 505, with SCS (Dixon)
 HCS for HBs 593 & 695 (Schaaf)
 SCS for HCS for HB 611 (Kraus)
 (In Fiscal Oversight)
 HB 625-Burlison, with SCS (Wasson)
 HCS for HB 722, with SCS (Lamping)
 HJR 16-McCaherty, et al, with SCS (Schaaf)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended
SCS for SB 118-Kraus, with HCS
SB 222-Lamping, with HCS, as amended

SCS for SB 302-Wasson, with HA 1, HA 2,
HA 3 & HA 4
SS#2 for SCS for SJR 16-Kehoe, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 1-Rupp, with HCS, as
amended (Senate adopted CCR and
passed CCS)
SCS for SB 9-Pearce, with HCS, as amended
SCS for SB 17-Munzlinger and Romine,
with HCS, as amended
SCS for SB 33-Lamping, with HA 1, HA 2,
HA 3, HA 4, HA 5 & HA 6 (Senate
adopted CCR and passed CCS)
SCS for SB 36-Wallingford and Sifton,
with HA 1 (Senate adopted CCR and
passed CCS)
SB 41-Munzlinger, with HCS, as amended
SCS for SB 42-Munzlinger, with HCS, as
amended
SB 43-Munzlinger, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 45-Dixon, with HCS, as amended
SB 51-Munzlinger, with HCS, as amended
SB 57-Romine, with HCS, as amended
(Further conference requested)
SB 90-McKenna, with HCS, as amended
SS for SCS for SB 114-Schmitt, with
HA 1, as amended

SB 127-Sater, with HCS, as amended
SCS for SB 157 & SB 102-Sater, with HCS,
as amended
SB 161-Pearce, with HCS, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 248-Wasson, with HA 1 & HA 2
SCS for SB 256-Silvey, with HCS, as amended
SS for SB 262-Curls, with HCS, as amended
SB 327-Dixon, with HA 1
SB 330-Wasson, with HCS, as amended
(Senate adopted CCR#2 and passed
CCS#2)
HCS for HB 199, with SS, as amended
(Lamping)
HCS for HBs 256, 33 & 305, with SA 2 &
SA 3 (Kehoe)
HB 307-Riddle, et al, with SS for SCS,
as amended (Schmitt)
HCS for HBs 374 & 434, with SS for SCS,
as amended (Dixon)
HCS#2 for HB 698, with SCS, as amended
(Schmitt)
HCS for HB 1035, with SCS, as amended
(Schmitt)

Requests to Recede or Grant Conference

SB 73-Schaefer, with HCS, as amended
(Senate requests House recede or
grant conference)
SB 77-Lamping, with HA 1 (Senate
requests House recede & take up and
pass bill)

SCS for SB 224-Curls, et al, with HA 1,
HA 2, HA 3, HA 4, HSA 1 for HA 5,
HA 6, HA 7 & HA 8 (Senate requests
House recede or grant conference)

1966

Journal of the Senate

RESOLUTIONS

Reported from Committee

HCR 25-Allen (Sifton)

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-NINTH DAY—THURSDAY, MAY 16, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Cast your burden on the Lord and he will sustain you; He will never permit the righteous to be moved.” (Psalm 55:22)

Heavenly Father, we are mindful of the stress and burdens we carry into this day and the weight of what today holds. So we pray that You will sustain us and permit us to continue to do what is right and best for our people and to never be moved from that. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 1014, regarding Georgia S. Haley, Lonedell, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HB 542** and has taken up and passed **SS** for **SCS** for **HB 542**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 342**, entitled:

An Act to repeal sections 178.550, 192.300, 196.311, 267.655, 304.180, 304.184, 348.521, 442.571, 442.576, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof nineteen new sections relating to agriculture, with penalty provisions.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5, 6, and 7.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1**

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 342, Page 1, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

“fee shall range from one hundred to [two thousand] five hundred dollars per year. Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 342, Page 11, Section 267.655, Line 14, by inserting after all of said section and line the following:

“273.327. **1.** No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to two thousand five hundred dollars per year, **except for commercial breeders for which the license fee shall range from one hundred to one thousand dollars per year.** Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the

department of agriculture for the purpose of administering operation bark alert or any successor program. Pounds or dog pounds shall be exempt from payment of the fees under this section. License fees shall be levied for each license issued or renewed on or after January 1, 1993.

2. Effective January 1, 2014, an animal shelter shall be exempt from the payment of any and all fees set out in this section.

3. Prior to January 1, 2014, the director, upon promulgation of rules, may exempt any animal shelter from payment of any or all fees set out in this section.

4. In addition to other duties imposed by this section, the director may also deny any applicant of an animal shelter license or revoke the license of any animal shelter licensee, if it is determined by the director that the applicant or the licensee unreasonably profits from the charges for adoption or sales of its animals.”; and

Further amend said bill, Page 19, Section 578.009, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words “substantial harm to the animal.”; and

Further amend said bill, Section 578.011, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words “**exceeding twelve hours.**”; and

Further amend said bill, Page 20, Section 578.012, Lines 6-9, by deleting all of said lines and inserting in lieu thereof the words “[or adequate control] **which results in substantial harm to the animal.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 342, Page 2, Lines 22-28, by deleting all of said lines from the amendment; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 342, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

“192.300. 1. The county commissions [and] **or** the county health center boards of the several counties **with the concurrence of their respective county commission** may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644**, or by the department of social services under chapter 198. The county commissions [and] **or** the county health center boards of the several counties **with the concurrence of their respective county commission** may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities

for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission or county health board, such commission or county health board shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission or county health board of any such county has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commissions or the county health center boards with the concurrence of their respective county commission shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commissions or the county health center boards with the concurrence of their respective county commission shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources.”; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word “**agricultural**” and inserting in lieu thereof the word “**agriculture**”; and

Further amend said bill and page, Section 267.655, Line 3, by inserting immediately after the first occurrence of the word “**the**” the word “**department**”; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words “**one-half of**”; and

Further amend said bill, page, section and line, by inserting after the word “**no**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word “**All**” the word “**such**”; and

Further amend said bill and section, Page 16, Line 16, by deleting the words “**one-half of**”; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket “[” before the word “Any”; and

Further amend said bill, page and section, Line 38, by placing a closing bracket “]” immediately after “(k)”; and

Further amend said bill, section, and page by renumbering the paragraphs accordingly; and

Further amend said bill, Page 20, Section 1 and Section 2, by deleting all of said sections from the bill;

and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 342, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

“644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission.”; and

Further amend said bill, Page 20, Section 2, Line 6, by inserting after all of said section and line the following:

“Section 3. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

“ 64.196. 1. After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance adopted under this section shall conflict with liquified petroleum gas installations regulations established under section 323.020.

135.710. 1. As used in this section, the following terms mean:

(1) “Alternative fuels”, any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

- (a) Ethanol;
- (b) Natural gas;
- (c) Compressed natural gas, **or CNG**;
- (d) Liquified natural gas, **or LNG**;
- (e) Liquified petroleum gas, **LP gas, propane, or autogas**;

(f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;

(g) Hydrogen;

(2) "Department", the department of natural resources;

(3) "Eligible applicant", a business entity that is the owner of a qualified alternative fuel vehicle refueling property **or makes more than twenty-five qualified conversions in a one-year period;**

(4) **"Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or self propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:**

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds; or

(b) A vehicle solely operated on rails;

(5) "Qualified alternative fuel vehicle refueling property", property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens which, if constructed after August 28, 2008, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply;

[[5]] (6) "Qualified Missouri contractor", a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years.

2. For all tax years beginning on or after January 1, **[2009] 2014**, but before January 1, **[2012] 2017**, any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the refueling property. The credit allowed in this **[section] subsection** per eligible applicant shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment on any qualified alternative fuel vehicle refueling property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified alternative fuel vehicle refueling property;

(2) Costs associated with the purchase of an existing qualified alternative fuel vehicle refueling property;
or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing facilities were placed in service at a

qualified alternative fuel vehicle refueling property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

- (1) In taxable year 2009, three million dollars;
- (2) In taxable year 2010, two million dollars; and
- (3) In taxable year 2011,] one million dollars **per year**.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. An alternative fuel vehicle refueling property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the alternative fuel vehicle refueling property ceased to sell alternative fuel and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, [2008] **2013**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for **generation, transportation or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas, solar or wind power equipment**, water, and sewage;

(5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and

on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverters, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverters;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Equipment or property with a retail value of fifty thousand dollars or less required for the use, transmission, generation or storage of alternative or renewable energy as used in an eligible alternative energy operation as defined under section 30.750 or alternative fuels as defined under section 135.710 and section 414.400, used either for fleet, transportation, power generation, heat or other such application. Said equipment shall be exempt from the assessment of any state, county or local property taxes for such time as the equipment, property or installation is in working order

142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) **“Additive”, a substance designed to increase engine power or performance introduced by injection or other means into a fuel system but which is not capable of propelling the vehicle without the primary fuel. Use of additives fuels does not require compliance with subsection 1 of section 142.869;**

(2) **“Agricultural purposes”,** clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

[(2)] (3) **“Alternative fuel”,** electricity, liquefied petroleum gas (LPG [or] , LP gas, **propane or autogas**), compressed natural gas product (**CNG, liquified natural gas or LNG**), or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

[(3)] (4) **“Aviation fuel”,** any motor fuel specifically compounded for use in reciprocating aircraft engines;

[(4)] (5) **“Blend stock”,** any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

[(5)] (6) **“Blended fuel”,** a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

[(6)] (7) **“Blender”,** any person that produces blended motor fuel outside the bulk transfer/terminal system;

[(7)] (8) **“Blending”,** the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

[(8)] (9) **“Bulk plant”,** a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

[(9)] (10) **“Bulk transfer”,** any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

[(10)] (11) **“Bulk transfer/terminal system”,** the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk

transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

[(11)] (12) “Consumer”, the user of the motor fuel;

[(12)] (13) “Delivery”, the placing of motor fuel or any liquid into the fuel tank of a motor vehicle or bulk storage facility;

[(13)] (14) “Department”, the department of revenue;

[(14)] (15) “Destination state”, the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

[(15)] (16) “Diesel fuel”, any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. “Diesel fuel” does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. “Diesel fuel” does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

[(16)] (17) “Diesel-powered highway vehicle”, a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

[(17)] (18) “Director”, the director of revenue;

[(18)] (19) “Distributor”, a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

[(19)] (20) “Dyed fuel”, diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

[(20)] (21) “Eligible purchaser”, a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

[(21)] (22) “Export”, to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

[(22)] (23) “Exporter”, any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

[(23)] (24) “Farm tractor”, all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

[(24)] (25) “Fuel grade alcohol”, a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending

with motor fuel;

[(25)] (26) “Fuel transportation vehicle”, any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

[(26)] (27) “Gasoline”, all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

[(27)] (28) “Gross gallons”, the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

[(28)] (29) “Heating oil”, a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

[(29)] (30) “Import”, to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

[(30)] (31) “Import verification number”, the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

[(31)] (32) “Importer” includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

[(32)] (33) “Interstate motor fuel user”, any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

[(33)] (34) “Invoiced gallons”, the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

[(34)] (35) “K-1 kerosene”, a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

[(35)] (36) “Kerosene”, the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

[(36)] (37) “Liquid”, any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

[(37)] (38) “Motor fuel”, gasoline, diesel fuel, kerosene and blended fuel;

[(38)] (39) “Motor vehicle”, any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable

of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

[(39)] (40) “Net gallons”, the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

[(40)] (41) “Permissive supplier”, an out-of-state supplier that elects, but is not required, to have a supplier’s license pursuant to this chapter;

[(41)] (42) “Person”, natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

[(42)] (43) “Position holder”, the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

[(43)] (44) “Propel”, the operation of a motor vehicle, whether it is in motion or at rest;

[(44)] (45) “Public highway”, every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

[(45)] (46) “Qualified terminal”, a terminal which has been assigned a terminal control number (“tcn”) by the Internal Revenue Service;

[(46)] (47) “Rack”, a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

[(47)] (48) “Refiner”, any person that owns, operates, or otherwise controls a refinery;

[(48)] (49) “Refinery”, a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

[(49)] (50) “Removal”, any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

[(50)] (51) “Retailer”, a person that engages in the business of selling or dispensing to the consumer within this state;

[(51)] (52) “Supplier”, a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;

[(52)] (53) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;

[(53)] (54) "Terminal", a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

[(54)] (55) "Terminal bulk transfers" include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

[(55)] (56) "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

[(56)] (57) "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

[(57)] (58) "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;

[(58)] (59) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

[(59)] (60) "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange

party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

[(60)] **(61)** “Ultimate vendor”, a person that sells motor fuel to the consumer;

[(61)] **(62)** “Undyed diesel fuel”, diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

[(62)] **(63)** “Vehicle fuel tank”, any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each

complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the [LP gas or natural gas equipment] **alternative fuel system** is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any [person] **Missouri resident** to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, **electricity**, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it.

(1) Sales of [fuel] all alternative fuels placed in the supply receptacle of a motor vehicle [displaying such decal] shall be recorded upon an invoice, which invoice shall include the decal number, if applicable, the motor vehicle license number and the number of gallons placed in such supply receptacle. Such invoices shall be kept by the seller for a period of two years.

(2) Sales of all vehicles propelled by alternative fuels, whether through qualified conversion or equipped by the original manufacturer shall be reported to the department annually.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 342, Page 10, Section 262.795, Line 13, by inserting after all of said line the following:

“262.975. 1. The department of agriculture may contract with an internet website development company to build and maintain the “Missouri International Agricultural Exchange” website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.

2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.

3. The state of Missouri shall have exclusive rights of ownership of all website content produced

on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:

(1) Use all informational content provided by the department of agriculture, add to such content, and apply search engine optimization to the website content to achieve a high search engine ranking;

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website;

(3) Prohibit the sale of advertising to any entity on the exchange website that is not related to agriculture or furthers the interest of hate content, obscenity and sexual material, bombs, spyware, adult content, political content, antigroup content and violence, discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted works, counterfeit designer goods, drug and drug paraphernalia, fake documents, gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for personal information, tobacco and cigarettes and traffic devices, and other types of advertising deemed not appropriate by the director; and

(4) Ensure that all website content shall be named a “.com” domain to allow for advertisement.

4. The website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department or the department of economic development;

(2) Provide evidence of prior website development projects produced by the website developer which increased search engine rankings for the client.

5. The department of agriculture, in consultation with the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the exchange website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department of agriculture shall have the authority to terminate any contract under this section at the department’s discretion. Any website developer under contract with the department of agriculture may have a contract terminated for failure to operate under the department’s guidelines for the exchange website. If a contract is terminated, the department shall immediately assume ownership of all site-related domain names. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of agriculture may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed three million dollars in any given fiscal year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

“135.1590. 1. This section shall be known and may be cited as the “Show-Me Milk and Infrastructure Stabilization Act”.

2. As used in this section, the following terms mean:

(1) “Authority”, the Missouri agricultural and small business development authority established in chapter 348;

(2) “Qualified milk producer”, any resident taxpayer actively engaged in business as a producer of grade A milk.

3. For all taxable years beginning on or after January 1, 2013, a qualified milk producer shall be allowed a tax credit against the state tax liability incurred under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the total aggregate allowable credit per year divided by the number of qualified grade A dairies as determined by the Missouri state milk board. The maximum credit allowed to a qualified milk producer shall not exceed twenty-five thousand dollars per year.

4. Taxpayers shall apply for the milk production tax credit by submitting an application to the authority, on a form provided by the authority. As part of the application, the taxpayer shall provide his or her producer identification number and documentation as to the amount of milk produced by his or her operation during the tax credit allowance period.

5. On or before January 1, 2016, the authority shall issue a report, and make such report available for public inspection, on the total number of pounds of milk produced by each qualified milk producer in each of the three preceding calendar years.

6. The total aggregate amount of tax credits authorized under this section shall not exceed five million dollars in a calendar year.

7. Any individual or business entity may assign, transfer, or sell tax credits allowed in this section. All tax credits allowed under this section must be used in the year in which they are issued. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after January 1, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill, Page 18, Section 570.030, Lines 45-46, by deleting all of said lines and inserting in lieu thereof the following:

“4. Notwithstanding any other provision of law, stealing of any animal considered livestock, as that term is defined in section 144.010, is a class B felony if the value of the livestock exceeds ten thousand dollars.”; and

Further amend said bill, Page 20, Section 1 and Section 2, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 72**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 72, Page 1, In the Title, Line 3, by deleting the words “motorcycle awareness month” and inserting in lieu thereof the words “special awareness days”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“9.149. December fourth shall be designated as “PKS Day” in Missouri. Pallister-Killian Mosaic Syndrome, commonly known as Pallister-Killian Syndrome or PKS, is a disorder usually caused by the presence of an abnormal extra chromosome and is characterized by vision and hearing impairments, seizure disorders, and early childhood, intellectual disability, distinctive facial features, sparse hair, areas of unusual skin coloring, weak muscle tone, and other birth defects. It is recommended to the people of the state that this day be appropriately observed by participating in awareness and educational activities on the symptoms and impact of Pallister-Killian Syndrome and

to support programs of research, education, and community service.”; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 75**, entitled:

An Act to repeal sections 32.090, 50.535, 57.010, 57.104, 57.280, 136.055, 221.070, 302.181, 571.010, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 650.350, RSMo, and to enact in lieu thereof twenty-four new sections relating to firearms, with penalty provisions.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 75, Page 1, The Title, by deleting the word “firearms” and inserting in lieu thereof the words “public safety”; and

Further amend said substitute, said page, The Title, by inserting immediately after the word “provisions” the following:

“, and an emergency clause for certain sections”; and

Further amend said substitute, said page, Section 32.090, Lines 1-12, by removing all of said section from the substitute; and

Further amend said substitute, Page 2, Section 50.535, Line 2 by removing the phrase “10 and 11” and inserting in lieu thereof the phrase “[10 and 11] **11 and 12**”; and

Further amend said substitute, Page 3, Section 57.010, Line 22, by inserting immediately after said line the following:

“57.100. **1.** Every sheriff shall quell and suppress assaults and batteries, riots, routs, affrays and insurrections; shall apprehend and commit to jail all felons and traitors, and execute all process directed to him by legal authority, including writs of replevin, attachments and final process issued by circuit and associate circuit judges.

2. Beginning January 1, 2014, every sheriff shall maintain, house, and issue concealed carry permits as specified under chapter 571.”; and

Further amend said substitute, Page 3, Section 57.104, Lines 1-2 by removing said lines and inserting in lieu thereof the following:

“57.104. **1** The sheriff of any county of the first classification not having a charter form of government, **county of the second**”; and

Further amend said substitute, Pages 3-5, Section 57.280, Lines 1-5, by removing all of said Section from the Substitute; and

Further amend said substitute, Pages 5-6, Section 136.055, Lines 1-51, by removing all of said section from the substitute; and

Further amend said substitute, Pages 8-9, Section 302.065, Lines 1-29, by removing all of said section from the substitute; and

Further amend said substitute, Pages 12-14, Section 571.010, Lines 1-73, by removing said section from the substitute; and

Further amend said substitute, Page 19, Section 571.101, Lines 18-19 by deleting said lines and inserting in lieu thereof the following:

“2. A [certificate of qualification for a concealed carry endorsement] **concealed carry permit** issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or”; and

Further amend said substitute, Page 20, said section, Line 53, by inserting the words “**or closed**” immediately after the word “public”; and

Further amend said substitute, Page 22, said section, Line 152, by deleting the words “**certificate of qualification**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, Page 23, said section, Line 154, by deleting the word “**certificate**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, said page, said section, Line 158, by deleting the phrase “**certificate of qualification**” and insert in lieu thereof the word “**permit**”; and

Further amend said substitute, said page, said section, Line 160, by deleting the word “**certificate**” and insert in lieu thereof the word “**permit**”; and

Further amend said substitute, said page, said section, Line 162, by deleting the phrase “**department of revenue**” and insert in lieu thereof the phrase “**Missouri uniform law enforcement system**”; and

Further amend said substitute, said page, said section, Line 163, by deleting the phrase “**certification of qualification**” and insert in lieu thereof the phrase “**permit**”; and

Further amend said substitute, Page 24, said section, Line 205, by deleting said Line and inserting in lieu thereof the following:

“(4) **The expiration date.**

The permit shall be no larger than two inches wide by; and

Further amend said substitute, said page, said section, Lines 210-211, by deleting the phrase “**certificate of qualification**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, said page, said section, Line 217, by inserting immediately after the word “**given**” the following:

“**to the members of MoSMART, created under section 650.350, for the dissemination of the information**”; and

Further amend said substitute, said page, said section, Lines 219-221, by deleting said Lines and inserting in lieu thereof the following:

“**of this subsection.**”; and

Further amend said substitute, said page, said section, Line 223 by deleting the phrase “**certificate of qualification**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, Page 25, said section, Line 227 by deleting the phrase “**certificate of qualification**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, said page, said section, Line 239, by inserting immediately after the word “**entity**” the following:

“, **except to MoSMART as provided under subsection 9 of this section**”; and

Further amend said Substitute, said page, said section, Line 245, by deleting said line and inserting in lieu thereof the following:

“in each county shall charge a nonrefundable fee not to exceed one hundred dollars which”; and

Further amend said substitute, said page, said section, Line 249, by deleting said line and inserting in lieu thereof the following:

“each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid”; and

Further amend said substitute, said page, said section, Line 254, by inserting immediately after said line the following:

“14. For the purposes of this chapter, “concealed carry permit” shall include any concealed carry endorsement issued by the department of revenue before January 1, 2014 and any concealed carry document issued by any sheriff or under the authority of any sheriff after December 31, 2013.”; and

Further amend said substitute, Page 26, Section 571.104, Lines 12-15 by deleting all of said lines and inserting in lieu thereof the following:

“an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry **permit or** endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the”; and

Further amend said substitute, Page 28, said section, Line 104, by deleting the phrase “[may] **shall**” and inserting in lieu thereof the word “may”; and

Further amend said substitute, said page, said section, Line 105, by deleting the opening bracket “[“ and closing bracket “]” around the phrase “not more than”; and

Further amend said substitute, Page 29, said section, Line 122, by deleting the word “**shall**” and inserting in lieu thereof the word “**may**”; and

Further amend said substitute, said page, said section, Line 140, by deleting the opening bracket “[“ and closing bracket “]” around the phrase “not more than”; and

Further amend said substitute, Page 34, Section 571.111, Line 18 by inserting an opening bracket “[“ before the word “by” and a closing bracket “]” after the word “217.105”; and

Further amend said substitute, Page 36, said section, Line 77 by deleting all of said line and inserting in lieu thereof the following:

“submit a copy of a training instructor certificate, course outline bearing notarized signature of instructor,”; and

Further amend said substitute, said page, said section, Line 81 by deleting the word “**to**” and inserting in lieu thereof the word “**by**”; and

Further amend said substitute, Page 40, Section 571.117, Line 77 by deleting the phrase “**certificate of qualification**” and inserting in lieu thereof the word “**permit**”; and

Further amend said substitute, Page 41, Section 571.121, Line 5 by inserting after the word “endorsement” the phrase “**or permit**”; and

Further amend said substitute, said page, Section 571.500, Line 3 by inserting immediately after the word “**the**” the phrase “**state or**”; and

Further amend said substitute, Page 42, Section 650.350, Line 20, by deleting said line and inserting in lieu thereof the following:

“created under section 57.278 **or money deposited into the concealed carry permit fund created under subsection 5 of this section**, all moneys appropriate to or received by MoSMART shall be”; and

Further amend said substitute, said page, said section, Line 29, by deleting the word “**Conceal**” and inserting in lieu thereof the word “**Concealed**”; and

Further amend said substitute, said page, said section, Lines 31-32, by removing the phrase “**distrubute at least fifty percent but not more than one hundred percent of the fund annually**” and insert in lieu thereof the phrase “**annually distribute all monies in the fund**”; and

Further amend said substitute, said page, said section, Line 36, by deleting the phrase “**conceal carry endorsements**” and insert in lieu thereof the phrase “**concealed carry permits**”; and

Further amend said substitute, said page, said section, Line 37, by inserting immediately after the word “**services.**” the following:

“**Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**”; and

Further amend said substitute, Page 43, Section 650.350, Line 60, by inserting immediately after said line the following:

“**10. Beginning August 28, 2013, the department of revenue shall begin transferring any records related to the issuance of a concealed carry permit to MoSMART for dissemination to the sheriff of the county or city not within a county in which the applicant or permit holder resides.**”; and

Further amend said substitute, Section 571.102, Page 43, Line 9, by inserting immediately after said line the following:

“Section B. Because immediate action is necessary to permit the MoSMART board to have proper funding necessary to implement the provisions of this act, the repeal and reenactment of section 650.350 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 650.350 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 75, Page 14, Section 571.010, Line 73, by

inserting after all of said section and line the following:

“571.011. 1. Any records of ownership of a firearm or applications for ownership, licensing, certification, permitting, or an endorsement that allows a person to own, acquire, possess, or carry a firearm shall not be open records under chapter 610 and shall not be open for inspection or their contents disclosed except by order of the court to persons having a legitimate interest therein.

2. Any person or entity who violates the provisions of this section is guilty of a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 117** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SCS** for **SB 224**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 73**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SB 57**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 73**, as amended. Representatives: Cornejo, Haahr, and Englund.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SCS** for **SB 224**, as amended. Representatives: Torpey, McCaherty, and Rizzo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has reappointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 57**, as amended. Representatives: Engler, Keeney, and Roorda.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey reappointed the following conference committee to act with a like committee from the House on **HCS** for **SB 57**, as amended: Senators Romine, Richard, Libla, McKenna and Sifton.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 224**, as amended: Senators Curls, Silvey, Wallingford, Pearce and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 73**, as amended: Senators Schaefer, Brown, Dixon, McKenna and Holsman.

PRIVILEGED MOTIONS

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 9**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 9

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, with House Amendment Nos. 1, 2, 3, and 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 9;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce

/s/ Brian Munzlinger

/s/ David Sater

/s/ S. Kiki Curls

/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Casey Guernsey

/s/ Todd Richardson

/s/ Gina Mitten

Senator Pearce moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Pearce, **CCS No. 2** for **HCS** for **SCS** for **SB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 9

An Act to repeal sections 178.550, 267.655, 442.571, 442.576, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof nine new sections relating to agriculture, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 17**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 17

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute

for Senate Bill No. 17, with House Amendment Nos. 1, 2, 3, 4, 5 & 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 17;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger

/s/ John Lamping

/s/ Gary Romine

/s/ S. Kiki Curls

/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Mike Thomson

/s/ Dwight Scharnhorst

/s/ Genise Montecillo

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, **CCS** for **HCS** for **SCS** for **SB 17**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 17

An Act to repeal sections 168.021, 169.070, 169.270, 169.291, 169.301, 169.324, 169.350, 169.670, and 178.550, RSMo, and to enact in lieu thereof twelve new sections relating to education.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla

McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 127**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 127

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 127, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 127, as amended;
2. That the Senate recede from its position on Senate Bill No. 127;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 127 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Jay Wasson
/s/ Gary Romine
/s/ Jason Holsman
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Donna Lichtenegger
/s/ Jay Barnes
/s/ Jeanne Kirkton

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna

Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senator Silvey—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Sater, **CCS** for **HCS** for **SB 127**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 127

An Act to repeal sections 208.146, 208.151, 208.152, 208.895, and 660.315, RSMo, and to enact in lieu thereof eight new sections relating to public assistance benefits.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senator Silvey—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **HB 184**; **SCS** for **HCS** for **HB 611**; and **HCS** for **HB 114**, begs leave to report that it has

considered the same and recommends that the bills do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 460**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 137**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 217**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HBs 455** and **297**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 756**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 543**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Parson moved that **SS** for **HB 184** be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 184** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nasheed—1

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 175, with SCS, entitled:

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for the collection of local government funds.

Was called from the Informal Calendar and taken up by Senator Parson.

SCS for HCS for HB 175, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 175

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof fifteen new sections relating to procedures for the collection of local government funds.

Was taken up.

Senator Parson moved that **SCS for HCS for HB 175** be adopted.

Senator Parson offered **SS for SCS for HCS for HB 175**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 175

An Act to repeal sections 54.280, 67.457, 67.463, 67.469, 67.1521, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, and 140.665, RSMo, and to enact in lieu thereof fifteen new sections relating to procedures for the collection of local government funds.

Senator Parson moved that **SS** for **SCS** for **HCS** for **HB 175** be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SCS** for **HCS** for **HB 175** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 248**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 248

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 248, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 248, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 248;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 248 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson

/s/ Bob Dixon

/s/ Mike Cunningham

/s/ Jolie L. Justus

/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Lyndall Fraker

/s/ Sandy Crawford

/s/ Michele Kratky

Senator Wasson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Wasson, **CCS** for **SCS** for **SB 248**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 248

An Act to repeal sections 67.457, 67.463, 67.469, 67.1521, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, and 140.665, RSMo, and to enact in lieu thereof fourteen new sections relating to property taxes.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Curls, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 262**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 262

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 262, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 262, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 262;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 262 be Third Read and Finally Passed.

FOR THE SENATE:
/s/ S. Kiki Curls
Scott Rupp
/s/ Michael L. Parson
/s/ Wayne Wallingford
/s/ Jolie L. Justus

FOR THE HOUSE:
/s/ Chris Molendorp
/s/ Dwight Scharnhorts
/s/ Margo McNeil

Senator Curls moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

Emery Kraus Lager Lamping Nieves—5

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Curls, **CCS** for **HCS** for **SS** for **SB 262**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 262

An Act to repeal sections 354.410, 354.415, 354.430, 376.405, 376.426, 376.777, 376.961, 376.962, 376.964, 376.966, 376.968, 376.970, 376.973, and 376.1363, RSMo, and to enact in lieu thereof thirty new sections relating to health insurance, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

Emery Kraus Lager Lamping Nieves—5

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Holsman	Justus	Keaveny
Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

Emery Kraus Lager Lamping Nieves—5

Absent—Senators

Dempsey Sifton—2

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

May 16, 2013

Terry Spieler
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

Due to an unavoidable absence, until the end of the legislative day which began on May 16, 2013, or until my return to the Missouri State Capitol Building, whichever occurs first, I authorize the Senate Majority Floor Leader to exercise the following duties:

- Appoint conferees to conference committees
- Take Reports of Standing Committees
- Refer bills to the Committee on Governmental Accountability and Fiscal Oversight

Sincerely,
Tom Dempsey

HOUSE BILLS ON SECOND READING

The following Joint Resolution was read the 2nd time and referred to the Committee indicated:

HJR 17—Appropriations.

PRIVILEGED MOTIONS

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **SB 327**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 327

The Conference Committee appointed on Senate Bill No. 327, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 327, as amended;
2. That the Senate recede from its position on Senate Bill No. 327;
3. That the attached Conference Committee Substitute for Senate Bill No. 327, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
 /s/ Gary Romine
 /s/ Jay Wasson
 /s/ Jolie L. Justus
 /s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Elijah Haahr
 /s/ Robert Cornejo
 /s/ Jeff Roorda

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Dixon, **CCS** for **SB 327**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 327

An Act to repeal sections 478.007, 544.455, and 557.011, RSMo, and to enact in lieu thereof three new sections relating to the supervision of criminal offenders, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 118**, with **HCS** be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 118** was taken up.

Senator Kraus moved that **HCS** for **SCS** for **SB 118** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Kraus, **HCS** for **SCS** for **SB 118** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh
Wasson—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 42**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 42

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, with House Amendment Nos. 1, 4, & 5, House Amendment No. 1 to House Amendment No. 3, and House Amendment No. 3, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 42;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Michael L. Parson
/s/ Will Kraus
/s/ Maria Chappelle-Nadal
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Jay D. Houghton
/s/ Mike Colona

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Munzlinger, **CCS** for **HCS** for **SCS** for **SB 42**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 42

An Act to repeal sections 57.010, 57.104, 221.070, 313.321, 488.5028, 488.5320, and 590.205 as truly agreed to and finally passed by the first regular session of the ninety-seventh general assembly in senate committee substitute for house committee substitute for house bill no. 436, RSMo, and to enact in lieu thereof nine new sections relating to law enforcement agencies.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 157** and **SB 102**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157
AND
SENATE BILL NO. 102

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended and House Amendment No. 4,

begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater

/s/ Will Kraus

/s/ Ryan Silvey

/s/ Jolie Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Don Phillips

/s/ Tony Dugger

/s/ Mary Nichols

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

On motion of Senator Sater, **CCS** for **HCS** for **SCS** for **SB 157** and **SB 102**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 157
AND
SENATE BILL NO. 102

An Act to repeal sections 407.300, 407.302, 407.303, and 407.485, RSMo, and to enact in lieu thereof five new sections relating to the disposition of personal property, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 117** and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 117**: Senators Wasson, Dixon, Cunningham, Keaveny and LeVota.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS No. 2** for **SCS** for **SB 1**, as amended, and has taken up and passed **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 1**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 282**, entitled:

An Act to repeal sections 174.700, 174.703, 174.706, 302.302, 302.341, and 544.157, RSMo, and to enact in lieu thereof eleven new sections relating to the regulation of motor vehicles, with penalty provisions.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 6, Section

302.341, Line 46, by inserting after all of said line the following:

“304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 9, Section 304.894, Line 40, by inserting after all of said line and section the following:

“307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. A motorcycle may be equipped with a means of varying the brightness of the vehicle’s brake light for a duration of not more than five seconds upon application of the vehicle’s brakes.

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 3, Section 174.712, Line 5, by inserting after said line the following:

“302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days’ notice in writing by certified mail directed to such person’s present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person’s license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person’s license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term “denial” means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person’s license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed pursuant to chapter 190**; or

(3) Any member of the operator’s family within three degrees of consanguinity, or the operator’s spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336, **or any emergency medical technician licensed pursuant to chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or

assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 7, Section 304.892, Line 17, by deleting the word “**may**” on said line and inserting in lieu thereof the word “**shall**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 342**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schaefer moved that **SB 72**, with **HA 1** be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

McKenna Rupp—2

Vacancies—None

On motion of Senator Schaefer, **SB 72**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

McKenna Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Silvey, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 256**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 256

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 256;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Ryan Silvey

/s/ Gary Romine

/s/ David Sater

/s/ Jolie Justus

/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Noel Torpey

/s/ Dave Hinson

/s/ Kevin McManus

Senator Silvey moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Lager Schaaf—2

Absent—Senators—None

Absent with leave—Senators

McKenna Rupp—2

Vacancies—None

On motion of Senator Silvey, **CCS** for **HCS** for **SCS** for **SB 256**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 256

An Act to repeal sections 160.2100, 210.950, 211.447, and 595.220, RSMo, and to enact in lieu thereof five new sections relating to child abuse and neglect.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Lager Schaaf—2

Absent—Senators—None

Absent with leave—Senators

McKenna Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **HCS** for **SB 75**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 1015, regarding Thomas B. Mulhearn, which was adopted.

Senator Nasheed offered Senate Resolution No. 1016, regarding Carol Henderson-Powell, which was

adopted.

Senator Schaefer offered Senate Resolution No. 1017, regarding Dr. Sandra Logan, Columbia, which was adopted.

Senator Emery offered Senate Resolution No. 1018, regarding Rebecca Ann Emery, which was adopted.

Senator Curls offered Senate Resolution No. 1019, regarding Melissa Stone, St. Joseph, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **SB 117**. Representatives: Dugger, Crawford, and Conway (10).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 342**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended, for **HB 103** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

Senator Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 342**, as amended: Senators Parson, Kehoe, Cunningham, McKenna and LeVota.

REFERRALS

Senator Richard referred **HCS** for **HBs 455** and **297**; and **HB 756** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SCS** for **HCS** for **HB 611**, as amended, be called from the Informal Calendar and taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 611**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Silvey	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—7
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Absent—Senators

Curls LeVota Schmitt—3

Absent with leave—Senators

Dempsey McKenna Rupp—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Dixon move that **HB 116**, with **SCS**, **SS** for **SCS** and **SA 2** (pending) be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Dixon, **SS** for **SCS** for **HB 116** was withdrawn rendering **SA 2** moot.

Senator Dixon offered **SS No. 2** for **SCS** for **HB 116**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 116

An Act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.055, 50.057, 50.622, 50.1030, 56.809, 70.605, 86.900, 86.990, 86.1000, 86.1010, 86.1030, 86.1100, 86.1110, 86.1150, 86.1180, 86.1210, 86.1220, 86.1230, 86.1240, 86.1250, 86.1270, 86.1310, 86.1380, 86.1420, 86.1500, 86.1530, 86.1540, 86.1580, 86.1590, 86.1610, 86.1630, 103.025, 104.190, 104.480, 169.020, and 238.272, RSMo, and to enact in lieu thereof fifty new sections relating to public accounts, with penalty provisions and an emergency clause for a certain section.

Senator Dixon moved that **SS No. 2** for **SCS** for **HB 116** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 118, Section 238.272, Lines 20-21 of said page, by striking the following: “or three percent of the expenditures made by the transportation district”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 12, Section 29.221, Line 12 of said page, by inserting immediately after said line, the following:

“3. Any person may bring a civil action for a violation of Missouri law constituting improper

government activity as provided in subsection 2 of this section in the name of the state, if any state funds are involved, or for a political subdivision in the name of the political subdivision, if political subdivision funds are exclusively involved. The person bringing the action shall be referred to as the qui tam plaintiff. Once filed, the action may be dismissed only with the written consent of the court and the attorney general or prosecuting authority of a political subdivision, or both.

(1) A complaint filed by a private person under this subsection shall be filed in a court of competent jurisdiction and may remain under seal for up to sixty days. No service shall be made on the defendant until after the complaint is unsealed.

(2) On the same day as the complaint is filed pursuant to subdivision (1) of this subsection, the qui tam plaintiff shall serve, by mail with “return receipt requested”, the attorney general with a copy of the complaint and a written disclosure of substantially all material evidence and information the person possesses.

(3) Within sixty days after receiving a complaint and written disclosure of material evidence and information alleging violations that involve state funds or political subdivision funds, the attorney general may elect to intervene and proceed with the action. The attorney general may, for good cause shown, move the court for extensions of the time during which the complaint shall remain under seal. Before the expiration of the sixty day period or any extensions, the attorney general shall either:

(a) Notify the court that it intends to proceed with the action, in which case the action shall be conducted by the attorney general and the seal shall be lifted;

(b) Notify the court that it declines to proceed with the action, in which case the seal shall be lifted and the qui tam plaintiff shall have the right to conduct the action.

(4) In any action commenced under this subsection, the qui tam plaintiff shall receive ten percent of the proceeds of the action or settlement of the claim.”.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Sifton offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 4, Section 29.005, Line 19 of said page, by inserting immediately after the word “court” the following: “**or any entity that receives any state funds whatsoever**”.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Munzlinger offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 19, Section 29.351, Line 5, by inserting immediately after said line, the following:

“33.087. 1. Every department and division of the state that receives any grant of federal funds of one million dollars or more shall document and make the following information easily available to the public on the Missouri accountability portal established in section 37.850:

(1) Any amount of funds it receives from the federal government;

(2) The name of the federal agency disbursing the funds;

(3) The purpose for which the funds are being received;

(4) The name of any state agency to which any portion of the funds are transferred by the initial receiving department or division, the amount transferred, and the purpose for which those funds are transferred; and

(5) The information provided to the department or division pursuant to subsection 2 of this section.

2. If a department or division receives a grant of federal funds and transfers a portion of such funds to another department or division, the department or division receiving the transferred funds shall report to the department or division from which the funds were transferred, an accounting of how the transferred funds were used and any statistical impact that can be discerned as a result of such usage.

3. All information referred to in subsection 1 of this section shall be updated within thirty days of any receipt or transferal of funds.

4. The office of administration shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

33.300. The governor, lieutenant governor, attorney general, [state auditor,] state treasurer, and commissioner of administration constitute the board of fund commissioners, of which the governor is president and the state treasurer, secretary. The board shall direct the payment of interest on the state debt, the redemption, issue and cancellation of bonds of the state, and perform all acts required of it by law.

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, Internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to the purchase of goods and services and the distribution of funds for state programs; **all bonds issued by any public institution of higher education or political subdivision of this state or its designated authority after August 28, 2013, all obligations issued or incurred pursuant to section 99.820 by any political subdivision of this state or its designated authority, and the revenue stream pledged to repay such bonds or obligations; and all debt incurred by any public charter school.**

3. The Missouri accountability portal shall be updated each state business day and maintained as the primary source of information about the activity of Missouri's government.

4. **Upon the conducting of a withholding or a release of funds, the governor shall submit a report stating all amounts withheld from the state's operating budget for the current fiscal year, as authorized by article IV, section 27 of the Missouri Constitution which shall be:**

- (1) Conspicuously posted on the accountability portal website;
- (2) Searchable by the amounts withheld or released from each individual fund; and
- (3) Searchable by the total amount withheld or released from the operating budget.

5. Every political subdivision of the state, including public institutions of higher education but excluding school districts, shall supply all information described in subsection 2 of this section to the office of administration within seven days of issuing or incurring such corresponding bond or obligation. For all such bonds or obligations issued or incurred prior to the effective date of this act, every such political subdivision and public institution of higher education shall have ninety days to supply such information to the office of administration.

6. Every school district and public charter school shall supply all information described in subsection 2 of this section to the department of elementary and secondary education within seven days of issuing such bond, or incurring such debt. The department of elementary and secondary education shall have forty-eight hours to deliver such information to the office of administration. For all such bonds issued or debt incurred prior to the effective date of this act, every school district and public charter school shall have ninety days to supply such information to the department of elementary and secondary education. The department of elementary and secondary education shall have forty-eight hours to deliver such information to the office of administration.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 16, Section 29.235, Line 21, by striking the following: “For the purposes of this chapter” and inserting in lieu thereof, the following: **“Insofar as necessary to conduct an audit under this chapter”**.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 36, Section 70.605, Line 7, by inserting immediately after said line, the following:

“86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) “Accumulated contributions”, the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) “Actuarial equivalent”, a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) “Average final compensation”:

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;

(6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(7) “Creditable service”, prior service plus membership service as provided in sections 86.200 to 86.366;

(8) “DROP”, the deferred retirement option plan provided for in section 86.251;

(9) “Earnable compensation”, the annual salary **established under section 84.160** which a member would earn during one year on the basis of the member's rank or position [as specified in the applicable salary matrix] plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a “noneligible participant” is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(10) “Internal Revenue Code”, the federal Internal Revenue Code of 1986, as amended;

(11) “Mandatory contributions”, the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(12) **“Medical board”, the board of three physicians of different disciplines appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which board shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations, which can be based upon the opinion of a single member or that of an outside specialist if one is appointed, upon all the matters referred to such medical board;**

(13) “Member”, a member of the retirement system as defined by sections 86.200 to 86.366;

[(13)] (14) “Members' interest”, interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

[(14)] (15) “Membership service”, service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case “membership service” means service as a policeman rendered since last becoming a member prior to entering such armed service;

[(15)] (16) “Plan year” or “limitation year”, the twelve consecutive-month period beginning each October first and ending each September thirtieth;

[(16)] (17) “Policeman” or “police officer”, any member of the police force of such cities who holds a

rank in such police force;

[(17)] **(18)** “Prior service”, all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

[(18)] **(19)** “Reserve officer”, any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

[(19)] **(20)** “Retirement allowance”, annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

[(20)] **(21)** “Retirement system”, the police retirement system of the cities as defined in sections 86.200 to 86.366;

[(21)] **(22)** “Surviving spouse”, the surviving spouse of a member who was the member's spouse at the time of the member's death.

86.257. 1. Upon the application of [a member in service or of] the board of police commissioners **or any successor body**, any member who has completed ten or more years of creditable service **or upon the police retirement system created by sections 86.200 to 86.366 first attaining, after the effective date of this act, a funded ratio, as defined in section 105.660 and as determined by the system's annual actuarial valuation, of at least eighty percent, a member who has completed five or more years of creditable service** and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by the actual performance of his or her official duties or by his or her own negligence shall be retired by the board of [trustees of the police retirement system] **police commissioners or any successor body** upon certification by the medical [director] **board** of the police retirement system and approval by the board of trustees of the police retirement system that the member is mentally or physically unable to perform the duties of a police officer, that the inability is permanent or likely to become permanent, and that the member should be retired.

2. Once each year during the first five years following such member's retirement, and at least once in every three-year period thereafter, the board of trustees may, and upon the member's application shall, require any nonduty disability beneficiary who has not yet attained sixty years of age to undergo a medical examination at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any nonduty disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her nonduty disability pension may be discontinued until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

3. If the medical [director] **board** certifies to the board of trustees that a nonduty disability beneficiary is able to perform the duties of a police officer, and if the board of trustees concurs on the report, then such beneficiary's nonduty disability pension shall cease.

4. If upon cessation of a disability pension under subsection 3 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she

shall be credited with all of his or her active retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

86.263. 1. Any member **in active service** who is permanently unable to perform the **full and unrestricted** duties of a police officer as the natural, proximate, and exclusive result of an accident occurring within the actual performance of duty at some definite time and place, through no negligence on the member's part, shall[, upon application,] be retired **by the board of police commissioners or any successor body** upon certification by [the medical director of the police retirement system and approval by the board of trustees of the police retirement system] **one or more physicians of the medical board** that the member is mentally or physically unable to perform the **full and unrestricted** duties of a police officer [and] , that the inability is permanent or [reasonably] likely to become permanent, **and that the member should be retired. The inability to perform the “full and unrestricted duties of a police officer” means the member is unable to perform all the essential job functions for the position of police officer as established by the board of police commissioners or any successor body.**

2. No member shall be approved for retirement under the provisions of subsection 1 of this section unless the application was made and submitted to the board of [trustees of the police retirement system] **police commissioners or any successor body** no later than five years following the date of accident, provided, that if the accident was reported within five years of the date of the accident and an examination made of the member within thirty days of the date of accident by a health care provider whose services were provided through the board of police commissioners with subsequent examinations made as requested, then an application made more than five years following the date of the accident shall be considered timely.

3. Once each year during the first five years following a member's retirement, and at least once in every three-year period thereafter, the board of trustees may require any disability beneficiary who has not yet attained sixty years of age to undergo a medical examination or medical examinations at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her disability pension may be discontinued **by the board of trustees of the police retirement system** until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

4. If the medical [director] **board** certifies to the board of trustees that a disability beneficiary is able to perform the duties of a police officer, [and if the board of trustees concurs with the medical director's determination,] then such beneficiary's disability pension shall cease.

5. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active service time as a member including the service time prior to receiving disability retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

6. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is not restored to active service, such former disability beneficiary shall be entitled to the retirement benefit to which such former disability beneficiary would have been entitled if such former disability beneficiary had terminated service for any reason other than dishonesty or being convicted of a felony at the time of such cessation of such former disability beneficiary's disability pension. For purposes

of such retirement benefits, such former disability beneficiary shall be credited with all of the former disability beneficiary's active service time as a member, but not including any time during which the former disability beneficiary received a disability beneficiary pension under this section.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS No. 2** for **SCS** for **HB 116**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **HB 116**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 24**, entitled:

An Act to repeal sections 64.170, 64.196, 64.205, 67.281, 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, 68.259, 71.012, 71.014, 71.015, 72.401, 137.090, 137.095, 143.790, 144.030, 177.011, 177.088, 184.800, 184.805, 184.810, 184.815, 184.820, 184.827, 184.830, 184.835, 184.840, 184.845, 184.850, 184.865, 190.100, 192.310, 228.369, 302.302, 302.341, 321.322, 321.690, 476.385, and 577.041, RSMo, and 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof fifty-four new sections relating to political subdivisions, with penalty provisions, and an emergency clause for a certain section, and an effective date for certain sections.

With House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8 and 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, House Amendment Nos. 11, 12 and 13.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 24, Page 27, Section 137.095, Line 20, by inserting after all of said line the following:

“143.115. 1. As used in this section, the following terms mean:

(1) “Deduction”, an amount subtracted from the taxpayer’s Missouri adjusted gross income to

determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) “Made in America”, manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(3) “Storm shelter”, an above-ground safe room or an in-ground shelter in this state in the taxpayer’s primary residence or on the taxpayer’s real property that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency’s Publication 320 or its successor publication in effect at the time the storm shelter was completed, and that is made in America;

(4) “Taxpayer”, any individual who is a resident of this state and who is subject to the income tax imposed in this chapter.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2014, a taxpayer shall be allowed a deduction for the costs incurred in constructing or installing a storm shelter. The deduction amount shall be equal to the lesser of the full amount of the costs incurred in constructing the storm shelter or two thousand five hundred dollars. No taxpayer shall claim a tax deduction more than once under this section, and no deduction shall be issued for more than one storm shelter constructed or installed by such taxpayer for the taxpayer’s primary residence.

3. The aggregate amount of tax deductions which may be issued under this section in any one fiscal year shall not exceed two million dollars. If the amount of tax deductions claimed under this section exceeds two million dollars, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax deductions are equally apportioned among all taxpayers allowed a tax deduction under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax deductions possible up to the cumulative amount of tax deductions available for the fiscal year.

4. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 24, Page 26, Section 92.387, Line 2, by inserting after all of said section and line, the following:

“96.155. 1. The board of trustees of a hospital established under this chapter, with the concurrence of the council of the city of the third class, may, by resolution, abolish the property tax authorized by section 96.150 to fund the operations of a hospital in accordance with sections 96.150 to 96.228 and impose a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the operations of a hospital under sections 96.150 to 96.228. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the board of trustees of such a hospital submits to the voters residing within the city of the third class at a state general, primary, or special election a proposal to authorize the board of trustees to impose a tax under this section. If two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by two-thirds of the qualified voters voting on the question. The question shall be submitted in the following form:

Shall the board of trustees of _____ (hospital, nursing home, or convalescent home, etc.) and the city council of _____ (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of _____ (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

YES NO

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital operated under sections 96.150 to 96.228, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special

trust fund, which is hereby created and shall be known as the “City of the Third Class City Hospital Sales Tax Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the board of trustees of the city hospital for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such board of trustees. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city of the third class. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city of the third class equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the board of trustees shall submit to the voters of the city of the third class a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the board of trustees shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city of the third class, the director shall remit the balance in the account to the district and close the account of that city hospital. The director shall notify each board of trustees of each instance of any amount refunded or any check redeemed from receipts due the hospital operated under sections 96.150 to 96.228.

7. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section.”; and

Further amend said bill, Page 45, Section 144.030, Line 288, by inserting after all of said section and line, the following:

“144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570 **or sections 96.150 to 96.228**, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or section 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165**, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.”; and

Further amend said bill, Page 62, Section 192.310, Line 7, by inserting after all of said section and line, the following:

“205.205. 1. The governing body of any [hospital district] **county which has established a county hospital** under sections 205.160 to 205.379 [in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants or any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants] may, by resolution, abolish the property tax authorized [in such district] **by section 205.200 to fund a county hospital** under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the **county** hospital [district]. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the [hospital district] **county** submits to the voters residing within the [district] **county** at a state general, primary, or special election a proposal to authorize the governing body of the [district] **county** to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. **The question shall be submitted in the following form:**

Shall the board of trustees of _____ (hospital, nursing home, or convalescent home, etc.) and the city council of _____ (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of _____ (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

YES NO

3. All revenue collected under this section by the director of the department of revenue on behalf of the **county** hospital [district], except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "**County** Hospital [District] Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the [district] **county** equal to at least ten percent of the number of registered voters of the [district] **county** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the [district] **county** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the [hospital district] **county** shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the [district] **county** and close the account of that [district] **county**. The director shall notify each [district] **county** of each instance of any amount refunded or any check redeemed from receipts due the [district] **county**.

7. The levy of a sales tax by a county under this section or section 205.202 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters

of the county.

8. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall not be more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. The question shall be submitted in the following form:

Shall the board of trustees of _____ (hospital, nursing home, or convalescent home, etc.) and the city council of _____ (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of _____ (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

YES NO

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. The levy of a sales tax by a hospital district under section 205.205 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the hospital district.

8. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section.”; and

Further amend said bill, Page 96, Section 321.690, Line 28, by inserting after all of said section and line, the following:

“407.485. 1. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect [donations of] unwanted household items via a public receptacle and resell the [donated] **deposited** items for profit unless the [donation] **deposited item** receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “[DONATIONS]

DEPOSITED ITEMS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT. DEPOSITED ITEMS ARE NOT TAX DEDUCTIBLE”.

2. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not-for-profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “DONATIONS TO THE FOR-PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not-for-profit) % OF ALL PROCEEDS ARE DONATED TO (name of the nonprofit beneficiary organization’s name).”

3. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for-profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and one hundred percent of the proceeds from the sale of the items are given directly to the not-for-profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “THIS DONATION RECEPTACLE IS OPERATED BY THE FOR-PROFIT ENTITY: (name of the for-profit/individual) ON BEHALF of (name of the nonprofit beneficiary organization’s name)”.

4. It shall be an unfair business practice in violation of section 407.020 for a not-for-profit entity to collect donations of unwanted household items via a public receptacle and resell the donated items unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: “THIS RECEPTACLE IS OWNED AND OPERATED BY THE NOT-FOR-PROFIT ENTITY: (name of the not-for-profit/charity) AND (% of proceeds donated to the not-for-profit) % OF THE PROCEEDS FROM THE SALE OF ANY DONATIONS SHALL BE USED FOR THE CHARITABLE MISSION OF (charity name/charitable cause)”.

[4.] 5. The term “bold letters” as used in subsections 1, 2, and 3 of this section shall mean a primary color on a white background so as to be clearly visible to the public.

[5.] 6. Nothing in this section shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

[6.] 7. Any entity which, on or before June 1, 2009, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsection 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after August 28, 2009, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after August 28, 2009.

8. All donation receptacles described in this section shall conspicuously display the name, address, and telephone number of the owner and operator of the receptacle. For any receptacles covered in this section, the owner or operator of the receptacle shall maintain permission to place the receptacle on the property from the property owner or agent of the owner of the property where the receptacle is located. Such permission shall be in writing and clearly identify the owner of the receptacle and property owner or his or her agent in addition to the nature of the collections and where proceeds will be accrued. Failure to secure such permission shall constitute an unfair business practice in addition to any other statutory conditions. Unless otherwise agreed to in writing, the property owner or his or

her agent may remove the receptacle and any charges incurred in such removal shall be the responsibility of the owner of the receptacle. Unless the receptacle owner pays such charges within thirty calendar days of the sending of a written certified letter from the property owner stating his or her intent to remove the receptacle, the receptacle owner shall relinquish any right to the receptacle. If the receptacle does not conspicuously display the name, address, and telephone number of the owner and operator of the receptacle, the receptacle shall be considered abandoned property and may be destroyed or permanently possessed by the property owner or their agent.

9. Any owner and operator of a receptacle that does not display the address of the owner and operator, but does display the website of the owner and operator, shall make the address easily accessible on such website for the property owner to send the letter specified in subsection 8 of this section. The provisions of this subsection shall expire on September 1, 2014.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO

HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Bill No. 24, Page 7, Line 7, by inserting after all of said line the following:

“Further amend House Committee Substitute for Senate Bill No. 24, Page 96, Section 321.690, Line 28, by inserting after said line the following:

“407.312. 1. As used in this section, the following terms shall mean:

(1) “Florist”, any business that derives fifty percent or more of its gross income from the sale or arranging for the sale of flowers or floral arrangements;

(2) “Local telephone number”, a specific telephone number with area code and prefix assigned for the purpose of completing local calls between a calling party or station and any other party or station within a designated exchange or all of its designated local calling areas. The term “local telephone number” shall not mean long distance telephone numbers or any toll-free telephone numbers listed in a local telephone directory;

(3) “Person”, shall have the same meaning as in section 407.010.

2. A person shall not misrepresent the geographical location of a florist in a contact listing:

(1) In a telephone directory or other directory assistance database;

(2) On an internet website; or

(3) In a print advertisement.

3. A person is considered to misrepresent the geographical location of a florist for purposes of this section if the name of the florist indicates that the florist is located in a geographical area and:

(1) The florist is not physically located within the geographical area indicated;

(2) The listing fails to identify the municipality and state of the florist’s actual physical geographical location; and

(3) A telephone call to the local telephone number provided for the florist that is:

(a) Listed in the directory or database is routinely forwarded or transferred to a location that is

outside the calling area covered by the directory or database in which the number is listed; or

(b) Provided on the internet website or in a print advertisement is routinely forwarded or transferred to a location that is outside the calling area of the geographical area indicated by the name of the florist.

4. A person may place a contact listing for a florist under this section when the name of the florist indicates that it is located in a geographical area that is different from the geographical area in which the florist is actually physically located if a conspicuous notice in the listing states the municipality and state in which the florist is actually physically located.

5. This section shall not apply to:

(1) A publisher of a telephone directory or other publication, or a provider of a directory assistance service publishing or providing information about another business;

(2) An internet website that aggregates and provides information about other businesses;

(3) An owner or publisher of a print medium providing information about other businesses;

(4) An internet service provider; or

(5) An internet service that displays or distributes advertisements for other businesses.

6. A violation of this section shall be considered an unlawful practice under 407.020 and may be prosecuted in the same manner as any unlawful practice under that section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 24, Page 26, Section 92.387, Line 2, by inserting after all of said line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation

of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision

collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent

of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the

commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 24 Page 2, Line 42, by inserting after all of said line the following:

“Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section and line, the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable, **except that if a political subdivision increases its rate of property taxation after the adoption of the redevelopment project said additional taxation revenues shall not be considered to be payment in lieu of taxes subject to capture under this section.** The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred

thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have

made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United

States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first

classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the “Missouri Supplemental Tax Increment Financing Fund”, to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 24, Page 62, Section 190.100, Line 168, by inserting after all of said section and line, the following:

“190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for an ambulance service issued pursuant to the provisions of sections 190.001 to 190.245.

2. [No ground ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes in the state of Missouri unless the ground ambulance is under the immediate supervision and direction of a person who is holding a currently valid Missouri license as an emergency medical technician. Nothing in this section shall be construed to mean that a duly registered nurse or a duly licensed physician be required to hold an emergency medical technician’s license. Each ambulance service is responsible for assuring that any person driving its ambulance is competent in emergency vehicle operations and has a safe driving record.] Each ground ambulance shall be staffed with

at least two licensed individuals when transporting a patient, except as provided in section 190.094.

3. No license shall be required for an ambulance service, or for the attendant of an ambulance, which:

(1) Is rendering assistance in the case of an emergency, major catastrophe or any other unforeseen event or series of events which jeopardizes the ability of the local ambulance service to promptly respond to emergencies; or

(2) Is operated from a location or headquarters outside of Missouri in order to transport patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri, but no such outside ambulance shall be used to pick up patients within Missouri for transportation to locations within Missouri, except as provided in subdivision (1) of this subsection.

4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245 shall not be construed so as to authorize any person to provide ambulance services or to operate any ambulances without a franchise in any city not within a county or in a political subdivision in any county with a population of over nine hundred thousand inhabitants, or a franchise, contract or mutual-aid agreement in any other political subdivision which has enacted an ordinance making it unlawful to do so.

5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or regulation not in conflict with such sections by any city not within a county, or at least as strict as such sections by any county, municipality or political subdivision except that no such regulations or ordinances shall be adopted by a political subdivision in a county with a population of over nine hundred thousand inhabitants except by the county's governing body.

6. In a county with a population of over nine hundred thousand inhabitants, the governing body of the county shall set the standards for all ambulance services which shall comply with subsection 5 of this section. All such ambulance services must be licensed by the department. The governing body of such county shall not prohibit a licensed ambulance service from operating in the county, as long as the ambulance service meets county standards.

7. An ambulance service or vehicle when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad safety.

8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of such employer's employees whose illness or injury occurs on private property, and not on a public highway or property, nor to any person operating such a motor vehicle.

9. A political subdivision that is authorized to operate a licensed ambulance service may establish, operate, maintain and manage its ambulance service, and select and contract with a licensed ambulance service. Any political subdivision may contract with a licensed ambulance service.

10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection 2 of section 190.109, shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to promulgate laws, ordinances or regulations related to the provision of ambulance services. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is

authorized to provide ambulance service to operate an ambulance service without a franchise in an ambulance district or a fire protection district that is authorized to provide ambulance service which has enacted an ordinance making it unlawful to do so. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

12. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section, is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages pursuant to chapter 67.

14. Upon the sale or transfer of any ground ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 24, Page 3, Line 14, by inserting after all of said line, the following:

“Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section and line, the following:

“144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of “retail sale” or “sale at retail” shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer’s trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer’s trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(14) The sale of the right under a contract of six months or more for the right of first refusal to purchase tickets for seating in a multi-purpose arena owned by a political subdivision and managed

or operated by a private business and located in a city with a population of more than three hundred thousand inhabitants which is located in more than one county, when the contract is not for the sale of the right to enter an event at such arena without the payment of an admission charge.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 24, Page 4, Section 67.281, Line 17, by inserting after all of said section and line, the following:

“67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six tenths of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes.

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent up to six tenths of one percent)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not

become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, “transient guests” means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.”; and

Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section and line the following:

“94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tipling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in

such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under [subsections] **subsection 1**[, 2, and 3] of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 24, Page 30-37, Section 143.790, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 24, Page 102, Section 577.041, Line 138, by inserting after all of said section and line the following:

“644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to

meet any new water quality standards or classifications prescribed by the commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 24, Page 102, Section 577.041, Line 138, by inserting after all of said Section and Line the following:

“577.665. 1. As used in this section, the following terms shall mean:

(1) “Tanning device”, any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;

(2) “Tanning facility”, any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.

2. Prior to any person less than seventeen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall annually appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person’s use of a tanning device at the tanning facility.

3. Any person who violates the provisions of this section shall be subject to a fine of fifty dollars. Any tanning facility that violates the provisions of this section shall be subject to a fine of five hundred dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 24, Page 93, Section 302.525, Line 60, by inserting immediately after said line the following:

“311.055. 1. No person at least twenty-one years of age shall be required to obtain a license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed two hundred gallons per calendar year if there are two or more persons over the age of twenty-one years in such household, or one hundred gallons per calendar year if there is only one person over the age of twenty-one years in such household. Any intoxicating liquor manufactured under this section may not be offered for sale.

2. Beer brewed under this section may be removed from the premises where brewed for personal or family use, including use at organized affairs, exhibitions, or competitions, such as home brewer contests, tastings, or judging. The use may occur off licensed retail premises, on any premises under a temporary retail license issued under sections 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization’s licensed premises as described in section 311.090.

311.091. 1. **Except as provided under subsection 2 of this section and** notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of [liquor] **alcohol and tobacco** control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry one hundred or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. **Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.**

3. For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year.

Section B. Because of the need to clarify the laws relating to beer brewed for personal or family use, the repeal and reenactment of section 311.055 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 311.055 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Bill No. 24, Page 5, Line19, by inserting after all of said line the following:

“Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section and line the following:

“144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) “Admission” includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) “Business” includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) “Captive wildlife”, includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) “Gross receipts”, except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term “gross receipts” shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) “Livestock”, cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) “Motor vehicle leasing company” shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) “Person” includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust,

business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) “Purchaser” means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) “Research or experimentation activities” are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) “Sale” or “sales” includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) “Sale at retail” means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term “sale at retail” shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events, **which shall only include dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) “Seller” means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun “tax” means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) “Telecommunications service”, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, “information” means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer’s bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) “Product which is intended to be sold ultimately for final use or consumption” means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term “manufactured homes” shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the “Sales Tax Law”.

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

(1) Subject to a tax in this or any other state;

(2) For resale;

(3) Excluded from tax under this chapter;

(4) Subject to tax but exempt under this chapter; or

(5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such

property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, [including] **which shall only include games or athletic events, dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions**, shall remit tax on the amount paid for admissions or seating accommodations, or fees paid to, or in such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.

144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, including but not limited to motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, **or games and athletic events, which shall only include dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks,**

circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.".; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 24, Page 29, Section 143.145, Line 78, by inserting after all of said section and line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection:**

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] **(c)** For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] **a.** “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

[(b)] **b.** “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

[(c)] **c.** Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state[;].

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale[,]; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) “Administration services” include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) “Affiliate”, the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) “Distribution services” include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage

of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each

investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this

state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 24, Page 93, Section 302.525, Line 60, by inserting after all of said section and line the following:

“313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) “Adjusted gross receipts”, the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) “Applicant”, any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) “Bank”, the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) “Capital, cultural, and special law enforcement purpose expenditures” shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization,

parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) “Cheat”, to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) “Commission”, the Missouri gaming commission;

(7) **“Credit instrument”, a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person’s banking account on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;**

(8) “Dock”, the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[[8]] (9) “Excursion gambling boat”, a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[[9]] (10) “Fiscal year” shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[[10]] (11) “Floating facility”, any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[[11]] (12) “Gambling excursion”, the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[[12]] (13) “Gambling game” includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[[13]] (14) “Games of chance”, any gambling game in which the player’s expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[[14]] (15) “Games of skill”, any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player’s expected return; including, but not limited to, the gambling games known as “poker”, “blackjack” (twenty-one), “craps”, “Caribbean stud”, “pai gow poker”, “Texas hold’em”, “double down stud”, and any

video representation of such games;

[(15)] (16) “Gross receipts”, the total sums wagered by patrons of licensed gambling games;

[(16)] (17) “Holder of occupational license”, a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)] (18) “Licensee”, any person licensed under sections 313.800 to 313.850;

[(18)] (19) “Mississippi River” and “Missouri River”, the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)] (20) “Supplier”, a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill [referred to in subdivision (14) of] **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant’s or licensee’s home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill?

All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee’s initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats

licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

- (1) The recommended number of licensed excursion gambling boats operating in such city or county;
- (2) The recommended licensee or licensees operating in such city or county;
- (3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;
- (4) The city or county proposed sharing of revenue with any other municipality;
- (5) Any other information such city or county deems necessary; and
- (6) Any other information the commission may determine is necessary.

The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise. 7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817**, a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed, **other than a credit instrument**, must be deposited within twenty-four hours. **Except for any credit instrument**, the commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the

Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued

pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2013, are valid contracts creating debt that is enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at the licensee's excursion gambling boat. For the purposes of this subsection, "qualified person" means a

person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Once the licensee makes the determination that a person is a qualified person, additional credit checks are not required. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents.

313.830. 1. A person is guilty of a class D felony for any of the following:

(1) Operating a gambling excursion where wagering is used or to be used without a license issued by the commission;

(2) Operating a gambling excursion where wagering is permitted other than in the manner specified by section 313.817; or

(3) Acting, or employing a person to act, as a shill or decoy to encourage participation in a gambling game.

2. A person is guilty of a class B misdemeanor for the first offense and a class A misdemeanor for the second and subsequent offenses for any of the following:

(1) Permitting a person under the age of twenty-one to make a wager while on an excursion gambling boat;

(2) Making or attempting to make a wager while on an excursion gambling boat when such person is under the age of twenty-one years; or

(3) Aiding a person who is under the age of twenty-one in entering an excursion gambling boat or in making or attempting to make a wager while on an excursion gambling boat. 3. A person wagering or accepting a wager at any location outside the excursion gambling boat is in violation of section 572.040.

4. A person commits a class D felony and, in addition, shall be barred for life from excursion gambling boats under the jurisdiction of the commission, if the person:

(1) Offers, promises, or gives anything of value or benefit to a person who is connected with an excursion gambling boat operator including, but not limited to, an officer or employee of a licensee or holder of an occupational license pursuant to an agreement or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(2) Solicits or knowingly accepts or receives a promise of anything of value or benefit while the person is connected with an excursion gambling boat including, but not limited to, an officer or employee of a licensee, or holder of an occupational license, pursuant to an understanding or arrangement or with the intent

that the promise or thing of value or benefit will influence the actions of the person to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(3) Uses a device to assist in any of the following:

(a) In projecting the outcome of the game;

(b) In keeping track of the cards played;

(c) In analyzing the probability of the occurrence of an event relating to the gambling game; or

(d) In analyzing the strategy for playing or betting to be used in the game, except as permitted by the commission;

(4) Cheats at a gambling game;

(5) Manufactures, sells, or distributes any cards, chips, dice, game or device which is intended to be used to violate any provision of sections 313.800 to 313.850;

(6) Instructs a person in cheating or in the use of a device for that purpose with the knowledge or intent that the information or use conveyed may be employed to violate any provision of sections 313.800 to 313.850;

(7) Alters or misrepresents the outcome of a gambling game on which wagers have been made after the outcome is made sure but before it is revealed to the players;

(8) Places a bet after acquiring knowledge, not available to all players, of the outcome of the gambling game which is the subject of the bet or to aid a person in acquiring the knowledge for the purpose of placing a bet contingent on that outcome;

(9) Claims, collects, or takes, or attempts to claim, collect, or take, money or anything of value in or from the gambling games, with intent to defraud, without having made a wager contingent on winning a gambling game, or claims, collects, or takes an amount of money or thing of value of greater value than the amount won;

(10) Knowingly entices or induces a person to go to any place where a gambling game is being conducted or operated in violation of the provisions of sections 313.800 to 313.850 with the intent that the other person plays or participates in that gambling game;

(11) Uses counterfeit chips or tokens in a gambling game;

(12) Knowingly uses, other than chips, tokens, coin, of other methods of credit approved by the commission, legal tender of the United States of America, or to use coin not of the denomination as the coin intended to be used in the gambling games;

(13) Has in the person's possession any device intended to be used to violate a provision of sections 313.800 to 313.850;

(14) Has in the person's possession, except a gambling licensee or employee of a gambling licensee acting in furtherance of the employee's employment, any key or device designed for the purpose of opening, entering, or affecting the operation of a gambling game, drop box, or an electronic or mechanical device connected with the gambling game or for removing coins, tokens, chips or other contents of the gambling game; or

(15) Knowingly makes a false statement of any material fact to the commission, its agents or employees.

5. The possession of one or more of the devices described in subdivision (3), (5), (13) or (14) of subsection 4 of this section permits a rebuttable inference that the possessor intended to use the devices for cheating.

6. Except for wagers on gambling games or exchanges for money **or a credit instrument** as provided in section 313.817, or as payment for food or beverages on the excursion gambling boat, a licensee who exchanges tokens, chips, or other forms of credit to be used on gambling games for anything of value commits a class B misdemeanor.

7. If the commission determines that reasonable grounds to believe that a violation of sections 313.800 to 313.850 has occurred or is occurring which is a criminal offense, the commission shall refer such matter to both the state attorney general and the prosecuting attorney or circuit attorney having jurisdiction. The state attorney general and the prosecuting attorney or circuit attorney with such jurisdiction shall have concurrent jurisdiction to commence actions for violations of sections 313.800 to 313.850 where such violations have occurred.

8. Venue for all crimes committed on an excursion gambling boat shall be the jurisdiction of the home dock city or county or such county where a home dock city is located.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 24, Page 3, Section A, Line 32,
by inserting after all of said section the following:

“32.070. 1. This act shall be known and may be cited as the “Streamlined Sales and Use Tax Agreement Act”.

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the highest rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased from six percent to five and one half percent. The director of the department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states.

4. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

5. For the purposes of representing the state as a member of the agreement and, if necessary,

amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director's designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

6. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local

sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed

as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043.**

[13.] **12.** Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] **13.** The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall

become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers.”; and

Further amend said bill, Page 3, Section 64.196, Line 5, by inserting after all of said section the following:

“66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the “County Sales Tax Trust Fund”. [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, “Group A” and “Group B”. Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or

village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the “adjusted county average” is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the “redistribution formula” is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax

increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part

of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.”; and

Further amend said bill, Page 4, Section 67.281, Line 17, by inserting after all of said section the following:

“67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the “County AntiDrug Sales Tax Trust Fund”. [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall

be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term “funding of museums and festivals” shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county’s voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections

67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term "museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be

imposed pursuant to this section unless the governing authority submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? “Museums” means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] **to** 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made

against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, **[one] two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO". [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] **to** 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be

in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures

may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087**. The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Prosecuting Attorney's Office Sales Tax Trust Fund" or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087**. The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director

of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust

fund, which is hereby created, to be known as the “County-Municipal Storm Water and Public Works Sales Tax Trust Fund”. [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a

population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf

of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition,

operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after

the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a . . . cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, “qualified voters” or “voters” means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the “Senior Services and Youth Programs Sales Tax Trust Fund”, and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount

required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures,

and all other necessary functions of the commission.”; and

Further amend said bill, Page 4, Section 67.1020, Line 4, by inserting after all of said section the following:

“67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting

as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds

remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

(1) Operations of economic development or community development offices, including the salaries of employees;

(2) Provision of training for job creation or retention;

(3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and

(4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(1) Acquisition of land;

(2) Installation of infrastructure for industrial or business parks;

- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] 10. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting

in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term “city” shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or

municipality[, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the “Local Option Economic Development Sales Tax Trust Fund”.

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on

economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and/or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or

section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer’s sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district

may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285. 7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the

county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior

to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, made **on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

(1) The name and residence of each petitioner and the location of the real property owned by the petitioner;

(2) A specific description of the proposed district boundaries, including a map illustrating the

boundaries; and

(3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

(1) A description of the boundaries of the proposed district;

(2) The time and place of a hearing to be held to consider establishment of the proposed district;

(3) The proposed sales tax rate to be voted on within the proposed district; and

(4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

(1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;

(2) Hear all protests and receive evidence for or against the establishment of the proposed district; and

(3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

(1) The description of the boundaries of the district;

(2) A statement that an exhibition center and recreational facility district has been established;

(3) The name of the district;

(4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and

(5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county’s sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member’s removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. “Recreational facilities” means locations explicitly designated for public use where the

primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the “Exhibition Center and Recreational Facility District Sales Tax Trust Fund”, which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on

behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] 14. Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes

the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] 15. In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified

voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of

revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was

filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those

subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when

so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7) **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in

favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court.

Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the

city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section the following:

“94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of(insert rate of

percent) percent for [a] capital improvements purposes in the city's center city for a period of
(insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial

election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or

county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the

council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.”; and

Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section the following:

“144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) “Admission” includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) “Advertising and promotional direct mail”, **printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word “product” means tangible personal property, a product transferred electronically or a service;**

(3) “Agreement”, **the streamlined sales and use tax agreement, as amended from time to time;**

(4) “Air-to-ground radiotelephone service”, **a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;**

(5) “Alcoholic beverages”, **beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;**

(6) “Ancillary services”, services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(7) “Appliance”, clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator and freezer;

(8) “Bottled water”, water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

(a) Antimicrobial agents;

(b) Fluoride;

(c) Carbonation;

(d) Vitamins, minerals, and electrolytes;

(e) Oxygen;

(f) Preservatives; and

(g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) “Bundled transaction”:

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term “distinct and identifiable products” shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term “one nonitemized price” shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this

subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. “De minimis” means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction includes food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller’s purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) “Business” includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is “engaging in business” in this state for purposes of sections 144.010 to 144.525 if such person “engages in business in this state” or “maintains a place of business in this state” under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) “Calendar quarter”, the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(12) “Call-by-call basis”, any method of charging for telecommunications services where the price is measured by individual calls;

(13) “Candy”, a preparation of sugar, honey, or other natural or artificial sweeteners in

combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(14) “Captive wildlife”, includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(15) “Certified automated system” or “CAS”, software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;

(16) “Certified service provider” or “CSP”, an agent certified under the streamlined sales and use tax agreement to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases;

(17) “Clothing”:

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

a. Aprons, household and shop;

b. Athletic supporters;

c. Baby receiving blankets;

d. Bathing suits and caps;

e. Beach capes and coats;

f. Belts and suspenders;

g. Boots;

h. Coats and jackets;

i. Costumes;

j. Diapers, children and adult, including disposable diapers;

k. Ear muffs;

l. Footlets;

m. Formal wear;

n. Garters and garter belts;

o. Girdles;

p. Gloves and mittens for general use;

q. Hats and caps;

r. Hosiery;

s. Insoles for shoes;

t. Lab coats;

- u. Neckties;**
- v. Overshoes;**
- w. Pantyhose;**
- x. Rainwear;**
- y. Rubber pants;**
- z. Sandals;**
- aa. Scarves;**
- bb. Shoes and shoelaces;**
- cc. Slippers;**
- dd. Sneakers;**
- ee. Socks and stockings;**
- ff. Steel toed-shoes;**
- gg. Underwear;**
- hh. Uniforms, athletic and nonathletic; and**
- ii. Wedding apparel;**

(c) Clothing shall not include:

- a. Belt buckles sold separately;**
- b. Costume masks sold separately;**
- c. Patches and emblems sold separately;**
- d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and**
- e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;**

(18) “Clothing accessories and equipment”, incidental items worn on the person or in conjunction with clothing. Clothing accessories and equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;

(19) “Coin-operated telephone service”, a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate;

(20) “Communications channel”, a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;

(21) “Computer”, an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;

(22) “Computer software”, a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(23) “Conference bridging service”, an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;

(24) “Customer”, the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider’s licensed service area;

(25) “Customer channel termination point”, the location where the customer either inputs or receives the communication;

(26) “Delivered electronically”, delivered to the purchaser by means other than tangible storage media;

(27) “Delivery charges”, charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;

(28) “Detailed telecommunications billing service”, an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement;

(29) “Dietary supplement”, any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;

(30) “Digital audio works”, works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;

(31) “Digital audio-visual works”, a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;

(32) “Digital books”, works that are generally recognized in the ordinary and usual sense as books;

(33) “Direct mail”, printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items is not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;

(34) “Directory assistance”, an ancillary service of providing telephone number information, or address information;

(35) “Drug”:

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) “Durable medical equipment”, equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and

b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) “Electronic”, relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) “End user”, the person who utilizes the telecommunication service. In case of an entity, “end user” means the individual who utilizes the service on behalf of the entity;

(39) “Energy star qualified product”, a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that is authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) “Engages in business activities within this state”, includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail

advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) "Food and food ingredients", substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) "Food sold through a vending machine", food dispensed from a machine or other mechanical device that accepts payment;

(43) "Grooming and hygiene products", soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter drugs;

[(4)] (44) "Gross receipts"[.] or "sales price":

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] **applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:**

a. The seller's cost of the property sold;

b. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

c. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

d. Delivery charges; and

e. Credit for any trade-in;

(b) Shall not include:

a. Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

b. Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and

c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(c) Shall include consideration received by the seller from third parties if:

a. The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

b. The seller has an obligation to pass the price reduction or discount through to the purchaser;

c. The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

d. One of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or

(iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;

(45) “Home service provider”, the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(46) “Lease or rental”:

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;

(b) Lease or rental shall not include:

a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;

c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;

(c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;

(47) “Light aircraft”, a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) “Light aircraft kit”, factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) “Light aircraft parts and components”, manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) “Livestock”, cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) “Load and leave”, delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) “Maintains a place of business in this state”, includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) “Mobile telecommunications service”, the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) “Mobility enhancing equipment”, equipment, including repair and replacement parts to same, which:

(a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and

(b) Is not generally used by persons with normal mobility; and

(c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) “Model 1 seller”, a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller’s sales and use tax functions, other than the seller’s obligation to remit tax on its own purchases;

(56) “Model 2 seller”, a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) “Model 3 seller”, a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system

that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) “Model 4 seller”, a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) “Motor vehicle leasing company” [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) “Other direct mail”, any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

(a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;

(b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and

(c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) “Over-the-counter drug”, a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

(a) A drug facts panel; or

(b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) “Person” includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, **or any other legal entity**;

[(8)] (63) “Place of primary use”, the street address representative of where the customer’s use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;

(64) “Post-paid calling service”, the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;

(65) “Prepaid calling service”, the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(66) “Prepaid wireless calling service”, a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(67) “Prepared food”, food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;

(68) “Prescription”, an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;

(69) “Prewritten computer software”, computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person’s modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) “Private communication service”, a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) “Product-based exemption”, an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) “Product which is intended to be sold ultimately for final use or consumption”, tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is

substantially equivalent to these taxes, in this state or any other state;

(73) “Prosthetic device”, a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term “prosthetic device” shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) “Protective equipment”, items for human wear and designed as protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use. Protective equipment is mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) “Purchase”, the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) “Purchase price”, applies to the measure subject to use tax and has the same meaning as sales price;

(77) “Purchaser” [means], a person [who purchases tangible] to whom a sale of personal property is made or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] a service is furnished;

[(9)] (78) “Qualified light aircraft purchaser”, a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;

(79) “Receive” or “receipt”, taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;

(80) “Registered under the agreement”, registration by a seller with the member states under the central registration system provided in Article IV of the agreement;

(81) “Research or experimentation activities” are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

[(10)] “Sale” or “sales” includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11)] (82) “Sale at retail” [means any transfer made by any person engaged in business as defined herein

of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] or **“retail sale” means any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale.** Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term “sale at retail” shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(g) **Sales or charges for video programming service described in Public Law No. 104-104, Title VI, Section 602, 110 Stat. 144 (1996).**

(83) **“School art supply”:**

(a) **An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;**

(b) **The following is an all-inclusive list:**

a. **Clay and glazes;**

b. **Paints, acrylic, tempora, and oil;**

c. **Paintbrushes for artwork;**

d. **Sketch and drawing pads; and**

e. Watercolors;**(84) “School computer supply”:**

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

- a. Computer storage media, diskettes, compact disks;**
- b. Handheld electronic schedulers, except devices that are cellular phones;**
- c. Personal digital assistants, except devices that are cellular phones; and**
- d. Computer printers and printer supplies for computers, printer paper, and printer ink;**

(85) “School instructional material”:

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;**
- b. Reference maps and globes;**
- c. Textbooks; and**
- d. Workbooks;**

(86) “School supply”:

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;**
- b. Book bags;**
- c. Calculators;**
- d. Cellophane tape;**
- e. Blackboard chalk;**
- f. Compasses;**
- g. Composition books;**
- h. Crayons;**
- i. Erasers;**
- j. Folders, expandable, pocket, plastic, and manila;**
- k. Glue, paste, and paste sticks;**

l. Highlighters;

m. Index cards;

n. Index card boxes;

o. Legal pads;

p. Lunch boxes;

q. Markers;

r. Notebooks;

s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;

t. Pencil boxes and other school supply boxes;

u. Pencil sharpeners;

v. Pencils;

w. Pens;

x. Protractors;

y. Rulers;

z. Scissors; and

aa. Writing tablets;

[(12)] (87) “Seller” means a person [selling or furnishing tangible] making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] services;

(88) “Selling agent”, every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(89) “Service address”:

(a) The location of the telecommunications equipment to which a customer’s call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in paragraph (a) of this subdivision is not known, “service address” means the origination point of the signal of the telecommunications services first identified by either the seller’s telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(c) If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer’s place of primary use;

(90) “Specified digital products”, electronically transferred digital audio-visual works, digital audio works, and digital books;

(91) “Sport or recreational equipment”, items designed for human use and worn in conjunction

with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;

(92) “State”, any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(93) “Storage”, any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(94) “Tangible personal property”, personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

[(13) The noun] **(95) “Tax” [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;**

(96) “Taxpayer”, any person remitting the tax or who should remit the tax levied by this chapter;

(97) “Telecommunications nonrecurring charges”, an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;

[(14)] **(98) “Telecommunications service”**[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, “information” means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer’s bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) “Product which is intended to be sold ultimately for final use or consumption” means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred

to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) "Transportation equipment", any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains

tobacco;

(101) “Use”, the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) “Use-based exemption”, an exemption based on a specified use of the product by the purchaser;

(103) “Vendor”, every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person’s total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term “manufactured homes” shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the “Sales Tax Law”.

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term “food” shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through** vending [machine sales, the term “food”] **machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale

of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable.”; and

Further amend said bill, Pages 40-41, Section 144.030, Lines 110-127, by deleting all of said lines and inserting in lieu thereof the following:

“(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of

such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, **all sales of kidney dialysis equipment and enteral feeding systems, all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment,** and [drugs required by the Food and Drug Administration to meet the] **all sales of** over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] **drugs** as prescribed by a health care practitioner licensed to prescribe;” and

Further amend said bill, Pages 42-43, Section 144.030, Lines 175-210, by deleting all of said lines and inserting in lieu thereof the following:

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use [and in any city not within a county, all sales of metered or unmetered water service for domestic use]:

(a) “Domestic use” means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller’s utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification “residential” and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller’s utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue

for such credit or refund;” and

Further amend said bill, Page 43, Section 144.030, Line 214, by deleting all of said line and inserting in lieu thereof the following:

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071,”; and

Further amend said bill, Page 45, Section 144.030, Line 288, by deleting the word, “service.” and inserting in lieu thereof the following:

“service;

(44) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(45) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state’s executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an “affiliated person” means any person that is a member of the same “controlled group of corporations” as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same “controlled group of corporations” as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser's business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

(a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and

(b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

(a) A direct pay permit;

(b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or

(c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

(2) A purchaser of other direct mail may provide the seller with either:

(a) A direct pay permit; or

(b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

(3) Nothing in this section shall limit any purchaser's:

(a) Obligation for sales or use tax to any state to which the direct mail is delivered;

(b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or

(c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that

are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

(1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction;
or

(2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunications services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.

3. The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:

(1) A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;

(2) A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

(a) The seller's telecommunications system; or

(b) Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(3) A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;

(4) A sale of a private communication service is sourced as follows:

(a) Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;

(b) Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;

(c) Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and

(d) Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

4. The sale of internet access service is sourced to the customer's place of primary use.

5. The sale of an ancillary service is sourced to the customer's place of primary use.

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[,]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[,]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[,]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales

tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] 2. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] 3. This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] 4. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any

company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

(1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;

(2) Is authorized to do business in Missouri;

(3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;

(4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and

(5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this

section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues.

144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration. Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making “same day” payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

- (1) The name and address of the retailer;**
- (2) The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;**
- (3) The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;**
- (4) Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;**
- (5) Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;**
- (6) Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;**
- (7) Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and**
- (8) Such other pertinent information as the director may require.**

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for

which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state. With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] **5.** In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] **6.** If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] **7.** The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

44.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National

Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on

tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the

contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.

144.210. 1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to

the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this subsection may be applied to the aggregated state and local taxes.**

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] 5. If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984.

144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. [For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

[4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise

offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]

144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a

vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal to two percent thereof.] **Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law.**”; and

Further amend said bill, Page 62, Section 192.310, Line 7, by inserting after all of said section the following:

“221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties’ names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “Yes”. If you are opposed to the question, place an “X” in the box opposite “No”.

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited

in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015."; and

Further amend said bill, Page 63, Section 228.369, Line 34, by inserting after all of said section the following:

"238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of

service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation

development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6)] All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal

the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit

authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] 10. The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] 11. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

[13.] 12. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a

determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] **13.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] **14.** In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412.”; and

Further amend said bill, Page 102, Section 577.041, Line 138, by inserting after all of said section the following:

“644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose

of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.”; and

Further amend said bill, Page 102, Section 64.205, Line 2, by inserting after all of said line the following:

“[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the county with sufficient information to perform such duties in such form as may be agreed upon by the director and the county at no cost to the county. The county shall be bound by the provisions of section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director’s powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted

pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

(1) “Calendar quarter”, the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(2) “Engages in business activities within this state” includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller’s trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(3) “Maintains a place of business in this state” includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(4) “Person”, any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any

other group or combination acting as a unit, and the plural as well as the singular number;

(5) “Purchase”, the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) “Purchaser”, any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) “Sale”, any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) “Sales price”, the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and “sales price” shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) “Selling agent”, every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) “Storage”, any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) “Tangible personal property”, all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) “Taxpayer”, any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) “Use”, the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) “Vendor”, every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person’s total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.】

[144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the “Simplified Sales and Use Tax Administration Act”.]

[144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

(1) “Agreement”, the streamlined sales and use tax agreement;

(2) “Certified automated system”, software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;

(3) “Certified service provider”, an agent certified jointly by the states that are signatories to the agreement to perform all of the seller’s sales tax functions;

(4) “Person”, an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;

(5) “Sales tax”, any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;

(6) “Seller”, any person making sales, leases or rentals of personal property or services;

(7) “State”, any state of the United States and the District of Columbia;

(8) “Use tax”, the use tax levied pursuant to this chapter.】

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of

representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;

(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

(1) The agreement should address the limitation of the number of state rates over time;

(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;

(3) The agreement should require the state to provide a central, electronic registration system that

allows a seller to register to collect and remit sales and use taxes for all signatory states;

(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

(a) Restricting variances between the state and local tax bases;

(b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;

(c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and

(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]]"; and

Further amend said bill, Page 103, Section C, Line 3, by inserting after all of said section the following:

"Section D. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 24, Page 20, Section 71.012, Line 77, by deleting the number "**three**" and inserting in lieu thereof the number, "**five**"; and

Further amend said page, Section 71.014, Line 13, by deleting the number "**three**" and inserting in lieu thereof the number, "**five**"; and

Further amend said bill, Page 24, Section 71.015, Line 136, by deleting the number “**three**” and inserting in lieu thereof the number, “**five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Conference Committee to act with a like committee from the Senate on **HCS** for **SB 342**, as amended. Representatives: Guernsey, McGaugh, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 100**, entitled:

An Act to repeal sections 32.056, 43.518, 56.807, 432.047, 443.723, 452.400, 453.030, 453.040, 453.050, 454.475, 476.057, 477.405, 478.007, 478.320, 488.026, 488.426, 488.2250, 488.5320, 513.430, 559.100, 559.105, 565.020, 570.120, 600.042, 600.044, and 600.090, RSMo, and to enact in lieu thereof thirty-three new sections relating to judicial procedures, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

With House Amendment Nos. 1, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 100, Page 2, Section 43.518, Line 19, by deleting all of said line and inserting in lieu thereof the following:

“court budget] **court automation** committee; the presidents of”; and

Further amend said bill, Page 5, Section 57.095, Line 5, by inserting after all of said section and line the following:

“57.955. 1. There shall be assessed and collected a surcharge of [three] **two** dollars in all civil actions filed in the courts of this state and in all criminal cases including violation of any county **or municipal** ordinance or any violation of criminal or traffic laws of this state, including infractions **and municipal ordinance violations**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county or municipality or when a criminal proceeding or the defendant has been dismissed by the court. For purposes of this section, the term “county ordinance” shall not include any ordinance of the city of St. Louis. The clerk responsible for collecting court costs in civil and criminal cases, shall collect and disburse such amounts as provided by sections 488.010 to 488.020*. Such funds shall be payable to the sheriffs’ retirement fund. Moneys credited to the sheriffs’ retirement fund shall be used only for the purposes provided for in sections 57.949 to 57.997 and for no other purpose.

2. The board may accept gifts, donations, grants and bequests from public or private sources to the sheriffs’ retirement fund.”; and

Further amend said bill, Page 5, Section 432.047, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“2. A debtor may not maintain an action upon or a defense, regardless of”; and

Further amend said bill, Page 20, Section 479.085, Line 6, by inserting after all of said section and line the following:

“488.024. As provided by [section 57.955] **sections 57.949 to 57.997**, there shall be assessed and collected a surcharge of [three] **two** dollars in all civil actions filed in the courts of this state and in all criminal cases including violation of any county **or municipal** ordinance or any violation of criminal or traffic laws of this state, including infractions **and municipal ordinance violations**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county or municipality or when a criminal proceeding or the defendant has been dismissed by the court. For purposes of this section, the term “county ordinance” shall not include any ordinance of the City of St. Louis. The clerk responsible for collecting court costs in civil and criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the sheriffs’ retirement fund.”; and

Further amend said bill, Page 22, Section 488.5320, Line 15, by inserting after all of said line the following:

“2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.”; and

Further amend by renumbering the remainder of section 488.5320 accordingly; and

Further amend said bill, Page 25, Section 513.430, Line 85, by inserting after all of said section and line the following:

“514.040. 1. Except as provided in subsection 3 of this section, if any court shall, before or after the commencement of any suit pending before it, be satisfied that the plaintiff is a poor person, and unable to prosecute his or her suit, and pay all or any portion of the costs and expenses thereof, such court may, in its discretion, permit him or her to commence and prosecute his or her action as a poor person, and thereupon such poor person shall have all necessary process and proceedings as in other cases, without fees, tax or charge as the court determines the person cannot pay; and the court may assign to such person counsel, who, as well as all other officers of the court, shall perform their duties in such suit without fee or reward as the court may excuse; but if judgment is entered for the plaintiff, costs shall be recovered, which shall be collected for the use of the officers of the court.

2. In any civil action brought in a court of this state by any offender convicted of a crime who is confined in any state prison or correctional center, the court shall not reduce the amount required as security for costs upon filing such suit to an amount of less than ten dollars pursuant to this section. This subsection shall not apply to any action for which no sum as security for costs is required to be paid upon filing such suit.

3. Where a party is represented in a civil action by a legal aid society or a legal services or other nonprofit organization funded in whole or substantial part by moneys appropriated by the general assembly of the state of Missouri, which has as its primary purpose the furnishing of legal services to indigent persons, **by a law school clinic which has as its primary purpose educating law students through furnishing legal services to indigent persons**, or by private counsel working on behalf of or under the auspices of such society, all costs and expenses related to the prosecution of the suit may be waived without

the necessity of a motion and court approval, provided that a determination has been made by such society or organization that such party is unable to pay the costs, fees and expenses necessary to prosecute or defend the action, and that a certification that such determination has been made is filed with the clerk of the court.”; and

Further amend said bill, Page 26, Section 559.100, Line 17, by inserting after the word “**attorney.**” on said line the following:

“Nothing in this section shall prohibit the prosecuting attorney or circuit attorney from contracting with or utilizing another entity for the collection of restitution and costs under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 100, Page 19, Section 478.320, Line 32, by inserting after all of said line the following:

“478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the “Veterans Treatment Intervention Act”.

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) “Servicemember”, any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) “Veteran”, any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a “Military Veterans and Servicemembers Court Program” under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court’s assessment of the defendant’s criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant’s agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans’ treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court’s own motion, except:

(1) If a defendant was previously offered admission to a veterans’ treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant’s admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;**
- (2) Kidnapping or false imprisonment under chapter 565;**
- (3) Aggravated assault under chapter 565;**
- (4) Stalking under chapter 565;**
- (5) Elder abuse under chapter 565;**
- (6) Sexual offenses under chapter 566;**
- (7) Offenses against the family under chapter 568;**
- (8) Robbery or burglary under chapter 569;**
- (9) Arson under chapter 569;**
- (10) Water contamination under chapter 569;**
- (11) Child pornography under chapter 573;**
- (12) Treason; and**

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;**

(b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;

(c) Eligible participants are identified early and promptly placed in the treatment program;

(d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;

(e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;

(f) A coordinated strategy governs treatment program responses to participants' compliance;

(g) Ongoing judicial interaction with each treatment program participant is essential;

(h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;

(i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;

(j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of

the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 100, Page 5, Section 57.095, Line 5, by inserting after all of said section and line the following:

“313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 100, Page 18, Section 478.007, Lines 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

“478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person’s blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department’s role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 100, Page 7, Section 443.375, Line 37, by inserting after all of said section and line the following:

“452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) **“Coerce” means to force a person to act in a given manner or to compel by pressure or threat;**

(2) **“Custody” means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;**

[(2)] (3) “Joint legal custody” means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights,

responsibilities, and authority;

[(3)] (4) “Joint physical custody” means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

[(4)] (5) “Third-party custody” means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child’s parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child’s best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child’s adjustment to the child’s home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child’s custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

- (e) A violation of section 568.080;
- (f) A violation of section 568.090; or
- (g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the

rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 7 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

14. If the court finds that a parent of a child, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion, the court may deny custody to the parent.”; and

Further amend said bill, Page 7, Section 452.400, Line 26, by inserting after all of said line the following:

“(c) The court may exercise its discretion in granting visitation to a parent not granted custody if such parent, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion.”; and

Further amend said section, Page 11, Line 150, by inserting after all of said line the following:

“453.015. As used in sections 453.010 to 453.400, the following terms mean:

(1) “Coerce” means to force a person to act in a given manner or to compel by pressure or threat;

(2) “Minor” or “child”, any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;

[(2)] (3) “Parent”, a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;

[(3)] (4) “Putative father”, the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016 and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087; and

[(4)] (5) “Stepparent”, the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 100, Page 20, Section 488.426, Line 20, by inserting after all of said line the following:

“488.2230. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to seven dollars per case for each municipal ordinance violation case, except that no such additional cost shall be collected in any proceeding involving a violation of an ordinance when the proceeding or defendant has been dismissed by the court.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be calculated by the clerk and disbursed to the city at least monthly. The city shall use such additional costs exclusively to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with such specialized courts.”; and

Further amend said title, enacting clause and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SB 12**, entitled:

An Act to repeal sections 56.807, 488.026, 559.100, 559.105, 570.120, 600.042, 600.044, and 600.090, RSMo, and to enact in lieu thereof eleven new sections relating to judicial procedures, with penalty provisions, an effective date for certain sections, and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9 and 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 12, Page 4, Section 537.865, Lines 1-6, by deleting all of said section and lines from the bill; and

Further amend said bill, Sections 600.042, 600.044, 600.052, 600.053, 600.090, Section B and Section C, Pages 8-14, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line the following:

“Section 1. 1. The department of mental health shall develop guidelines for the screening and assessment of persons receiving services from the department or its contracted, licensed, certified, or funded providers that address the interaction between physical and mental health to ensure that all potential causes of changes in behavior or mental status caused by or associated with a medical condition are assessed. Such guidelines shall be issued by the department to its contracted, licensed, certified, and funded providers.

2. The department of mental health shall develop training that addresses appropriate assessment of behavior or mental status changes in persons receiving services from the department or its contracted, licensed, certified, or funded providers. Such training shall be made available by the department to its contracted, licensed, certified, or funded providers.

3. The provisions of this section shall not apply to long-term care facilities licensed under chapter 198 or hospitals licensed under chapter 197.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line, the following:

“631.165. If the head of the alcohol or drug abuse facility finds that a person who is detained for treatment and rehabilitation is presenting a likelihood of serious harm as a result of mental disorder other than alcohol or drug abuse, or both, or is gravely disabled, the head of the facility shall arrange for the transfer of the person to a mental health facility through a mental health coordinator, or through a licensed physician, registered professional nurse, qualified counselor or mental health professional designated by the mental health facility. The person may be detained for up to ninety-six hours for evaluation and treatment, under the procedures of sections 632.310, 632.315, 632.320 and 632.325, before filing a petition for further detention under sections 632.330 and 632.335.

632.005. As used in chapter 631 and this chapter, unless the context clearly requires otherwise, the

following terms shall mean:

(1) “Comprehensive psychiatric services”, any one, or any combination of two or more, of the following services to persons affected by mental disorders other than intellectual disabilities or developmental disabilities: inpatient, outpatient, day program or other partial hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation, prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and medical prevention and treatment for drug abuse;

(2) “Council”, the Missouri advisory council for comprehensive psychiatric services;

(3) “Court”, the court which has jurisdiction over the respondent or patient;

(4) “Division”, the division of comprehensive psychiatric services of the department of mental health;

(5) “Division director”, director of the division of comprehensive psychiatric services of the department of mental health, or his designee;

(6) **“Gravely disabled”, a condition in which a person, as a result of mental illness or mental disorder, lacks judgment in the management of his or her resources and in the conduct of his or her social relations to the extent that his or her health or safety is significantly endangered and he or she lacks the capacity to understand that this is so. A person of any age can be gravely disabled, but such term shall not include a person who has a developmental disability unless such person also has a mental illness or mental disorder. The determination of gravely disabled shall be based upon the person’s mental illness or mental disorder;**

(7) “Head of mental health facility”, superintendent or other chief administrative officer of a mental health facility, or his designee;

[(7)] (8) “Judicial day”, any Monday, Tuesday, Wednesday, Thursday or Friday when the court is open for business, but excluding Saturdays, Sundays and legal holidays;

[(8)] (9) “Licensed physician”, a physician licensed pursuant to the provisions of chapter 334 or a person authorized to practice medicine in this state pursuant to the provisions of section 334.150;

[(9)] (10) “Licensed professional counselor”, a person licensed as a professional counselor under chapter 337 and with a minimum of one year training or experience in providing psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;

[(10)] (11) “Likelihood of serious harm” means any one or more of the following but does not require actual physical injury to have occurred:

(a) A substantial risk that serious physical harm will be inflicted by a person upon his own person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or inflict physical harm on himself. Evidence of substantial risk may also include information about patterns of behavior that historically have resulted in serious harm previously being inflicted by a person upon himself; **or**

(b) A substantial risk that serious physical harm to a person will result or is occurring because of an impairment in his capacity to make decisions with respect to his hospitalization and need for treatment as evidenced by his current mental disorder or mental illness which results in an inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or his inability to provide for his own mental health care which may result in a substantial risk of serious physical harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in

serious harm to the person previously taking place because of a mental disorder or mental illness which resulted in his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or mental health care; or

(c) A substantial risk that serious physical harm will be inflicted by a person upon another as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused such harm or which would place a reasonable person in reasonable fear of sustaining such harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in physical harm previously being inflicted by a person upon another person;

[(11)] (12) “Mental health coordinator”, a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment and who is authorized by the director of the department, or his designee, to serve a designated geographic area or mental health facility and who has the powers, duties and responsibilities provided in this chapter;

[(12)] (13) “Mental health facility”, any residential facility, public or private, or any public or private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering from a mental disorder or mental illness and which is recognized as such by the department or any outpatient treatment program certified by the department of mental health. No correctional institution or facility, jail, regional center or developmental disability facility shall be a mental health facility within the meaning of this chapter;

[(13)] (14) “Mental health professional”, a psychiatrist, resident in psychiatry, psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;

[(14)] (15) “Mental health program”, any public or private residential facility, public or private hospital, public or private specialized service or public or private day program that can provide care, treatment, rehabilitation or services, either through its own staff or through contracted providers, in an inpatient or outpatient setting to persons with a mental disorder or mental illness or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No correctional institution or facility or jail may be a mental health program within the meaning of this chapter;

[(15)] (16) “Ninety-six hours” shall be construed and computed to exclude Saturdays, Sundays and legal holidays which are observed either by the court or by the mental health facility where the respondent is detained;

[(16)] (17) “Peace officer”, a sheriff, deputy sheriff, county or municipal police officer or highway patrolman;

[(17)] (18) “Psychiatric nurse”, a registered professional nurse who is licensed under chapter 335 and who has had at least two years of experience as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders;

[(18)] (19) “Psychiatric social worker”, a person with a master’s or further advanced degree from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum of one year training or experience in providing psychiatric care, treatment or services in a psychiatric setting to individuals suffering from a mental disorder;

[(19)] (20) “Psychiatrist”, a licensed physician who in addition has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[(20)] (21) “Psychologist”, a person licensed to practice psychology under chapter 337 with a minimum of one year training or experience in providing treatment or services to mentally disordered or mentally ill individuals;

[(21)] (22) “Resident in psychiatry”, a licensed physician who is in a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[(22)] (23) “Respondent”, an individual against whom involuntary civil detention proceedings are instituted pursuant to this chapter;

[(23)] (24) “Treatment”, any effort to accomplish a significant change in the mental or emotional conditions or the behavior of the patient consistent with generally recognized principles or standards in the mental health professions.

632.150. 1. A voluntary patient who has applied for his own admission may request his release either orally or in writing to the head of the mental health facility and shall be released immediately; except, that if the head of the facility determines that he is mentally disordered and, as a result, presents a likelihood of serious physical harm to himself or others, **or is gravely disabled**, the head of the facility may refuse the request for release.

2. If the request for release is refused, the mental health facility may detain the person only if a mental health coordinator, a licensed physician, a registered professional nurse designated by the facility and approved by the department, a mental health professional or a peace officer completes an application for detention for evaluation and treatment to begin the involuntary detention of the patient under this chapter.

632.155. 1. A voluntary patient who is a minor and who requests his release either orally or in writing, or whose release is requested in writing to the head of the facility by his parent, spouse, adult next of kin, or person entitled to his custody, shall be released immediately; except, that if the patient was admitted on the application of another person, his release shall be conditioned upon receiving the consent of the person applying for his admission.

2. If the head of the mental health facility determines that the minor is mentally disordered and, as a result, presents a likelihood of serious physical harm to himself or others, **or is gravely disabled**, the head of the facility may refuse the release. The mental health facility may detain the minor only if a mental health coordinator, a licensed physician, a mental health professional or a registered professional nurse designated by the facility and approved by the department completes an application for detention for evaluation and treatment to begin the involuntary detention of the minor under this chapter or, if appropriate, the minor is detained in the facility under the provisions of chapter 211.

632.300. 1. When a mental health coordinator receives information alleging that a person, as the result of a mental disorder, presents a likelihood of serious harm to himself or others, **or that the person is gravely disabled**, he shall:

- (1) Conduct an investigation;
- (2) Evaluate the allegations and the data developed by investigation; and
- (3) Evaluate the reliability and credibility of all sources of information.

2. If, as the result of personal observation or investigation, the mental health coordinator has reasonable cause to believe that such person is mentally disordered and, as a result, presents a likelihood of serious

harm to himself or others, **or that the person is gravely disabled**, the mental health coordinator may file an application with the court having probate jurisdiction pursuant to the provisions of section 632.305; provided, however, that should the mental health coordinator have reasonable cause to believe, as the result of personal observation or investigation, that the likelihood of serious harm by such person to himself or others as a result of a mental disorder is imminent unless the person is immediately taken into custody, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is immediately taken into custody**, the mental health coordinator shall request a peace officer to take or cause such person to be taken into custody and transported to a mental health facility in accordance with the provisions of subsection 3 of section 632.305.

3. If the mental health coordinator determines that involuntary commitment is not appropriate, he should inform either the person, his family or friends about those public and private agencies and courts which might be of assistance.

632.305. 1. An application for detention for evaluation and treatment may be executed by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, on a form provided by the court for such purpose, and must allege under oath that the applicant has reason to believe that the respondent is suffering from a mental disorder and presents a likelihood of serious harm to himself or to others, **or is gravely disabled**. The application must specify the factual information on which such belief is based and should contain the names and addresses of all persons known to the applicant who have knowledge of such facts through personal observation.

2. The filing of a written application in court by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, shall authorize the applicant to bring the matter before the court on an ex parte basis to determine whether the respondent should be taken into custody and transported to a mental health facility. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found. If the court finds that there is probable cause, either upon testimony under oath or upon a review of affidavits, to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or others, **or is gravely disabled**, it shall direct a peace officer to take the respondent into custody and transport him to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours unless further detention and treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

3. A mental health coordinator may request a peace officer to take or a peace officer may take a person into custody for detention for evaluation and treatment for a period not to exceed ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or others is imminent unless such person is immediately taken into custody, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is immediately taken into custody**. Upon arrival at the mental health facility, the peace officer or mental health coordinator who conveyed such person or caused him to be conveyed shall either present the application for detention for evaluation and treatment upon which the court has issued a finding of probable cause and the respondent was taken into custody or complete an application for initial detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be based upon his own personal observations or investigations and shall contain the information required in subsection 1 of this section.

4. If a person presents himself or is presented by others to a mental health facility and a licensed

physician, a registered professional nurse or a mental health professional designated by the head of the facility and approved by the department for such purpose has reasonable cause to believe that the person is mentally disordered and presents an imminent likelihood of serious harm to himself or others unless he is accepted for detention, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is accepted for detention**, the licensed physician, the mental health professional or the registered professional nurse designated by the facility and approved by the department may complete an application for detention for evaluation and treatment for a period not to exceed ninety-six hours. The application shall be based on his own personal observations or investigation and shall contain the information required in subsection 1 of this section.

632.330. 1. At the expiration of the ninety-six hour period, the respondent may be detained and treated involuntarily for an additional two judicial days only if the head of the mental health facility or a mental health coordinator either has filed a petition for additional inpatient detention and treatment not to exceed twenty-one days or has filed a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days.

2. Within ninety-six hours following initial detention, the head of the facility or the mental health coordinator may file or cause to be filed either a petition for a twenty-one-day inpatient involuntary detention and treatment period or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days, provided he has reasonable cause to believe that the person is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The court shall serve the petition and list of prospective witnesses for the petitioner upon the respondent and his attorney at least twenty-four hours before the hearing. The head of the facility shall also notify the mental health coordinator if the petition is not filed by the mental health coordinator. The petition shall:

(1) Allege that the respondent, by reason of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**;

(2) Allege that the respondent is in need of continued detention and treatment either on an inpatient basis or on an outpatient basis;

(3) Allege the specific behavior of the respondent or the facts which support such conclusion;

(4) Affirm that attempts were made to provide necessary care, treatment and services in the least restrictive environment to the respondent on a voluntary basis, but either the petitioner believes that the respondent lacks the capacity to voluntarily consent to care, treatment and services or the respondent refuses to voluntarily consent to care, treatment and services such that proceeding with a petition for the respondent's civil detention in the least restrictive environment is necessary;

(5) Allege that there will be appropriate support from family, friends, case managers or others during the period of outpatient detention and treatment in the community if such commitment is sought;

(6) Specify the mental health program that is appropriate to handle the respondent's condition and that has agreed to accept the respondent;

(7) Specify the range of care, treatment and services that shall be provided to the respondent if the petition for further detention is sustained by the court;

(8) Name the entities that have agreed to fund and provide the specified interventions; and

(9) Be verified by a psychiatrist or by a licensed physician and a mental health professional who have examined the respondent.

3. The petitioner shall consider whether based on the respondent's condition and treatment history, the respondent meets the criteria in chapter 475, so that appointment of a full or limited guardian or conservator is appropriate for the court to consider, and if deemed so, the petitioner then shall proceed as specified in subsection 4 of this section.

4. If the head of the mental health facility, or his designee, or the mental health coordinator believes that the respondent, because of a mental illness or mental disorder, may be incapacitated or disabled as defined in chapter 475, the head of the mental health facility or mental health coordinator shall cause a petition to be filed pursuant to section 475.060 and section 475.061, if applicable, with the court having probate jurisdiction as determined by section 475.035. In addition, if the head of the mental health facility, his designee or the mental health coordinator believes it appropriate, he shall proceed with obtaining an order for the respondent's temporary emergency detention as provided for in section 475.355. Furthermore, the hearing on the petition filed pursuant to chapter 475 shall be conducted pursuant to the requirements of section 475.075 and other appropriate sections of chapter 475, and shall be held within two judicial days after termination of the ninety-six-hour civil detention period unless continued for good cause shown. Nothing contained in this subsection shall restrict or prohibit the head of the mental health facility, his designee or the mental health coordinator from proceeding under the appropriate provisions of this chapter if the petition for guardianship or conservatorship is denied.

632.335. 1. The petition for additional inpatient detention and treatment not to exceed twenty-one days or the petition for outpatient detention and treatment not to exceed one hundred eighty days shall be filed with the court having probate jurisdiction. At the time of filing the petition, the court clerk shall set a date and time for the hearing which shall take place within two judicial days of the filing of the petition. The clerk shall promptly notify the respondent, his attorney, the petitioner and the petitioner's attorney of the date and time for the hearing. The court shall not grant continuances except upon a showing of good and sufficient cause. If a continuance is granted, the court, in its discretion, may order the person released pending the hearing upon conditions prescribed by the court. The court may order the continued detention and treatment of the person at a mental health facility pending the continued hearing, and a copy of such order shall be furnished to the facility.

2. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the respondent. Due consideration shall be given by the court to holding a hearing at the mental health facility. The respondent shall have the following rights in addition to those specified elsewhere:

- (1) To be represented by an attorney;
- (2) To present evidence on his own behalf;
- (3) To cross-examine witnesses who testify against him;
- (4) To remain silent;
- (5) To view and copy all petitions and reports in the court file of his case;
- (6) To have the hearing open or closed to the public as he elects;
- (7) To be proceeded against according to the rules of evidence applicable to civil judicial proceedings;
- (8) A hearing before a jury if requested by the patient or his attorney.

3. The respondent shall be present at the hearing, unless the respondent's physical condition is such that

he cannot be present in the courtroom or if the court determines that the respondent's conduct in the courtroom is so disruptive that the proceedings cannot reasonably continue.

4. At the conclusion of the hearing, if the court finds, based upon clear and convincing evidence, that respondent, as the result of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**, and that a mental health program appropriate to handle the respondent's condition has agreed to accept him, the court shall order either that the respondent be detained for inpatient involuntary treatment in the least restrictive environment for a period not to exceed twenty-one days or be detained for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.337. 1. When the court has ordered up to one hundred eighty days of outpatient detention and treatment pursuant to section 632.335 or 632.350 or 632.355, and the supervisory mental health program has good cause to believe that immediate detention in a more appropriate least restrictive environment is required because the respondent presents a likelihood of serious harm, **or is gravely disabled** due to mental illness, the supervisory mental health program may direct that the respondent be detained for up to ninety-six hours at an appropriate mental health program that has agreed to accept the respondent and may authorize the sheriff to detain and transport the respondent to that mental health program. Detention for more than ninety-six hours shall be pursuant to section 632.330.

2. Evidence of detention for ninety-six-hour periods during the one hundred eighty-day outpatient detention and treatment may be considered by the court in determining additional periods of detention and treatment.

632.340. 1. Before the expiration of the twenty-one-day inpatient detention and treatment period ordered pursuant to section 632.335, the court may order the respondent to be detained and treated involuntarily for an additional period not to exceed ninety inpatient days or may order the respondent to be detained for outpatient detention and treatment for a period not to exceed one hundred eighty days; provided, that:

(1) The respondent is mentally ill and continues to present a likelihood of serious harm to himself or others, **or is gravely disabled**; and

(2) The court, after a hearing, orders the respondent detained and treated for the additional period.

2. If, within seventeen days of the court hearing described in section 632.335, the head of the mental health program or the mental health coordinator has reasonable cause to believe that the respondent is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and believes that further detention and treatment is necessary, he shall file, or cause to be filed, with the court a petition for ninety days additional detention and treatment or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days. The court shall immediately set a date and time for a hearing on the petition, which shall take place within four judicial days of the date of the filing of the petition. The court shall serve a copy of the petition and the notice of the date and time of the hearing upon the petitioner, the respondent, and their attorneys as promptly as possible, but not later than two judicial days after the filing of the petition. The petitioner shall also file with the court, for the court to serve upon the respondent's attorney not later than two judicial days after the filing of the petition, a list of the proposed witnesses for the petitioner. The head of the mental health program shall notify the mental health coordinator if the petition is not filed by the mental health coordinator. The petition shall comply with the requirements of section 632.330, and an individualized treatment plan for the respondent shall be attached thereto.

632.350. 1. The hearing for a ninety-day inpatient detention and treatment period or for outpatient detention and treatment for a period not to exceed one hundred eighty days shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the mental health of the respondent. If a jury trial is not requested, due consideration shall be given by the court to holding a hearing at the mental health program. The hearing shall be held in accordance with the provisions set forth in section 632.335. 2. The burden of proof at the hearing shall be by clear and convincing evidence and shall be upon the petitioner.

3. If the matter is tried before a jury, the jury shall determine and shall be instructed only upon the issues of whether or not the respondent is mentally ill and, as a result, presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The remaining procedures for the jury trial shall be as in other civil matters.

4. The respondent shall not be required to file an answer or other responsive pleading.

5. At the conclusion of the hearing, if the court or jury finds that the respondent, as the result of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**, and the court finds that a program appropriate to handle the respondent's condition has agreed to accept him, the court shall order the respondent to be detained for involuntary treatment in the least restrictive environment for a period not to exceed ninety days or for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.355. 1. At the expiration of the ninety-day inpatient commitment period ordered by the court pursuant to section 632.350, the respondent may be detained and treated as an involuntarily inpatient for an additional period of time not to exceed one year or such lesser period of time as determined by the court or may be detained for outpatient detention and treatment for a period of time not to exceed one hundred eighty days; provided, that:

(1) The respondent is mentally ill and continues to present a likelihood of serious harm to himself or to others, **or is gravely disabled**; and

(2) The court after a hearing orders the person detained and treated for the additional period.

2. Within the ninety-day commitment period, the head of the mental health program or the mental health coordinator may file or cause to be filed, in compliance with the requirements of section 632.330, a petition for a one-year inpatient detention and treatment period or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days if he has reasonable cause to believe that the respondent is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and that further detention and treatment is necessary pursuant to an individualized treatment plan prepared by the program and filed with the court. Procedures specified in sections 632.340, 632.345 and 632.350 shall be followed.

3. At the conclusion of the hearing, if the court or jury finds that the respondent, as the result of mental illness, presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and the court finds that a program appropriate to handle the respondent's condition has agreed to accept him, the court shall order that the respondent be detained for involuntary treatment in the least restrictive environment for a period not to exceed one year or for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.375. 1. At least once every one hundred eighty days, the head of each mental health program shall

have each respondent who is detained at the program for a one-year period under this chapter examined and evaluated to determine if the respondent continues to be mentally ill, and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The court, the mental health coordinator for the region, the respondent and the respondent's attorney shall be provided copies of the report of the examination and evaluation described by this section and the respondent's individualized treatment plan.

2. Upon receipt of the report, the court may, upon its own motion, or shall, upon the motion of the respondent, order a hearing to be held as to the need for continued detention and involuntary treatment. At the conclusion of the hearing, the court may order:

(1) The discharge of the respondent; or

(2) An appropriate least restrictive course of detention and involuntary treatment; or

(3) The respondent to be remanded to the mental health program for the unexpired portion of the original commitment order.

632.390. 1. The head of a mental health program shall release any person who is involuntarily detained under this chapter when, in his opinion, the person is no longer mentally ill or, although mentally ill, does not present a likelihood of serious harm to himself or others, **or is no longer gravely disabled**, even though the detention period has not expired.

2. Whenever the head of a mental health program discharges a person prior to the expiration of the detention order, he shall notify in writing the court and the mental health coordinator.

3. Whenever a respondent voluntarily admits himself and the head of a mental health program accepts the admission application submitted by respondent in good faith under section 632.105, the respondent's involuntary detention shall cease, and the head of the program shall notify, in writing, the court and the mental health coordinator.

632.430. 1. Appeals from court orders made under this chapter may be made by the respondent or by the petitioner to the appropriate appellate court pursuant to the rules of civil procedure of the supreme court of Missouri pertaining to appeals. Such appeal shall have priority on the docket of the appellate court and shall be expedited in all respects. The court shall notify the attorney general's office whenever an appeal is filed under this subsection, and the attorney general shall represent the state when it is a party to such appeal.

2. A motion to stay any order restricting an individual's liberty may be filed in either the court or the appropriate appellate court. A stay order shall not be granted in any case where the court finds that the person is so mentally ill that there is an imminent likelihood of serious physical harm to himself or others if he is not detained or treated pending appeal **or the person is gravely disabled and there exists an imminent risk to the person's health or safety if such person is not detained or treated pending appeal**. Any refusal to grant a stay by the court may be reviewed by the appropriate appellate court on motion."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 12, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the department of revenue shall

not release the home address of or any information that identifies any vehicle owned or leased by any person who is a county, state or federal parole officer, a federal pretrial officer, a peace officer pursuant to section 590.010, a person vested by article V, section 1 of the Missouri Constitution with the judicial power of the state, a member of the federal judiciary, or a member of such person's immediate family contained in the department's motor vehicle or driver registration records, based on a specific request for such information from any person. Any such person may notify the department of his or her status and the department shall protect the confidentiality of the home address and vehicle records on such a person and his or her immediate family as required by this section. [If such member of the judiciary's status changes and he or she and his or her immediate family do not qualify for the exemption contained in this subsection, such person shall notify the department and the department's records shall be revised.] This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.

43.518. 1. There is hereby established within the department of public safety a "Criminal Records and Justice Information Advisory Committee" whose purpose is to:

(1) Recommend general policies with respect to the philosophy, concept and operational principles of the Missouri criminal history record information system established by sections 43.500 to 43.530, in regard to the collection, processing, storage, dissemination and use of criminal history record information maintained by the central repository;

(2) Assess the current state of electronic justice information sharing; and

(3) Recommend policies and strategies, including standards and technology, for promoting electronic justice information sharing, and coordinating among the necessary agencies and institutions; and

(4) Provide guidance regarding the use of any state or federal funds appropriated for promoting electronic justice information sharing.

2. The committee shall be composed of the following officials or their designees: the director of the department of public safety; the director of the department of corrections and human resources; the attorney general; the director of the Missouri office of prosecution services; the president of the Missouri prosecutors association; the president of the Missouri court clerks association; the chief clerk of the Missouri state supreme court; the director of the state courts administrator; the chairman of the state judicial record committee; the chairman of the [circuit court budget] **court automation** committee; the presidents of the Missouri peace officers association; the Missouri sheriffs association; the Missouri police chiefs association or their successor agency; the superintendent of the Missouri highway patrol; the chiefs of police of agencies in jurisdictions with over two hundred thousand population; except that, in any county of the first class having a charter form of government, the chief executive of the county may designate another person in place of the police chief of any countywide police force, to serve on the committee; and, at the discretion of the director of public safety, as many as three other representatives of other criminal justice records systems or law enforcement agencies may be appointed by the director of public safety. The director of the department of public safety will serve as the permanent chairman of this committee.

3. The committee shall meet as determined by the director but not less than semiannually to perform its duties. A majority of the appointed members of the committee shall constitute a quorum.

4. No member of the committee shall receive any state compensation for the performance of duties associated with membership on this committee.

5. Official minutes of all committee meetings will be prepared by the director, promptly distributed to all committee members, and filed by the director for a period of at least five years.

43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register;

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend said bill, Page 3, Section 56.807, Line 74, by inserting after all of said section and line the following:

“57.095. Notwithstanding section 537.600, sheriffs or any other law enforcement officers shall have immunity from any liability, civil or criminal, while conducting service of process at the direction of any court to the extent that the officers’ actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

432.047. 1. For the purposes of this section, the term “credit agreement” means an agreement to lend or forbear repayment of money, to otherwise extend credit, or to make any other financial accommodation.

2. A debtor may not maintain an action upon or a defense, regardless of legal theory in which it is based, in any way related to a credit agreement unless the credit agreement is in writing, provides for the payment of interest or for other consideration, [and] sets forth the relevant terms and conditions, **and the credit agreement is executed by the debtor and the lender.**

3. (1) [If] **When** a written credit agreement has been signed by a debtor, subsection 2 of this section shall not apply to any credit agreement between such debtor and creditor unless such written credit agreement contains the following language in boldface ten-point type: “Oral **or unexecuted** agreements or commitments to loan money, extend credit or to forbear from enforcing repayment of a debt including promises to extend or renew such debt are not enforceable, regardless of the legal theory upon which it is based that is in any way related to the credit agreement. To protect you (borrower(s)) and us (creditor) from misunderstanding or disappointment, any agreements we reach covering such matters are contained in this writing, which is the complete and exclusive statement of the agreement between us, except as we may later agree in writing to modify it.”.

(2) Notwithstanding any other law to the contrary in this chapter, the provisions of this section shall apply to commercial credit agreements only and shall not apply to credit agreements for personal, family, or household purposes.

4. Nothing contained in this section shall affect the enforceability by a creditor of any promissory note, guaranty, security agreement, deed of trust, mortgage, or other instrument, agreement, or document evidencing or creating an obligation for the payment of money or other financial accommodation, lien, or security interest.

443.723. 1. To meet the annual continuing education requirements referred to in sections 443.701 to 443.893, a licensed mortgage loan originator shall complete at least eight hours of education approved in accordance with subsection 2 of this section, which shall include at least:

(1) Three hours of federal law and regulations;

(2) Two hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending issues; [and]

(3) Two hours of training related to lending standards for the nontraditional mortgage product marketplace; **and**

(4) One hour of Missouri law and regulations.

2. For purposes of subsection 1 of this section, continuing education courses shall be reviewed, and approved by the NMLSR based upon reasonable standards. Review and approval of a continuing education course shall include review and approval of the course provider.

3. Nothing in this section shall preclude any education course, as approved by the NMLSR, that is provided by the employer of the mortgage loan originator or person who is affiliated with the mortgage loan

originator by an agency contract, or any subsidiary or affiliate of such employer or person.

4. Continuing education may be offered either in a classroom, online, or by any other means approved by the NMLSR.

5. A licensed mortgage loan originator:

(1) Shall only receive credit for a continuing education course in the year in which the course is taken except in the case of an expired license and under subsection 9 of this section; and

(2) Shall not take the same approved course in the same or successive years to meet the annual requirements for continuing education.

6. A licensed mortgage loan originator who is an approved instructor of an approved continuing education course may receive credit for the licensed mortgage loan originator's own annual continuing education requirement at the rate of two hours credit for every one hour taught.

7. A person having successfully completed the education requirements approved by the NMLSR in subdivisions (1) to (3) of subsection 1 of this section for any state shall be accepted as credit towards completion of continuing education requirements in Missouri.

8. A licensed mortgage loan originator who subsequently becomes unlicensed shall complete the continuing education requirements for the last year in which the license was held prior to issuance of a new or renewed license.

9. A person meeting the requirements of subdivisions (1) and (3) of subsection 2 of section 443.719 may make up any deficiency in continuing education as established by rule of the director.

452.400. 1. (1) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical health or impair his or her emotional development. The court shall enter an order specifically detailing the visitation rights of the parent without physical custody rights to the child and any other children for whom such parent has custodial or visitation rights. In determining the granting of visitation rights, the court shall consider evidence of domestic violence. If the court finds that domestic violence has occurred, the court may find that granting visitation to the abusive party is in the best interests of the child.

(2) (a) The court shall not grant visitation to the parent not granted custody if such parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

b. A violation of section 568.020;

c. A violation of subdivision (2) of subsection 1 of section 568.060;

d. A violation of section 568.065;

e. A violation of section 568.080;

f. A violation of section 568.090; or

g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in granting visitation to a parent not granted custody if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

(3) The court shall consider the parent's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault on other persons and shall grant visitation in a manner that best protects the child and the parent or other family or household member who is the victim of domestic violence, and any other children for whom the parent has custodial or visitation rights from any further harm.

(4) The court, if requested by a party, shall make specific findings of fact to show that the visitation arrangements made by the court best protect the child or the parent or other family or household member who is the victim of domestic violence, or any other child for whom the parent has custodial or visitation rights from any further harm.

2. (1) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child, but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical health or impair his or her emotional development.

(2) (a) In any proceeding modifying visitation rights, the court shall not grant unsupervised visitation to a parent if the parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

b. A violation of section 568.020;

c. A violation of subdivision (2) of subsection 1 of section 568.060;

d. A violation of section 568.065;

e. A violation of section 568.080;

f. A violation of section 568.090; or

g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the division may exercise its discretion regarding the placement of a child taken into the custody of the state in which a parent or any person residing in the home has been found guilty of, or pled guilty to, any such offense.

(3) When a court restricts a parent's visitation rights or when a court orders supervised visitation because of allegations of abuse or domestic violence, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised visitation may be ordered. "Supervised visitation", as used in this section, is visitation which takes place in the presence of a responsible adult appointed by the court for the protection of the child.

3. The court shall mandate compliance with its order by all parties to the action, including parents,

children and third parties. In the event of noncompliance, the aggrieved person may file a verified motion for contempt. If custody, visitation or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts which constitute a violation of the judgment of dissolution, [or] legal separation **or judgment of paternity**. The state courts administrator shall develop a simple form for pro se motions to the aggrieved person, which shall be provided to the person by the circuit clerk. Clerks, under the supervision of a circuit clerk, shall explain to aggrieved parties the procedures for filing the form. Notice of the fact that clerks will provide such assistance shall be conspicuously posted in the clerk's offices. The location of the office where the family access motion may be filed shall be conspicuously posted in the court building. The performance of duties described in this section shall not constitute the practice of law as defined in section 484.010. Such form for pro se motions shall not require the assistance of legal counsel to prepare and file. The cost of filing the motion shall be the standard court costs otherwise due for instituting a civil action in the circuit court.

4. Within five court days after the filing of the family access motion pursuant to subsection 3 of this section, the clerk of the court shall issue a summons pursuant to applicable state law, and applicable local or supreme court rules. A copy of the motion shall be personally served upon the respondent by personal process server as provided by law or by any sheriff. Such service shall be served at the earliest time and shall take priority over service in other civil actions, except those of an emergency nature or those filed pursuant to chapter 455. The motion shall contain the following statement in boldface type:

“PURSUANT TO SECTION 452.400, RSMO, YOU ARE REQUIRED TO RESPOND TO THE CIRCUIT CLERK WITHIN TEN DAYS OF THE DATE OF SERVICE. FAILURE TO RESPOND TO THE CIRCUIT CLERK MAY RESULT IN THE FOLLOWING:

- (1) AN ORDER FOR A COMPENSATORY PERIOD OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY AT A TIME CONVENIENT FOR THE AGGRIEVED PARTY NOT LESS THAN THE PERIOD OF TIME DENIED;
- (2) PARTICIPATION BY THE VIOLATOR IN COUNSELING TO EDUCATE THE VIOLATOR ABOUT THE IMPORTANCE OF PROVIDING THE CHILD WITH A CONTINUING AND MEANINGFUL RELATIONSHIP WITH BOTH PARENTS;
- (3) ASSESSMENT OF A FINE OF UP TO FIVE HUNDRED DOLLARS AGAINST THE VIOLATOR;
- (4) REQUIRING THE VIOLATOR TO POST BOND OR SECURITY TO ENSURE FUTURE COMPLIANCE WITH THE COURT'S ORDERS;
- (5) ORDERING THE VIOLATOR TO PAY THE COST OF COUNSELING TO REESTABLISH

THE PARENT-CHILD RELATIONSHIP
BETWEEN THE AGGRIEVED PARTY AND
THE CHILD; AND

- (6) A JUDGMENT IN AN AMOUNT NOT LESS
THAN THE REASONABLE EXPENSES,
INCLUDING ATTORNEY'S FEES AND
COURT COSTS ACTUALLY INCURRED BY
THE AGGRIEVED PARTY AS A RESULT OF
THE DENIAL OF CUSTODY, VISITATION
OR THIRD-PARTY CUSTODY.”.

5. If an alternative dispute resolution program is available pursuant to section 452.372, the clerk shall also provide information to all parties on the availability of any such services, and within fourteen days of the date of service, the court may schedule alternative dispute resolution.

6. Upon a finding by the court pursuant to a motion for a family access order or a motion for contempt that its order for custody, visitation or third-party custody has not been complied with, without good cause, the court shall order a remedy, which may include, but not be limited to:

(1) A compensatory period of visitation, custody or third-party custody at a time convenient for the aggrieved party not less than the period of time denied;

(2) Participation by the violator in counseling to educate the violator about the importance of providing the child with a continuing and meaningful relationship with both parents;

(3) Assessment of a fine of up to five hundred dollars against the violator payable to the aggrieved party;

(4) Requiring the violator to post bond or security to ensure future compliance with the court's access orders; and

(5) Ordering the violator to pay the cost of counseling to reestablish the parent-child relationship between the aggrieved party and the child.

7. The reasonable expenses incurred as a result of denial or interference with custody or visitation, including attorney's fees and costs of a proceeding to enforce visitation rights, custody or third-party custody, shall be assessed, if requested and for good cause, against the parent or party who unreasonably denies or interferes with visitation, custody or third-party custody. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

8. Final disposition of a motion for a family access order filed pursuant to this section shall take place not more than sixty days after the service of such motion, unless waived by the parties or determined to be in the best interest of the child. Final disposition shall not include appellate review.

9. Motions filed pursuant to this section shall not be deemed an independent civil action from the original action pursuant to which the judgment or order sought to be enforced was entered.

453.040. The consent to the adoption of a child is not required of:

(1) A parent whose rights with reference to the child have been terminated pursuant to law, including section 211.444 or section 211.447 or other similar laws in other states;

(2) A parent of a child who has legally consented to a future adoption of the child;

(3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition;

(4) A man who has not been established to be the father and who is not presumed by law to be the father, and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in the child and acknowledging that this statement is irrevocable when executed and follows the consent as set forth in section 453.030;

(5) A parent or other person who has not executed a consent and who, after proper service of process, fails to file an answer or make an appearance in a proceeding for adoption or for termination of parental rights at the time such cause is heard;

(6) A parent who has a mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(7) A parent who has for a period of at least six months, for a child one year of age or older, or at least sixty days, for a child under one year of age, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least six months immediately prior to the filing of the petition for adoption, willfully, substantially and continuously neglected to provide him with necessary care and protection;

(8) A man who has reason to believe he is the biological father of an unborn child and who attempted to coerce the mother of the child to obtain an abortion;

(9) A parent whose rights to the child may be terminated for any of the grounds set forth in section 211.447 and whose rights have been terminated after hearing and proof of such grounds as required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an adoption petition.

476.057. 1. The state courts administrator shall determine the amount of the projected total collections of fees pursuant to section 488.015, payable to the state pursuant to section 488.023, or subdivision (4) of subsection 2 of section 488.018; and the amount of such projected total collections of fees required to be deposited into the fund in order to maintain the fund required pursuant to subsection 2 of this section. The amount of fees payable for court cases may thereafter be adjusted pursuant to section 488.015, as provided by said section. All proceeds of the adjusted fees shall thereupon be collected and deposited to the state general revenue fund as otherwise provided by law, subject to the transfer of a portion of such proceeds to the fund established pursuant to subsection 2 of this section.

2. There is hereby established in the state treasury a special fund for purposes of providing training and education for judicial personnel, including any clerical employees of each circuit court clerk. Moneys from collected fees shall be annually transferred by the state treasurer into the fund from the state general revenue fund in the amount of no more than two percent of the amount expended for personal service by state and local government entities for judicial personnel as determined by the state courts administrator pursuant to subsection 1 of this section. Any unexpended balance remaining in the fund at the end of each biennium shall be exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the state general revenue fund, until the amount in the fund exceeds two percent of the amounts expended for personal service by state and local government for judicial personnel.

3. In addition, any moneys received by or on behalf of the state courts administrator from fees, grants, or any other sources in connection with providing training to judicial personnel shall be deposited in the fund provided, however, that moneys collected in the fund in connection with a particular purpose shall be segregated and shall not be disbursed for any other purpose.

4. The state treasurer shall administer the fund and, pursuant to appropriations, shall disburse moneys from the fund to the state courts administrator in order to provide training and to purchase goods and services determined appropriate by the state courts administrator related to the training and education of judicial personnel. As used in this section, the term “judicial personnel” shall include court personnel as defined in section 476.058, and judges.”; and

Further amend said bill, Page 4, Section 488.026, Line 12, by inserting after all of said section and line the following:

“488.2250. [For all transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of two dollars per twenty-five-line page for the original of the transcript, and the sum of thirty-five cents per twenty-five-line page for each carbon copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter’s fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three transcripts in duplication of the notes of the evidence, for the original of which the court reporter shall receive two dollars per legal page and for the copies twenty cents per page. The payment of court reporter’s fees provided in this section shall be made by the state upon a voucher approved by the court] **1. For all appeal transcripts of testimony given or proceedings in any circuit court, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.**

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter’s fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production, who shall reimburse the court reporter the sum provided in subsection 1 of this section.

513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person’s interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or

musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.072, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such

person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409); except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan [or] , profit-sharing plan, **health savings plan, or similar plan, including an inherited account or plan**, that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, **whether such participant's or beneficiary's interest arises by inheritance, designation, appointment, or otherwise**, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended.

537.602. 1. As used in this section the following terms shall mean:

(1) **"Community service work", any work which is performed without compensation and is required in exchange for deferred prosecution of any criminal charge by any federal, state, or local prosecutor under a written agreement;**

(2) **"Entity", includes any person, for profit or not-for-profit business, agency, group, charity, organization, or any unit of federal, state or local government or any of their employees.**

2. Any entity which supervises community service work performed as a requirement for

deferment of any criminal charge under a written agreement with a federal, state, or local prosecutor, or any entity which derives benefits from the performance of community service work shall be immune from any suit by the person performing the community service work or by any person deriving a cause of action from the person performing the community service work if that cause of action arises from the supervision of the work performed, except that the entity supervising the work shall not be immune from any suit for gross negligence or for an intentional tort.

3. Community service work shall not be deemed employment within the meaning of the provisions of chapter 288 and a person performing community service work under the provisions of this section shall not be deemed an employee within the meaning of the provisions of chapter 287.

545.417. Any party who takes a deposition in any criminal case shall be responsible for the costs of providing one copy of the transcript of such deposition to the opposing party.”; and

Further amend said bill, Page 4, Section 537.865, Line 6, by inserting after all of said section and line the following:

“541.033. 1. Persons accused of committing offenses against the laws of this state, except as may be otherwise provided by law, shall be prosecuted:

(1) In the county in which the offense is committed; or

(2) If the offense is committed partly in one county and partly in another, or if the elements of the crime occur in more than one county, then in any of the counties where any element of the offense occurred.

2. Persons accused of committing the offenses of identity theft against the laws of this state in sections 570.223, 570.224, and 575.120 shall be prosecuted:

(1) In the county in which the offense is committed;

(2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred;

(3) In the county in which the victim resides; or

(4) In the county in which the property obtained or attempted to be obtained was located.

3. Persons accused of committing the offense of making a terrorist threat against a school under section 574.115 shall be prosecuted:

(1) In the county in which the offense is committed;

(2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred;

(3) In the county in which the school that was the target of the threat is located; or

(4) In the county in which accused resides.”; and

Further amend said bill, Page 6, Section 559.105, Line 28, by inserting after all of said section and line the following:

“565.020. 1. A person commits the crime of murder in the first degree if he knowingly causes the death of another person after deliberation upon the matter.

2. Murder in the first degree is a class A felony, and, **if a person has reached his or her eighteenth birthday at the time of the commission of the crime**, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor; except that, if a person has not reached his **or her** [sixteenth] **eighteenth** birthday at the time of the commission of the crime, the punishment shall be **either** imprisonment for life without eligibility for probation or parole, or release except by act of the governor, **or life imprisonment with eligibility for parole after fifty years**.

3. **If the person has not reached his or her eighteenth birthday at the time of the commission of the crime, the court shall hold a hearing upon the motion of the prosecuting attorney to determine whether the mandatory sentence of life imprisonment should be without the possibility of parole or with eligibility for parole after fifty years. Such motion shall be filed within fourteen days of the person's conviction. In the event the prosecuting attorney does not file such a motion within fourteen days, the sentence shall be life with eligibility for parole after fifty years.**

4. **The motion of the prosecuting attorney shall specify the basis on which he or she believes the proper sentence shall be life without the possibility of parole.**

5. **At such hearing, the court shall consider both the statutory aggravating circumstances under subsection 2 of section 565.032 and the statutory mitigating circumstances under subsection 3 of section 565.032.**

6. **At the sentencing, the court shall specify on the record the statutory aggravating circumstances and the statutory mitigating circumstances considered by the court, and the court's reasons supporting the sentence imposed. The court may consider evidence presented at trial together with any new evidence presented at the sentencing hearing.**

7. **The procedures specified in subsections 3, 4, 5 and 6 of this section shall not apply to any case that is final for purposes of appeal on or before the enactment date of this section. A case is final for purposes of appeal when the time for filing an appeal in the Missouri Court of Appeals has expired; if an appeal was filed in the Missouri Court of Appeals, when the time for filing an application for transfer to the Missouri Supreme Court has expired; if an application for transfer to the Missouri Supreme Court has been filed, when the application for transfer was denied or when a timely filed motion for rehearing was denied; or if the Missouri Supreme Court granted transfer, when the Missouri Supreme Court rendered its decision or when a timely filed motion for rehearing was denied.**

8. **Any person sentenced to imprisonment for life without the eligibility for probation or parole for a crime committed before the person reached his or her eighteenth birthday, and who was sentenced prior to the effective date of this section, may file a motion in the sentencing court for a sentencing hearing. Such sentencing hearing shall be heard by the judge. The sole purpose of the sentencing hearing shall be to determine if the sentence of imprisonment for life without the eligibility for probation or parole which was originally imposed shall remain or should be amended to life with eligibility for parole after fifty years.**

9. **This section shall have an emergency clause and shall be effective upon signature by the governor.”; and**

Further amend said bill, Page 8, Section 570.120, Line 78, by inserting after all of said section and line, the following:

“589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection [8] **9** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under tribal, federal, or military law **unless such person’s name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section;** or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution

of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section.** "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection [7 or 8] **4, 8, or 9** of this section and the court orders the removal or exemption of such person from the registry.

4. **Any person on the sexual offender registry under subdivision (5) or (6) of subsection 1 of this section may file a petition for removal from the registry after five years have passed from the later of the date the offender was found guilty of the offense that requires registration or the date the person was released from custody for such offense. The petition may be filed in the circuit court in the county in which the person was found guilty of the offense, or, if the offense was adjudicated outside the state, the person may file a petition in the circuit court in the county in which the person resides after such person has been a resident of Missouri for at least five years prior to filing the petition. The court shall grant the petition and enter an order directing the removal of the petitioner's name and information from the sexual offender registry unless it finds that the petitioner, in this state or any other state, territory, the District of Columbia, foreign country, or federal, tribal, or military jurisdiction:**

(1) **Has been adjudicated of, or has charges pending, for failure to register;**

(2) **Has been adjudicated of, or has charges pending for, any additional offense which would require registration as a sexual offender under this section, or section 211.425, and which occurred after the date such person initially registered as a sexual offender;**

(3) **Has not successfully completed any required period of supervised release, probation, or parole;**
or

(4) If the petitioner's offense was adjudicated outside the state, such person has not been a resident of Missouri for at least five years prior to filing the petition.

If the petition was not granted solely because the petitioner had charges pending for failure to register or an additional offense that would require registration and such charges are subsequently dismissed or the petitioner is acquitted of the pending charges, the person may file a new petition at any time after the dismissal or acquittal of the pending charges. If the denial is based on a finding of guilt for an offense that would require registration under this section, or section 211.425, no successive petition shall be filed. If the denial is based on a finding of guilt for failure to register, the person may file a new petition after five years have passed from the date the person was found guilty for failure to register. If the denial is based on the petitioner not completing a required period of supervised release, probation, or parole and the petitioner subsequently completes the period of supervised release, probation, or parole, then the person may file a new petition at any time after completing such period of release, probation, or parole. If the petition is denied because the petitioner's offense was adjudicated outside the state and the petitioner has not been a resident of Missouri for at least five years prior to filing the petition, such person may file a new petition at any time after residing in the state for the required five-year period. Beginning August 28, 2013, information regarding any person whose offense was committed in Missouri, or in any other state, when such person was under eighteen years of age shall be immediately removed from the highway patrol's website created under section 43.650 and any local law enforcement website allowed under section 589.402 regardless of whether such person has a petition granted under this subsection.

5. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

[5.] 6. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

[6.] 7. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 8. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

[8.] 9. Effective August 28, 2009, any person on the sexual offender registry for having been convicted

of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] **10.** (1) The court may grant such relief under subsection [7] **8** or [8] **9** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] **11.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection [9] **10** of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection [9] **10** of this section.

[11.] **12.** Any person whose name is removed or exempted from the sexual offender registry under subsection [7] **8** or [8] **9** of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of,

found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register;

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend said bill, Page 8, Section 600.042, Line 3, by deleting the phrase "he and the chief deputy director" and inserting in lieu thereof the phrase "he **or she** and the [chief] deputy director **or directors**"; and

Further amend said bill, Page 9, said Section, Line 23, by deleting the word "providing" and insert in lieu thereof the phrase "[providing] **provision**"; and

Further amend said bill, said Page, said Section, Lines 29-31, by deleting all of said Lines and inserting in lieu thereof the following:

"instructions consistent with this chapter defining the organization of [his office] **the state public defender system** and the responsibilities of [public] **division directors, district** defenders, [assistant

public] **deputy district** defenders, [deputy] **assistant** public defenders and other personnel;”; and

Further amend said bill, page, and section, Line 36, by deleting the open bracket “[“; and

Further amend said bill, Page 10, said Section, Lines 39-51, by deleting all of said Lines and inserting in lieu thereof the following:

“(11) With the approval and on behalf of the commission, contract with private attorneys for the collection and enforcement of liens and other judgments owed to the state for services rendered by the state public defender system;

(12) Prepare a plan to establish district offices, the boundaries of which shall coincide with existing judicial circuits. Any district office may contain more than one judicial circuit within its boundaries, but in no event shall any district office boundary include any geographic region of a judicial circuit without including the entire judicial circuit. The director shall submit the plan to the chair of the house of representatives judiciary committee and the chair of the senate judiciary committee, with fiscal estimates, by December 31, 2014. The plan shall be implemented by December 31, 2018.”; and

Further amend said bill, page, and section, Line 60, by deleting said Line and inserting in lieu thereof the following:

“4. The director and defenders shall”; and

Further amend said bill, page, and section, Line 62, by deleting the phrase “**class A or B**”; and

Further amend said bill, page, and section, Line 64, by deleting the open bracket “[“; and

Further amend said bill, page, and section, Line 66, by inserting immediately after the word “case” the following:

“, **unless the prosecuting or circuit attorney has waived a jail sentence**”; and

Further amend said bill, page, and section, Line 67, by deleting said Line and inserting in lieu thereof the following:

“(3) Who is [detained or] charged with a violation of probation [or parole] **when it has been determined by a judge that the appointment of counsel is necessary to protect the person’s due process rights under section 559.036;**”; and

Further amend said bill, page, and section, Lines 68-69, by deleting all of said Lines and inserting in lieu thereof the following:

“(4) Who has been taken into custody pursuant to section 632.489, including appeals from”; and

Further amend said bill, page, and section, Line 72, by deleting the phrase “[**(5)**] **(4)**” and inserting in lieu thereof the number “**(5)**”; and

Further amend said bill, Page 11, Section 600.042, Line 74, by deleting said Line and inserting in lieu thereof the following:

“(6) [For whom,] **Who is charged** in a case in which he **or she** faces a loss or deprivation of liberty, **and in which the federal or the state constitution or any law**”; and

Further amend said bill, page, and section, Line 77, by inserting after the word “ordinances” the following:

“, **or misdemeanor offenses except as provided in this section**”; and

Further amend said bill, page, and section, Line 79, by deleting the open bracket “[“; and

Further amend said bill, page, and section, Line 81, by deleting the closed bracket “]”; and

Further amend said bill, page, and section, Lines 82-92, by deleting all of said Lines and insert in lieu thereof the following:

“indigency determinations and assigning counsel.”; and

Further amend said bill, Page 12, Section 600.053, Line 3, by inserting immediately after said Line the following:

“600.062. Notwithstanding the provisions of sections 600.017 and 600.042 to the contrary, neither the director nor the commission shall have the authority to limit the availability of a district office or any division director, district defender, deputy district defender, or assistant public defender to accept cases based on a determination that the office has exceeded a caseload standard. The director, commission, any division director, district defender, deputy district defender, or assistant public defender may not refuse to provide representation required under this chapter without prior approval from a court of competent jurisdiction.

600.063. 1. Upon approval by the director or the commission, any district defender may file a motion to request a conference to discuss caseload issues involving any individual public defender or defenders, but not the entire office, with the presiding judge of any circuit court served by the district office. The motion shall state the reasons why the individual public defender or public defenders will be unable to provide effective assistance of counsel due to caseload concerns. When a motion to request a conference has been filed, the clerk of the court shall immediately provide a copy of the motion to the prosecuting or circuit attorney who serves the circuit court.

2. If the presiding judge approves the motion, a date for the conference shall be set within thirty days of the filing of the motion. The court shall provide notice of the conference date and time to the district defender and the prosecuting or circuit attorney.

3. Within thirty days of the conference, the presiding judge shall issue an order either granting or denying relief. If relief is granted, it shall be based upon a finding that the individual public defender or defenders will be unable to provide effective assistance of counsel due to caseload issues. The judge may order one or more of the following types of relief in any appropriate combination:

(1) Appoint private counsel to represent any eligible defendant pursuant to the provisions of section 600.064;

(2) Investigate the financial status of any defendant determined to be eligible for public defender representation under section 600.086 and make findings regarding the eligibility of such defendants;

(3) Determine, with the express concurrence of the prosecuting or circuit attorney, whether any cases can be disposed of without the imposition of a jail or prison sentence and allow such cases to proceed without the provision of counsel to the defendant;

(4) Modify the conditions of release ordered in any case in which the defendant is being represented by a public defender, including, but not limited to, reducing the amount of any bond required for release;

(5) Place cases on a waiting list for defender services, taking into account the seriousness of the case, the incarceration status of the defendant, and such other special circumstances as may be

brought to the attention of the court by the prosecuting or circuit attorney, the district defender, or other interested parties; and

(6) Grant continuances.

4. Upon receiving the order, the prosecuting or circuit attorney and the district defender shall have ten days to file an application for review to the appropriate appellate court. Such appeal shall be expedited by the court in every manner practicable.

5. Nothing in this section shall deny any party the right to seek any relief authorized by law nor shall any provisions of this section be construed as providing a basis for a claim for post conviction relief by a defendant.

6. The commission and the supreme court may make such rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created by the commission under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

600.064. 1. Before a circuit court judge appoints private counsel to represent an indigent defendant, the judge shall:

(1) Investigate the defendant's financial status to verify that the defendant does not have the means to obtain counsel; and

(2) Provide each appointed lawyer, upon request, with an evidentiary hearing as to the propriety of the appointment, taking into consideration the lawyer's right to earn a livelihood and be free from involuntary servitude. If the judge determines after the hearing that the appointment will cause any undue hardship to the lawyer, the judge shall appoint another lawyer.

(3) Determine whether the private counsel to be appointed possesses the necessary experience, education, and expertise in criminal defense to provide effective assistance of counsel.

2. No judge shall require a lawyer to advance personal funds in any amount for the payment of litigation expenses to prepare a proper defense for an indigent defendant.

3. If an employee of the general assembly is appointed to represent an indigent defendant during the time period beginning January first and ending June first of each year, or whenever the general assembly is in a veto session or special session or is holding out-of-session committee hearings, the judge who made the appointment shall postpone the trial and all other proceedings of any kind or nature to a date that does not fall within such time period or appoint a different lawyer who is not an employee of the general assembly to represent the defendant.

4. Private counsel appointed to represent an indigent defendant may seek payment of litigation expenses from the public defender system. Such litigation expenses shall not include counsel fees and shall be limited to those expenses approved in advance by the director as reasonably necessary for the proper defense of the defendant.”; and

Further amend said bill, Page 14, Section C, Lines 1-6, by deleting all of said section and lines and

inserting in lieu there of the following:

“Section C. Because immediate action is necessary to protect public safety and to ensure the constitutionality of statutes regarding criminal procedure for juvenile offenders and quality of representation of indigent criminal defendants the enactment of sections 537.865, 565.020, and 600.053 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 537.865, 565.020, and 600.053 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 12, Page 4, Section 488.026, Line 12, by inserting after all of said line the following:

“488.2230. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to seven dollars per case for each municipal ordinance violation case, except that no such additional cost shall be collected in any proceeding involving a violation of an ordinance when the proceeding or defendant has been dismissed by the court.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be calculated by the clerk and disbursed to the city at least monthly. The city shall use such additional costs exclusively to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with such specialized courts.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 12, Page 4, Section 537.865, Line 6, by inserting after all of said section and line the following:

“568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) “Arrearage”:

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) “Child” means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) “Good cause” means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) “Support” means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant’s financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant’s adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully**

completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 12, Page 8, Section 570.120, Line 78, by inserting after all of said section and line the following:

“578.009. 1. A person is guilty of animal neglect [when] **if** he has custody or ownership or both of an animal and fails to provide adequate care [or adequate control, which results in substantial harm to the animal].

2. A person is guilty of abandonment [when] **if** he has knowingly abandoned an animal in any place without making provisions for its adequate care.

3. Animal neglect and abandonment is a class C misdemeanor upon first conviction and for each offense, punishable by imprisonment or a fine not to exceed five hundred dollars, or both, and a class B misdemeanor punishable by imprisonment or a fine not to exceed one thousand dollars, or both upon the second and all subsequent convictions. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This section shall not apply to the provisions of section 578.007 **or sections 272.010 to 272.370.**

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect or abandonment to pay all reasonable costs and expenses necessary for:

(1) The care and maintenance of neglected or abandoned animals within the person's custody or ownership;

(2) The disposal of any dead or diseased animals within the person's custody or ownership;

(3) The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and

(4) The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

578.011. 1. A person is guilty of animal trespass if a person having ownership or custody of an animal knowingly fails to provide adequate control for a period equal to or exceeding twelve hours.

2. Animal trespass is an infraction upon first conviction and for each offense punishable by a fine not to exceed two hundred dollars, and a class C misdemeanor punishable by imprisonment or a fine not to exceed five hundred dollars, or both, upon the second and all subsequent convictions. All fines for a first conviction of trespass may be waived by the court provided that the person found guilty of animal trespass shows that adequate, permanent remedies for trespass have been made. Reasonable costs incurred for the care and maintenance of trespassing animals may not be waived. This section shall not apply to the provisions of section 578.007 or sections 272.010 to 272.370.

578.012. 1. A person is guilty of animal abuse [when] **if** a person:

(1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care [or adequate control] **which results in substantial harm to the animal.**

2. Animal abuse is a class A misdemeanor, unless the defendant has previously [plead] **pled** guilty to or has been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 12, Page 3, Section 56.807, Line 74, by inserting after all of said line the following:

“313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line the following:

“650.058. 1. Notwithstanding the sovereign immunity of the state, any individual who was found guilty of a felony in a Missouri court and was later determined to be actually innocent of such crime solely as a result of DNA profiling analysis may be paid restitution. The individual may receive an amount of fifty dollars per day for each day of postconviction incarceration for the crime for which the individual is determined to be actually innocent. The petition for the payment of said restitution shall be filed with the sentencing court. For the purposes of this section, the term “actually innocent” shall mean:

- (1) The individual was convicted of a felony for which a final order of release was entered by the court;
- (2) All appeals of the order of release have been exhausted;

(3) The individual was not serving any term of a sentence for any other crime concurrently with the sentence for which he or she is determined to be actually innocent, unless such individual was serving another concurrent sentence because his or her parole was revoked by a court or the board of probation and parole in connection with the crime for which the person has been exonerated; and

(4) Testing ordered under section 547.035, or testing by the order of any state or federal court, if such person was exonerated on or before August 28, 2004, or testing ordered under section 650.055, if such person was or is exonerated after August 28, 2004, demonstrates a person’s innocence of the crime for which the person is in custody.

Any individual who receives restitution under this section shall be prohibited from seeking any civil redress from the state, its departments and agencies, or any employee thereof, or any political subdivision or its employees. This section shall not be construed as a waiver of sovereign immunity for any purposes other than the restitution provided for herein. The department of corrections shall determine the aggregate amount of restitution owed during a fiscal year. If insufficient moneys are appropriated each fiscal year to pay restitution to such persons, the department shall pay each individual who has received an order awarding restitution a pro rata share of the amount appropriated. Provided sufficient moneys are appropriated to the department, the amounts owed to such individual shall be paid on June thirtieth of each subsequent fiscal year, until such time as the restitution to the individual has been paid in full. However, no individual awarded restitution under this subsection shall receive more than thirty-six thousand five hundred dollars during each fiscal year. No interest on unpaid restitution shall be awarded to the individual. No individual who has been determined by the court to be actually innocent shall be responsible for the costs of care under section 217.831.

2. If the results of the DNA testing confirm the person’s guilt, then the person filing for DNA testing under section 547.035, shall:

(1) Be liable for any reasonable costs incurred when conducting the DNA test, including but not limited to the cost of the test. Such costs shall be determined by the court and shall be included in the findings of fact and conclusions of law made by the court; and

(2) Be sanctioned under the provisions of section 217.262.

3. A petition for payment of restitution under this section may only be filed by the individual determined to be actually innocent or the individual’s legal guardian. No claim or petition for restitution under this section may be filed by the individual’s heirs or assigns. An individual’s right to receive restitution under this section is not assignable or otherwise transferrable. The state’s obligation to pay restitution under this

section shall cease upon the individual's death. Any beneficiary designation that purports to bequeath, assign, or otherwise convey the right to receive such restitution shall be void and unenforceable.

4. An individual who is determined to be actually innocent of a crime under this chapter shall automatically be granted an order of expungement from the court in which he or she pled guilty or was sentenced to expunge from all official records all recordations of his or her arrest, plea, trial or conviction. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section.

5. Any individual incarcerated as a result of a probation or parole revocation based upon a crime for which the individual is determined to be actually innocent may receive an amount of fifty dollars per day for each day of post-revocation incarceration. For the purpose of this subsection, the basis of revocation shall be determined by the face of the order of revocation issued by the board of probation and parole or court.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Brown moved that the vote refusing to concur in **HCS** for **SB 75**, as amended, requesting the House to recede from its position or failing to do so grant conference be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny—3
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Absent—Senators—None

Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

At the request of Senator Brown, his motion that the Senate refuse to concur in **HCS** for **SB 75**, as

amended, request the House to recede from its position or failing to do so, grant the Senate a conference thereon, was withdrawn.

Senator Brown moved that **SB 75**, with **HCS**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	Nasheed	Sifton—5
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Absent—Senators

Kehoe	Walsh—2
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Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

On motion of Senator Brown, **HCS** for **SB 75**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	Nasheed	Sifton—5
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Absent—Senators

Lamping	Walsh—2
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Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Chappelle-Nadal Justus Keaveny Nasheed Sifton—5

Absent—Senator Walsh—1

Absent with leave—Senators

Dempsey McKenna Rupp—3

Vacancies—None

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Lager assumed the Chair.

Senator Munzlinger moved that the Senate refuse to recede from its position on **SCS** for **HB 103**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

Senator Richard appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 103**, as amended: Senators Munzlinger, Kehoe, Libla, LeVota and Justus.

PRIVILEGED MOTIONS

Senator Wasson moved that **SS** for **SB 282**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SB 282**, as amended, was taken up.

On motion of Senator Wasson, **HCS** for **SS** for **SB 282**, as amended, failed of adoption by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Kehoe	Munzlinger	Parson	Pearce	Richard
Romine	Schaaf	Schaefer	Silvey	Wallingford	Wasson—14		

NAYS—Senators

Chappelle-Nadal	Curls	Emery	Holsman	Justus	Keaveny	Kraus	Lager
Lamping	LeVota	Libla	Nasheed	Nieves	Sater	Schmitt	Sifton
Walsh—17							

Absent—Senators—None

Absent with leave—Senators

Dempsey McKenna Rupp—3

Vacancies—None

Senator Wasson moved that the Senate refuse to adopt the **HCS** for **SS** for **SB 282**, as amended, and request the House to recede from its position and failing to do so grant the Senate a conference thereon, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 73**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 73

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 73, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 1, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4 as amended to House Committee Substitute for Senate Bill No. 73, as amended;
2. That the Senate recede from its position on House Amendment Nos. 2 to House Committee Substitute for Senate Bill No. 73;
3. That the attached Conference Committee Amendment No. 1 to House Committee Substitute for Senate Bill 73, be adopted.
4. That House Committee Substitute for Senate Bill No. 73, with House Amendment No. 2 and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

CONFERENCE COMMITTEE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said line the following:

“307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. **A motorcycle may be equipped with a means of varying the brightness of the vehicle’s brake light for a duration of not more than five seconds upon application of the vehicle’s brakes.**

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a

capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction.”; and

Further amend the title and enacting clause accordingly.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Dan Brown

/s/ Bob Dixon

Ryan McKenna

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Robert Cornejo

/s/ Elijah Haahr

/s/ Vicki Englund

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Chappelle-Nadal	LeVota	Nasheed—3
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Absent—Senators—None

Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

On motion of Senator Schaefer, **HCS** for **SB 73**, as amended by **HA 2** and **CCA No. 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Chappelle-Nadal LeVota Nasheed—3

Absent—Senators—None

Absent with leave—Senators

Dempsey McKenna Rupp—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer moved that the Senate refuse to concur in **HCS** for **SB 12**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SB 100**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 24**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 653**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HB 336, introduced by Representative Hinson, et al, entitled:

An Act to repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Silvey.

Senator Silvey offered **SS** for **HB 336**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 336

An Act to repeal sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 321.015, and 321.322, RSMo, and to enact in lieu thereof twelve new sections relating to emergency services.

Senator Silvey moved that **SS** for **HB 336** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 336, Page 45, Section 321.015, Line 15 of said page, by inserting after all of said line the following:

“321.210. On the first Tuesday in April after the expiration of at least two full calendar years from the date of the election of the first board of directors, and on the first Tuesday in April every two years thereafter, an election for members of the board of directors shall be held in the district. Nominations shall be filed at the headquarters of the fire protection district in which a majority of the district is located by paying a [ten-dollar] filing fee **up to the amount of a candidate for state representative as set forth under section 115.357** and filing a statement under oath that he possesses the required qualifications. The candidate receiving the most votes shall be elected. Any new member of the board shall qualify in the same manner as the members of the first board qualify.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 336, Page 49, Section 321.322, Line 7 of said page, by inserting after all of said line the following:

“Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings filed by health carriers that provide coverage for emergency and nonemergency services, consumer complaints, and investigations in compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state.

Section B. Because of the need to ensure that the Department of Insurance, Financial Institutions and Professional Registration has the regulatory authority to oversee the marketing of health insurance products in this state, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Silvey moved that **SS** for **HB 336**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, **SS** for **HB 336**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger

Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Wasson—30		

NAYS—Senators
Walsh—1

Absent—Senators—None

Absent with leave—Senators
Dempsey McKenna Rupp—3

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators							
Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators
Dempsey McKenna Rupp—3

Vacancies—None

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 148, introduced by Representative Davis, et al, with **SCS**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

Was called from the Informal Calendar and taken up by Senator Brown.

SCS for **HB 148**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 148

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

Was taken up.

Senator Brown moved that **SCS** for **HB 148** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HB 148** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey	McKenna	Rupp—3
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Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 251**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 112**, entitled:

An Act to repeal sections 99.1205, 135.680, and 620.1039, RSMo, and to enact in lieu thereof seven new sections relating to taxation, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 112, Page 1, Section A, Line 3, by inserting after all of said line the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;

- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant

to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons. **Beginning August 28, 2013, no new tax credits shall be granted for programs under section 32.110. The provisions of this subdivision shall not be construed to limit or impair the ability of any administering agency to issue tax credits authorized prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits**

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year. **Beginning August 28, 2013, no new tax credits shall be granted for programs under section 32.111. The provisions of this subdivision shall not be construed to limit or impair the ability of any administering agency to issue tax credits authorized prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits;**

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to

be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.”; and

Further amend said substitute, Pages 3 through 11, Section 99.1205, Lines 1 through 266, by deleting all of said section from the bill and inserting in lieu thereof the following:

“99.1205. 1. This section shall be known and may be cited as the “Distressed Areas Land Assemblage Tax Credit Act”.

2. As used in this section, the following terms mean:

(1) “Acquisition costs”, the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures **or any portion thereof, together with site and redevelopment area planning and engineering costs regarding one or more eligible parcels**, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of **[five] twelve** years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for title insurance and survey, attorney's fees, relocation costs, fines, or bills from a municipality;

(2) “Applicant”, any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been

designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. the funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) “Certificate”, a tax credit certificate issued under this section;

(4) “Condemnation proceedings”, any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) “Department”, the Missouri department of economic development;

(6) “Economic incentive laws”, any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) “Eligible parcel”, a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired **either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant;**

(e) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired **before August 28, 2007**, by the applicant from a municipal authority shall not constitute an eligible parcel; and

[(e)] (f) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) “Eligible project area”, an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530.

(c) Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants.

[(c)] **(d)** The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels, **but shall not include any parcel acquired by the applicant from a municipal authority;**

[(d)] **(e)** The average number of parcels per acre in an eligible project area shall be four or more;

[(e)] **(f)** Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) “Interest costs”, interest, loan fees, and closing costs, **any of which relate to or arise out of loans relating to acquisition costs, including without limitation, interest, loan fees and closing costs associated with the refinancing of loans relating to acquisition costs.** Interest costs shall not include attorney’s fees;

(10) “Maintenance costs”, costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) “Municipal authority”, any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) “Municipality”, any city, town, village, or county;

(13) “Parcel”, a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) “Redeveloped”, the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) “Redevelopment agreement”, the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in

which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area, **including deadlines for commencement of work and for project completion, and shall provide the municipal authority the right to terminate the rights of the redeveloper under the redevelopment agreement if such deadlines are not met.** The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. **Subject to the limitations provided in subsection 7 of this section,** any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of [five] **twelve** years after the acquisition of an eligible parcel. [No tax credits shall be issued under this section until after January 1, 2008.]

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On [an annual] **a quarterly** basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed ninety-five million dollars. At no time shall the annual amount of the tax credits issued under this section exceed twenty million dollars. If the tax credits that are to be issued under this section exceed, in any year, the twenty million dollar limitation, the department shall either:

- (1) Issue tax credits to the applicant in the amount of twenty million dollars, if there is only one

applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year **as provided in this subdivision. The department shall determine on an ongoing basis during the course of each calendar year the amount of tax credits that have been issued to each applicant for each eligible project area during such year, and the amount of tax credits remaining available for issuance with respect to such calendar year, if any.** Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the twenty million dollar limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, [2013] **2019**. Any tax credits which have been authorized on or before August 28, [2013] **2019**, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include [the] **issued** tax credits in any **subsequent** sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. **Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement. The department shall review annually the eligibility of each applicant to receive tax credits under this section. The department shall not issue to an applicant any tax credits provided under this section after the date upon which the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, makes a finding that the applicant has failed to comply with deadlines regarding project commencement or completion or other material provisions of its redevelopment agreement with an applicant, and in furtherance of such finding the governing body validly adopts an ordinance terminating its redevelopment agreement with the applicant, with the result that such applicant no longer satisfies the requirements of paragraph (b) of subdivision (2) of subsection 2 of this section. The governing body shall notify the department of the governing body's findings and shall deliver to the department a certified copy of the ordinance terminating such**

redevelopment agreement as soon as practicable.

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 36.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

“135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer’s three prior tax years and carried forward to any of the taxpayer’s five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer’s eligible costs or forty thousand dollars.

4. No tax credits provided under sections 135.475 to 135.487 shall be authorized on or after the effective date of this act. The provisions of this subsection shall not be construed to limit or in any way impair the department’s ability to issue tax credits authorized prior to the effective date of this act, or a taxpayer’s ability to redeem such tax credits.”; and

Further amend said substitute, Pages 20 through 27, Section 144.810, Lines 1 through 242, by deleting all of said section from the bill and inserting in lieu thereof the following:

“135.1550. 1. Sections 135.1550 to 135.1575 shall be known and may be cited as the “Missouri Export Incentive Act”.

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Air export tax credit”, the tax credit against the taxes imposed under chapters 143, 147, and 148, except for those in sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) “Airport”, any international airport located within the state;

(3) “Chargeable kilo”, the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) “Claiming freight forwarder”, the freight forwarder designated as the “agent” on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) “Department”, the Missouri department of economic development;

(6) “Direct international aircraft flight”, a single aircraft transoceanic flight that operates to an international destination in accordance with the operator’s bilateral route authority;

(7) “Freight forwarder”, a person who assumes responsibility in the ordinary course of business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) “Qualifying outbound flight”, a direct international aircraft flight that carries either all cargo or a mix of passengers and cargo from the airport to an international destination.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. If the fiscal year cap on the issuance of air export tax credits provided under section 135.1565 is met in a given fiscal year, then the amount of such tax credits that have been authorized, but remain unissued, shall be carried forward and issued in the subsequent fiscal year.

3. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013, unless authorized by the department. Any amount issued exceeding seven million five hundred thousand dollars in a fiscal year shall be reduced first from the authorized amount for the fiscal year ending June 30, 2021, and then the preceding fiscal years, until all such

authorized credits have been issued.

135.1570. If the amount of any tax credit authorized under sections 135.1550 to 135.1575 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except those in sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1550 to 135.1575 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset.

144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) “Commencement of commercial operations”, shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;

(2) “Constructing taxpayer”, if more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;

(3) “County average wage”, the average wage in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(4) “Data storage center” or “facility”, a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:

(a) Data processing, hosting, and related services (NAICS 518210);

(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility; or

(c) Customer service, customer contact, or customer support operations through the use of computer databases and telecommunications services at the business facility;

(5) “Existing facility”, a data storage center in this state as it existed prior to August 28, 2013, as determined by the department;

(6) “Expanding facility” or “expanding data storage center”, an existing facility or replacement facility that expands its operations in this state on or after August 28, 2013, and has a net new investment related to the expansion of operations in this state of at least two million dollars during a period of up to twelve consecutive months and results in the creation of at least two new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(7) “Expanding facility project” or “expanding data storage center project”, the construction, extension, improvement, equipping, and operation of an expanding facility;

(8) “Investment” shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;

(9) “NAICS”, the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;

(10) “New facility” or “new data storage center”, a facility in this state meeting the following requirements:

(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2013. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2013, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2013, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2013;

(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2013, and such facility was employed prior to August 28, 2013, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;

(c) Such facility is not an expanding or replacement facility, as defined in this section;

(d) The new facility project investment is at least five million dollars during a period of up to

thirty-six consecutive months from the date of the conditional approval for an exemption under this section. If more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;

(e) At least five new jobs are created at the new facility during a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and

(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(11) “New data storage center project” or “new facility project”, the construction, extension, improvement, equipping, and operation of a new facility;

(12) “New job” in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the average number of full-time employees for the number of months the expanding data storage center facility has been in operation prior to the date of the submission of the project plan;

(13) “Notice of intent”, a form developed by the department of economic development, completed by the project taxpayer, and submitted to the department, which states the project taxpayer’s intent to construct or expand a data center and requests the exemptions under this program;

(14) “Operating taxpayer”, if more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(15) “Project taxpayers”, each constructing taxpayer and each operating taxpayer for a data storage center project;

(16) “Replacement facility”, a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(17) “Taxpayer”, the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. In addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this

section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten year period, on:

- (1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;
- (2) All machinery, equipment, and computers used in any new data storage center; and
- (3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. (1) Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility project. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey conditional approvals to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the exemption dating retroactively to the first day of construction on the new facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of construction, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to each operating taxpayer and each constructing taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may still be eligible for the exemption under subsection 2 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

4. In addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion. For purposes of this subdivision only, “amount” shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;

(2) All machinery, equipment, and computers used in any expanding data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development.

5. (1) Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the expansion of the facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the expansion of the facility, shall issue a refund of taxes paid but eligible for exemption under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection

1 of this section may still be eligible for the exemption under subsection 4 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) As a condition of receiving an exemption under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment penalties in the event the data storage center project fails to comply with any of the requirements of this section.

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. Notwithstanding any other provision of law to the contrary, no recipient of an exemption pursuant to this section shall be eligible for benefits under any business recruitment tax credit, as defined in section 135.800.

9. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

10. This section shall terminate on September 1, 2019. The termination of this section shall not be construed to limit or in any way impair the exemption for any project approved prior to the termination of this section.”; and

Further amend said substitute, Page 36, Section 348.274, Line 134, by inserting after all of said line the following:

“447.708. 1. For eligible projects, the director of the department of economic development, with notice

to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for

which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, [in addition to the tax credits allowed in subsection 1 of this section,] grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials,

supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions

taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to 6 of section 135.250. The director of the department of economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or

(2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use,

or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership.

The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. For each fiscal year beginning on or after July 1, 2014, no more than twenty-five million dollars in tax credits shall be authorized under the provisions of section 447.700 to 447.718. Of the twenty-five million dollars authorized under this subsection, no more than five million dollars shall be available to projects qualified to receive benefits under section 99.1205.”; and

Further amend said substitute, Page 38, Section 620.1039, Line 70, by inserting after all of said line the following:

“[143.119. 1. A self-employed taxpayer, as such term is used in the federal internal revenue code, who is otherwise ineligible for the federal income tax health insurance deduction under Section 162 of the federal internal revenue code shall be entitled to a credit against the tax otherwise due under this chapter, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the portion of such taxpayer's federal tax liability incurred due to such taxpayer's inclusion of such payments in federal adjusted gross income. The tax credits authorized under this section shall be nontransferable. To the extent tax credit issued under this section exceeds a taxpayer's state income tax liability, such excess shall be considered an overpayment of tax and shall be refunded to the taxpayer.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 112, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

“135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed pursuant to sections 135.300 to 135.311 exceed three million five hundred thousand dollars in any given fiscal year.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 112, Page 20, Section 135.680, Line 355, by inserting after all of said line the following:

“135.1670. 1. If any job that qualifies for a tax credit under sections 100.7000 to 100.850, 135.100 to 135.258, 135.950 to 135.973, 620.1023, or 620.1875 to 620.1910 relocates to a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, or a county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants from any county outside the state of Missouri which is adjacent to such counties, no tax credits shall be issued for such job under such sections if the state of Kansas prohibits any tax credit for jobs or economic incentive for job creation or does not award any job relocation incentive for any job that relocates from such counties into any county outside the state of Missouri which is adjacent to such counties.

2. Subsection 1 of this section shall become effective only upon the state of Kansas enacting legislation or the governor of Kansas issuing an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section.

3. Subsection 1 of this section shall become null and void and thereby considered repealed effective

only upon the state of Kansas repealing enacted legislation or the governor of Kansas rescinding an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 112, Page 27, Section 144.810, Line 242, by inserting after all of said line the following:

“253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) “Certified historic structure”, a property located in Missouri and listed individually on the National Register of Historic Places;

(2) “Deed in lieu of foreclosure or voluntary conveyance”, a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) “Eligible property”, property located in Missouri and offered or used for residential or business purposes;

(4) “Leasehold interest”, a lease in an eligible property for a term of not less than thirty years;

(5) “Principal”, a managing partner, general partner, or president of a taxpayer;

(6) “Structure in a certified historic district”, a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) “Taxpayer”, any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) “Total costs and expenses of rehabilitation”, all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress, accrued developer fees, and costs and expenses related to rehabilitation incurred at the taxpayers own risk up to one year before the date of submission of a preliminary application under section 253.559. Provided however, that accrued developer fees shall only be considered “total costs and expenses of rehabilitation” if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, [may] **shall**, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the

total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. **The department of economic development shall determine the total costs and expenses of rehabilitation pursuant to subsection 7 of section 253.559, but in no case shall such total costs and expenses of rehabilitation be defined more narrowly than qualified rehabilitation expenditures as defined in Section 47 (c) (2) (A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section, as required by section 253.545.**

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2014**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before July 1, 2014**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. For each fiscal year beginning on or after July 1, 2014, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed ninety million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of

subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

6. For all applications for tax credits approved on or after July 1, 2014, no more than one hundred twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2014; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2014:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2014, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to the July 1, 2014; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2014:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back

to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] **to 253.559. Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district, **or evidence that the taxpayer has submitted the necessary documentation to qualify the property as an eligible property and a certified historic structure or as a structure in a certified historic district. A final determination of such qualifications shall not be a prerequisite for**

approval of the application or the incurrence of eligible costs; and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits. **Notwithstanding any provision of law to the contrary, a determination of the department of economic development, in consultation with the department of natural resources, whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the department of natural resources under subsection 7 of this section, shall not be required for the department of economic development to approve an application under this subsection.**

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application, or any successor owner of the project, shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2 **or** 5 of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2 **or** 5 of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2 **or** 5 of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,] **. Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine, in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation [as determined by the state historic preservation officer of the Missouri department of natural resources]. If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal to the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and twenty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and twenty calendar days following receipt of such taxpayer's application for final aproval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to**

such excess. For financial institutions credits authorized pursuant to sections 253.550 to [253.561] **253.559** shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. **Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.**

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department **and shall be substantially in the form of the department of economic development form titled "Historic Preservation Tax Credit Program - Request for Additional Credits" in effect by the effective date of this act.** Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department within fourteen days of receipt of the appeal by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Within fourteen days of receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal within thirty days.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department

or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit, but not later than ninety days after the initial receipt of an appeal by the appeals officer.

11. By no later than January 1, 2014, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 112, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

“135.350. As used in this section, unless the context clearly requires otherwise, the following words and phrases shall mean:

(1) “Commission”, the Missouri housing development commission, or its successor agency;

(2) “Director”, director of the department of revenue;

(3) “Eligibility statement”, a statement authorized and issued by the commission certifying that a given project qualifies for the Missouri low-income housing tax credit. The commission shall promulgate rules establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the amount of the Missouri low-income housing tax credit allowed. The commission shall only authorize the tax credits to qualified projects which begin after June 18, 1991;

(4) “Federal credit period”, the same meaning as is prescribed the term “credit period” under section 42 of the 1986 Internal Revenue Code, as amended;

(5) “Federal low-income housing tax credit”, the federal tax credit as provided in section 42 of the 1986 Internal Revenue Code, as amended;

[(5)] (6) “Low-income project”, a housing project which has restricted rents that do not exceed thirty percent of median income for at least forty percent of its units occupied by persons or families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income;

[(6)] (7) “Median income”, those incomes which are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size;

[(7)] (8) “Qualified Missouri project”, a qualified low-income building as that term is defined in section 42 of the 1986 Internal Revenue Code, as amended, which is located in Missouri;

[(8)] (9) “Taxpayer”, person, firm or corporation subject to the state income tax imposed by the provisions of chapter 143 (except withholding imposed by sections 143.191 to 143.265) or a corporation

subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal [tax] **credit** period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. No more than six million dollars in tax credits shall be authorized each fiscal year **ending on or before June 30, 2014**, for projects financed through tax-exempt bond issuance.

4. **For purposes of the limitations provided under this subsection, the aggregate amount of tax credits allowed over a federal credit period shall be attributed to the fiscal year in which such credits are authorized by the commission for a qualified Missouri project. For each fiscal year beginning on or after July 1, 2014, there shall be a four million dollar cap on tax credit authorizations for projects which are financed through tax exempt bond issuance. For projects which are not financed through tax exempt bond issuance, the maximum amount of tax credits authorized shall be as follows:**

- (1) For fiscal year 2014, one hundred thirty million dollars;**
- (2) For fiscal year 2015, one hundred twenty-five million dollars;**
- (3) For fiscal year 2016, one hundred twenty million dollars;**
- (4) For fiscal year 2017, one hundred fifteen million dollars; and**
- (5) For the fiscal years beginning in 2018 and after, one hundred ten million dollars.**

5. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2014, any amount of credit that exceeds the tax due for a taxpayer's taxable year shall not be eligible to be carried back, but may be carried forward to any of the taxpayer's two subsequent taxable years.**

[5.] 6. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

[6.] 7. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall

include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

8. A taxpayer that receives state tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive state tax credits under the provisions of sections 135.350 to 135.363 for the same project, if such project is not financed through tax exempt bond issuance.

[7.] **9.** The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 112, Pages 27 through 36, Sections 348.273 and 348.274, by deleting all of said sections from the bill and inserting in lieu thereof the following:

“348.273. 1. This section and section 348.274 shall be known and may be cited as the “Missouri Angel Investment Incentive Act”.

2. As used in this section and section 348.274, the following terms mean:

(1) “Cash investment”, money or money equivalent contribution;

(2) “Department”, the department of economic development;

(3) “Investor”:

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) “Owner”, any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) “Permitted entity investor”, any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(6) “Qualified knowledge-based company”, a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) “Qualified Missouri business”, the Missouri businesses that are approved and certified as qualified knowledge-based companies by the regional SBTDC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business’s production in Missouri;

(8) “Qualified securities”, a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument’s term;

(9) “SBTDC”, the Missouri small business and technology development center; and

(10) “Tax credit”, a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri business and allocating the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor’s cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor’s cash investment in any qualified Missouri business, subject to the limitations set forth in

this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The director of the department of revenue shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the department shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the department any unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the department, but shall include at least the following:

- (a) The name of the business and certified copies of the organizational documents of the business;**
- (b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;**
- (c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;**
- (d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;**
- (e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and**
- (f) Such other information as the regional SBTDC or the department may reasonably request.**

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

- (a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;**
- (b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;**
- (c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;**
- (d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;**
- (e) The business shall not be engaged primarily in any one or more of the following enterprises:**
 - a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;**
 - b. The provision of professional services, such as legal, accounting, or engineering services;**
 - c. Governmental, charitable, religious, or trade organizations;**
 - d. The ownership, development brokerage, sales, or leasing of real estate;**
 - e. Insurance;**
 - f. Construction or construction management or contracting;**
 - g. Business consulting or brokerage;**
 - h. Any business engaged primarily as a passive business, having irregular or noncontinuous**

operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;

(l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets;

(m) The business shall satisfy all other requirements of this section and section 348.274; and

(n) This section and all referenced sections herein are subject to the provisions of section 196.1127.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the

region, the state, or both. The regional SBTDC may allocate, and the department may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated tax credits to the qualified Missouri business and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the department, as applicable. For the purposes of this section and section 348.273, “trade secrets” means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee’s Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before February first. The regional SBTDC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the department may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the department on the allocation of the tax

credits in the preceding calendar quarter. Such reports shall include:

- (a) The amount of applications the regional SBTDC received;
- (b) The number and ratio of successful applications to unsuccessful applications;
- (c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;
- (d) The amount of unallocated tax credits; and
- (e) Such other information as reasonably agreed upon by each regional SBTDC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

- (a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;
- (b) The types of businesses that benefited from the tax credits;
- (c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;
- (d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;
- (e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;
- (f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;
- (g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;
- (h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;
- (i) Information regarding what businesses derived benefit from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out-of-region or out-of-state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Notwithstanding sections 23.250 to 23.298 of the Missouri sunset act, sections 348.273 and 348.274 shall expire on December 31, 2019.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 112, Page 1, In the Title, Line 1, by inserting after “RSMo,” the following:

“and section 135.630 as truly agreed to and finally passed by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session,”; and

Further amend said substitute, Page 1, Section A, Line 1, by inserting after “RSMo,” the following:

“and section 135.630 as truly agreed to and finally passed by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session,”; and

Further amend said substitute, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

“135.630. 1. As used in this section, the following terms mean:

- (1) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) “Director”, the director of the department of social services;
- (3) “Pregnancy resource center”, a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross

receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. (1) Beginning on the effective date of this act, any contribution to a pregnancy resource center made on or after January 1, 2013, shall be eligible for tax credits as provided by this section;

(2) For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million **five hundred thousand** dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director

of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of the effective date of this act and shall expire on December 31, 2019, unless reauthorized by the general assembly; and

(2) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; and

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.”; and

Further amend said substitute, Page 38, Section 620.1039, Line 70, by inserting after all of said line the following:

“[135.630. 1. As used in this section, the following terms mean:

(1) “Contribution”, a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) “Director”, the director of the department of social services;

(3) “Pregnancy resource center”, a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) “State tax liability”, in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) “Taxpayer”, a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by

the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. (1) Beginning on the effective date of this act, any contribution to a pregnancy resource center made on or after January 1, 2013, shall be eligible for tax credits as provided by this section;

(2) For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure

described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. [Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10.] Pursuant to section 23.253 of the Missouri sunset act:

(1) [Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **be reauthorized as of the effective date of this act and shall expire on December 31, 2019, unless reauthorized by the general assembly;** and

[(3)] (2) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; **and**

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly. Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Richard, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

HOUSE BILLS ON THIRD READING

HJR 16, introduced by Representative McCaherty, et al, with **SCS**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

Was called from the Informal Calendar and taken up by Senator Schaaf.

SCS for **HJR 16**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 16

Joint Resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

Was taken up.

Senator Schaaf moved that **SCS** for **HJR 16** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **HJR 16** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Chappelle-Nadal Keaveny—2

Absent—Senators—None

Absent with leave—Senators

Dempsey Rupp—2

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Schaaf, title to the joint resolution was agreed to.

Senator Schaaf moved that the vote by which the joint resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President:

The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HB 103**, as amended. Representatives: Kelley (127), Richardson, and Rizzo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **HB 336**, as amended, and request the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 24**, as amended, and grants the Senate a conference thereon.

The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 24**, as amended. Representatives: Hinson, Jones (50), and Rizzo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 100**, as amended, and grants the Senate a conference thereon.

The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 100**, as amended. Representatives: Cox, Elmer, and Kelly (45).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 12**, as amended, and grants the Senate a conference thereon.

The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 12**, as amended. Representatives: Jones (50), Haahr, and Kelly (45).

CONFERENCE COMMITTEE APPOINTMENTS

Senator Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 12**, as amended: Senators Schaefer, Dixon, Schmitt, Justus and Keaveny.

Senator Richard appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **SB 114**, as amended: Senators Schmitt, Schaefer, Parson, McKenna and Holsman.

Senator Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 100**, as amended: Senators Keaveny, Dixon, Schaefer, Schmitt and Justus.

Senator Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 24**, as amended: Senators Parson, Kehoe, Romine, Walsh and LeVota.

PRIVILEGED MOTIONS

Senator Silvey moved that the Senate refuse to recede from its position on **SS** for **HB 336**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

Senator Richard appointed the following conference committee to act with a like committee from the House on **SS** for **HB 336**, as amended: Senators Silvey, Schmitt, Kehoe, Justus and Holsman.

HOUSE BILLS ON THIRD READING

HCS for **HB 128**, entitled:

An Act to repeal sections 52.230 and 52.240, RSMo, and to enact in lieu thereof two new sections relating to property tax bills.

Was called from the Informal Calendar and taken up by Senator Kraus.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 128, Page 1, In the Title, Line 3, by striking “property tax bills” and inserting in lieu thereof the following: “taxation”; and

Further amend said bill, page 2, section 52.240, line 27, by inserting immediately after said line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection**:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

[(b)] b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

[(c)] c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state[;].

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other

conditions of the sale[.]; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from

the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder’s residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation’s total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company’s fund shareholders resided in this state at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company’s fund shareholders everywhere at the beginning of and at the end of the investment company’s taxable year that ends with or within the investment funds service corporation’s taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered

for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 128, Page 2, Section 52.240, Line 27, by inserting after all of said line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such

redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July

12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district**, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution

to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
- (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
- (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
- (ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kraus, **HCS** for **HB 128**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 215**, with **SCS**, entitled:

An Act to repeal sections 43.518, 56.807, 488.026, 488.2250, 559.100, 559.105, 570.120, 600.042, 600.044, and 600.090, RSMo, and to enact in lieu thereof fourteen new sections relating to criminal procedure, with penalty provisions, an effective date and an emergency clause.

Was called from the Informal Calendar and taken up by Senator Dixon.

SCS for **HCS** for **HB 215**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 215

An Act to repeal sections 43.518, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447,

217.010, 217.345, 339.100, 375.1312, 544.455, 556.036, 556.037, 556.061, 557.011, 558.018, 558.026, 559.036, 559.100, 559.105, 559.115, 559.117, 566.020, 566.030, 566.040, 566.060, 566.070, 566.090, 566.093, 566.095, 566.100, 566.224, 566.226, 570.120, 573.037, 589.015, 590.700, 595.220, 600.011, 600.040, 600.042, 600.048, 632.480, 632.498, and 632.505, RSMo, and to enact in lieu thereof fifty new sections relating to criminal procedures, with penalty provisions, and an emergency clause for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 215** be adopted.

Senator Dixon offered **SS** for **SCS** for **HCS** for **HB 215**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 215

An Act to repeal sections 43.518, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 217.345, 217.703, 339.100, 375.1312, 544.455, 556.036, 556.037, 556.061, 557.011, 558.018, 558.026, 559.036, 559.100, 559.105, 559.115, 559.117, 566.020, 566.030, 566.040, 566.060, 566.070, 566.090, 566.093, 566.095, 566.100, 566.224, 566.226, 570.120, 573.037, 589.015, 590.700, 595.220, 600.011, 600.040, 600.042, 600.048, 632.480, 632.498, and 632.505, RSMo, and to enact in lieu thereof fifty-two new sections relating to criminal procedures, with penalty provisions, and an emergency clause for certain sections.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 215** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 215, Page 59, Section 375.1312, Line 25 of said page, by inserting after all of said line the following:

“455.010. As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

(1) “Abuse” includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

(a) “Assault”, purposely or knowingly placing or attempting to place another in fear of physical harm;

(b) “Battery”, purposely or knowingly causing physical harm to another with or without a deadly weapon;

(c) “Coercion”, compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;

(d) “Harassment”, engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of

conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child. Such conduct might include, but is not limited to:

a. Following another about in a public place or places;

b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;

(e) “Sexual assault”, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress;

(f) “Unlawful imprisonment”, holding, confining, detaining or abducting another person against that person’s will;

(2) “Adult”, any person seventeen years of age or older or otherwise emancipated;

(3) “Child”, any person under seventeen years of age unless otherwise emancipated;

(4) “Court”, the circuit or associate circuit judge or a family court commissioner;

(5) “Domestic violence”, abuse or stalking **committed by a family or household member**, as [both] **such** terms are defined in this section;

(6) “Ex parte order of protection”, an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;

(7) “Family” or “household member”, spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;

(8) “Full order of protection”, an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;

(9) “Order of protection”, either an ex parte order of protection or a full order of protection;

(10) “Pending”, exists or for which a hearing date has been set;

(11) “Petitioner”, a family or household member who has been a victim of domestic violence, or any person who has been the victim of stalking, or a person filing on behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the provisions of section 455.020 or section 455.505;

(12) “Respondent”, the family or household member alleged to have committed an act of domestic violence, or person alleged to have committed an act of stalking, against whom a verified petition has been filed or a person served on behalf of a child pursuant to section 455.503;

(13) “Stalking” is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person when it is reasonable in that person’s situation to have been alarmed by the conduct. As used in this subdivision:

(a) “Alarm” means to cause fear of danger of physical harm;

(b) “Course of conduct” means a pattern of conduct composed of repeated acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact; and

(c) “Repeated” means two or more incidents evidencing a continuity of purpose.

455.015. The petition shall be filed in the county where the petitioner resides, where the alleged incident of [abuse] **domestic violence** occurred, or where the respondent may be served.

455.020. 1. Any [adult] **person** who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence or stalking by the respondent.

2. [An adult’s] **A person’s** right to relief under sections 455.010 to 455.085 shall not be affected by [his] **the person** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.

455.030. 1. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from [abuse] **domestic violence** or a motion for hearing on violation of any order of protection under sections 455.010 to 455.085 may be filed before any available court in the city or county having jurisdiction to hear the petition pursuant to the guidelines developed pursuant to subsection 4 of this section. An ex parte order may be granted pursuant to section 455.035.

2. All papers in connection with the filing of a petition or the granting of an ex parte order of protection or a motion for a hearing on a violation of an order of protection under this section shall be certified by such court or the clerk within the next regular business day to the circuit court having jurisdiction to hear the petition.

3. A petitioner seeking a protection order shall not be required to reveal any current address or place of residence except to the court in camera for the purpose of determining jurisdiction and venue. The petitioner may be required to provide a mailing address unless the petitioner alleges that he or she would be endangered by such disclosure, or that other family or household members would be endangered by such disclosure. Effective January 1, 2004, a petitioner shall not be required to provide his or her Social Security number on any petition or document filed in connection with a protection order; except that, the court may require that a petitioner’s Social Security number be retained on a confidential case sheet or other confidential record maintained in conjunction with the administration of the case.

4. The supreme court shall develop guidelines which ensure that a verified petition may be filed on holidays, evenings and weekends.

455.032. In addition to any other jurisdictional grounds provided by law, a court shall have jurisdiction to enter an order of protection restraining or enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting or disturbing the peace of petitioner, pursuant to sections 455.010 to 455.085, if the petitioner is present, whether permanently or on a temporary basis within the state of Missouri and if the respondent’s actions constituting [abuse] **domestic violence** have occurred, have been attempted or have been or are threatened within the state of Missouri. For purposes of this section, if the petitioner has been the subject of [abuse] **domestic violence** within or outside of the state of Missouri, such evidence shall be admissible to demonstrate the need for protection in Missouri.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence** to the petitioner **or the child on whose behalf the petition**

is filed shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.020.**

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a **custodial** parent or guardian of the respondent, or upon a guardian ad litem appointed by the court, **requiring that the person appear and bring the respondent before the court at the time and place stated.**

3. If an ex parte order is entered and [the allegations in the petition would give rise to jurisdiction under section 211.031 because] the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian.

455.040. 1. Not later than fifteen days after the filing of a petition [pursuant to sections 455.010 to 455.085] **that meets the requirements of section 455.020**, a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of [abuse] **domestic violence** or stalking by a preponderance of the evidence, **and the respondent cannot show that his or her actions alleged to constitute abuse were otherwise justified under the law**, the court shall issue a full order of protection for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year from the expiration date of the originally issued full order of protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. When an automatic renewal is not authorized, upon motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. For purposes of this subsection, a finding by the court of a subsequent act of [abuse] **domestic violence or stalking** is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent as provided by law or by any sheriff or police officer at least three days prior to such hearing. [Such notice shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.] The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. **Notice of an ex parte or full order of protection shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.** Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted pursuant to sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted. The law enforcement agency responsible for maintaining MULES shall, for purposes of verification, within twenty-four hours from the time the order is granted, enter information contained in the order including but not limited to any orders regarding child custody or visitation and all specifics as to times and dates of custody or visitation that are provided in the order. A notice of expiration or of termination of any order of protection or any change in child custody or visitation within that order shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system within twenty-four hours of receipt of information evidencing such expiration or termination. The information contained in an order of protection may be entered in the Missouri uniform law enforcement system or comparable law enforcement system using a direct automated data transfer from the court automated system to the law enforcement system.

4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.

455.045. Any ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from [abuse] **domestic violence** or stalking and may include:

(1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;

(2) Restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit;

(3) Restraining the respondent from communicating with the petitioner in any manner or through any medium;

(4) A temporary order of custody of minor children where appropriate.

455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;

(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or

(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Establish a visitation schedule that is in the best interests of the child;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

5. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452 and shall consider all other factors in accordance with chapter 452.

6. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further [abuse] **domestic violence**. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452 whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

7. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452.

8. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452.

455.060. 1. After notice and hearing, the court may modify an order of protection at any time, upon subsequent motion filed by the guardian ad litem, the court-appointed special advocate or by either party together with an affidavit showing a change in circumstances sufficient to warrant the modification. All full orders of protection shall be final orders and appealable and shall be for a fixed period of time as provided in section 455.040.

2. Any order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order upon the issuance of a subsequent order pursuant to chapter 452 or any other Missouri statute.

3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any subsequent proceeding, including, but not limited to, any action brought under chapter 452[, RSMo 1978, as amended].

4. All provisions of an order of protection shall terminate upon entry of a decree of dissolution of marriage or legal separation except as to those provisions which require the respondent to participate in a court-approved counseling program or enjoin the respondent from [abusing, molesting, stalking or disturbing the peace of] **committing an act of domestic violence against** the petitioner and which enjoin

the respondent from entering the premises of the dwelling unit of the petitioner as described in the order of protection when the petitioner continues to reside in that dwelling unit unless the respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of marriage or legal separation.

5. Any order of protection or order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate upon the order of the court granting a motion to terminate the order of protection by the petitioner. [The court shall set the motion to dismiss for hearing and both parties shall have an opportunity to be heard.] Prior to terminating any order of protection, the court may [examine the circumstances of the motion to dismiss and may] inquire of the petitioner or others in order to [assist the court in determining if] **determine whether the** dismissal is voluntary.

6. The order of protection may not change the custody of children when an action for dissolution of marriage has been filed or the custody has previously been awarded by a court of competent jurisdiction.

455.080. 1. Law enforcement agencies may establish procedures to ensure that dispatchers and officers at the scene of an alleged incident of [abuse] **domestic violence or stalking** or violation of an order of protection can be informed of any recorded prior incident of [abuse] **domestic violence or stalking** involving the abused party and can verify the effective dates and terms of any recorded order of protection.

2. The law enforcement agency shall apply the same standard for response to an alleged incident of [abuse] **domestic violence or stalking** or a violation of any order of protection as applied to any like offense involving strangers, except as otherwise provided by law. Law enforcement agencies shall not assign lower priority to calls involving alleged incidents of [abuse] **domestic violence or stalking** or violation of protection orders than is assigned in responding to offenses involving strangers. Existence of any of the following factors shall be interpreted as indicating a need for immediate response:

(1) The caller indicates that violence is imminent or in progress; or

(2) A protection order is in effect; or

(3) The caller indicates that incidents of domestic violence have occurred previously between the parties.

3. Law enforcement agencies may establish domestic crisis teams or, if the agency has fewer than five officers whose responsibility it is to respond to calls of this nature, individual officers trained in methods of dealing with [family and household quarrels] **domestic violence**. Such teams or individuals may be supplemented by social workers, ministers or other persons trained in counseling or crisis intervention. When an alleged incident of [family or household abuse] **domestic violence** is reported, the agency may dispatch a crisis team or specially trained officer, if available, to the scene of the incident.

4. The officer at the scene of an alleged incident of [abuse] **domestic violence or stalking** shall inform the abused party of available judicial remedies for relief from [adult abuse] **domestic violence** and of available shelters for victims of domestic violence.

5. Law enforcement officials at the scene shall provide or arrange transportation for the abused party to a medical facility for treatment of injuries or to a place of shelter or safety.

455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to [abuse or assault] **domestic violence**, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information.

Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest [he], **the officer** is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party [he] **the officer** believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

(1) The intent of the law to protect victims [of domestic violence] from continuing [abuse] **domestic violence**;

(2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;

(3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of [family] **domestic violence** shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether [he] **the officer** should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the

jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to **[abuse] domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of **[abuse] domestic violence, stalking**, or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

455.503. 1. A petition for an order of protection for a child shall be filed in the county where the child resides, where the alleged incident of **[abuse] domestic violence or stalking** occurred, or where the respondent may be served.

2. Such petition may be filed by any of the following:

- (1) A parent or guardian of the victim;
- (2) A guardian ad litem or court-appointed special advocate appointed for the victim; or
- (3) The juvenile officer.

455.505. 1. An order of protection for a child who has been subject to domestic violence by a present or former **[adult]** household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such domestic violence **or stalking** by the respondent.

2. A child's right to relief under sections 455.500 to 455.538 shall not be affected by **[his] the child's** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.

455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that no prior order regarding custody is pending or has been made or that the respondent is less than seventeen years of age, the court may immediately issue an ex parte order

of protection. An immediate and present danger of [abuse] **domestic violence or stalking** to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.505.**

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If [an ex parte order is entered and] the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court **may issue an ex parte order and** shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035.

455.520. 1. Any ex parte order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence **or stalking** and may include such terms as the court reasonably deems necessary to ensure the [petitioner's] **victim's** safety, including but not limited to:

(1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;

(2) Restraining the respondent from entering the family home of the victim except as specifically authorized by the court;

(3) Restraining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court;

(4) A temporary order of custody of minor children.

2. No ex parte order of protection excluding the respondent from the family home shall be issued unless the court finds that:

(1) The order is in the best interests of the child or children remaining in the home;

(2) The verified allegations of domestic violence present a substantial risk to the child or children unless the respondent is excluded; and

(3) A remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party.

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence and **stalking** may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from [abusing] **committing domestic violence**, threatening to [abuse] **commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help [child abusers] stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence.

455.538. 1. When a law enforcement officer has probable cause to believe that a party, against whom a protective order for a child has been entered, has committed an act [of abuse] in violation of that order, [he] **the officer** shall have the authority to arrest the respondent whether or not the violation occurred in the presence of the arresting officer.

2. When a person, against whom an order of protection for a child has been entered, fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

3. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

4. (1) Violation of the terms and conditions of an ex parte or full order of protection with regard to [abuse] **domestic violence, stalking**, child custody, communication initiated by the respondent, or entrance upon the premises of the victim's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of which the respondent has notice, shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of a prior plea of guilty or finding of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of a prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or

other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

(2) For purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection for a child if the law enforcement officer responding to a call of a reported incident of **[abuse] domestic violence or stalking** or violation of an order of protection for a child presents a copy of the order of protection to the respondent.

5. The fact that an act by a respondent is a violation of a valid order of protection for a child shall not preclude prosecution of the respondent for other crimes arising out of the incident in which the protection order is alleged to have been violated.

527.290. 1. Public notice of such a change of name shall be given at least three times in a newspaper published in the county where such person is residing, within twenty days after the order of court is made, and if no newspaper is published in **[his] the person's** or any adjacent county, then such notice shall be given in a newspaper published in the City of St. Louis, or at the seat of government.

2. Public notice of such name change through publication as required in subsection 1 of this section shall not be required, **and any system operated by the judiciary that is designed to provide public case information electronically shall not post the name change**, if the petitioner is:

(1) The victim of a crime, the underlying factual basis of which is found by the court on the record to include an act of domestic violence, as defined in section 455.010;

(2) The victim of child abuse, as defined in section 210.110; or

(3) The victim of **[abuse] domestic violence** by a family or household member, as defined in section 455.010.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 215, Page 94, Section 559.117, Line 1 of said page, by inserting immediately after said line the following:

“565.020. 1. A person commits the **[crime] offense** of murder in the first degree if he **or she** knowingly causes the death of another person after deliberation upon the matter.

2. **The offense of** murder in the first degree is a class A felony, and **, if a person is eighteen years of age or older at the time of the crime**, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor; except that, if a person has not reached his **or her** **[sixteenth] eighteenth** birthday at the time of the commission of the crime, the punishment shall be **either** imprisonment for life without eligibility for probation or parole, or release except by act of the governor, **or imprisonment for life with eligibility for parole after such person has served fifty years in prison.**

565.033. 1. When a person is charged with first degree murder who was less than eighteen years of age at the time of the offense, the prosecuting or circuit attorney may file a notice of his or her

intent to seek a punishment of imprisonment for life without eligibility for parole. If the notice is filed, the trial shall proceed in two stages before the same trier. At the first stage the trier shall decide only whether the defendant is guilty of any submitted offense. If the person is found guilty of first degree murder, a second stage of the trial shall then proceed at which the only issue shall be the punishment to be assessed and declared. Evidence in aggravation and mitigation of punishment, including but not limited to evidence supporting any of the aggravating or mitigating circumstances listed in subsection 2 or 3 of section 565.032, may be presented subject to the rules of evidence at criminal trials. Rebuttal and surrebuttal evidence may be presented. The state shall be the first to proceed. If the trier is a jury, it shall be instructed on the law. The attorneys may then argue the issue of punishment to the jury, and the state shall have the right to open and close the argument. The trier shall assess and declare the punishment and, if the trier declares the punishment to be imprisonment for life without parole, the trier shall set out in writing in its findings or verdict the aggravating circumstances or mitigating circumstances it considered and the reasons supporting the sentence imposed.

2. If the prosecuting or circuit attorney does not seek a punishment of imprisonment for life without eligibility for parole, the submission to the trier and all subsequent proceedings in the case shall proceed with a single stage trial and, if the person is found guilty of first degree murder, the punishment shall be imprisonment for life with eligibility for parole after the person has served fifty years in prison. If the person is found guilty of a lesser homicide offense, the procedure for the punishment phase shall be the same as provided under subsection 3 of section 565.030.

3. The procedures provided under this section shall not apply to any case that is final for purposes of appeal on or before the effective date of this section. A case is final for purposes of appeal when the time for filing an appeal in the Missouri Court of Appeals has expired; if an appeal was filed in the Missouri Court of Appeals, when the time for filing an application for transfer in the Missouri Supreme Court has expired; if an application was filed for transfer to the Missouri Supreme Court, when the application for transfer was denied or when a timely filed motion for rehearing was denied; or if the Missouri Supreme Court granted transfer, when the Missouri Supreme Court rendered its decision or when a timely-filed motion for rehearing was denied.

4. Any person sentenced to imprisonment for life without the eligibility for parole before the effective date of this section for an offense committed when the person was less than eighteen years of age may file a motion in the sentencing court for a sentencing hearing within six months of the effective date of this section. Such sentencing hearing shall be heard by the judge. The sole purpose of the sentencing hearing shall be to determine if the sentence of imprisonment for life without eligibility for parole that was originally imposed shall remain or be amended to imprisonment for life with eligibility for parole after the person has served fifty years in prison.”; and

Further amend said bill, page 136, section B, lines 1-2 of said page, by striking “section 600.062” and inserting in lieu thereof the following: “sections 565.033 and 600.062”; and further amend line 2 of said page, by striking “section 632.480” and inserting in lieu thereof the following: “sections 565.020 and 632.480”; and further amend line 6 of said page, by striking “section 600.062” and inserting in lieu thereof the following: “sections 565.033 and 600.062”; and further amend line 7 of said page, by striking “section 632.480” and inserting in lieu thereof the following: “sections 565.020 and 632.480”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Dixon, **HCS** for **HB 215**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

HCS for **HB 722**, with **SCS**, entitled:

An Act to repeal section 86.257, RSMo, and to enact in lieu thereof one new section relating to police retirement.

Was called from the Informal Calendar and taken up by Senator Schmitt.

SCS for **HCS** for **HB 722**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 722

An Act to repeal sections 86.200, 86.257, and 86.263, RSMo, and to enact in lieu thereof three new sections relating to police retirement.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 722** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **HCS** for **HB 722** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 307**, as amended, and has

taken up and passed **CCS** for **SS** for **SCS** for **HB 307**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 282**, as amended, and requests the Senate to take up and adopt **HCS** for **SCS** for **SB 282**, as amended, and pass **HCS** for **SCS** for **SB 282**, as amended.

Also,

Mr. President:

The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **HB 336**, as amended. Representatives: Hinson, Hough and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 36**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 36**.

Bill ordered enrolled.

Senator Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Lamping, Chairman of the Committee on Seniors, Families and Pensions, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 727**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Pensions, to which was referred **HCS** for **HB 717**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

Senator Richard referred **HCS** for **HB 727**, with **SCS** and **HCS** for **HB 717**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Pearce assumed the Chair.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HB 307**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 307

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House

Bill No. 307, with Senate Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 307, as amended;
2. That the House recede from its position on House Bill No. 307;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 307 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jeanie Riddle

/s/ Dave Hinson

Rochelle Walton Gray

FOR THE SENATE:

/s/ Eric Schmitt

/s/ Bob Dixon

/s/ Michael Kehoe

/s/ Ryan McKenna

/s/ Jason Holsman

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators

Dempsey Rupp—2

Vacancies—None

On motion of Senator Schmitt, **CCS** for **SS** for **SCS** for **HB 307**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 307

An Act to repeal sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.490, 84.830, 85.551, 106.270, 174.700, 174.703, 174.706, 190.100, 321.015, 321.210, 321.322, and 544.157, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency service providers, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
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Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Dempsey Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 80 entitled:

AN ACT

To repeal section 344.040, RSMo, and to enact in lieu thereof one new section relating to the notification of licence renewal for nursing home administrators.

On May 16, 2013, I approved said Senate Bill No. 80.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 376 entitled:

AN ACT

To repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the powers of hospital districts.

On May 16, 2013, I approved said Senate Committee Substitute for Senate Bill No. 376.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 324 entitled:

AN ACT

To amend chapter 375, RSMo, by adding thereto one new section relating to limited lines travel insurance producer licensing.

On May 16, 2013, I approved said Senate Committee Substitute for Senate Bill No. 324.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 287 entitled:

AN ACT

To repeal sections 379.1300, 379.1306, 379.1310, 379.1312, and 379.1326, RSMo, and to enact in lieu thereof six new sections relating to captive insurance companies.

On May 16, 2013, I approved said Senate Committee Substitute for Senate Bill No. 287.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 306 entitled:

AN ACT

To repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

On May 16, 2013, I approved said Senate Bill No. 306.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 16, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 191 entitled:

AN ACT

To repeal sections 386.170 and 386.180, RSMo, and to enact in lieu thereof two new sections relating to the forms of publication issued by the public service commission.

On May 16, 2013, I approved said Senate Committee Substitute for Senate Bill No. 191.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 1020, regarding Tiffany Lee, Sunset Hills, which was adopted.

Senator Nasheed offered Senate Resolution No. 1021, regarding Courtney Groce, which was adopted.

Senator Nasheed offered Senate Resolution No. 1022, regarding Jessica Green, which was adopted.

Senator Nasheed offered Senate Resolution No. 1023, regarding Natasha Harris, which was adopted.

Senator Nasheed offered Senate Resolution No. 1024, regarding Koffi Assih, which was adopted.

Senator Nasheed offered Senate Resolution No. 1025, regarding Derick J. Jones, Jefferson City, which was adopted.

Senator Nasheed offered Senate Resolution No. 1026, regarding Sacha Tyson, which was adopted.

Senator LeVota offered Senate Resolution No. 1027, regarding Christy Garnett, which was adopted.

Senator LeVota offered Senate Resolution No. 1028, regarding Truman High School, Independence, which was adopted.

Senator Walsh offered Senate Resolution No. 1029, regarding Sergeant Gerald F. Fitzgerald, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Taylor Elwell, Leeton; and Gary Grigsby, Warrensburg,

representatives of Boy's State.

Senator Pearce introduced to the Senate, Jeremy, Kim and James Sayler and Kathy Teter, Glasgow.

Senator Schaaf introduced to the Senate, the Physician of the Day, Mahrukh Khan, M.D., St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTIETH DAY—FRIDAY, MAY 17, 2013

FORMAL CALENDAR

VETOED BILLS

HCS for SCS for SB 182-Kehoe, et al

SB 350-Dempsey

SENATE BILLS FOR PERFECTION

SB 375-Nieves, with SCS

SB 52-Munzlinger and Romine, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 473 (Lager)
(In Fiscal Oversight) | 11. HCS for HB 76, with SCS (Pearce) |
| 2. HCS for HJRs 5 & 12, with SCS (Kraus)
(In Fiscal Oversight) | 12. HCS for HB 28, with SCS (Wallingford) |
| 3. HCS for HBs 48 & 216 (Kraus)
(In Fiscal Oversight) | 13. HB 60-Engler, with SCS (Romine) |
| 4. HCS for HB 114 (Brown) | 14. HCS for HB 222, with SCS (Schmitt)
(In Fiscal Oversight) |
| 5. HCS for HB 653, with SCS (Pearce) | 15. HB 568-Lauer and Gatschenberger,
with SCS (Kraus) |
| 6. HCS for HB 343, with SCS (Kraus) | 16. HB 733-Berry, et al (Silvey) |
| 7. HB 429-Schatz (Wasson) | 17. HCS for HB 813 (Wasson)
(In Fiscal Oversight) |
| 8. HCS for HB 30 (Schmitt)
(In Fiscal Oversight) | 18. HB 632-Dunn, et al (Curly) |
| 9. HB 152-Solon, et al, with SCS (Kraus) | 19. HB 634-Elmer, with SCA 1
(Wallingford) |
| 10. HCS for HB 675 (Pearce) | 20. HCS for HB 513 (Emery) |

- | | |
|--|--|
| 21. HB 42-Rowland, with SCS (Nieves) | 31. HCS for HB 252, with SCS (Lamping) |
| 22. HB 808-Funderburk, et al (Nieves) | 32. HB 460-Engler, with SCS |
| 23. HB 301-Engler, with SCS (Romine) | 33. HCS for HB 137 |
| 24. HCS for HBs 373 & 435, with SCS
(Dixon) | 34. HB 217-Cox, et al (Munzlinger) |
| 25. HCS for HB 257 (Sater) | 35. HCS for HBs 455 & 297 (Schmitt)
(In Fiscal Oversight) |
| 26. HB 702-Englund, et al (Brown) | 36. HB 756-Hubbard, et al (Nasheed)
(In Fiscal Oversight) |
| 27. HJR 8-Solon, et al (Munzlinger)
(In Fiscal Oversight) | 37. HCS for HB 543 (Dixon) |
| 28. HB 715-McCaherty (Nieves) | 38. HCS for HB 727, with SCS
(In Fiscal Oversight) |
| 29. HCS for HB 312 (Lager) | 39. HCS for HB 717, with SCS
(In Fiscal Oversight) |
| 30. HB 442-Hoskins, et al, with SCS
(Lamping) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 3-Rupp, with SA 1 (pending) | SB 250-Schaaf, with SCS |
| SB 13-Schaefer, with SCS | SB 259-Schaaf, with SCS |
| SB 21-Dixon | SB 272-Nieves, with SA 2 (pending) |
| SB 22-Dixon | SB 285-Romine |
| SB 30-Brown, with SCS | SB 291-Rupp |
| SB 48-Lamping | SB 292-Rupp |
| SB 53-Lamping | SB 308-Schaaf |
| SB 61-Keaveny, with SCA 1 (pending) | SB 315-Pearce |
| SB 65-Dixon, with SCS | SB 325-Nieves |
| SB 78-Lamping, with SCS, SS for SCS &
SA 1 (pending) | SB 339-Romine |
| SB 82-Schaefer, with SCS | SB 343-Parson |
| SB 109-Brown, with SCS | SB 364-Parson |
| SB 133-Keaveny and Holsman, with SCS &
SA 1 (pending) | SB 371-Munzlinger, with SCS |
| SB 141-Dempsey | SB 377-Dixon |
| SB 167-Sater and Wallingford, with SCS | SB 383-Wallingford |
| SB 174-Parson, with SCS | SB 396-Holsman and Chappelle-Nadal, with
SCS |
| SB 175-Wallingford | SB 403-Rupp, with SCS |
| SB 207-Kehoe, et al, with SCS | SB 410-Kehoe |
| SB 231-Munzlinger, with SA 1 (pending) | SB 419-Lager, with SCS |
| SB 239-Emery, with SCS & SA 2 (pending) | SB 423-Nasheed |
| | SB 441-Dempsey |

SB 448-Schmitt and Keaveny
SB 455-Nieves, with SCS

SJR 2-Lager

HOUSE BILLS ON THIRD READING

HB 53-Gatschenberger (Rupp)
HB 55-Flanigan and Allen, with SCS
(Schaefer)
HB 85-Kelley (127), et al (Dixon)
HCS for HB 110, with SCS (Kraus)
HB 112-Burlison, with SA 2 (pending)
(Brown)
HCS for HB 134, with SCS (Schmitt)
HCS for HB 161, with SCS (Schmitt)
HCS for HB 168 (Kraus)
HCS for HB 194 (Parson)
HCS for HB 215, with SCS, SS for SCS &
SA 2 (pending) (Dixon)
HB 274-Brattin, et al, with SCS (Brown)
HB 278-Brattin, et al (Emery)
HCS for HB 306, with SCA 1 & SCA 2 (Pearce)

HCS for HB 320 (Lager)
HB 346-Molendorp (Wasson)
HCS for HB 349 (Kehoe)
HCS for HB 388, with SCS (Pearce)
HCS for HBs 404 & 614, with SCS &
SS for SCS (pending) (Kehoe)
HB 409-Love and Remole, with SS
(pending) (Parson)
HB 432-Funderburk, et al, with SCS &
SA 1 (pending) (Lager)
HCS for HB 440, with SCS (Munzlinger)
HB 450-Carpenter, et al, with SCS (Silvey)
HCS for HB 457, with SCS (Rupp)
HCS for HB 505, with SCS (Dixon)
HCS for HBs 593 & 695 (Schaaf)
HB 625-Burlison, with SCS (Wasson)

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SBs 26, 11 & 31-Kraus,
with HCS, as amended
SB 112-Rupp and Richard, with HCS,
as amended
SB 222-Lamping, with HCS, as amended

SCS for SB 302-Wasson, with HA 1, HA 2,
HA 3 & HA 4
SS#2 for SCS for SJR 16-Kehoe, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SCS for SB 9-Pearce, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SB 12-Schaefer, with HCS, as amended
SCS for SB 17-Munzlinger and Romine,
with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 24-Parson, with HCS, as amended

SCS for SB 33-Lamping, with HA 1,
HA 2, HA 3, HA 4, HA 5 & HA 6
(Senate adopted CCR and passed CCS)
SB 41-Munzlinger, with HCS, as amended
SCS for SB 42-Munzlinger, with HCS,
as amended
(Senate adopted CCR and passed CCS)

SB 43-Munzlinger, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 45-Dixon, with HCS, as amended
 SB 51-Munzlinger, with HCS, as amended
 SB 57-Romine, with HCS, as amended
 (Further conference granted)
 SB 73-Schaefer, with HCS, as amended
 (Senate adopted CCR and passed HCS,
 as amended by CCR)
 SB 90-McKenna, with HCS, as amended
 SB 100-Keaveny, with HCS, as amended
 SS for SCS for SB 114-Schmitt, with
 HA 1, as amended
 SB 127-Sater, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 157 & SB 102-Sater, with HCS,
 as amended
 (Senate adopted CCR and passed CCS)
 SB 161-Pearce, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 224-Curls, et al, with HA 1,
 HA 2, HA 3, HA 4, HSA 1 for HA 5,
 HA 6, HA 7 & HA 8
 SCS for SB 248-Wasson, with HA 1 & HA 2
 (Senate adopted CCR and passed CCS)

SCS for SB 256-Silvey, with HCS,
 as amended
 (Senate adopted CCR and passed CCS)
 SS for SB 262-Curls, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 327-Dixon, with HA 1
 (Senate adopted CCR and passed CCS)
 SB 330-Wasson, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SB 342-Parson, et al, with HCS, as amended
 HB 103-Kelley (127), et al, with SCS,
 as amended (Munzlinger)
 HCS for HB 117, with SS for SCS (Wasson)
 HCS for HB 199, with SS, as amended
 (Lamping)
 HCS for HBs 256, 33 & 305, with SA 2 &
 SA 3 (Kehoe)
 HB 336-Hinson, et al, with SS, as amended
 (Silvey)
 HCS for HBs 374 & 434, with SS for SCS,
 as amended (Dixon)
 HCS#2 for HB 698, with SCS, as amended
 (Schmitt)
 HCS for HB 1035, with SCS, as amended
 (Schmitt)

Requests to Recede or Grant Conference

SB 77-Lamping, with HA 1
 (Senate requests House recede
 & take up and pass bill)

SS for SB 282-Wasson, with HCS, as amended
 (House requests Senate recede
 & take up and pass bill)

RESOLUTIONS

Reported from Committee

HCR 25-Allen (Walsh)

✓

Journal of the Senate

FIRST REGULAR SESSION

SEVENTIETH DAY—FRIDAY, MAY 17, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore nothing should give comfort and joy to those who love you as much as knowing that your will and purposes are accomplished in them.” (Thomas a Kempis)

Wondrous God, this is it, our last day and much to get done. And whether we get our last minute bill for passage before this body or not let our minds be comforted that we have tried to walk the path You have laid out for us and we have remained faithful to You. Let the joy of having served You fill our hearts and bless us with the knowledge we have tried to honor You with our words and actions. May Your blessings rest on us and Your people and on this land this and every day, O Lord, as we sing Your praises and say a grateful Alleluia. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from the Daily Star Journal were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 1030, regarding Sean Mitchell Baker, which was adopted.

Senator Silvey offered Senate Resolution No. 1031, regarding William Alexander “Alex” Westhues, which was adopted.

Senator Silvey offered Senate Resolution No. 1032, regarding William Charles “Will” Ording, which was adopted.

Senator Schaefer offered Senate Resolution No. 1033, regarding Monarch Title Company, Inc., which was adopted.

Senator Wasson offered Senate Resolution No. 1034, regarding Chance Wolfe, which was adopted.

Senator Kehoe offered Senate Resolution No. 1035, regarding Stephen L. Hitch, Peoria, Illinois, which was adopted.

Senator McKenna offered Senate Resolution No. 1036, regarding the First Baptist Church of Arnold, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 89**, entitled:

An Act to repeal sections 198.310 and 198.345, RSMo, and to enact in lieu thereof three new sections relating to the establishment and administration of certain health care facilities and senior housing, with an emergency clause for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 89, Page 1, In the Title, Line 1, by inserting after “RSMo,” the following: “and section 191.237 as truly agreed to and finally passed by senate committee substitute for house committee substitute for house bill no. 986, ninety-seventh general assembly, first regular session,”; and

Further amend said bill and page, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the phrase “relating to health care, with an emergency clause for a certain section”; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after “RSMo,” the following: “and section 191.237 as truly agreed to and finally passed by senate committee substitute for house committee substitute for house bill no. 986, ninety-seventh general assembly, first regular session,”; and

Further amend said bill, Pages 1 through 5, Section 96.229 by removing said section from the bill; and

Further amend said bill, Page 5, Section 96.229, Line 125, by inserting after all of said line the following:

“191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. A health information organization shall not restrict the exchange of state agency data or standards-based clinical summaries for patients for federal Health Insurance Portability and Accountability Act (HIPAA) allowable uses. Charges for such service shall not exceed the cost of the actual technology connection or recurring maintenance thereof.

3. As used in this section, the following terms shall mean:

(1) “Fine or penalty”, any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;

(2) “Health care system”, any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) “Health information organization”, an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards.”; and

Further amend said bill, Page 5, Section 198.345, Line 10, by inserting after all of said line the following:

“[191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. No health information organization may impose connection fees or recurring connection fees on another health information organization for the purpose of exchanging standards-based clinical summaries for patients or for sharing information of an agency of the state of Missouri.

3. As used in this section, the following terms shall mean:

(1) “Fine or penalty”, any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;

(2) “Health care system”, any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) “Health information organization”, an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards.];” and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly. Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Kehoe moved that **SS No. 2** for **SCS** for **SJR 16**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Kehoe, **SS No. 2** for **SCS** for **SJR 16**, with **HCS**, as amended, was placed back on the Calendar.

CONCURRENT RESOLUTIONS

Senator Walsh moved that **HCR 25** be taken up for adoption, which motion prevailed.

Senator Walsh offered **SS** for **HCR 25**, entitled:

SENATE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the Interim Committee on Local Governance of the Missouri House of Representatives (the Committee) submitted a report to the Speaker of the House dated December 31, 2012; and

WHEREAS, this report contained a synopsis of the issues presented to the Committee, as well as its recommendations; and

WHEREAS, the Committee reported on the governance and taxation issues in the St. Louis Metropolitan Statistical Area (MSA); and

WHEREAS, the report details the changes in the laws that make the St. Louis area unique:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House Ninety-Seventh General Assembly, First Regular Session, the Senate concurring therein, hereby establish the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation (Joint Committee); and

BE IT FURTHER RESOLVED that the Joint Committee shall be composed of three majority party members to be appointed by the Speaker of the House of Representatives, two minority party members to be appointed by the Minority Leader of the House of Representatives, three majority party members to be appointed by the President Pro Tem of the Senate, and two minority party members to be appointed by the Minority Leader of the Senate; and

BE IT FURTHER RESOLVED that the Joint Committee shall interview and select an appropriate entity to conduct the independent study called for in the report and make recommendations to secure the appropriate commitments to fund the independent study at no direct cost to the state; and

BE IT FURTHER RESOLVED that the Joint Committee shall receive the independent study and, upon receipt, review the study as well as conduct a comprehensive analysis of the taxation and governance issues facing the St. Louis MSA, and make recommendations on proposed legislation for the 2014 legislative session; and

BE IT FURTHER RESOLVED that if this Joint Committee is not in receipt of an independent study by September 1, 2013, it shall proceed on its own and perform its own investigation and analysis of the circumstances so that this Joint Committee shall be able to make its recommendation for proposed legislative changes no later than December 31, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to hold public hearings as it deems advisable and may solicit, and shall accept, any input or information necessary to fulfill its obligations, including but not limited to any agency of the state or any political subdivision of the state which the committee may find helpful; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Joint Committee, its members, and any staff assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the Joint Committee will report its recommendations and findings to the Missouri General Assembly by December 21, 2013; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to function during the interim between the First Regular Session of the 97th General Assembly through the end of the Second Regular Session of the 97th General Assembly; and

BE IT FURTHER RESOLVED that the Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Speaker of the House of Representatives and the President Pro Tem of the Senate.

Senator Walsh moved that **SS** for **HCR 25** be adopted, which motion prevailed.

On motion of Senator Walsh, **HCR 25**, as amended by **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Nieves—1

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

PRIVILEGED MOTIONS

Senator Munzlinger moved that **SCS** for **SB 89**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 89**, as amended, was taken up.

Senator Munzlinger moved that **HCS** for **SCS** for **SB 89**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **HCS** for **SCS** for **SB 89**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Rupp moved that **HCS** for **SB 112**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 112**, as amended, was taken up.

Senator Rupp moved that **HCS** for **SB 112**, as amended, be adopted.

At the request of Senator Rupp, his motion to adopt **HCS** for **SB 112**, as amended, was withdrawn.

Senator Rupp moved that the Senate refuse to concur in **HCS** for **SB 112**, as amended, and request the House to recede from its position and take up and pass **SB 112**, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS No. 2** for **HB 698**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS No. 2** for **HB 698**.

Emergency clause defeated.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS No. 2** for **HB 698**, as amended, moved that the following conference committee report be taken up. He requested a roll call vote be taken and was joined in his request by Senators Dempsey, Justus, Richard and Pearce.

Senator Pearce assumed the Chair.

The motion to take up the **CCR** on **SCS** for **HCS No. 2** for **HB 698**, as amended, was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Brown

Emery

Schaefer—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 698

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, as amended;

2. That the House recede from its position on House Committee Substitute No. 2 for House Bill No. 698;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Anne Zerr

/s/ Caleb Jones

/s/ Michele Kratky

FOR THE SENATE:

/s/ Eric S. Schmitt

/s/ Ron Richard

/s/ Will Kraus

/s/ Jolie L. Justus

/s/ Ryan McKenna

Senator Schmitt moved that the above **CCR** be adopted.

At the request of Senator Schmitt, the above motion was withdrawn.

HOUSE BILLS ON THIRD READING

At the request of Senator Brown, **HCS** for **HB 114** was placed on the Informal Calendar.

HCS for **HB 653**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 343**, with **SCS**, was placed on the Informal Calendar.

HB 429 was placed on the Informal Calendar.

HB 152, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 675** was placed on the Informal Calendar.

HCS for **HB 76**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 28**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **HB 60**, with **SCS**, was placed on the Informal Calendar.

HB 568, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Silvey, **HB 733** was placed on the Informal Calendar.

At the request of Senator Curls, **HB 632** was placed on the Informal Calendar.

At the request of Senator Wallingford, **HB 634**, with **SCA 1**, was placed on the Informal Calendar.

At the request of Senator Emery, **HCS** for **HB 513** was placed on the Informal Calendar.

At the request of Senator Nieves, **HB 42**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Nieves, **HB 808** was placed on the Informal Calendar.

HB 301, introduced by Representative Engler, with **SCS**, entitled:

An Act to repeal section 632.498, RSMo, and to enact in lieu thereof one new section relating to civil commitment of sexually violent predators.

Was taken up by Senator Romine.

SCS for **HB 301**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 301

An Act to repeal sections 632.480, 632.498 and 632.505, RSMo, and to enact in lieu thereof three new sections relating to civil commitment of sexually violent predators, with an emergency clause.

Was taken up.

Senator Romine moved that **SCS** for **HB 301** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 301, Page 1, Section 632.480, Line 1, by striking “1.”; and

Further amend said bill and section, Page 2, Lines 30 to 36, by striking said lines; and

Further amend said bill, Page 8, Section 632.505, Line 164, by inserting after all of said line the following:

“Section 1. It is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of “sexually violent offense” to include, but not be limited to, holdings in: Robertson v. State, 392 S.W.3d 1 (Mo. App. W.D., 2012); and State ex rel. Whitaker v. Satterfield, 386 S.W.3d 893 (Mo. App. S.D., 2012) and all cases citing, interpreting, applying, or following those cases. It is the intent of the legislature to apply these provisions retroactively.”; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 301, Page 1, In the Title, Line 3 of the title, by

striking “civil commitment of” and inserting in lieu thereof the following: ”

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district’s determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district’s discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, “need to know” is defined as school personnel who are directly responsible for the student’s education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase “act of school violence” or “violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) [Forcible] Rape **in the first degree** under section 566.030;
- (6) [Forcible] Sodomy **in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;

- (15) Second degree assault under section 565.060;
- (16) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse **in the first degree** pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat

to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while

involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the

county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty

of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for An Act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

167.115. 1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**
- (6) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**
- (7) Burglary in the first degree under section 569.160;
- (8) Robbery in the first degree under section 569.020;
- (9) Distribution of drugs under section 195.211;
- (10) Distribution of drugs to a minor under section 195.212;
- (11) Arson in the first degree under section 569.040;
- (12) Voluntary manslaughter under section 565.023;
- (13) Involuntary manslaughter under section 565.024;
- (14) Second degree assault under section 565.060;
- (15) Sexual assault under section 566.040 **as it existed prior to August 28, 2013, or rape in the second degree under section 566.031;**
- (16) Felonious restraint under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;
- (19) Child molestation in the first degree pursuant to section 566.067;
- (20) Deviate sexual assault pursuant to section 566.070 **as it existed prior to August 28, 2013, or sodomy in the second degree under section 566.061;**
- (21) Sexual misconduct involving a child pursuant to section 566.083; or

(22) Sexual abuse pursuant to section 566.100 **as it existed prior to August 28, 2013, or sexual abuse in the first degree under section 566.100.**

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

4. The superintendent shall notify the appropriate division of the juvenile or family court upon any pupil's suspension for more than ten days or expulsion of any pupil that the school district is aware is under the jurisdiction of the court.

5. The superintendent or the superintendent's designee may be called to serve in a consultant capacity at any dispositional proceedings pursuant to section 211.031 which may involve reference to a pupil's academic treatment plan.

6. Upon the transfer of any pupil described in this section to any other school district in this state, the superintendent or the superintendent's designee shall forward the written notification given to the superintendent pursuant to subsection 2 of this section to the superintendent of the new school district in which the pupil has enrolled. Such written notification shall be required again in the event of any subsequent transfer by the pupil.

7. As used in this section, the terms "school" and "school district" shall include any charter, private or parochial school or school district, and the term "superintendent" shall include the principal or equivalent chief school officer in the cases of charter, private or parochial schools.

8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261 shall not be civilly liable for providing such information.

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts

relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

(1) The pupil shall be given oral or written notice of the charges against such pupil;

(2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;

(3) The pupil shall be given an opportunity to present such pupil's version of the incident; and

(4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for An Act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

(1) Such pupil has been convicted of; or

(2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or

(4) The pupil has been adjudicated to have committed An Act which if committed by an adult would be one of the following:

(a) First degree murder under section 565.020;

(b) Second degree murder under section 565.021;

©) First degree assault under section 565.050;

(d) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**

(e) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**

(f) Statutory rape under section 566.032;

(g) Statutory sodomy under section 566.062;

(h) Robbery in the first degree under section 569.020;

(I) Distribution of drugs to a minor under section 195.212;

(j) Arson in the first degree under section 569.040;

(k) Kidnapping, when classified as a class A felony under section 565.110. Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the

consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: rape **in the first degree** under section 566.030; **forcible rape under section 566.030 as it existed prior to August 28, 2013; rape as it existed prior to August 13, 1980;** statutory rape in the first degree under section 566.032; statutory rape in the second degree under section 566.034; **rape in the second degree under section 566.031;** sexual assault under section 566.040 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060;** forcible sodomy under section 566.060 **as it existed prior to August 28, 2013; sodomy as it existed prior to January 1, 1995;** statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section 566.064; child molestation in the first degree under section 566.067; child molestation in the second degree under section 566.068; **sodomy in the second degree under section 566.061;** deviate sexual assault under section 566.070 **as it existed prior to August 28, 2013;** sexual misconduct involving a child under section 566.083; sexual contact with a student while on public school property under section 566.086; **sexual misconduct in the first degree under section 566.093;** sexual misconduct in the first degree under section 566.090 **as it existed prior to August 28, 2013; sexual misconduct in the second degree under section 566.095;** sexual misconduct in the second degree under section 566.093 **as it existed prior to August 28, 2013;** sexual misconduct in the third degree under section

566.095 as it existed prior to August 28, 2013; sexual abuse in the first degree under section 566.100; sexual abuse under section 566.100 as it existed prior to August 28, 2013; sexual abuse in the second degree under section 566.101; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance under section 568.080; promoting sexual performance by a child under section 568.090; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree under section 573.020; promoting obscenity in the second degree when the penalty is enhanced to a class D felony under section 573.030; promoting child pornography in the first degree under section 573.025; promoting child pornography in the second degree under section 573.035; possession of child pornography under section 573.037; furnishing pornographic materials to minors under section 573.040; or coercing acceptance of obscene material under section 573.065.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

188.023. Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including [forcible rape, sexual assault] **rape in the first or second degree**, or incest, shall be required to report such offenses in the same manner as provided for by section 210.115.

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 **as it existed prior to August 28, 2013, rape in the first degree under section 566.030**, forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060**, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available

information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;
- (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;
- (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;
- (6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;
- (7) The age of the child;
- (8) The program and facilities available to the juvenile court in considering disposition;
- (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and
- (10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for An Act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

©) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter; or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

©) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including An Act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development. Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

©) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a “child” means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of An Act of forcible rape **or rape in the first degree**. When the biological father has pled guilty to, or is convicted of, the forcible rape **or rape in the first degree** of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father’s parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent’s parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child.

217.010. As used in this chapter and chapter 558, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Administrative segregation unit", a cell for the segregation of offenders from the general population of a facility for relatively extensive periods of time;

(2) "Board", the board of probation and parole;

(3) "Chief administrative officer", the institutional head of any correctional facility or his designee;

(4) "Correctional center", any premises or institution where incarceration, evaluation, care, treatment, or rehabilitation is provided to persons who are under the department's authority;

(5) "Department", the department of corrections of the state of Missouri;

(6) "Director", the director of the department of corrections or his designee;

(7) "Disciplinary segregation", a cell for the segregation of offenders from the general population of a correctional center because the offender has been found to have committed a violation of a division or facility rule and other available means are inadequate to regulate the offender's behavior;

(8) "Division", a statutorily created agency within the department or an agency created by the departmental organizational plan;

(9) "Division director", the director of a division of the department or his designee;

(10) "Local volunteer community board", a board of qualified local community volunteers selected by the court for the purpose of working in partnership with the court and the department of corrections in a reparative probation program;

(11) “Nonviolent offender”, any offender who is convicted of a crime other than murder in the first or second degree, involuntary manslaughter, kidnapping, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, robbery in the first degree or assault in the first degree;

(12) “Offender”, a person under supervision or an inmate in the custody of the department;

(13) “Probation”, a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the board;

(14) “Volunteer”, any person who, of his own free will, performs any assigned duties for the department or its divisions with no monetary or material compensation.

339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee’s designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties executing the same where the instruments have been prepared by the licensee or under his or her supervision

or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or An Act of violence, or for

any offense involving moral turpitude, whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape **in the first degree, forcible rape, rape**, statutory rape

in the first degree, statutory rape in the second degree, **rape in the second degree**, sexual assault, **sodomy in the first degree**, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, **sodomy in the second degree**, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree **under section 566.090 as it existed prior to August 28, 2013**, sexual abuse **under section 566.100 as it existed prior to August 28, 2013**, **sexual abuse in the first or second degree**, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class D felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission.

556.036. 1. A prosecution for murder, **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, **attempted sodomy in the first degree**, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

(1) For any felony, three years, except as provided in subdivision (4) of this subsection;

(2) For any misdemeanor, one year;

(3) For any infraction, six months;

(4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term

“person who has a legal duty to represent an aggrieved party” shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state; or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, **attempted sodomy in the first degree**, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.

556.061. In this code, unless the context requires a different definition, the following shall apply:

(1) “Affirmative defense” has the meaning specified in section 556.056;

(2) “Burden of injecting the issue” has the meaning specified in section 556.051;

(3) “Commercial film and photographic print processor”, any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(4) “Confinement”:

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

- a. A court orders the person's release; or
 - b. The person is released on bail, bond, or recognizance, personal or otherwise; or
 - c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;
- (b) A person is not in confinement if:
- a. The person is on probation or parole, temporary or otherwise; or
 - b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;
- (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
- (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
 - (b) It is given by a person who by reason of youth, mental disease or defect, [or] intoxication, **a drug-induced state, or any other reason** is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - ©) It is induced by force, duress or deception;
- (6) "Criminal negligence" has the meaning specified in section 562.016;
- (7) "Custody", a person is in custody when the person has been arrested but has not been delivered to a place of confinement;
- (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first degree, **attempted rape in the first degree if physical injury results**, attempted forcible rape if physical injury results, **attempted sodomy in the first degree if physical injury results**, attempted forcible sodomy if physical injury results, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and, abuse of a child [pursuant to subdivision (2) of subsection 3 of] **if the child dies as a result of injuries sustained from conduct chargeable under** section 568.060, child kidnapping, and parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153;
- (9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;
- (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;

(11) “Felony” has the meaning specified in section 556.016;

(12) “Forcible compulsion” means either:

(a) Physical force that overcomes reasonable resistance; or

(b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;

(13) “Incapacitated” means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person’s conduct, or unable to communicate unwillingness to An Act[. A person is not incapacitated with respect to An Act committed upon such person if he or she became unconscious, unable to appraise the nature of such person’s conduct or unable to communicate unwillingness to An Act, after consenting to the act];

(14) “Infraction” has the meaning specified in section 556.021;

(15) “Inhabitable structure” has the meaning specified in section 569.010;

(16) “Knowingly” has the meaning specified in section 562.016;

(17) “Law enforcement officer” means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;

(18) “Misdemeanor” has the meaning specified in section 556.016;

(19) “Offense” means any felony, misdemeanor or infraction;

(20) “Physical injury” means physical pain, illness, or any impairment of physical condition;

(21) “Place of confinement” means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;

(22) “Possess” or “possessed” means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(23) “Public servant” means any person employed in any way by a government of this state who is compensated by the government by reason of such person’s employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(24) “Purposely” has the meaning specified in section 562.016;

(25) “Recklessly” has the meaning specified in section 562.016;

(26) “Ritual” or “ceremony” means An Act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) “Serious emotional injury”, an injury that creates a substantial risk of temporary or permanent

medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) “Serious physical injury” means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) “Sexual conduct” means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in An Act of apparent sexual stimulation or gratification;

(30) “Sexual contact” means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) “Sexual performance”, any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) “Voluntary act” has the meaning specified in section 562.011.

558.018. 1. The court shall sentence a person [who has pleaded guilty to or] **to an extended term of imprisonment if it finds the defendant is a persistent sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual offender] **attempting to commit or committing the following offenses:**

(1) Statutory rape in the first degree or statutory sodomy in the first degree;

(2) Rape in the first degree or sodomy in the first degree attempted or committed on or after August 28, 2013;

(3) Forcible rape committed or attempted any time during the period of August 13, 1980 to August 27, 2013;

(4) Forcible sodomy committed or attempted any time during the period of January 1, 1995 to August 27, 2013;

(5) Rape committed or attempted before August 13, 1980;

(6) Sodomy committed or attempted before January 1, 1995.

2. A “persistent sexual offender” is one who has previously [pleaded guilty to or has been found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection] **been found guilty of attempting to commit or committing any of the offenses listed in subsection 1 of this section.**

3. The term of imprisonment for one found to be a persistent sexual offender shall be imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019 shall not apply to any person imprisoned under this subsection, and “imprisonment for life” shall mean imprisonment for the duration of the person’s natural life.

4. The court shall sentence a person [who has pleaded guilty to or has] **to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender and has** been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender.

5. For purposes of this section, a “predatory sexual offender” is a person who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony; or

(2) Has previously committed An Act which would constitute an offense listed in subsection 4 of this section, whether or not the act resulted in a conviction; or

(3) Has committed An Act or acts against more than one victim which would constitute an offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged with an additional offense or offenses as a result of such act or acts.

6. A person found to be a predatory sexual offender shall be imprisoned for life with eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be predatory sexual offenders for the purposes of determining the minimum prison term or the length of sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no event shall a person found to be a predatory sexual offender receive a final discharge from parole.

7. Notwithstanding any other provision of law, the court shall set the minimum time required to be served before a predatory sexual offender is eligible for parole, conditional release or other early release by the department of corrections. The minimum time to be served by a person found to be a predatory sexual offender who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the preceding crimes] **committing or attempting to commit any of the offenses listed in subsection 1 of this section and is found guilty of committing or attempting to commit any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than thirty years;

(2) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony and [pleads guilty to or] is found guilty of attempting to commit or committing [forcible rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree] **any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than fifteen years;

(3) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(4) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony, and pleads guilty to or is found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of subsection 5 of this section shall be any number of years within the range to which the person could have been sentenced pursuant to the applicable law if the person was not found to be a predatory sexual offender.

8. Notwithstanding any provision of law to the contrary, the department of corrections, or any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual offender or a predatory sexual offender.

558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except [that,] in the case of multiple sentences of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy or] **any offense committed during or at the same time as, or multiple offenses of, the following felonies:**

(1) Rape in the first degree, forcible rape, or rape;

(2) Statutory rape in the first degree;

(3) Sodomy in the first degree, forcible sodomy, or sodomy;

(4) Statutory sodomy in the first degree; or

(5) An attempt to commit any of the [aforesaid and for other offenses committed during or at the same time as that rape, forcible rape, sodomy, forcible sodomy or an attempt to commit any of the aforesaid, the sentences of imprisonment imposed for the other offenses may run concurrently, but] felonies listed in this subsection.

In such case, the sentence of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy] **any felony listed in this subsection** or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. **The sentences imposed for any other offense may run concurrently.**

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the start of his conditional release term, the court shall direct the manner in which the sentence or sentences imposed by the court shall run with respect to any resulting probation, parole or conditional release revocation term or terms. If the subsequent sentence to imprisonment is in another jurisdiction, the court shall specify how any resulting probation, parole or conditional release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

3. A court may cause any sentence it imposes to run concurrently with a sentence an individual is

serving or is to serve in another state or in a federal correctional center. If the Missouri sentence is served in another state or in a federal correctional center, subsection 4 of section 558.011 and section 217.690 shall apply as if the individual were serving his sentence within the department of corrections of the state of Missouri, except that a personal hearing before the board of probation and parole shall not be required for parole consideration.

559.115. 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection [5] **8** of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this [section] **subsection** or order such placement under subsection 4 of section 559.036. Upon the recommendation or order of the court, the department of corrections shall assess each offender to determine the appropriate **one hundred twenty-day** program in which to place the offender, [including] **which may include placement in the shock incarceration program** or institutional treatment **program**. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a [treatment] program **under this subsection**, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. [The court shall release the offender unless such release constitutes an abuse of discretion. If the court determined that there is an abuse of discretion, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days of the offender's sentence. If the court does not respond when an offender successfully completes the program, the offender shall be released on probation. Upon successful completion of a shock incarceration program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release.] The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days [of the offender's sentence. If the department determines that an offender is not successful in a program, then after one hundred days of incarceration the circuit court shall receive from] **from the date the offender was delivered to the department of corrections. If the department determines the offender has not successfully completed a one hundred twenty-day program under this subsection, the offender shall be removed from the program and the court shall be advised of the removal.** The department [of corrections a] **shall** report on the offender's participation in the program and [department] **may provide** recommendations for terms and conditions of an offender's probation. The court shall then [release the offender on probation or order the offender to remain in the department to serve the sentence imposed] **have the power to grant probation or order the execution of the offender's sentence.**

4. **If the court is advised that an offender is not eligible for placement in a one hundred twenty-day program under subsection 3 of this section, the court shall consider other authorized dispositions.** If the department of corrections one hundred twenty-day program **under subsection 3 of this section** is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C or class D nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 558.018, the court shall request [that the offender be placed in the sexual offender assessment unit of the department of corrections] **the department of corrections to conduct a sexual offender assessment** if the defendant has pleaded guilty to or has been found guilty of sexual abuse when classified as a class B felony. **Upon completion of the assessment, the department shall provide to the court a report on the offender and may provide recommendations for terms and conditions of an offender's probation. The assessment shall not be considered a one hundred twenty-day program as provided under subsection 3 of this section. The process for granting probation to an offender who has completed the assessment shall be as provided under subsections 2 and 6 of this section.**

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration [for one hundred twenty days for participation in a department of corrections program] **under this section** prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; forcible rape pursuant to section 566.030 **as it existed prior to August 28, 2013; rape in the first degree under section 566.030;** forcible sodomy pursuant to section 566.060 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060;** statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; an offender who has been found to be a predatory sexual offender pursuant to section 558.018; or any offense in which there exists a statutory prohibition against either probation or parole.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has

a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, **rape in the first degree under section 566.030 or forcible rape under section 566.030 as it existed prior to August 28, 2013;**

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, **sodomy in the first degree under section 566.060 or forcible sodomy under section 566.060 as it existed prior to August 28, 2013;**

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide.

566.020. 1. [Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.

2.] Whenever in this chapter the criminality of conduct depends upon a child being thirteen years of age or younger, it is no defense that the defendant believed the child to be older.

[3.] 2. Whenever in this chapter the criminality of conduct depends upon a child being under seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

[4.] 3. Consent is not an affirmative defense to any offense under chapter 566 if the alleged victim is less

than twelve years of age.

566.030. 1. A person commits the [crime] **offense** of [forcible] rape **in the first degree** if [such person] **he or she** has sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of rape in the first degree** or an attempt to commit [forcible] rape **in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

(2) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] rape **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] rape **in the first degree or attempt to commit rape in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] rape **in the first degree or attempt to commit rape in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] rape **in the first degree** or an attempt to commit [forcible] rape **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.040.] **566.031.** 1. A person commits the [crime] **offense** of [sexual assault] rape **in the second degree** if **he or she** has sexual intercourse with another person knowing that **he or she** does so without that person's consent.

2. [Sexual assault] **The offense of rape in the second degree** is a class C felony.

566.060. 1. A person commits the [crime] **offense** of [forcible] sodomy **in the first degree** if [such person] **he or she** has deviate sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of sodomy in the first degree** or an attempt to commit [forcible] sodomy **in**

the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years [of age] **old**, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] sodomy **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] sodomy **in the first degree or attempt to commit sodomy in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] sodomy **in the first degree or an attempt to commit sodomy in the first degree** when the victim is [under the age of] **less than twelve years of age**, and “life imprisonment” shall mean imprisonment for the duration of a person’s natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] sodomy **in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.070.] **566.061.** 1. A person commits the [crime of deviate sexual assault] **offense of sodomy in the second degree** if he **or she** has deviate sexual intercourse with another person knowing that he **or she** does so without that person’s consent.

2. [Deviate sexual assault] **The offense of sodomy in the second degree** is a class C felony.

566.093. 1. A person commits the [crime] **offense** of sexual misconduct in the [second] **first degree** if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. **The offense of** sexual misconduct in the [second] **first degree** is a class B misdemeanor unless the [actor] **person** has previously been [convicted] **found guilty** of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the [crime] **offense** of sexual misconduct in the [third] **second degree** if

he **or she** solicits or requests another person to engage in sexual conduct under circumstances in which he **or she** knows that [his requests] **such request** or solicitation is likely to cause affront or alarm.

2. **The offense of** sexual misconduct in the [third] **second** degree is a class C misdemeanor.

566.100. 1. A person commits the [crime] **offense** of sexual abuse **in the first degree** if he **or she** subjects another person to sexual contact **when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion.

2. **The offense of** sexual abuse **in the first degree** is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case [the crime] **it** is a class B felony.

[566.090.] **566.101.** 1. A person commits the [crime] **offense** of sexual [misconduct] **abuse** in the [first] **second** degree if [such person] **he or she** purposely subjects another person to sexual contact without that person's consent.

2. **The offense of** sexual [misconduct] **abuse** in the [first] **second** degree is a class A misdemeanor, unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony.

566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of **rape in the second degree under section 566.031**, sexual assault under section 566.040 **as it existed prior to August 28, 2013**, **rape in the first degree under section 566.030**, or forcible rape under section 566.030 **as it existed prior to August 28, 2013** to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, **rape in the first or second degree**, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a sexual assault, domestic assault, stalking, [or] forcible rape, **or rape in the first or second degree** case shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

589.015. As used in sections 589.010 to 589.040:

(1) The term “center” shall mean the state center for the prevention and control of sexual assault established pursuant to section 589.030;

(2) The term “sexual assault” shall include:

(a) The acts of rape **in the first or second degree**, forcible rape, **rape**, statutory rape in the first degree, statutory rape in the second degree, sexual assault, sodomy **in the first or second degree**, forcible sodomy, **sodomy**, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault, sexual misconduct and sexual abuse, or attempts to commit any of the aforesaid, as these acts are defined in chapter 566;

(b) The act of incest, as this act is defined in section 568.020;

©) The act of abuse of a child, as defined in subdivision (1) of subsection 1 of section 568.060, which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;

(d) The act of use of a child in a sexual performance as defined in section 568.080; and

(e) The act of enticement of a child, as defined in section 566.151, or any attempt to commit such act.

590.700. 1. As used in this section, the following terms shall mean:

(1) “Custodial interrogation”, the questioning of a person under arrest, who is no longer at the scene of the crime, by a member of a law enforcement agency along with the answers and other statements of the person questioned. “Custodial interrogation” shall not include:

(a) A situation in which a person voluntarily agrees to meet with a member of a law enforcement agency;

(b) A detention by a law enforcement agency that has not risen to the level of an arrest;

©) Questioning that is routinely asked during the processing of the arrest of the suspect;

(d) Questioning pursuant to an alcohol influence report;

(e) Questioning during the transportation of a suspect;

(2) “Recorded” and “recording”, any form of audiotape, videotape, motion picture, or digital recording.

2. All custodial interrogations of persons suspected of committing or attempting to commit murder in the first degree, murder in the second degree, assault in the first degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, arson in the first degree, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, statutory rape in the first degree, statutory sodomy in the first degree, child abuse, or child kidnapping shall be recorded when feasible.

3. Law enforcement agencies may record an interrogation in any circumstance with or without the knowledge or consent of a suspect, but they shall not be required to record an interrogation under subsection 2 of this section:

(1) If the suspect requests that the interrogation not be recorded;

(2) If the interrogation occurs outside the state of Missouri;

(3) If exigent public safety circumstances prevent recording;

(4) To the extent the suspect makes spontaneous statements;

(5) If the recording equipment fails; or

(6) If recording equipment is not available at the location where the interrogation takes place.

4. Each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

5. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency if the governor finds that the agency did not act in good faith in attempting to comply with the provisions of this section.

6. Nothing in this section shall be construed as a ground to exclude evidence, and a violation of this section shall not have impact other than that provided for in subsection 5 of this section. Compliance or noncompliance with this section shall not be admitted as evidence, argued, referenced, considered or questioned during a criminal trial.

7. Nothing contained in this section shall be construed to authorize, create, or imply a private cause of action.”; and

Further amend said bill, page 1, section 632.480, line 11, by inserting immediately after “felonies of” the following: “**rape in the first degree**,”; and further amend line 12, by inserting immediately after “degree,” the following: “**sodomy in the first degree**,”; and further amend line 14, by inserting immediately after “first degree,” the following: “**rape in the second degree**,”; and further amend line 15, by inserting immediately after “first degree,” the following: “**sodomy in the second degree**,”; and

Further amend said bill, page 8, section B, line 2, by inserting immediately after “offenses” the following: “and to protect children”; and further amend said line, by striking “section 632.480 of section A” and inserting in lieu thereof the following: “sections 556.061, 568.060, and 632.480”; and further amend lines 5-6, by striking “section 632.480 of section A” and inserting in lieu thereof the following: “sections 556.061, 568.060, and 632.480”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 301, Page 1, In the Title, Line 3, by striking the words “civil commitment of sexually violent predators” and inserting in lieu thereof the following: “sex offenders”; and

Further amend said bill and page, Section A, line 3 by inserting after all of said line the following:

“43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual

offenses shall be included on this website.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) Any photographs of the offender;

(6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7) The nature and dates of all offenses qualifying the offender to register;

(8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

(9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and

(10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age.

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection [8] **9** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious

restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under tribal, federal, or military law **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section;** or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section.** "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the

registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection [7 or 8] **4, 8, or 9** of this section and the court orders the removal or exemption of such person from the registry.

4. Any person on the sexual offender registry under subdivision (5) or (6) of subsection 1 of this section may file a petition for removal from the registry after five years have passed from the later of the date the offender was found guilty of the offense that requires registration or the date the person was released from custody for such offense. The petition may be filed in the circuit court in the county in which the person was found guilty of the offense, or, if the offense was adjudicated outside the state, the person may file a petition in the circuit court in the county in which the person resides after such person has been a resident of Missouri for at least five years prior to filing the petition. The court shall grant the petition and enter an order directing the removal of the petitioner's name and information from the sexual offender registry unless it finds that the petitioner, in this state or any other state, territory, the District of Columbia, foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of, or has charges pending, for failure to register;

(2) Has been adjudicated of, or has charges pending for, any additional offense which would require registration as a sexual offender under this section, or section 211.425, and which occurred after the date such person initially registered as a sexual offender;

(3) Has not successfully completed any required period of supervised release, probation, or parole;
or

(4) If the petitioner's offense was adjudicated outside the state, such person has not been a resident of Missouri for at least five years prior to filing the petition.

If the petition was not granted solely because the petitioner had charges pending for failure to register or an additional offense that would require registration and such charges are subsequently dismissed or the petitioner is acquitted of the pending charges, the person may file a new petition at any time after the dismissal or acquittal of the pending charges. If the denial is based on a finding of guilt for an offense that would require registration under this section, or section 211.425, no successive petition shall be filed. If the denial is based on a finding of guilt for failure to register, the person may file a new petition after five years have passed from the date the person was found guilty for failure to

register. If the denial is based on the petitioner not completing a required period of supervised release, probation, or parole and the petitioner subsequently completes the period of supervised release, probation, or parole, then the person may file a new petition at any time after completing such period of release, probation, or parole. If the petition is denied because the petitioner's offense was adjudicated outside the state and the petitioner has not been a resident of Missouri for at least five years prior to filing the petition, such person may file a new petition at any time after residing in the state for the required five-year period. Beginning August 28, 2013, information regarding any person whose offense was committed in Missouri, or in any other state, when such person was under eighteen years of age shall be immediately removed from the highway patrol's website created under section 43.650 and any local law enforcement website allowed under section 589.402 regardless of whether such person has a petition granted under this subsection.

5. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

[5.] 6. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

[6.] 7. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 8. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

[8.] 9. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section

566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] 10. (1) The court may grant such relief under subsection [7] 8 or [8] 9 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] 11. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection [9] 10 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection [9] 10 of this section.

[11.] 12. Any person whose name is removed or exempted from the sexual offender registry under subsection [7] 8 or [8] 9 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;

- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 301, Page 1, Section A, Line 2, by inserting after all of said line the following:

"217.738. 1. There is hereby established, within the department of corrections, a prisoner re-entry program to serve those male and female prisoners who have served their full sentences without early release and are locating upon release to a city not within a county.

2. Moneys for such program shall be appropriated to the department of corrections, which shall transfer the funds from its budget to the city of St. Louis's Department of Health and Human Services, which shall administer the fund. The city shall be responsible for the issuance of a request for proposals for re-entry services to organizations with demonstrated experience in providing re-entry services, including facilitating connections to providers of housing and employment services and physical health, mental health, substance abuse, and other social services. The city and the selected

contractor shall be jointly responsible to the department of corrections for ensuring that such services are provided, and they shall provide to the department all data and records necessary to oversee and measure the effectiveness of the program.

3. The director of the department of corrections is authorized to promulgate rules and regulations and to enter into such contracts as are necessary and proper for the implementation of the program.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Justus offered **SA 1** to **SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Committee Substitute for House Bill No. 301, Page 1, Section 217.738, Line 8, by inserting after “appropriated” the following: “, **subject to appropriations**,”.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2** to **SA 4**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Committee Substitute for House Bill No. 301, Page 1, Section 217.738, Lines 6-7, by striking “and are locating upon release to a city not within a county”.

Senator Schaaf moved that above amendment be adopted, which motion failed on a standing division vote.

SA 4, as amended, was taken up.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **HB 301**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **HB 301**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt
Sifton	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Kraus Lager Lamping Schaaf—4

Absent—Senators

Rupp Walsh—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	LeVota	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Sater	Schaefer	Sifton	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Kraus Lager Lamping Nieves Schaaf Schmitt—6

Absent—Senators

Rupp Walsh—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 110**, with **SCS**, entitled:

An Act to repeal sections 21.110, 28.190, 29.280, 30.030, 30.060, 30.070, 30.080, 78.090, 105.030, 105.040, 105.050, 115.123, 115.365, 115.601, and 115.755, RSMo, and to enact in lieu thereof sixteen new sections relating to vacancies and time limits for certain offices, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Kraus.

SCS for **HCS** for **HB 110**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 110

An Act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof four new sections relating to the selection of public officials, with an emergency clause for a certain section.

Was taken up.

Senator Kraus moved that **SCS** for **HCS** for **HB 110** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Line 13, by inserting after all of said line the following:

“115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person’s election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, [two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city] **members of the committee shall be elected from the districts of each state representative that are in any way contained in the county in the following manner: within six months after each legislative reapportionment, each portion of a legislative district contained in the county shall constitute a single committee district. Two men and two women shall be elected from each committee district formed from a legislative district that is wholly contained in the county as members of the committee, two men and two women shall be elected from each committee district formed from a legislative district that is predominantly contained in the county as members of the committee, and one man and one woman shall be elected from each committee district formed from a legislative district that is partially but not predominantly contained in the county as members of the committee.**

3. [In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4.] In each county of the first classification containing a portion, but not the major portion, of a city

which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

[5.] 4. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

[6.] 5. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

[7.] 6. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Lines 1-13, by striking all of said section from the bill and inserting in lieu thereof the following:

“26.226. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election. The candidates for the election shall be nominated and placed on the ballot in accordance with the provisions of sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. During any period of time when the office of lieutenant governor is vacant, the chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy, provided however, that any duties of the lieutenant governor as president of the senate shall be performed by the president pro tempore of the senate during the period of such vacancy.”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Schmitt offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Line 13, by inserting immediately after said line the following:

“115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, to the board of election commissioners in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **HCS** for **HB 110**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **HCS** for **HB 110**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	Nasheed	Sifton	Walsh—8
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Absent—Senators

Rupp	Sater—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	McKenna	Nasheed	Sifton
Walsh—9							

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SCS** for **HCS** for **HB 1035**, as amended, and has taken up and passed **CCS No. 2** for **SCS** for **HCS** for **HB 1035**.

Emergency clause adopted.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 1035**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1035

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1035;

3. That the attached Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Kelley
/s/ Paul Curtman
/s/ Jay Swearingen

FOR THE SENATE:

/s/ Eric S. Schmitt
/s/ David Pearce
/s/ Bob Dixon
/s/ Ryan McKenna
/s/ Jason Holsman

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senators

Nasheed Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, **CCS No. 2** for **SCS** for **HCS** for **HB 1035**, entitled:

**CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1035**

An Act to repeal sections 33.080, 67.457, 67.463, 67.469, 71.011, 99.845, 137.073, 137.090, 137.095, 137.115, 137.720, 138.431, 238.272, 360.045, and 374.150, RSMo, and to enact in lieu thereof seventeen new sections relating to political subdivisions, with an emergency clause for certain sections and an existing penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senators

Nasheed Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Emery—1

Absent—Senators

Nasheed Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HCS** for **HB 215**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Dixon, the above amendment was withdrawn.

Senator Dixon moved that **SS** for **SCS** for **HCS** for **HB 215**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **HCS** for **HB 215**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp

Sater Schaaf Schaefer Schmitt Sifton Silvey Wallingford Walsh
 Wasson—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 152, introduced by Representative Solon, et al, with **SCS**, entitled:

An Act to repeal sections 160.261, 162.215, and 210.115, RSMo, and to enact in lieu thereof four new sections relating to school officers.

Was called from the Informal Calendar and taken up by Senator Kraus.

SCS for **HB 152**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 152

An Act to repeal section 162.215, RSMo, and to enact in lieu thereof two new sections relating to school officers.

Was taken up.

Senator Lager assumed the Chair.

Senator Kraus moved that **SCS** for **HB 152** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **HB 152** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Keaveny—1

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe moved that **HCS** for **HBs 404** and **614**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HBs 404** and **614** was again taken up.

At the request of Senator Rupp, **SS** for **SCS** for **HCS** for **HBs 404** and **614** was withdrawn.

SCS for **HCS** for **HBs 404** and **614** was again taken up.

Senator Kehoe moved that **SCS** for **HCS** for **HBs 404** and **614** be adopted, which motion failed.

HCS for **HBs 404** and **614** was again taken up.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill Nos. 404 and 614, Page 1, Section 287.067, Line 9, by inserting after “injury” the following: “**or death**”; and

Further amend said bill, Pages 2 to 6, Section 287.243, by striking all of said section from the bill and inserting in lieu thereof the following:

“287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall become effective on January 1, 2014.”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **HCS** for **HBs 404** and **614**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 349**, entitled:

An Act to repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to license plates for property-carrying commercial motor vehicles.

Was called from the Informal Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **HCS** for **HB 349** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Sifton—1

Absent—Senators

Dempsey Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 342**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 342

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 342, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3, 4, 5, 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 342, as amended;
2. That the Senate recede from its position on Senate Bill No. 342;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael L. Parson
/s/ Michael Kehoe
/s/ Mike Cunningham
Ryan McKenna
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Casey Guernsey
/s/ Joe Don McGaugh
/s/ Chris Kelly

Senator Parson moved that the above conference committee report be adopted, which motion failed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Kehoe	LeVota	Libla	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaefer	Wallingford	Wasson—16

NAYS—Senators

Chappelle-Nadal	Curls	Emery	Holsman	Justus	Keaveny	Kraus	Lager
Lamping	McKenna	Nasheed	Schaaf	Schmitt	Sifton	Silvey	Walsh—16

Absent—Senators

Dempsey	Rupp—2
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Absent with leave—Senators—None

Vacancies—None

Senator Curls, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **SB 224**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 224

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 224, with House Amendment Nos. 1, 2, 3, and 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment Nos. 6, 7 and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 224, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 224;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ S. Kiki Curls
/s/ Ryan Silvey
/s/ Wayne Wallingford
/s/ David Pearce
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Noel Torpey
/s/ John McCaherty
/s/ John Rizzo

Senator Curls moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Justus	Keaveny	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Brown	Cunningham	Emery—3
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Absent—Senators

Dempsey	Nasheed	Rupp	Sater—4
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Absent with leave—Senators—None

Vacancies—None

On motion of Senator Curls, **CCS for SCS for SB 224**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 224

An Act to repeal sections 84.480, 84.490, 84.510, 86.200, 86.257, 86.263, 313.817, and 568.040, RSMo, and to enact in lieu thereof nine new sections relating to public safety.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senator Emery—1

Absent—Senators

Dempsey	Nasheed	Rupp—3
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Keaveny, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 100**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 100

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 100, with House Amendment Nos. 1, 3, 4, 5, 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 100, as amended;
2. That the Senate recede from its position on Senate Bill No. 100;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 100 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph P. Keaveny
/s/ Bob Dixon
/s/ Kurt Schaefer
/s/ Eric S. Schmitt
/s/ Jolie L. Justus

FOR THE HOUSE:

Stanley Cox
/s/ Kevin Elmer
/s/ Chris Kelly

Senator Keaveny moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Cunningham—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe assumed the Chair.

On motion of Senator Keaveny, **CCS** for **HCS** for **SB 100**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 100

An Act to repeal sections 32.056, 43.518, 432.047, 443.723, 452.400, 453.030, 453.050, 454.475, 476.057, 477.405, 478.007, 478.320, 488.426, 488.2250, 488.5320, 513.430, and 514.040, RSMo, and to enact in lieu thereof eighteen new sections relating to judicial procedures, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Cunningham—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 12**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 12

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 12, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 12, as amended;
2. That the Senate recede from its position on Senate Bill No. 12;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 12 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Bob Dixon

/s/ Eric S. Schmitt

Jolie Justus

Joseph Keaveny

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Elijah Haahr

/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted.

At the request of Senator Schaefer, the above motion was withdrawn.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 117** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 117**.

Photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

PRIVILEGED MOTIONS

Senator Wasson, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 117** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 117

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117;
2. That the House recede from its position on House Committee Substitute for House Bill No. 117;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Tony Dugger

/s/ Sandy Crawford

/s/ Pat Conway

FOR THE SENATE:

/s/ Jay Wasson

/s/ Mike Cunningham

/s/ Bob Dixon

/s/ Joseph P. Keaveny

/s/ Paul LeVota

Senator Pearce assumed the Chair.

Senator Wasson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Nieves Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, **CCS** for **SS** for **SCS** for **HCS** for **HB 117**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 117

An Act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions and a delayed effective date.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **HB 336**, as amended, and has taken up and passed **CCS** for **SS** for **HB 336**.

PRIVILEGED MOTIONS

Senator Silvey, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **HB 336**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE BILL NO. 336

The Conference Committee appointed on Senate Substitute for House Bill No. 336, with Senate Amendment Nos. 1 & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 336, as amended;
2. That the House recede from its position on House Bill No. 336;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 336, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Dave Hinson

/s/ Lincoln Hough

/s/ Genise Montecillo

FOR THE SENATE:

/s/ Ryan Silvey

/s/ Eric Schmitt

/s/ Michael Kehoe

/s/ Jolie L. Justus

/s/ Jason Holsman

Senator Silvey moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Holsman	Justus	Rupp—3
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Absent with leave—Senators—None

Vacancies—None

On motion of Senator Silvey, **CCS** for **SS** for **HB 336**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
HOUSE BILL NO. 336

An Act to repeal sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 321.015, 321.210, and 321.322, RSMo, and to enact in lieu thereof thirteen new sections relating to emergency services.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Justus Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **HBs 256, 33** and **305**, as amended, and has taken up and passed **CCS** for **HCS** for **HBs 256, 33** and **305**.

Emergency clause adopted.

PRIVILEGED MOTIONS

Senator Kehoe, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **HBs 256, 33** and **305**, as amended, moved that the following conference committee

report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 256, 33, & 305

The Conference Committee appointed on House Committee Substitute for House Bill Nos. 256, 33, & 305, with Senate Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for House Bill Nos. 256, 33, & 305, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 256, 33, & 305;
3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill Nos. 256, 33, & 305 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Kevin Elmer
/s/ Bill Otto

FOR THE SENATE:

/s/ Michael Kehoe
/s/ Brian Munzlinger
/s/ Jay Wasson
/s/ Jolie L. Justus
/s/ Joseph P. Keaveny

Senator Kehoe moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, **CCS** for **HCS** for **HBs 256, 33 and 305**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 256, 33, & 305

An Act to repeal sections 610.021 and 610.150, RSMo, and to enact in lieu thereof three new sections

relating to public safety, with an emergency clause.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 103**, as amended, and has taken up and passed **CCS** for **SCS** for **HB 103**.

Emergency clause adopted.

PRIVILEGED MOTIONS

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 103**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 103

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 103, with Senate Amendment Nos. 1, 2, 5, and Senate Substitute Amendment No. 1 for Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 103, as amended;
2. That the House recede from its position on House Bill 103;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 103, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Kelley
/s/ Todd Richardson
/s/ John Rizzo

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Michael Kehoe
/s/ Doug Libla
/s/ Paul LeVota
/s/ Jolie Justus

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe assumed the Chair.

On motion of Senator Munzlinger, **CCS** for **SCS** for **HB 103**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 103

An Act to repeal sections 174.700, 174.703, 174.706, 301.301, 301.449, 302.302, 302.341, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.013, 304.032, 304.120, 304.180, 304.820, 307.400, 407.300, and 544.157, RSMo, and to enact in lieu thereof thirty-two new sections relating to transportation, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HBs 374** and **434**.

PRIVILEGED MOTIONS

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HBs 374** and **434**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 374 & 434

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, with Senate Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 374 & 434;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Kevin Elmer

/s/ Stan Cox

/s/ Mike Colona

FOR THE SENATE:

/s/ Bob Dixon

/s/ Eric Schmitt

/s/ Ed Emery

/s/ Jolie L. Justus

/s/ Joseph P. Keaveny

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed

by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, **CCS** for **SS** for **SCS** for **HCS** for **HBs 374 and 434**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 374 & 434

An Act to repeal sections 32.056, 43.518, 454.475, 476.057, 477.405, 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, 478.320, 487.010, 487.020, 488.426, 488.2250, 488.5320, 513.430, 514.040, 544.455, 557.011, 559.036, 559.115, 632.498, and 632.505, RSMo, and to enact in lieu thereof twenty-two new sections relating to judicial procedures, with an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from Missouri Lawyers Weekly were given permission to take pictures in the Senate Chamber.

HOUSE BILLS ON THIRD READING

HCS for **HB 320**, entitled:

An Act to repeal sections 213.010 and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

Was called from the Informal Calendar and taken up by Senator Lager.

Senator Justus offered **SS** for **HCS** for **HB 320**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 320

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices.

Senator Justus moved that **SS** for **HCS** for **HB 320** be adopted.

At the request of Senator Lager, **HCS** for **HB 320**, with **SS** (pending), was placed on the Informal Calendar.

HCS for **HB 505**, with **SCS**, entitled:

An Act to repeal sections 160.261, 210.115, 556.061, 568.060, and 595.220, RSMo, and to enact in lieu thereof five new sections relating to child abuse and neglect, with penalty provisions and an emergency clause.

Was called from the Informal Calendar and taken up by Senator Dixon.

SCS for **HCS** for **HB 505**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 505

An Act to repeal sections 37.710, 160.261, 160.262, 162.068, 162.069, 210.115, 556.061, 568.060, and 595.220, RSMo, and to enact in lieu thereof nine new sections relating to child abuse and neglect, with penalty provisions and an emergency clause.

Was taken up.

Senator Dixon moved that **SCS** for **HCS** for **HB 505** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **HCS** for **HB 505** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from the St. Louis Post Dispatch were given permission to take pictures in the Senate Chamber.

HCS for **HB 675**, entitled:

An Act to amend chapters 161 and 167, RSMo, by adding thereto ten new sections relating to the management of diabetes in elementary and secondary schools.

Was called from the Informal Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HCS** for **HB 675** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 278, introduced by Representative Brattin, et al, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to federal holidays.

Was called from the Informal Calendar and taken up by Senator Emery.

On motion of Senator Emery, **HB 278** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Kehoe
Kraus	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Sater	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson—28				

NAYS—Senators

Nasheed Schaaf—2

Absent—Senators

Curls Justus Keaveny Rupp—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **SB 114**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 114

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 114 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric S. Schmitt

Kurt Schaefer

/s/ Michael L. Parson

/s/ Ryan McKenna

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Caleb Jones

/s/ Todd Richardson

/s/ Jacob Hummel

Senator Schmitt moved that the above conference committee report be adopted.

Senator Kehoe assumed the Chair.

Senator Schaaf raised the point of order that the **CCR** on **SS** for **SCS** for **SB 114**, as amended, is out of order as it exceeds the differences between the Houses.

The point of order was referred to the President Pro Tem who took it under advisement.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 51**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 51

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 51, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 51, as amended;
2. That the Senate recede from its position on Senate Bill No. 51;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Michael Kehoe
/s/ Doug Libla
Ryan McKenna
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Casey Guernsey
/s/ Lyndall Fraker
/s/ Courtney Allen Curtis

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Brown Kraus—2

Absent—Senators

Dempsey Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **CCS** for **HCS** for **SB 51**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 51

An Act to repeal sections 34.040, 64.196, 135.710, 136.055, 137.010, section 301.140 as enacted by

conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute for senate bill no. 568 merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, section 301.140 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, 301.301, 301.449, 302.132, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.154, 304.180, 304.820, and 307.400, RSMo, and to enact in lieu thereof twenty new sections relating to regulation of motor vehicles, with existing penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Brown Kraus—2

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nieves—2

Absent—Senators

Dempsey Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 210**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the common core state standards initiative, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Lamping moved that **SB 210**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 210** was taken up.

President Kinder assumed the Chair.

Senator Lamping moved that **HCS** for **SB 210** be adopted.

Senator Lamping withdrew the above motion which placed the bill back on the Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SJR 14**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 14, Page 1, Section 23, Line 4, by inserting after the period on said line, “.”, the following:

“The right of every citizen to possess, purchase, reload, or manufacture ammunition and to possess, purchase, or manufacture mechanical parts or other articles essential to the proper functioning of arms shall not be infringed or the amounts limited.”; and

Further amend said bill, page, and section, Line 7, by inserting after the period, “.”, on said line, the following:

“Nothing in this section shall be construed to invalidate acts of the General Assembly, which create criminal penalties for the unlawful use of firearms.”; and

Further amend said resolution, Page 2, Section B, Lines 5-8, by deleting all of said lines and inserting in lieu thereof, the following:

“Shall the Missouri Constitution be amended to include a declaration that the right to keep and bear arms is a unalienable right, that the state government is obligated to uphold that right, and that every citizen is guaranteed the right to possess, purchase, and manufacture firearms, parts, and ammunition?”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Schaefer moved that **SCS** for **SJR 14**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Schaefer, the above motion was withdrawn.

Senator Schaefer moved that the Senate refuse to concur in **HA 1** to **SCS** for **SJR 14** and request the House to recede from its position and take up and pass **SCS** for **SJR 14**.

At the request of Senator Schaefer, the above motion was withdrawn which placed the joint resolution back on the Calendar.

At the request of Senator Schaaf, the pending point of order on the **CCR** on **SS** for **SCS** for **SB 114**, as amended, was withdrawn which brought the bill back before the body.

The motion to adopt the **CCR** on **SS** for **SCS** for **SB 114**, as amended, was again taken up.

Under the provisions of Senate Rule 91, Senator Sifton was excused from voting on the conference committee report, **CCS** for **SS** for **SCS** for **SB 114**, as amended, and the emergency clause.

At the request of Senator Schmitt, the motion to adopt the **CCR** on **SS** for **SCS** for **SB 114**, as amended, was withdrawn.

HOUSE BILLS ON THIRD READING

HCS for **HB 28**, with **SCS**, entitled:

An Act to repeal sections 44.080 and 49.266, RSMo, and to enact in lieu thereof two new sections relating to natural disaster ordinances, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Wallingford.

SCS for **HCS** for **HB 28**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 28

An Act to repeal section 49.266, RSMo, and to enact in lieu thereof one new section relating to natural disaster ordinances, with penalty provisions.

Was taken up.

Senator Wallingford moved that **SCS** for **HCS** for **HB 28** be adopted.

Senator Lager offered **SS** for **SCS** for **HCS** for **HB 28**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 28

An Act to repeal sections 43.543, 49.266, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 253.180, 253.185, 256.117, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 260.200, 260.205, 260.235, 260.249, 260.262, 260.365, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 444.772, 621.250, 640.010, 640.012, 640.017, 640.075, 640.715, 640.725, 643.079, 644.051, 644.052, and 644.054, RSMo, and to enact in lieu thereof sixty-three new sections relating to the environment, with penalty provisions and an emergency clause for certain sections.

Senator Lager moved that **SS** for **SCS** for **HCS** for **HB 28** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SS** for **SCS** for **HCS** for **HB 28** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nieves—2

Absent—Senators

Curls Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Keaveny	Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger
Nasheed	Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Kraus Nieves—2

Absent—Senators

Curls Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 76**, with **SCS**, entitled:

An Act to repeal sections 161.209 and 163.410, RSMo, and to enact in lieu thereof two new sections relating to Missouri school improvement program standards.

Was called from the Informal Calendar and taken up by Senator Pearce.

President Pro Tem Dempsey assumed the Chair.

SCS for **HCS** for **HB 76**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 76

An Act to repeal sections 161.209, 162.081, 162.083, and 163.410, RSMo, and to enact in lieu thereof five new sections relating to school accreditation, with an emergency clause for certain sections.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 76** be adopted.

At the request of Senator Pearce, **HCS** for **HB 76**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Lager moved that **HB 432**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Holsman, the above amendment was withdrawn.

Senator Lager moved that **SCS** for **HB 432** be adopted, which motion failed.

On motion of Senator Lager, **HB 432** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **HCS** for **HB 320**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 320** was again taken up.

Senator Justus moved that **SS** for **HCS** for **HB 320** be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **HCS** for **HB 320** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dempsey	Holsman	Justus	Keaveny	Kehoe	LeVota
McKenna	Nasheed	Parson	Pearce	Romine	Sater	Schaaf	Sifton
Silvey	Wallingford	Walsh—19					

NAYS—Senators

Brown	Cunningham	Emery	Kraus	Lager	Lamping	Libla	Munzlinger
Nieves	Richard	Wasson—11					

Absent—Senators

Dixon	Rupp	Schaefer	Schmitt—4
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Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Schaaf moved that the vote by which the **CCR** on **HCS** for **SB 342**, as amended, was defeated be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Sater	Schaaf	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators—None

Absent—Senators

Rupp	Schaefer	Schmitt—3
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Absent with leave—Senators—None

Vacancies—None

Senator Parson moved that the **CCR** for **HCS** for **SB 342**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Nieves	Rupp—2
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Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, **CCS** for **HCS** for **SB 342**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 342

An Act to repeal sections 64.196, 135.305, 142.800, 348.521, 442.571, and 442.576, RSMo, and to enact

in lieu thereof ten new sections relating to agriculture.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senators—None

Absent—Senators

Emery Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Having voted on the prevailing side, Senator Lager moved that the vote by which **HCS for SS for SB 282**, as amended, failed of adoption be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Emery—1

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

HCS for SS for SB 282, as amended, was again taken up.

Senator Wasson moved that **HCS for SS for SB 282**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed

Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Emery	Kraus	Nieves—3
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Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, **HCS** for **SS** for **SB 282**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	Lager	Lamping	LeVota	Libla	McKenna	Munzlinger	Nasheed
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

NAYS—Senators

Emery	Kraus	Nieves—3
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Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

At the request of Senator Dixon, **HCS** for **HBs 373** and **435**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 257** was placed on the Informal Calendar.

HB 702, introduced by Representative Englund, et al, entitled:

An Act to repeal sections 447.559 and 447.560, RSMo, and to enact in lieu thereof two new sections relating to the sale of unclaimed military medals, with a penalty provision.

Was taken up by Senator Brown.

On motion of Senator Brown, **HB 702** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 715, introduced by Representative McCaherty, entitled:

An Act to repeal section 307.075, RSMo, and to enact in lieu thereof one new section relating to motorcycle brake lights.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **HB 715** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla	McKenna
Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 60 entitled:

AN ACT

To repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

I disapprove of Senate Bill No. 60. My reasons for disapproval are as follows:

Senate Bill No. 60 is duplicative of House Bill No. 133 which was truly agreed to and finally passed on April 29, 2013. While the language in both Senate Bill No. 60 and House Bill No. 133 is substantially similar, it is not identical. In addition to several non-substantive differences between the two bills, Senate Bill No. 60 omits an intrasectional reference that is contained in current law. Because of their similarities, it is unnecessary to approve both Senate Bill No. 60 and House Bill No. 133 and, due to the aforementioned drafting issues, I am not approving Senate Bill No. 60. House Bill No. 133 will provide the opportunity to enact this legislation after presentment is made in accordance with the Missouri Constitution.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 60 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 59 entitled:

AN ACT

To repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to the regulation of insurance guaranty associations.

On May 17, 2013, I approved said Senate Bill No. 59.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 234 entitled:

AN ACT

To repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

On May 17, 2013, I approved said Senate Bill No. 234.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 235 entitled:

AN ACT

To repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan reporting.

On May 17, 2013, I approved said Senate Bill No. 235.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 237 entitled:

AN ACT

To repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

On May 17, 2013, I approved said Senate Bill No. 237.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 33**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 33**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 157** and **SB 102**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 157** and **SB 102**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SB 330**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 330**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 327**, as amended, and has taken up and passed **CCS** for **SB 327**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 262**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 262**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 17**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 17**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SCS** for **SB 9**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SCS** for **SB 9**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 43**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 43**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 42**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 42**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 161**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 161**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 127**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 127**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **SB 248**, as amended, and has taken up and passed **CCS** for **SCS** for **SB 248**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 256**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 256**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 73**, as amended, and has taken up and passed **HCS** for **SB 73**, as amended by the **CCR**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 351** and has taken up and passed **SCS** for **HCS** for **HB 351**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCS** for **HB 58** and has taken up and passed **SS** for **HCS** for **HB 58**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 322** and has taken up and passed **SCS** for **HB 322**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HB 533** and has taken up and passed **SCS** for **HB 533**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HB 142** and has taken up and passed **SS** for **SCS** for **HB 142**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 345** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 345**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 196** and has taken up and passed **SCS** for **HB 196**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 428** and has taken up and passed **SS** for **SCS** for **HB 428**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 148** and has taken up and passed **SCS** for **HB 148**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 175** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 175**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HCS** for **HB 611** and has taken up and passed **SCS** for **HCS** for **HB 611**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HJR 16** and has taken up and passed **SCS** for **HJR 16**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** and **SA 2** to **HB 128** and has taken up and passed **HB 128**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 722** and has taken up and passed **SCS** for **HCS** for **HB 722**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCR 15**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 170**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 258**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 121**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

adopted **SCS**, as amended, for **HCS** for **HB 986** and has taken up and passed **SCS** for **HCS** for **HB 986**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **SCS** for **HCS** for **HB 215** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 215**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HB 184** and has taken up and passed **SS** for **HB 184**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HB 301** and has taken up and passed **SCS** for **HB 301**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HB 152** and has taken up and passed **SCS** for **HB 152**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCR 25** and has taken up and passed **SS** for **HCR 25**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 505** and has taken up and passed **SCS** for **HCS** for **HB 505**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 224**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 224**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 100**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 100**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 51**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 51**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 342**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 342**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS No. 2**, as amended, for **SCS** for **HB 116** and has taken up and passed **SS No. 2** for **SCS** for **HB 116**, as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 110** and has taken up and passed **SCS** for **HCS** for **HB 110**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HA 1** and taken up and passed **SB 77**.

Bill ordered enrolled.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 1037, regarding Brian Michael Fahrner, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1038, regarding Dina Arnold, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1039, regarding Corrections Officer I Jeremy Oberhaus, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1040, regarding Douglas Hawkins, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1041, regarding Mary Besgrove, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1042, regarding James R. Weimer, Macon, which

was adopted.

Senator Cunningham offered Senate Resolution No. 1043, regarding the death of United States Army Specialist Charles P. McClure, which was adopted.

Senator Nieves offered Senate Resolution No. 1044, regarding the United States Department of Veterans Affairs Community Based Outreach Clinic, Washington, which was adopted.

Senator Nieves offered Senate Resolution No. 1045, regarding AT&T Pioneers, Lindbergh Council of the Missouri Chapter, which was adopted.

Senator Pearce offered Senate Resolution No. 1046, regarding Kenneth H. Hoemann, which was adopted.

Senator Pearce offered Senate Resolution No. 1047, regarding Janice Smith, Warrensburg, which was adopted.

On motion of Senator Richard, the Senate adjourned until 12:00 noon, Wednesday, May 22, 2013.

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-FIRST DAY—WEDNESDAY, MAY 22, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS No. 2** for **HCS** for **SCS** for **SB 9**; **SS** for **SCS** for **SB 29**; **CCS** for **SCS** for **SB 33**; **CCS** for **HCS** for **SS** for **SB 34**; **SB 35**; **CCS** for **SCS** for **SB 36**; **CCS** for **HCS** for **SCS** for **SB 42**; **SCS** for **SB 47**; **SB 58**; **SCS** for **SB 69**; **SB 72**; **HCS** for **SB 73**; **SB 77**; **HCS** for **SCS** for **SB 89**; **CCS** for **HCS** for **SB 100**; **CCS** for **SCS** for **SB 106**; **HCS** for **SB 110**; **HCS** for **SS** for **SCS** for **SB 116**; **CCS** for **HCS** for **SCS** for **SB 117**; **HCS** for **SCS** for **SB 118**; **SS** for **SCS** for **SB 121**; **SS** for **SCS** for **SB 125**; **SCS** for **SB 126**; **CCS** for **HCS** for **SB 127**; **SS** for **SCS** for **SB 129**; **HCS** for **SB 148**; **CCS** for **HCS** for **SCS** for **SB 157** and **SB 102**; **SS** for **SCS** for **SB 159**; **CCS** for **HCS** for **SB 161**; **SB 170**; **HCS** for **SCS** for **SB 186**; **SB 197**; **HCS** for **SB 205**; **SB 208**; **SB 216**; **CCS** for **SCS** for **SB 224**; **HCS** for **SCS** for **SB 229**; **SB 230**; **SB 236**; **CCS** for **SCS** for **SB 248**; **SS** for **SB 251**; **HCS** for **SS** for **SB 252**; **SCS** for **SB 254**; **CCS** for **HCS** for **SCS** for **SB 256**; **SB 257**; **SCS** for **SB 258**; **SB 265**; **SS** for **SB 267**; **HCS** for **SS** for **SB 282**; **CCS** for **SB 327**; **CCS No. 2** for **HCS** for **SB 330**; **CCS** for **HCS** for **SB 342**; **SS** for **SB 357**; and **SCS** for **SB 381**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS No. 2** for **HCS** for **SCS** for **SB 9**; **SS** for **SB 28**; **SS** for **SCS** for **SB 29**; **CCS** for **SCS** for **SB 33**; **CCS** for **HCS** for **SS** for **SB 34**; **SB 35**; **CCS** for **SCS** for **SB 36**; **CCS** for **HCS** for **SCS** for **SB 42**; **SCS** for **SB 47**; **SB 58**; **SCS** for **SB 69**; **SB 72**; **HCS** for **SB 73**; **SB 77**; **HCS** for **SCS** for **SB 89**; **CCS** for **HCS** for **SB 100**; **CCS** for **SCS** for **SB 106**; **HCS** for **SB 110**; **HCS** for **SS** for **SCS** for **SB 116**; **CCS** for **HCS** for **SCS** for **SB 117**; **HCS** for **SCS** for **SB 118**; **SS** for **SCS** for **SB 121**; **SS** for **SCS** for **SB 125**; **SCS** for **SB 126**; **CCS** for **HCS** for **SB 127**; **SS** for **SCS** for **SB 129**; **HCS** for **SB 148**; **CCS** for **HCS** for **SCS** for **SB 157** and **SB 102**; **SS** for **SCS** for **SB 159**; **CCS** for **HCS** for **SB 161**; **SB 170**; **HCS** for **SCS** for **SB 186**; **HCS** for **SB 188**; **SB 197**; **HCS** for **SB 205**; **SB 208**; **SB 216**; **CCS** for **SCS** for **SB 224**; **HCS** for **SCS** for **SB 229**; **SB 230**; **SB 236**;

CCS for SCS for **SB 248**; SS for **SB 251**; HCS for SS for **SB 252**; SCS for **SB 254**; CCS for HCS for SCS for **SB 256**; **SB 257**; SCS for **SB 258**; **SB 265**; SS for **SB 267**; HCS for SS for **SB 282**; CCS for **SB 327**; **CCS No. 2** for HCS for **SB 330**; CCS for HCS for **SB 342**; SS for **SB 357**; and SCS for **SB 381**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **CCS No. 2** for SS for HCS for **HJR 11** and **7**; SCS for **HJR 16**; SCS for HCS for **HB 1**; CCS for SCS for HCS for **HB 3**; CCS for SCS for HCS for **HB 4**; CCS for SCS for HCS for **HB 5**; CCS for SCS for HCS for **HB 6**; CCS for SCS for HCS for **HB 7**; CCS for SCS for HCS for **HB 8**; CCS for SCS for HCS for **HB 9**; CCS for SCS for HCS for **HB 10**; CCS for SCS for HCS for **HB 12**; SCS for HCS for **HB 13**; SCS for HCS for **HB 17**; SCS for **HB 18**; SS for SCS for HCS for **HB 19**; SS for SCS for HCS for **HB 28**; **SS No. 2** for **HB 34**; SS for HCS for **HB 58**; **HB 68**; CCS for SS for SCS for HCS for **HB 117**; **HB 133**; SS for SCS for **HB 142**; SCS for **HB 148**; HCS for **HB 159**; SS for SCS for HCS for **HB 175**; SCS for **HB 196**; **HB 212**; SCS for HCS for **HB 233**; HCS for **HB 235**; **HB 278**; SCS for **HB 301**; SCS for HCS for **HBs 303** and **304**; CCS for SS for SCS for **HB 307**; SS for HCS for **HB 315**; **HB 316**; SCS for **HB 329**; SS for **HB 331**; CCS for SS for **HB 336**; **HB 339**; SS for SCS for HCS for **HB 345**; HCS for **HB 349**; **HB 400**; HCS for **HB 418**; SS for SCS for **HB 428**; **HB 432**; SCS for HCS for **HB 436**; HCS for **HBs 446** and **211**; **HB 451**; **HB 478**; SCS for **HB 498**; **HB 510**; SS for SCS for **HB 542**; HCS for **HB 656**; **HB 673**; HCS for **HB 675**; **HB 702**; **HB 715**; and SCS for HCS for **HB 722**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the joint resolutions and bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Justus submitted the following:

Mr. President,

I object to the signing of the CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2 for the following reason:

While no motion was made and adopted to allow the HB 2 conference committee to exceed the differences with regard to any provision of HB 2, there is no question that the CCS/SCS/HCS/HB 2 exceeds the differences between the two chambers' versions of the act.

Specifically:

HB 2, Section 2.015 Early Childhood Special Education:

Both House and Senate versions derive funding for Section 2.015 from the State Schools Money Fund; the CCS version utilizes the Missouri Senior Protection Fund (which does not exist) in order to fund Section 2.015.

HB 2, Section 2.175 First Steps:

Both House and Senate versions derive funding for Section 2.175 from General Revenue; the CCS version utilizes the Missouri Senior Protection Fund (which does not exist) in order to fund Section 2.175.

While neither the Rules of the Missouri Senate nor the Missouri Constitution contain any provision relating to conference committees exceeding the differences, however, Rule 97 of the Rules of the Missouri Senate provides, "In cases not provided for in these rules, the senate shall be governed by the rules laid down in the practice and procedures adopted by the Senate of the United States and Jefferson's Manual..."

Rule XXVIII of the U.S. Senate Rule provides as follows,

1...

(b) If matter which was agreed to by both Houses is stricken from the bill a point of order may be made against the report, and if the point of order is sustained, the report is rejected or shall be recommitted to the committee of conference if the House of Representatives has not already acted thereon.

(c) If new matter is inserted in the report, a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

3. (a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees-

(1) it shall be in order for the conferees to report a substitute on the same subject matter;

(2) the conferees may not include in the report matter not committed to them by either House; and

(3) the conferees may include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) In any case in which the conferees violate subparagraph (a), a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

4. (a) A Senator may raise a point of order that one or more provisions of a conference report violates paragraph 2 or paragraph 3, as the case may be. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order.

(b) If the Presiding Officer sustains the point of order as to any of the provisions against which the Senator raised the point of order, then those provisions against which the Presiding Officer sustains the point of order shall be stricken. After all other points of order under this paragraph have been disposed of-

(1) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken;

(2) the question in clause (1) shall be decided under the same debate limitation as the conference report; and

(3) no further amendment shall be in order.

According to Jefferson's Manual, "The conferees may argue in support of what is done in their House, but not against it, nor assent to any new thing there propounded, till their House be informed and agree to it." Sec. XL VI

Furthermore, as stated by Riddick:

Conferees may not add new matter not committed to them in a conference by either House; a conference report may not include new "matter entirely irrelevant to the subject matter" not contained in the House or Senate-passed versions of a measure as distinct from a substitute therefor...If conferees exceed their authority with respect to any matter, the report of the conferees is subject to a point of order.

Riddick, Page 484.

Because the CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2 exceeds the differences without leave of the body, I hereby object to the signing of this conference committee substitute and request that this objection be printed in the Journal of the Senate and accompany the bill when the bill is so signed and delivered to the Governor.

Very Best Regards,
/s/ Jolie Justus
Senator Jolie Justus
10th District

Also,

Mr. President,

I object to the signing of the CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 11 for the following reason:

While no motion was made and adopted to allow the HB 11 conference committee to exceed the differences with regard to any provision of HB 11, there is no question that the CCS/SCS/HCS/HB 11 exceeds the differences between the two chambers' versions of the act.

Specifically:

HB 11, Section 11.520: Federally Qualified Health Care Clinics:

Both House and Senate versions of HB 11 utilize funding from General Revenue in order to fund Section 11.520; the CCS version utilizes the Missouri Senior Protection Fund (which does not exist) in order to fund Section 11.520.

While neither the Rules of the Missouri Senate nor the Missouri Constitution contain any provision relating to conference committees exceeding the differences, however, Rule 97 of the Rules of the Missouri Senate provides, "In cases not provided for in these rules, the senate shall be governed by the rules laid down in the practice and procedures adopted by the Senate of the United States and Jefferson's Manual..."

Rule XXVIII of the U.S. Senate Rule provides as follows,

1...

(b) If matter which was agreed to by both Houses is stricken from the bill a point of order may be made against the report, and if the point of order is sustained, the report is rejected or shall be recommitted to the committee of conference if the House of Representatives has not already acted thereon.

(c) If new matter is inserted in the report, a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

3. *(a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees-*

(1) it shall be in order for the conferees to report a substitute on the same subject matter;

(2) the conferees may not include in the report matter not committed to them by either House; and

(3) the conferees may include in their report in any such case matter which is a germane modification of subjects in disagreement.

(b) In any case in which the conferees violate subparagraph (a), a point of order may be made against the conference report and it shall be disposed of as provided under paragraph 4.

4. *(a) A Senator may raise a point of order that one or more provisions of a conference report violates paragraph 2 or paragraph 3, as the case may be. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order.*

(b) If the Presiding Officer sustains the point of order as to any of the provisions against which the Senator raised the point of order, then those provisions against which the Presiding Officer sustains the point of order shall be stricken. After all other points of order under this paragraph have been disposed of-

(1) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report that has not been stricken;

(2) the question in clause (1) shall be decided under the same debate limitation as the conference report; and

(3) no further amendment shall be in order.

According to Jefferson's Manual, "The conferees may argue in support of what is done in their House, but not against it, *nor assent to any new thing there propounded, till their House be informed and agree to it.*" Sec. XL VI

Furthermore, as stated by Riddick:

Conferees may not add new matter not committed to them in a conference by either House; a conference report may not include new "matter entirely irrelevant to the subject matter" not contained in the House or Senate-passed versions of a measure as distinct from a substitute therefor...If conferees exceed their authority with respect to any matter, the report of the conferees is subject to a point of order.

Riddick, Page 484.

Because the CONFERENCE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 11 exceeds the differences without leave of the body, I hereby object to the signing of this conference committee substitute and request that this objection be printed in the Journal of the Senate and accompany the bill when the bill is so signed

and delivered to the Governor.

Very Best Regards,
/s/ Jolie Justus
Senator Jolie Justus
10th District

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for SCS for HCS for HB 2** and **CCS for SCS for HCS for HB 11**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objections notwithstanding, the bills would be signed by the President Pro Tem to the end that they may become law. The bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS No. 2 for HCS for SCS for SB 9; SS for SB 28; SS for SCS for SB 29; CCS for SCS for SB 33; CCS for HCS for SS for SB 34; SB 35; CCS for SCS for SB 36; CCS for HCS for SCS for SB 42; SCS for SB 47; SB 58; SCS for SB 69; SB 72; HCS for SB 73; SB 77; HCS for SCS for SB 89; CCS for HCS for SB 100; CCS for SCS for SB 106; HCS for SB 110; HCS for SS for SCS for SB 116; CCS for HCS for SCS for SB 117; HCS for SCS for SB 118; SS for SCS for SB 121; SS for SCS for SB 125; SCS for SB 126; CCS for HCS for SB 127; SS for SCS for SB 129; HCS for SB 148; CCS for HCS for SCS for SB 157 and SB 102; SS for SCS for SB 159; CCS for HCS for SB 161; SB 170; HCS for SCS for SB 186; HCS for SB 188; SB 197; HCS for SB 205; SB 208; SB 216; CCS for SCS for SB 224; HCS for SCS for SB 229; SB 230; SB 236; CCS for SCS for SB 248; SS for SB 251; HCS for SS for SB 252; SCS for SB 254; CCS for HCS for SCS for SB 256; SB 257; SCS for SB 258; SB 265; SS for SB 267; HCS for SS for SB 282; CCS for SB 327; CCS No. 2 for HCS for SB 330; CCS for HCS for SB 342; SS for SB 357; and SCS for SB 381, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

May 22, 2013

The Honorable Bob Dixon, Chairman
Standing Committee on the Judiciary and Civil and Criminal Jurisprudence
State Capitol, Room 332
Jefferson City, MO 65101

Dear Senator Dixon:

Please be advised that, pursuant to Senate Rule 31, the Standing Committee on the Judiciary and Civil and Criminal Jurisprudence is authorized to meet during the interim of the First Regular Session and the Second Regular Session of the 97th General Assembly to consider the following:

1. Revision of the Missouri Criminal Code.
2. Organization of the State Judiciary, including judicial resources, and the justice system.
3. State Public Defender system.
4. Comprehensive review of court costs, fees, miscellaneous charges and surcharges.

The actual and necessary expenses of the Committee shall be paid in accordance with the stipulations outlined in Senate Rule 31.

Sincerely,
/s/ Tom Dempsey
Tom Dempsey

RESOLUTIONS

On behalf of Senator McKenna, Senator Dempsey offered Senate Resolution No. 1048, regarding Ronald Navratil, Crystal City, which was adopted.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Thursday, May 30, 2013.

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-SECOND DAY—THURSDAY, MAY 30, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS for HCS for SS No. 2 for SCS for SB 1; CCS for HCS for SCS for SB 17; CCS for HCS for SB 23; CCS for HCS for SB 43; CCS for HCS for SB 51; HCS for SB 75; HCS for SB 99; SCS for SB 240; and CCS for HCS for SS for SB 262**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for HCS for SS No. 2 for SCS for SB 1; CCS for HCS for SCS for SB 17; CCS for HCS for SB 23; CCS for HCS for SB 43; CCS for HCS for SB 51; HCS for SB 75; HCS for SB 99; SCS for SB 240; and CCS for HCS for SS for SB 262**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **CCS for SCS for HB 103; SCS for HCS for HB 110; SS No. 2 for SCS for HB 116; HCS for HB 128; SCS for HB 152; SS for HB 184; SS for SCS for HCS for HB 215; SS for HB 253; CCS for HCS for HBs 256, 33 and 305; SCS for HB 322; SCS for HCS for HB 351; CCS for SS for SCS for HCS for HBs 374 and 434; HCS for HBs 404 and 614; SCS for HCS for HB 505; SCS for HB 533; SCS for HCS for HB 611; SS for SCS for HB 650; SCS for HCS for HB 986; and CCS No. 2 for SCS for HCS for HB 1035**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made,

the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS for HCS for SS No. 2 for SCS for SB 1; CCS for HCS for SCS for SB 17; CCS for HCS for SB 23; CCS for HCS for SB 43; CCS for HCS for SB 51; HCS for SB 75; HCS for SB 99; SCS for SB 240; and CCS for HCS for SS for SB 262, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

RESOLUTIONS

On behalf of Senator Libla, Senator Dempsey offered Senate Resolution No. 1049, regarding Charles and Peggy Walker, Cardwell, which was adopted.

On behalf of Senator McKenna, Senator Dempsey offered Senate Resolution No. 1050, regarding Garrett S. McDowell, which was adopted.

On behalf of Senator Emery, Senator Dempsey offered Senate Resolution No. 1051, regarding the One Hundredth Anniversary of the Elizabeth Carey Chapter of the Daughters of the American Revolution, Nevada, which was adopted.

On behalf of Senator Sifton, Senator Dempsey offered Senate Resolution No. 1052, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Killian Heitzman, Lemay, which was adopted.

On behalf of Senator Schaefer, Senator Dempsey offered Senate Resolution No. 1053, regarding Michael P. Jackson, Ashland, which was adopted.

On motion of Senator Dempsey, the Senate adjourned pursuant to the Constitution.

PETER KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of the Senate

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Journal of the Senate
NINETY-SEVENTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST REGULAR SESSION
VETO SESSION

WEDNESDAY, SEPTEMBER 11, 2013

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

“Death and life are in the power of the tongue.” (Proverbs 18:21)

On this 12th Anniversary of 9-11 we are mindful of the power of words that drove men to criminal behavior and death of nearly 3,000 men and women whose horrifying screams of that day echo in our land especially at places and symbols of our freedom and democracy. As we gather in our Capitol building this day we are especially mindful of what is required of us to use our voices knowing we have the power to change or reinforce what we believe is right and necessary for our people. So we pray that You, O Lord, will help us exercise such power with wisdom, trusting always in Your guidance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	LeVota	Libla
McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Sifton	Silvey	Wallingford
Walsh	Wasson—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Richard announced photographers from the Associated Press, KOMU-TV, Gasconade County Republican, New York Times, KSDK-TV, KTVI Fox 2 and ABC 17 were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-seventh General Assembly, First Regular Session, be declared to be the rules of the Veto Session of the Ninety-seventh General Assembly.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate Bills were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 10, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 240 entitled:

AN ACT

To repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations.

I disapprove of Senate Committee Substitute for Senate Bill No. 240. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 240 would expand from three to five years the period of time in which a gas utility can collect an infrastructure system replacement surcharge (ISRS) and would impose a 30 percent increase in the maximum amount of ISRS the utility can charge consumers. Senate Committee Substitute for Senate Bill No. 240 would also authorize gas utilities to track the amount of bad debt (i.e. uncollectible utility bills) they incur and then recover 90 percent of the difference between the actual amount of bad debt and the amount of bad debt estimated during their most recent rate case before the Public Service Commission (PSC). Because the harm to consumers from increased gas bills outweighs the legislation's potential benefits, Senate Committee Substitute for Senate Bill No. 240 does not receive my approval.

The existing ISRS mechanism was created in 2003 when Missouri's two large gas companies, Missouri Gas Energy (MGE) and Laclede Gas Company (Laclede), and Missouri American Water Company (MAWC) had fallen behind on infrastructure maintenance. The needed infrastructure replacements, unlike a new power plant for an electric company, would not have generated any additional revenue, but would simply have replaced gas and water mains to maintain their systems in working order and to protect against threats to public safety from aging infrastructure.

To address this problem, the General Assembly enacted Senate Substitute for Senate Committee Substitute for House Bill No. 208 (2003), which authorized the ISRS mechanism for water utilities serving more than 10,000 customers in St. Louis County and all gas utilities in Missouri. Currently MGE and Laclede Gas are the only Missouri gas utilities utilizing the ISRS, although Laclede is currently in the process of acquiring MGE, which will leave only one gas utility imposing an ISRS surcharge. Since the gas ISRS was enacted, the utilities have made significant investments to ensure that their systems are in working order. According to MGE, the company replaced approximately 176 miles of bare steel and cast iron main from 2003 to 2012 – more than 86 percent in excess of the amount mandated under PSC order. Similarly, Laclede has indicated that it is replacing more than 31 miles of cast iron mains annually and, following its acquisition of MGE, will significantly increase its investments in MGE's infrastructure.

As the above demonstrates, the existing ISRS mechanism has had the intended effect of encouraging the gas utilities to replace and maintain their infrastructure. However, what the above fails to demonstrate is any compelling reason to expand this existing mechanism and, by doing so, raise utility costs for Missouri consumers. While an increase in the existing ISRS would no doubt benefit the utilities, this benefit would come at a cost to consumers—a cost the PSC could police less frequently due to the additional two years Senate Committee Substitute for Senate Bill No. 240 would allow between general rate cases. Moreover, this additional two years between rate cases would prevent consumers from seeing the benefit of any savings realized by the utility during that additional time—such as through the pending consolidation of MGE and Laclede.

More troubling than the ISRS expansion is the provision of Senate Committee Substitute for Senate Bill No. 240 that would authorize a gas utility to recover from its ratepayers 90 percent of the uncollectible “bad debt” it incurs from its non-paying customers. Under current law, a utility has a strong incentive to collect on its customer debts or prevent customers from running up excessive arrearages in the first place, since any increase in bad debt simply reduces the utility’s profits. However, Senate Committee Substitute for Senate Bill No. 240 would all but eliminate this incentive, since the utility would now be able to bank on recovering from its paying customers 90 percent of the bad debt it incurs. In this way, Senate Committee Substitute for Senate Bill No. 240 would insulate company profits from any increase in bad debt by shifting the risk of non-payment from the utility to its ratepayers, which is an unacceptable result for the vast majority of ratepayers who pay their bills on time.

While there is much in Senate Committee Substitute for Senate Bill No. 240 to benefit utilities, there is little, if anything, in it for consumers. Nowhere does the bill mandate increased reliability or enhanced safety and nowhere does it offer the real possibility of lower utility bills. Without a compelling reason to expand the existing ISRS and with the perverse incentive created by allowing utilities to recover bad debts from their paying customers, consumers should not have to shoulder the burden this bill would impose.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 240 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

May 17, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 60 entitled:

AN ACT

To repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

I disapprove of Senate Bill No. 60. My reasons for disapproval are as follows:

Senate Bill No. 60 is duplicative of House Bill No. 133 which was truly agreed to and finally passed on April 29, 2013. While the language in both Senate Bill No. 60 and House Bill No. 133 is substantially similar, it is not identical. In addition to several non-substantive differences between the two bills, Senate Bill No. 60 omits an intrasectional reference that is contained in current law. Because of their similarities, it is unnecessary to approve both Senate Bill No. 60 and House Bill No. 133 and, due to the aforementioned drafting issues, I am not approving Senate Bill No. 60. House Bill No. 133 will provide the opportunity to enact this legislation after presentment is made in accordance with the Missouri Constitution.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 60 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
May 14, 2013

TO THE SECRETARY OF THE SENATE
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 350 entitled:

AN ACT

To repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

I disapprove of Senate Bill No. 350. My reasons for disapproval are as follows:

Senate Bill No. 350 is not comprehensive tax credit reform. Instead, it eliminates only part of a single program – the renters’ portion of the Property Tax Credit – that assists low income seniors and disabled individuals.

Effective tax credit reform must be broad-based and designed to ensure that all tax credit programs provide a strong return for taxpayers, our communities and our economy. Such an approach is fiscally prudent and would build upon the State of Missouri’s strong financial foundation. Senate Bill No. 350 does not constitute comprehensive tax credit reform.

Moreover, savings from the repeal of the renters’ portion of the Property Tax Credit would not be used to assist Missouri seniors. Instead, the fiscal year 2014 budget directs savings that would be realized from the program’s repeal to programs unrelated to seniors. Thus, under Senate Bill No. 350, seniors would lose their existing tax benefit and those savings would be directed elsewhere. Such a scenario is not acceptable.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 350 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
July 11, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 entitled:

AN ACT

To repeal sections 302.302, 302.700, 302.720, 302.735, 302.740, 302.755, 304.180, 304.820, 476.385, 577.041, RSMo, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.060 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.304 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session,

section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, section 302.525 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.525 as enacted by conference committee substitute for house committee substitute for senate committee substitute for senate bills nos. 930 & 947, ninety-fourth general assembly, second regular session, and to enact in lieu thereof nineteen new sections relating to transportation, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 would designate a portion of Interstate 70 in Montgomery County as the “Graham’s Picnic Rock Highway,” despite the fact that the referenced rock has also been known as “Slave Rock.” Accordingly, this bill does not receive my approval.

The apparent purpose of the designation proposed in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 is to officially recognize as a landmark the large sandstone rock visible in the median of Interstate 70 when driving eastbound near Mineola, Missouri. The rock has been called “Graham’s Picnic Rock” in reference to Dr. Robert Graham, the former owner of the farm where the rock was located. According to local history, a popular outing in the 1880s was to drive with horse and buggy over the old Boone’s Lick Road to the Mineola Spring and Graham Cave for a picnic on Graham’s Picnic Rock.

However, in sharp contrast to the idyllic images of picnicking travelers conjured by the name “Graham’s Picnic Rock” are the shameful scenes of human bondage represented by the rock’s other name—“Slave Rock.” The rock’s name as “Slave Rock” comes from the widely held belief that slave auctions occurred at the site, perhaps related to Graham’s slave ownership prior to abolition.

By designating this stretch of highway as “Graham’s Picnic Rock Highway,” Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 has the effect, whether intentional or not, of elevating one history of the site above all others, thereby defining this landmark and its historical significance for generations to come. A step of such magnitude requires a robust public debate so that all interested parties’ voices can be heard. However, because the provision was never in an introduced bill, was added as a floor amendment, and never had a public hearing, interested members of the public, including those who have extensively researched the rock’s history, were given no opportunity to provide input and information to assist the legislature in its deliberations. Without a full public debate on this important issue, this bill cannot receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 entitled:

AN ACT

To repeal sections 64.196, 135.305, 142.800, 348.521, 442.571, and 442.576, RSMo, and to enact in lieu thereof ten new sections relating to agriculture.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 contains several worthwhile provisions that have

been approved as part of other legislation; however, the bill would also exempt business entities in Cape Girardeau County from a statewide standard aimed at protecting the health and safety of school children. Existing law protects school children by prohibiting the Land Reclamation Commission and the Department of Natural Resources from permitting mining operations within 1,000 feet of any property on which an accredited school has been located for at least five years (Sec. 444.771, RSMo). Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 would eliminate this protection for school children in Cape Girardeau County and nowhere else. It is generally objectionable to excuse a select industry or company from an existing standard to which all other like entities are held. It is even more offensive to suggest that school children in Cape Girardeau County should receive any less protection than children in all other parts of the state.

Also, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 would allow up to 1% of Missouri agricultural land to be foreign owned. Whether, or to what degree, Missouri agricultural land should be foreign owned is an important policy choice for the people of Missouri, a decision that should be made through their elected representatives and only after the specific proposal has been sufficiently vetted and openly considered. However, this provision was inserted into Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 without the benefit of a hearing that would have allowed for public testimony. In addition, the measure was rejected by at least one legislative committee on agriculture as well as publicly opposed by leading Missouri agricultural groups.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

June 26, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 entitled:

AN ACT

To repeal sections 34.040, 64.196, 135.710, 136.055, 137.010, section 301.140 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute for senate bill no. 568 merged with conference committee substitute for senate bill no. 611, ninety-sixth general assembly, second regular session, section 301.140 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, 301.301, 301.449, 302.132, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.154, 304.180, 304.820, and 307.400, RSMo, and to enact in lieu thereof twenty new sections relating to regulation of motor vehicles, with existing penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would authorize new fees and raise the existing fees charged by license offices. Missourians should not have to pay more than \$22 million in additional fees to renew their driver's license or get their vehicle registered without any improvement in the services they receive.

Since 2009, Missouri's license offices have been subject to an open, competitive bidding process designed to provide the most efficient and

effective service for taxpayers. The current license office contracts were bid under the current fee structure. If the private contractor with the winning bid has since failed to manage the contract to turn a profit, then the solution lies in the hands of the bidder and not in the pockets of Missourians.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would cost Missourians an estimated \$22 million in additional fees on top of the more than \$31 million in fees they paid last fiscal year. Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would double the fees charged for each driver's license, nondriver's license, learner's permit, chauffeur's license, and operator's license issued or renewed. The bill would increase the fee to register or renew registration on a vehicle or trailer by 43%. Fees for each application or transfer of title would also double. Likewise, fees would double for each notice of lien processed for a bank, although this increase would undoubtedly be passed along to the bank's customers.

In addition to raising the fees license offices already charge, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would also create new fees where fees cannot currently be imposed. For example, under Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51, a simple address change would now cost Missourians \$5.00, while a new \$2.00 fee would apply to any "electronic transmission," such as the license office checking insurance information or verifying personal property taxes. Indeed, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would subject residents of the City of St. Louis, and the counties of St. Louis, Franklin, St. Charles, and Jefferson to an additional \$2.00 fee—paid by no one else in the state—for the license office to electronically verify whether the vehicle passed or failed an emissions inspection.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would also require the Department of Revenue to "reimburse" the private contractors who operate the license offices for all "reasonable costs" associated with the offices. In other words, taxpayers would be saddled with providing private contractors additional subsidies for everything from wages, to rent, to printer toner. It is hard to fathom why these additional taxpayer subsidies would be necessary on top of the increased fees the private contractors would receive if this bill were to become law.

Finally, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 would prohibit the Department of Revenue from awarding additional points for bidders who elect to return to taxpayers a percentage of the fees they collect. Since 2009, the private contractors operating the license offices have returned more than \$3 million in fee revenue, which not only provides additional funding for education and other vital public services it also belies any argument by the private contractors that the current fee structure is inadequate to support license office operations throughout the state.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

June 25, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 entitled:

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 29. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 would prohibit public employers from deducting union dues or fees unless an employee provides – on an annual basis – a written authorization for the deduction of a specific amount on a form prescribed by the bill. The legislation also would require public employees to complete a separate written authorization – again on an annual basis – if they want

to allow the dues they pay to be used for political purposes. The bill targets a single group of employees and imposes on them an unnecessary and cumbersome process.

There are a number of items that employees may elect to have withheld from their paychecks, including money for college savings accounts, deferred compensation, and 401(k) plans. And, under current law, state employees may elect to have their union dues withheld. Section 33.103 RSMo. In each of these instances, the withholdings are based on one-time authorizations that the employee clearly has the authority to revoke at any time. Employees are not required to take additional steps to cause such withholdings to continue in subsequent years. But under this bill, public employees who are members of unions would be required to complete two separate written authorizations each year. Singling out union dues for these extra processes serves no beneficial purpose. Rather, the bill places unnecessary burdens on public employees for the purpose of weakening labor organizations. I therefore disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 29.

Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 also exempts first responders from its requirements regarding authorizations for deduction and use of union dues. It has been held that such an exemption provides disparate treatment to similarly situated people without a compelling government interest, in violation of the Equal Protection Clause of the United States Constitution. (*See Bailey v. Callaghan*, 873 F.Supp.2d 879, 885-886 (E.D. Mich. 2012)).

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 29 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 28 entitled:

AN ACT

To repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

I disapprove of Senate Substitute for Senate Bill No. 28. My reasons for disapproval are as follows:

This bill greatly expands the types of “misconduct” that can serve to disqualify terminated employees from receiving unemployment benefits. It is important to note that this is not a bill that changes whether or not employees may be terminated. Missouri employers can terminate employees for any reason (as long as it is not a legally impermissible reason such as race or gender). This bill does not in any way affect employers’ ability to do so.

Under current law, individuals may be denied unemployment benefits if they engaged in “misconduct” as defined in section 288.030.1(23) RSMo. The bill would expand the definition of misconduct to include activities occurring outside the workplace and outside of work hours. This bill would also broaden the definition of misconduct to include, among other things, “violation of an employer’s no-call, no-show policy” and “violation of an employer’s rule.”

The bill goes too far when it denies unemployment benefits in these circumstances. What employees do on their own time should not be used as a basis for denying unemployment benefits, except in the narrow circumstances already set forth in law. And employers should not be encouraged to adopt unreasonable rules to use as a basis for denying unemployment benefits.

Under the bill, the following situations would result in denial of unemployment benefits:

- An employer has a rule that all employees dress appropriately, both during work hours and during non-work hours. The office manager, while conducting the routine patrol of employees’ social media presence that would be encouraged and rewarded by this bill, finds a picture of a female employee participating in a charity dance contest. He deems the costume she is wearing inappropriate and fires her. Under the bill, she would also be denied unemployment benefits.

- An employer requires employees to play on, or show up and cheer for, the company softball team every Wednesday evening after work. An employee who is a single mother of three needs to be home to take care of her children, so she does not to participate and is fired. Under the bill, she would also be denied unemployment benefits.
- An employer has a rule that salespeople should conduct themselves professionally at all times. A salesperson is overheard at his child's soccer game saying negative things about his boss. He does not identify his boss by name, but the person overhearing the comment knows where he works and who he reports to. When word gets back to the boss, he fires the employee for "unprofessional behavior." Under the bill, he would also be denied unemployment benefits.
- A mother has to rush her daughter to the emergency room but in the rush forgets to call her employer. She therefore violates the employer's "no-call, no-show" policy and is fired. Under the bill, she would also be denied unemployment benefits.

In all of these instances, Missouri law already allows the employer to terminate the employee. However, this legislation goes a step further, also disqualifying the employees from receiving unemployment benefits while they look for other jobs.

The bill also creates nonconformity with federal law that could cost Missouri employers hundreds of millions of dollars. The unemployment benefits program is a federal program administered by states, subject to federal laws. By denying unemployment benefits for conduct occurring outside the workplace, Senate Substitute for Senate Bill No. 28 would place Missouri's unemployment laws at odds with federal law,¹ potentially jeopardizing the Federal Unemployment Tax Act (FUTA) credits Missouri employers receive, costing them an estimated \$859 million per year.

Unemployment benefits provide modest, temporary, but important assistance to individuals who become unemployed through no fault of their own. Not every Missourian is entitled to receive these benefits upon separation from work; in 2012, only 38 percent of Missourians who applied for unemployment actually received benefits. While not affecting an employer's ability to fire an employee, this bill would improperly deny Missourians unemployment benefits.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 28 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

¹ Under the Federal Unemployment Tax Act, "[c]ompensation shall not be denied to any individual . . . for any cause other than discharge for misconduct connected with his work." 26 U.S.C. 3304(a)(10).

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 entitled:

AN ACT

To repeal sections 287.957 and 287.975 RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 requires the Division of Workers' Compensation to compile a database of all Missourians who have filed workers' compensation claims. The bill also requires that employers be given access to this database through the Division's website. Such a database would unnecessarily invade Missourians' privacy, with no valid purpose.

To protect employees' privacy, employers' access to and use of workers' compensation information under current law are limited. Employers

are authorized to receive claim information, provided they comply with federal law. So that privacy is preserved in the release of any information, employers and prospective employees must execute a release that requires the employer to certify that: (1) the inquiry is being made after a conditional offer has been extended, and (2) the information will not be used to discriminate against the individual in violation of the Americans with Disabilities Act (ADA). The prospective employee must also sign the release for the information, and the signature must be notarized.

This legislation would jettison these important privacy protections. In their place, the bill requires the creation of a database that can be easily searched. Mandating a government database of every Missourian who has been injured on the job and filed a workers' compensation claim – while weakening the legal and privacy protections currently in place for such information – is not in the best interests of Missourians. Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 is an affront to the privacy of our citizens and does not receive my approval.

This legislation also could cause Missouri employers – without any knowledge or intent – to violate federal law through their access of this new government database. The ADA prohibits discrimination in employment decisions – including hiring, advancement, and discharge – on the basis of a disability. 42 U.S.C. § 12112. Federal regulations applicable to the ADA do allow an employer to inquire into an individual's workers' compensation history, but only when a conditional job offer has already been extended. 29 CFR Part 1630. Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 contains no commensurate protection. This legislation's conflict with federal law misleads Missouri employers into believing that a "pre-hire" database search would be authorized where no conditional offer has been made.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 entitled:

AN ACT

To repeal sections 178.550, 267.655, 442.571, 442.576, 570.030, 578.009, and 578.012, RSMo, and to enact in lieu thereof nine new sections relating to agriculture, with penalty provisions.

I disapprove of Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9. My reasons for disapproval are as follows:

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 contains a host of worthwhile provisions that have been approved as part of other legislation, as well as the following two provisions that do not improve upon the public policy of the state.

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 would allow up to 1% of Missouri agricultural land to be foreign owned. Whether, or to what degree, Missouri agricultural land should be foreign owned is an important policy choice for the people of Missouri, a decision that should be made through their elected representatives and only after the specific proposal has been sufficiently vetted and openly considered. However, this provision was inserted into Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 without the benefit of a hearing that would have allowed for public testimony. In addition, the measure was rejected by at least one legislative committee on agriculture as well as publicly opposed by leading Missouri agricultural groups.

Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 also creates the new offense of animal trespass, which would prohibit a person, having ownership or custody of an animal, from knowingly failing to provide adequate control of that animal for at least twelve hours. Several problems exist with this language. For one, the bill oddly enough does not require a showing that an animal actually trespassed on another's land – only that there was not adequate control. Under this scenario, a farmer can wake up to discover that a piece of fence requires mending, take some initial steps toward a fix and still be charged with animal trespass if enough time passes, even though no animals ever left the owner's property.

And while the impetus behind this provision may have been to deal with trespassing livestock, the proposed offense was broadly written to cover all manner of animal, including dogs, cats, rabbits and chickens. Conceivably, an otherwise law-abiding Missourian who failed to control the family cat on two separate occasions could be subject to incarceration. This example alone demonstrates the type of unintended consequence that can occur as a result of Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY

65102

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 110 entitled:

AN ACT

To repeal sections 210.482 and 210.487, RSMo, and to enact in lieu thereof three new sections relating to custody and visitation for military personnel.

I disapprove of House Committee Substitute for Senate Bill No. 110. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 110 seeks to lessen the burden placed on those who are required to resubmit fingerprints on a biannual basis to maintain their license as foster parents or to receive a child through an emergency placement. Though well-intended, House Committee Substitute for Senate Bill No. 110 proposes a convoluted and cumbersome solution to a process that can be streamlined in a simpler, more straightforward manner.

Current law mandates that foster care applicants present, at the time of application, two sets of fingerprints – one to the Missouri State Highway Patrol to conduct a state background check, and one to the Federal Bureau of Investigation to conduct a federal background check. This process is required every two years so that any new information related to the licensee can be used in reviewing the application for renewal.

House Committee Substitute for Senate Bill No. 110 attempts to balance the interests of protecting the safety of children in foster care with the convenience of not mandating that licensees submit fingerprints every two years by requiring that a third set of fingerprints be provided to the Children's Division at the time of initial licensure. The idea is that this would enable the Division to transmit the additional set of prints to the Missouri State Highway Patrol when a licensee applies for re-licensure, instead of requiring the applicant to submit a new set of fingerprints every two years in order to initiate subsequent background checks.

There is a simpler, more effective solution. Since approximately 2005, applicant fingerprints have been electronically stored. As such, the requirement under current law that two physical sets of fingerprint cards be provided is already obsolete. Moreover, because subsequent state and federal background checks can be generated by the initial set of fingerprints, an additional set of prints is unnecessary. Instead, an applicant's electronically-stored fingerprints will, going forward, be used to initiate subsequent background checks. This will allow the Children's Division to continue to protect the safety of children who are placed in foster care without requiring applicants to submit fingerprints

every two years or a third set of prints at the time of the initial application.

Of course, this legislative proposal might have been more appropriately crafted, or avoided altogether, had the provision benefitted from a public hearing so that the relevant stakeholders had the opportunity to provide information on the existing process for conducting background investigations. However, no such hearing occurred.

In addition, by adding this provision to a bill titled “relating to custody and visitation for military personnel,” it expanded the original purpose of House Committee Substitute for Senate Bill No. 110 in violation of Article III, Sec. 21 of the Missouri Constitution. *See Missouri State Medical Ass’n. v. Missouri Dept. of Health*, 39 S.W.3d 837 (Mo. banc. 2001). A corollary to this requirement is Article III, Section 23, which prohibits a bill from containing more than one subject which shall be clearly expressed in its title. It can hardly be said that the two provisions contained in House Committee Substitute for Senate Bill No. 110, one related to the custody and visitation for military personnel, which also exists in other approved legislation, and one related to foster care licensure, pertain to the same subject.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 110 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 129 entitled:

AN ACT

To amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 129. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for Senate Bill No. 129 aims to induce more health professionals to provide volunteer services by granting them immunity from civil liability in such situations. This is unnecessary given that Missouri already has a system in place that encourages volunteerism and protects both volunteer health professionals and the patients they treat. It would be bad public policy to deny individuals who receive poor medical care access to the legal system simply because the person who provided the care was a volunteer.

The State Legal Expense Fund (LEF) provides liability coverage for volunteers at free health clinics (section 105.711.2(3)(e), RSMo) and schools (section 105.711.2(3)(d), RSMo). A bill approved in 2009 extended LEF coverage to health professionals volunteering at summer camps (section 105.711.2(3)(d), RSMo). Under this system, an individual who receives substandard care has legal recourse. The health care professional alleged to have violated the standard of care does not have to pay out of his own pocket to compensate the patient – nor does he have to pay for an attorney, as he would be represented by the Attorney General (section 105.716 RSMo).

This system accomplishes both goals of encouraging volunteerism and protecting those harmed by medical malfeasance. Currently, the law targets specific areas of need and provides liability coverage to health professionals volunteering in those areas. If there is a gap in the current system provided for in Missouri law, it should be addressed within the system, as was done in 2009. I do not approve of the approach provided for in Senate Substitute for Senate Committee Substitute for Senate Bill No. 129, which simply provides blanket immunity to any health professional who volunteers for a “sponsoring organization” regardless of the setting. This is inconsistent with the balanced approach that Missouri law already takes.

Missourians are quick to help their fellow citizens, whether in a disaster or elsewhere. And Missouri law already encourages this volunteerism by providing appropriate protections for volunteers and those they serve. This bill unnecessarily puts at risk those individuals who have the right to expect that the care they receive – in whatever setting and irrespective of compensation – is of the same high quality that health professionals rightly demand of themselves.

Wednesday, September 11, 2013

13

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 129 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 73 entitled:

AN ACT

To repeal sections 307.075, 478.007, and 488.2250, RSMo, and to enact in lieu thereof four new sections relating to judicial procedures.

I disapprove of House Committee Substitute for Senate Bill No. 73. My reasons for disapproval are as follows:

House Committee Substitute for Senate Bill No. 73 contains a provision that permits the use of a court-approved private probation service by a DWI court under limited circumstances. Both Conference Committee Substitute for House Committee Substitute for Senate Bill No. 100 and Conference Committee Substitute for Senate Bill No. 327, which I have approved, also contain this provision. However, the language contained in House Committee Substitute for Senate Bill No. 73 is not consistent with the language contained in the other pieces of legislation and approval of House Committee Substitute for Senate Bill No. 73 will result in two versions of section 478.007, RSMo, being printed in statute. Consequently, I am not approving House Committee Substitute for Senate Bill No. 73.

In accordance with the above stated reasons for disapproval, I am returning House Committee Substitute for Senate Bill No. 73 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 1, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 265 entitled:

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to prohibition on certain policies that infringe on private property rights.

I disapprove of Senate Bill No. 265. My reasons for disapproval are as follows:

Senate Bill No. 265 is broadly drafted legislation directed primarily at a United Nations resolution adopted more than 20 years ago. This resolution, known as Agenda 21, provides a general blueprint for sustainable development. It imposes no mandates on state or local governments and not a single pejorative action in Missouri has been tied to it.

Senate Bill No. 265 would force ambiguously worded restrictions on state and local governments. Specifically, the legislation would prohibit the adoption or implementation of "recommendations" that "infringe or restrict private property rights without due process" if the action

“originates in, or [is] traceable to Agenda 21...or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Missouri Constitution.”

Although there is no evidence that Agenda 21 is spurring governmental action across our state, Senate Bill No. 265 would nevertheless require that governmental entities become knowledgeable about its content as well as “any other international law or ancillary plan of action” and then make the undefined determination whether a proposed action is “traceable” to any of those sources. This bizarre and burdensome analysis must be accomplished through a prism of difficult to comprehend language that will waste public resources and impose needless confusion where none is necessary. It is Senate Bill No. 265 that is the problem, not the obscure and little known Agenda 21.

It is fundamentally misguided and unnecessary to require local government officials to become international law experts in order to perform their duties. This legislation would spawn endless litigation frivolously attacking governmental action based on a belief that a two decades old United Nations resolution is somehow shaping decisions regarding such issues as health codes and road projects. And it is absurd for a city council making a zoning decision to find it necessary to retain a high priced attorney specializing in international law for the purpose of needlessly chasing imaginary shadows around corners. The premise of Senate Bill No. 265, to the extent it is discernible, is wrong and the solution it puts forth is worse.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 265 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 77 entitled:

AN ACT

To repeal section 210.278, RSMo, and to enact in lieu thereof one new section relating to neighborhood youth development programs.

I disapprove of Senate Bill No. 77. My reasons for disapproval are as follows:

Senate Bill No. 77 would exempt Girls Incorporated of St. Louis (“Girls Inc.”) from state childcare requirements, including the required staff-to-child ratios, safety inspections, emergency preparedness planning, fire inspections, and sanitation inspections. Girls Inc. is an outstanding organization that has provided educational and cultural programs for thousands of girls. However, protecting the safety of Missouri’s children should be paramount. Accordingly, any measure that would exempt a single organization from generally applicable child safety requirements cannot receive my approval, regardless of the quality of the organization.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 77 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

June 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 267 entitled:

AN ACT

To amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

I disapprove of Senate Substitute for Senate Bill No. 267. My reasons for disapproval are as follows:

Senate Substitute for Senate Bill No. 267 seeks to introduce a solution to a problem that does not exist and, in so doing, puts in jeopardy some of the very liberties that the bill purports to protect.

This legislation would inject considerable uncertainty into Missouri's legal system. The bill would declare as "void and unenforceable" contracts as well as judicial and administrative decisions that are based – in whole or in part – on a foreign law or foreign legal system that is deemed "repugnant or inconsistent with [sic]" the Missouri and United States Constitutions. Because all foreign legal systems can be argued to be "inconsistent" with our state and federal constitutions, Senate Substitute for Senate Bill No. 267 would needlessly cast doubt upon important legal instruments including wills, trusts, marriage and divorce decrees and contracts that involve foreign law. Our citizens and businesses should not be exposed to this unnecessary change and its unpredictable results.

Moreover, Senate Substitute for Senate Bill No. 267 would have a chilling effect on foreign adoptions. This legislation raises serious questions as to whether a Missouri court could consider the foreign decree or order that is necessary to finalize the adoption of a child from a foreign country. This obstacle would complicate an already challenging process facing a Missouri couple seeking to adopt a child from another country whose legal system is deemed "inconsistent" with ours. In addition to the hurdles this bill would impose on Missouri couples seeking to adopt, Senate Substitute for Senate Bill No. 267 could invite retaliatory action by a foreign country by denying all adoptions to Missourians. In Missouri, we value adoption. In the last ten years, Missourians have adopted more than 5,000 children from foreign countries. This bill is out of step with our basic belief that we should encourage adoption and make it easier, not more difficult, for children to grow up in strong, supportive families.

Senate Substitute for Senate Bill No. 267 would also undermine the freedom to contract. Article 1, Section 13 of the Missouri Constitution says "no . . . law impairing the obligation of contracts . . . can be enacted." This bill, by contrast, would render "mutually agreed upon" contracts and contractual provisions "void and unenforceable" if they include or are to be governed by foreign law from a country whose legal system is "inconsistent" with the Missouri and United States constitutions. This unnecessary interference with free market principles could also dampen foreign investment by companies unwilling to conduct business in a state with such uncertainty surrounding the application of foreign law.

Furthermore, Senate Substitute for Senate Bill No. 267 could prohibit a Missouri court from enforcing a judgment – based in whole or in part on a foreign law – rendered by a court in another state. The Full Faith and Credit Clause of the U.S. Constitution requires that states respect the "public acts, records, and judicial proceedings of every other state."

Senate Substitute for Senate Bill No. 267 is misguided, unnecessary and needlessly undermines certainty in important areas of the law. Missourians expect and deserve a judicial system that is both fair and predictable. Senate Substitute for Senate Bill No. 267 fails to meet that very basic standard and does not receive my approval.

Therefore, in accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 267 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 1, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 entitled:

AN ACT

To repeal sections 84.480, 84.490, 84.510, 86.200, 86.257, 86.263, 313.817, and 568.040, RSMo, and to enact in lieu thereof nine new sections relating to public safety.

I disapprove of Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224. My reasons for disapproval are as follows:

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 purports to deter minors from presenting false identification in order to obtain access to an excursion gambling boat. In reality, Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 reduces the maximum penalty available for such an offense. The current classification for this offense is a class B misdemeanor, punishable by up to six months in jail and up to a \$500.00 fine. Instead, the bill would lower the offense classification to an infraction, eliminate incarceration as a potential penalty, and require only the payment of a \$500.00 fine.

The State of Missouri takes illegal gambling seriously and has appropriately enacted strong laws and penalties to combat these types of offenses. However, underage gambling continues to be a problem. Since 1997, Missouri casinos have paid \$1.66 million in fines related to underage patrons. Therefore, lowering the available penalties for such conduct, and removing a prosecutor's ability to seek incarceration for illegal gambling, is not a recipe to deter this criminal behavior.

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 would also allow an individual with a single conviction for criminal nonsupport to petition the court for the purpose of expunging all records associated with that offense. While current law permits the extreme remedy of expungement in very limited circumstances, Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 would expand expungement eligibility without providing adequate standards on which this relief would be provided.

Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 provides two distinct standards for granting expungement, with the common denominator being that eight years has passed since the person has been sentenced or completed probation. The first requires that the individual: (1) has not been convicted of any subsequent offense; (2) does not have any other felony convictions; (3) is current on all child support obligations; and (4) has no other charges or administrative child support actions pending. **Or**, in lieu of the foregoing, the individual has successfully completed a criminal nonsupport courts program. The first standard neglects to take into consideration whether the individual has a history of arrearages and late payments following the nonsupport conviction. As such, individuals who are chronically late and deficient on their support obligations during the past eight years can make themselves current and then apply to have their records expunged as long as no other charges are pending and there are no subsequent or other felony convictions.

The second standard requires only that the individual complete a criminal nonsupport court program. While this program is a meaningful tool to foster compliance with a person's support obligations, it should not take the place of also requiring that the individual demonstrate a history of complying with any support order since the underlying conviction and has no other subsequent convictions.

Exacerbating the insufficiency of these standards is that Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 does not provide the court with any discretion in determining whether to order expungement. Instead, the bill explicitly states that the court "*shall enter an order of expungement*" if either of the standards are satisfied. Therefore, the court would be deprived of the opportunity to consider other relevant factors, such as the individual's history of meeting support obligations since the previous conviction, as well as any statement that the victim or prosecutor would like to make in objection to any order for expungement; indeed, Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 does not even provide the victim or prosecutor with an opportunity to be heard on the matter. In sum, neither of the two standards is adequate, and depriving the court of discretion on such an important issue as expunging an individual's criminal records is unacceptable.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 170 entitled:

AN ACT

To repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to the participation by members of public governmental bodies in roll call votes.

I disapprove of Senate Bill No. 170. My reasons for disapproval are as follows:

Under current law, public governmental bodies comprised entirely of elected members must physically attend meetings in order to cast a vote on matters under consideration. Members may participate in the meetings "via phone, facsimile, Internet, or any other voice or electronic means" but they may not cast any votes unless the meeting is called due to an emergency. Existing law emphasizes the duty appropriately imposed on elected officials to physically attend meetings and should not be changed.

Senate Bill No. 170, the stated purpose of which is to increase the opportunity for full participation by elected officials through videoconferencing, does not include any safeguards to protect against abuses that would have the opposite result. Under the bill, any member of an elected governmental body may participate and vote in public meetings via videoconference without demonstrating good cause for doing so. While it may be understandable to provide this tool to accommodate the occasional scheduling conflict, no limit is placed on the number of meetings a member could attend by videoconference. Nothing in this legislation would prevent officials from attending every meeting via videoconference. In fact, the bill would not prohibit every member of an elected board from attending all meetings via videoconference.

The statutory requirement that members of elected boards be physically present to vote represents the paramount responsibility they have been entrusted with by the voters. This provides assurances that our elected officials are, at a minimum, approachable and available to their constituents at public meetings. It also ensures their active engagement in the topics at hand and provides an environment for open interaction and dialogue with colleagues, staff and the public in order to develop compromise and navigate difficult decisions.

Technology has bridged geographical gaps connecting citizens from all corners of our state to accomplish great work. But for local governmental bodies, the distances are quite short and easily navigated. Local government is designed to provide citizen representation that is close to home and readily accountable to its residents. Allowing attendance through videoconferencing places unnecessary and unwarranted 'virtual' distance between voters and their elected officials. Residents wishing to speak and interact with their elected officials would be forced to do so using video screens and broadband wires.

Serving in elected public office is a privilege and attending regularly scheduled public meetings is an important component of that service. Allowing elected members to join every public meeting by videoconference is not an acceptable proxy for responsible governance. Requiring elected members to be physically present is a small and reasonable obligation placed on office holders. Removing that requirement erodes this very basic level of engagement we must expect from our officials.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 170 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Richard moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

SCS for SB 240 was called thereafter and no motion was taken thereon.

SB 60 was called thereafter and no motion was taken thereon.

SB 350 was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SB 43** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SB 342** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SB 51** was called thereafter and no motion was taken thereon.

Senator Brown moved that **SS** for **SCS** for **SB 29** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wasson—22		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Wallingford	Walsh—11					

Absent—Senator Romine—1

Absent with leave—Senators—None

Vacancies—None

The Senate observed a moment of silence in memory of the events and loss of life on September 11, 2001.

Senator Kraus moved that **SS** for **SB 28** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Walsh—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the Missouri House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Governor and the Senate that the House of Representatives is duly convened and is now in session in the 2013 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19.

AYES:112

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood	Wright	Zerr	Mr. Speaker

NOES: 47

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Englund	Fowler	Frame	Gardner	Harris	Hodges
Hummel	Kirkton	Kratky	LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schupp	Smith	Swearingen	Walton Gray	Webb	

PRESENT: 1

English

ABSENT WITH LEAVE: 2

Ellington Newman

VACANCIES: 1

Senator Richard requested unanimous consent of the Senate to allow members of the Jefferson City Police Department be allowed to enter the Chamber with side arms, which request was granted.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 19** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Holsman	Justus
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Silvey	Wallingford	Wasson—28				

NAYS—Senators

Curls	Keaveny	Nasheed	Sifton	Walsh—5
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Absent—Senator LeVota—1

Absent with leave—Senators—None

Vacancies—None

VETOED BILLS

Senator Cunningham moved that **CCS** for **HCS** for **SS** for **SB 34** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Pearce moved that **CCS No. 2** for **HCS** for **SCS** for **SB 9** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaefer	Schmitt	Silvey	Wallingford—23	

NAYS—Senators

Curls	Holsman	Justus	Keaveny	McKenna	Nasheed	Schaaf	Sifton
Walsh	Wasson—10						

Absent—Senator LeVota—1

Absent with leave—Senators—None

Vacancies—None

Senator Brown moved that **HCS** for **SB 110** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Sater moved that **SS** for **SCS** for **SB 129** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

HCS for **SB 73** was called thereafter and no motion was taken thereon.

Senator Nieves moved that **SB 265** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine
Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Chappelle-Nadal	Holsman	Justus	Keaveny	McKenna	Sifton—6
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Absent—Senators

Curls	LeVota	Nasheed	Walsh—4
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Absent with leave—Senators—None

Vacancies—None

SB 77 was called thereafter and no motion was taken thereon.

Senator Nieves moved that **SS** for **SB 267** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus	Lager
Libla	Munzlinger	Nieves	Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—23	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed
Sifton	Walsh—10						

Absent—Senator Lamping—1

Absent with leave—Senators—None

Vacancies—None

CCS for **SCS** for **SB 224** was called thereafter and no motion was taken thereon.

Senator Chappelle-Nadal moved that **SB 170** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Holsman
Kehoe	Kraus	Lager	Lamping	LeVota	Libla	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senators

Justus Keaveny McKenna—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Richard, the Senate recessed for one hour.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

Photographers from KRCG-TV and Al Jazeera America were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed House Bill No. 278, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on House Bill No. 278.

AYES:114

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White	Wieland	Wilson	Wood
Zerr	Mr. Speaker						

NOES: 45

Anders	Burns	Butler	Carpenter	Colona	Conway 10	Curtis	Dunn
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Ellinger	English	Englund	Gardner	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Rizzo	Runions	Schupp	Smith
Swearingen	Walton Gray	Webb	Webber	Wright			

PRESENT: 00

ABSENT WITH LEAVE: 3

Ellington	Newman	Pierson
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VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for House Bill No. 329, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Committee Substitute for House Bill No. 329.

AYES:109

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 51

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Dunn
Ellinger	Ellington	English	Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Nichols	Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp	Smith	Swearingen	Walton Gray

Webb Webber Wright

PRESENT: 00

ABSENT WITH LEAVE: 2

Curtis Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed House Bill No. 339, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on House Bill No. 339.

AYES:109

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	McKenna	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 51

Anders	Barnes	Burns	Butler	Carpenter	Colona	Curtis	Dunn
Ellinger	Ellington	Englund	Fowler	Frame	Gardner	Haahr	Hodges
Hummel	Kelly 45	Kirkton	Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Neth	Nichols	Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Smith	Swearingen	Torpey	Walton Gray
Webb	Webber	Wright					

PRESENT: 1

Conway 10

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Committee Substitute for House Committee Substitute for House Bill No. 436, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Committee Substitute for House Committee Substitute for House Bill No. 436.

AYES: 109

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 49

Anders	Barnes	Black	Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	English	Englund	Gardner	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	May	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Smith	Swearingen	Torpey	Walton Gray	Webb	Webber
Wright							

PRESENT: 3

Higdon	Mayfield	Roorda
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ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

VEETOED BILLS

Senator Emery moved that **HB 278** be passed, the objections of the Governor thereto notwithstanding,

which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaefer	Schmitt	Silvey	Wallingford	Wasson—24

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Schaaf
Sifton—9							

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—None

Senator Cunningham moved that **SCS** for **HB 329** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nieves	Parson	Pearce	Richard
Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey	Wallingford
Wasson—25							

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Nasheed	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey moved that **HB 339** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	Libla	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Curls	Holsman	Justus	Keaveny	LeVota	McKenna	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Nieves moved that **SCS** for **HCS** for **HB 436** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Kehoe	Kraus	Lager	Lamping
Libla	Munzlinger	Nieves	Parson	Pearce	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Silvey	Wallingford	Wasson—22		

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Holsman	Justus	Keaveny	LeVota	McKenna
Nasheed	Richard	Sifton	Walsh—12				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for House Bill No. 650, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for House Bill No. 650.

AYES: 110

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	McKenna	Meredith	Messenger	Miller	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson

Riddle	Roorda	Ross	Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Sommer	Spencer	Stream	Swan	Thomson	Walker	Webb
White	Wieland	Wilson	Wood	Zerr	Mr. Speaker		

NOES: 50

Anders	Barnes	Burns	Carpenter	Colona	Conway 10	Cornejo	Curtis
Dunn	Ellinger	Ellington	Englund	Frame	Gardner	Grisamore	Haahr
Hodges	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McManus	McNeil	Mims	Mitten	Morgan
Nichols	Norr	Otto	Pace	Peters	Pierson	Rizzo	Rowden
Runions	Schieffer	Schupp	Smith	Solon	Swearingen	Torpey	Walton Gray
Webber	Wright						

PRESENT: 1

Higdon

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035.

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Ellington
Elmer	Engler	English	Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield	McCaherty	McGaugh	Messenger
Miller	Molendorp	Montecillo	Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda	Ross	Rowden	Rowland

Scharnhorst	Schatz	Schieber	Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 44

Anders	Black	Burns	Butler	Carpenter	Colona	Curtis	Dunn
Ellinger	Englund	Gardner	Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten	Morgan	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo	Runions	Schieffer	Schupp
Smith	Walton Gray	Webb	Wright				

PRESENT: 0

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

VETOED BILLS

Senator Munzinger moved that **SS** for **SCS** for **HB 650** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Lager
Lamping	Libla	McKenna	Munzlinger	Nasheed	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schmitt	Silvey	Wallingford
Walsh	Wasson—26						

NAYS—Senators

Curls	Holsman	Justus	Keaveny	Kraus	LeVota	Schaefer	Sifton—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schmitt moved that **CCS No. 2** for **SCS** for **HCS** for **HB 1035** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Kehoe	Kraus
Lager	Lamping	LeVota	Libla	Munzlinger	Nieves	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Wasson—26						

NAYS—Senators

Curls Holsman Justus Keaveny McKenna Nasheed Sifton Walsh—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 3, regarding JobOne Recycling, Grandview, which was adopted.

Senator Cunningham offered Senate Resolution No. 4, regarding Hartville High School 2013 state champion baseball team, Wright County, which was adopted.

Senators Romine and Wallingford offered Senate Resolution No. 5, regarding SEMO Family Violence Council, which was adopted.

Senator Lager offered Senate Resolution No. 6, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lawrence F. Abbott, Maryville, which was adopted.

Senator Wasson offered Senate Resolution No. 7, regarding American Legion Memorial Post 434, Nixa, which was adopted.

Senator Wallingford offered Senate Resolution No. 8, regarding Dr. Shawn Wilson, Cape Girardeau, which was adopted.

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 9

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51; Senate Bill No. 60; House Committee Substitute for Senate Bill No. 73; Senate Bill No. 77; Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224; Senate Committee Substitute for Senate Bill No. 240; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 and Senate Bill No. 350 when the bills were so called by the President.

On motion of Senator Richard, the Senate recessed for 30 minutes.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the

House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on CCS for SCS for HCS for **HB 7**, CCS for SCS for HCS for **HB 10** and SCS for HCS for **HB 110** when the bills were called by the Speaker.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9.

AYES: 111

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood	Zerr	Mr. Speaker	

NOES: 50

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr	Otto	Pace	Peters
Rizzo	Roorda	Runions	Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright						

PRESENT: 0

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed House Committee Substitute for Senate Bill No. 110, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on House Committee Substitute for Senate Bill No. 110.

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 52

Anders	Black	Burns	Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer	Schupp	Smith	Swearingen
Walton Gray	Webb	Webber	Wright				

PRESENT: 0

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for Senate Bill No. 129, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is

a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for Senate Bill No. 129.

AYES: 109

Allen	Anderson	Austin	Bahr	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Norr	Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 52

Anders	Barnes	Black	Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton	Kratky	LaFaver	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer	Schupp	Smith	Swearingen
Walton Gray	Webb	Webber	Wright				

PRESENT: 0

ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Bill No. 170, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Senate Bill No. 170.

AYES: 125

Allen	Anders	Anderson	Austin	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown	Burlison	Butler	Cierpiot	Conway 10	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl	Dohrman	Dugger	Dunn

Ellinger	Elmer	Engler	English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	McCaherty
McCann Beatty	McGaugh	McKenna	Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely	Neth	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden	Rowland	Scharnhorst	Schatz
Shull	Shumake	Smith	Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr. Speaker			

NOES: 32

Black	Burns	Carpenter	Colona	Conway 104	Cookson	Curtis	Haefner
Harris	Hodges	Hummel	Kelly 45	Kirkton	LaFaver	Marshall	May
Mayfield	McDonald	McManus	McNeil	Mitten	Morgan	Nichols	Norr
Pogue	Rizzo	Roorda	Runions	Schieber	Schieffer	Schupp	Solon

PRESENT: 4

Ellington	Gardner	Otto	Pace
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ABSENT WITH LEAVE: 1

Newman

VACANCIES: 1

COMMUNICATIONS

Senator Schaaf submitted the following:

September 10, 2013

Ms. Terry Spieler
Secretary of the Senate
Missouri State Capitol
Jefferson City, MO 65101

Dear Ms. Spieler:

Due to a recent foot surgery, I am unable to comfortably stand for more than a few minutes at a time. I invoke Rule 76 that requires a letter be sent to you and subsequently printed in the journal.

Thank you for your attention to this matter.

Sincerely,
/s/ Rob Schaaf
Rob Schaaf
State Senator
District 34

INTRODUCTIONS OF GUESTS

Senator Keaveny introduced to the Senate, former State Senator Harry Kennedy, St. Louis.

Senator Kehoe introduced to the Senate, Army First Lieutenant Eric Wilde, Jefferson City.

Senator Walsh introduced to the Senate, teachers and six seniors from Hazelwood School District, St. Louis.

On motion of Senator Richard, the Senate of the Veto Session of the First Regular Session of the 97th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of Senate

✓

Missouri Senate

Daily Journals

Pages	Journal	Pages	Journal	Pages	Journal
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247-264	Day 19 - 02/12/13	265-279	Day 20 - 02/13/13	280-301	Day 21 - 02/14/13
302-312	Day 22 - 02/18/13	313-322	Day 23 - 02/19/13	323-336	Day 24 - 02/20/13
337-350	Day 25 - 02/25/13	351-375	Day 26 - 02/26/13	376-388	Day 27 - 02/27/13
389-406	Day 28 - 02/28/13	407-415	Day 29 - 03/04/13	416-425	Day 30 - 03/05/13
426-470	Day 31 - 03/06/13	471-493	Day 32 - 03/07/13	494-500	Day 33 - 03/11/13
501-512	Day 34 - 03/12/13	513-533	Day 35 - 03/13/13	534-552	Day 36 - 03/14/13
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572-588	Day 40 - 03/27/13	589-619	Day 41 - 03/28/13	620-628	Day 42 - 04/02/13
629-655	Day 43 - 04/03/13	656-672	Day 44 - 04/04/13	673-681	Day 45 - 04/08/13
682-723	Day 46 - 04/09/13	724-737	Day 47 - 04/10/13	738-746	Day 48 - 04/11/13
747-762	Day 49 - 04/15/13	763-786	Day 50 - 04/16/13	787-804	Day 51 - 04/17/13
805-817	Day 52 - 04/18/13	818-822	Day 53 - 04/19/13	823-850	Day 54 - 04/22/13
851-880	Day 55 - 04/23/13	881-909	Day 56 - 04/24/13	910-919	Day 57 - 04/25/13
920-938	Day 58 - 04/29/13	939-964	Day 59 - 04/30/13	965-1255	Day 60 - 05/01/13
1256-1294	Day 61 - 05/02/13	1295-1336	Day 62 - 05/06/13	1337-1429	Day 63 - 05/07/13
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1720-1818	Day 67 - 05/14/13	1819-1966	Day 68 - 05/15/13	1967-2334	Day 69 - 05/16/13
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Veto Session

1-36 Day 01 - 09/11/13

Missouri House

Daily Journals

House Journal (Beg. & End. Pages)

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Third Day, Monday, January 14, 2013 (0084-0092)
Fifth Day, Wednesday, January 16, 2013 (0123-0141)
Seventh Day, Tuesday, January 22, 2013 (0153-0165)
Ninth Day, Thursday, January 24, 2013 (0191-0202)
Eleventh Day, Tuesday, January 29, 2013 (0222-0230)
Thirteenth Day, Thursday, January 31, 2013 (0239-0251)
Fifteenth Day, Tuesday, February 05, 2013 (0267-0282)
Seventeenth Day, Thursday, February 07, 2013 (0293-0306)
Nineteenth Day, Tuesday, February 12, 2013 (0317-0331)
Twenty-First Day, Thursday, February 14, 2013 (0349-0374)
Twenty-Third Day, Monday, February 18, 2013 (0384-0394)
Twenty-Fifth Day, Wednesday, February 20, 2013 (0405-0419)
Twenty-Seventh Day, Tuesday, February 26, 2013 (0429-0450)
Twenty-Ninth Day, Thursday, February 28, 2013 (0474-0494)
Thirty-First Day, Tuesday, March 05, 2013 (0505-0515)
Thirty-Third Day, Thursday, March 07, 2013 (0533-0557)
Thirty-Fifth Day, Monday, March 11, 2013 (0564-0576)
Thirty-Seventh Day, Wednesday, March 13, 2013 (0608-0625)
Thirty-Ninth Day, Friday, March 15, 2013 (0644-0649)
Forty-First Day, Tuesday, March 26, 2013 (0663-0694)
Forty-Third Day, Thursday, March 28, 2013 (0743-0780)
Forty-Fifth Day, Wednesday, April 03, 2013 (0934-0956)
Forty-Seventh Day, Monday, April 08, 2013 (0979-0990)
Forty-Ninth Day, Wednesday, April 10, 2013 (1017-1095)
Fifty-First Day, Monday, April 15, 2013 (1129-1164)
Fifty-Third Day, Wednesday, April 17, 2013 (1187-1343)
Fifty-Fifth Day, Monday, April 22, 2013 (1374-1390)
Fifty-Seventh Day, Wednesday, April 24, 2013 (1488-1540)
Fifty-Ninth Day, Monday, April 29, 2013 (1575-1592)
Sixty-First Day, Wednesday, May 01, 2013 (1661-1891)
Sixty-Third Day, Monday, May 06, 2013 (1931-1974)
Sixty-Fifth Day, Wednesday, May 08, 2013 (2102-2301)
Sixty-Seventh Day, Monday, May 13, 2013 (2359-2441)
Sixty-Ninth Day, Wednesday, May 15, 2013 (2552-2857)
Seventy-First Day, Friday, May 17, 2013 (3127-3328)
Seventy-Third Day, Thursday, May 30, 2013 (3332-3333)

House Journal (Beg. & End. Pages)

Second Day, Thursday, January 10, 2013 (0035-0083)
Fourth Day, Tuesday, January 15, 2013 (0093-0122)
Sixth Day, Thursday, January 17, 2013 (0142-0152)
Eighth Day, Wednesday, January 23, 2013 (0166-0190)
Tenth Day, Monday, January 28, 2013 (0203-0221)
Twelfth Day, Wednesday, January 30, 2013 (0231-0238)
Fourteenth Day, Monday, February 04, 2013 (0252-0266)
Sixteenth Day, Wednesday, February 06, 2013 (0283-0292)
Eighteenth Day, Monday, February 11, 2013 (0307-0316)
Twentieth Day, Wednesday, February 13, 2013 (0332-0348)
Twenty-Second Day, Friday, February 15, 2013 (0375-0383)
Twenty-Fourth Day, Tuesday, February 19, 2013 (0395-0404)
Twenty-Sixth Day, Monday, February 25, 2013 (0420-0428)
Twenty-Eighth Day, Wednesday, February 27, 2013 (0451-0473)
Thirtieth Day, Monday, March 04, 2013 (0495-0504)
Thirty-Second Day, Wednesday, March 06, 2013 (0516-0532)
Thirty-Fourth Day, Friday, March 08, 2013 (0558-0563)
Thirty-Sixth Day, Tuesday, March 12, 2013 (0577-0607)
Thirty-Eighth Day, Thursday, March 14, 2013 (0626-0643)
Fortieth Day, Monday, March 25, 2013 (0650-0662)
Forty-Second Day, Wednesday, March 27, 2013 (0695-0742)
Forty-Fourth Day, Tuesday, April 02, 2013 (0781-0933)
Forty-Sixth Day, Thursday, April 04, 2013 (0957-0978)
Forty-Eighth Day, Tuesday, April 09, 2013 (0991-1016)
Fiftieth Day, Thursday, April 11, 2013 (1096-1128)
Fifty-Second Day, Tuesday, April 16, 2013 (1165-1186)
Fifty-Fourth Day, Thursday, April 18, 2013 (1344-1373)
Fifty-Sixth Day, Tuesday, April 23, 2013 (1391-1487)
Fifty-Eighth Day, Thursday, April 25, 2013 (1541-1574)
Sixtieth Day, Tuesday, April 30, 2013 (1593-1660)
Sixty-Second Day, Thursday, May 02, 2013 (1892-1930)
Sixty-Fourth Day, Tuesday, May 07, 2013 (1975-2101)
Sixty-Sixth Day, Thursday, May 09, 2013 (2302-2358)
Sixty-Eighth Day, Tuesday, May 14, 2013 (2442-2551)
Seventieth Day, Thursday, May 16, 2013 (2858-3126)
Seventy-Second Day, Wednesday, May 22, 2013 (3329-3331)
First Veto Day, Wednesday, September 11, 2013 (0001-0052)

Journal of the House

NINETY-SEVENTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 9, 2013

The House was called to order at twelve o'clock noon by the Honorable Robin Carnahan, Secretary of State.

Prayer by Father Leo Spezia, Most Sacred Heart Catholic Church, Eureka, MO.

O God, Whose divine wisdom embraces our universe, how blest are You. How great Thou art. As we gather for this session of the Missouri House of Representatives, we begin with an attitude of gratitude and thanksgiving.

Thank You for our military personnel, all law enforcement officers, and our fire service and emergency service personnel throughout our great state and nation, who protect and serve Your people and guard their lives and property. It is with thanksgiving that we pause to remember the persons who have made the ultimate sacrifice to help ensure Missouri's safety. We thank them for their service.

Rally the Republicans and Democrats around Your common good so that our great state will truly become one of opportunity for all – including the least, the last, and the lost.

Bless every elected official of our state. Bless them, their families, and their leadership.

O God, the One Who has always been, and always will be, the true maker of just laws, we give You the honor and the glory. Bless our state this day and always. We ask this in Your Name. Amen.

The Pledge of Allegiance to the flag was recited.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors.

ADDRESS BY SECRETARY OF STATE ROBIN CARNAHAN

Good Afternoon. I'm Secretary of State Robin Carnahan. Welcome to the opening of the 97th Regular Session of the Missouri General Assembly.

First, I want to thank those of you who are returning to continue your service to our state. And I want to give a very special congratulations and thank you to the 50 new members who are taking the oath of office for the first time.

My job today is to preside over the opening of this session until a Temporary Speaker is chosen.

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But, before we get to that, I'll follow the longstanding tradition of saying a few words before handing over the gavel one last time.

This is the fourth time I've been honored to preside over the opening of a new legislative session, and every time I have the same feeling.

Like most visitors who walk through these doors, I'm first struck by the beauty and majesty of this place. But, quickly my thoughts turn to the history that's been made here. Right here in this room.

Think about it: Millions of Missouri children and parents are better off because of difficult votes your predecessors took to invest in our schools and teachers, and to ensure our kids have access to affordable, quality healthcare.

This room has witnessed important votes to protect our citizens; help small business owners; invest in our roads; help the sick, disabled and less fortunate; and provide retirement security and decent healthcare to our seniors. And that only scratches the surface of the important work that has passed through this chamber.

Over the coming days, you, too, will have the opportunity to make history. You'll be asked to make difficult choices...to balance the costs and benefits of various programs that could have a profound impact on millions of lives.

And the ugly, seldom talked-about truth is, every one of you will be asked to cast votes on issues before you've had enough time and information to fully understand the consequences. And you'll very likely be asked to vote in situations when you find none of the choices appealing.

When that day comes, and inevitably it will, the question each of you will need to answer for yourself is: How will you decide whether to vote yea or nay?

Of course, the easiest and most obvious path is to go along with your party's leaders and vote the way they want you to.

That's playing it safe. But that certainly isn't why your friends and neighbors back home voted to send you here...they expect more of you. And I'm guessing you expect more of yourselves.

So how else will you be able to make those tough choices when a difficult vote is called?

Some of you may fall back on trying to fit your vote neatly into some ideological box...something easy to explain. Is it pro-freedom, pro-business, anti-tax? You name it.

But the reality is, very few issues you'll be asked to vote on are that simplistic. And besides, oversimplifying complicated policy questions also isn't why your neighbors voted to send you here.

Of course, some of you may be tempted to turn to lobbyists or special interest groups for information and guidance on how to vote...you don't need me to tell you how folks back home might react to that.

Or you can choose to do what people back home expect of you when those tough votes come...by tuning out all the noise and thinking hard about how your vote will affect them. Those families with sick kids and jobs with no insurance, those working parents struggling with more than one job just to cover the bills, that aging WWII veteran or that 18-year-old student who may not have driver's licenses, but sure don't want to lose their right to vote.

It's your job, indeed it's your solemn obligation, to think about those people not about politics when you decide how to vote...think about those real Missourians whose lives will be impacted, for better or worse, by choices you make.

Your friends and neighbors sent you to this majestic chamber to represent the interests of your community because they trust your judgment. They trust your integrity. They trust that you will work hard at understanding all the trade-offs, all the complications, and all the implications, to speak your mind and look out for their interests...rich and

poor; old and young; business owners and union workers; healthy and sick; liberal and conservative; Republican and Democrat.

They trust that you'll look beyond the partisan rhetoric and lobbyist influence peddling and work to find common ground and commonsense compromises that solve real problems and keep Missouri moving down the path of a prosperous future.

Every Missourian you represent has hopes and fears about that future. Your job in the coming months is to pass laws that are fair and create opportunities for all of those who are ready to work hard and play by the rules. But it's also your job to look out for our most vulnerable citizens and ensure they, too, are treated with dignity and respect.

I hope that you take a few minutes today, and indeed every day when you look in the mirror, to remind yourself why you are here and think about the history that's been made in this room.

Think about the responsibility you've been entrusted with...not only to make history, but also to do good. For our children, families and the millions of Missourians whose lives and futures depend on the votes you'll cast here.

That will be your lasting legacy.

May God bless you as you go about this important work.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 97th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 97th General Assembly (First Regular Session) of the State of Missouri, elected at the General Election held on November 6, 2012.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 8th day of January, 2013.

/s/ ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI HOUSE OF REPRESENTATIVES 97th General Assembly, First Regular Session

District	Name
1st	Mike Thomson
2nd	Casey Guernsey
3rd	Nate Walker
4th	Craig Redmon
5th	Lindell F. Shumake
6th	Tim Remole
7th	Mike Lair
8th	James W. (Jim) Neely
9th	Delus Johnson
10th	Pat Conway
11th	Galen Wayne Higdon, Jr.
12th	Ken Wilson
13th	Nick Marshall
14th	Ron Schieber
15th	Jon Carpenter

16th	Noel J. Shull
17th	Myron Neth
18th	Jay Swearingen
19th	John Joseph Rizzo
20th	John A. Mayfield
21st	Ira Anders
22nd	Brandon Ellington
23rd	Randy D. Dunn
24th	Judy Morgan
25th	Jeremy LaFaver
26th	Gail McCann Beatty
27th	Bonnaye V. Mims
28th	Tom McDonald
29th	Noel Torpey
30th	Mike Cierpiot
31st	Sheila Solon
32nd	Jeanie Lauer
33rd	Donna Pfautsch
34th	Jeff Grisamore
35th	Gary Cross
36th	Kevin McManus
37th	Joe Runions
38th	T.J. Berry
39th*	Joe Don McGaugh
40th	Jim Hansen
41st	Ed Schieffer
42nd	Bart Korman
43rd	Jay D. Houghton
44th	Caleb Rowden
45th	Chris Kelly
46th	Stephen Webber
47th	John A. Wright
48th	Dave Muntzel
49th	Jeanie Riddle
50th	Caleb Jones
51st	Dean A. Dohrman
52nd	Stanley Cox
53rd	Glen Kolkmeier
54th	Denny Hoskins
55th	Rick Brattin
56th	Chris Molendorp
57th	Wanda Brown
58th	David Wood
59th	Mike Bernskoetter
60th	Jason (Jay) Barnes
61st	Dave Schatz
62nd	Tom Hurst
63rd	Bryan Spencer
64th	Robert Cornejo
65th	Anne Zerr
66th	Tommie Pierson
67th	Steve Webb
68th	Keith English
69th	Margo McNeil
70th	Bill Otto
71st	Susan Meredith

72nd	Mary Nichols
73rd	Courtney Curtis
74th	Sharon L. Pace
75th	Rochelle Walton Gray
76th	Chris Carter
77th	Kimberly M. Gardner
78th	Penny V. Hubbard
79th	Michael Butler
80th	Mike Colona
81st	Jacob W. Hummel
82nd	Michele Kratky
83rd	Gina Mitten
84th	Karla May
85th	Clem Smith
86th	Rory Ellinger
87th	Stacey Newman
88th	Jill Schupp
89th	John J. Diehl, Jr.
90th	Rick Stream
91st	Jeanne Kirkton
92nd	Genise D. Montecillo
93rd	Bob Burns
94th	Vicki Lorenz Englund
95th	Marsha Haefner
96th	Mike Leara
97th	John C. McCaherty
98th	Dwight Scharnhorst
99th	Andrew Koenig
100th	Sue Allen
101st	Don Gosen
102nd	Kurt Bahr
103rd	Doug Funderburk
104th	Kathie Conway
105th	Mark A. Parkinson
106th	Chrissy Sommer
107th	Ron Hicks
108th	Chuck Gatschenberger
109th	Paul Curtman
110th	Timothy W. Jones
111th	Michael Frame
112th	Paul Wieland
113th	Jeff Roorda
114th	T.J. McKenna
115th	Elaine Freeman Gannon
116th	Kevin Engler
117th	Linda Black
118th	Ben Harris
119th	Dave Hinson
120th	Jason T. Smith
121st	Keith Frederick
122nd	Steve Lynch
123rd	Diane Franklin
124th	Rocky Miller
125th	Warren D. Love
126th	Randy Pike
127th	Mike Kelley

128th	Sue Entlicher
129th	Sandy Crawford
130th	Jeff Messenger
131st	Sonya Murray Anderson
132nd	Charlie Norr
133rd	Eric W. Burlison
134th	Elijah Haahr
135th	Lincoln Hough
136th	Kevin Austin
137th	Lyndall Fraker
138th	Don Phillips
139th	Kevin Elmer
140th	Lynn Morris
141st	Tony Dugger
142nd	Robert Ross
143rd	Jeffrey Pogue
144th	Paul Fitzwater
145th	Shelley (White) Keeney
146th	Donna Lichtenegger
147th	Kathy Swan
148th	Holly Rehder
149th	Steve Hodges
*150th	Kent Hampton
151st	Dennis Fowler
152nd	Todd Richardson
153rd	Steve Cookson
154th	Shawn Rhoads
155th	Lyle Rowland
156th	Jeff Justus
157th	Don Ruzicka
158th	Scott Fitzpatrick
159th	Bill Lant
160th	Bill Reiboldt
161st	William (Bill) White
162nd	Charlie Davis
163rd	Tom Flanigan

*Litigation pending on this race

LETTERS OF RESIGNATION

December 21, 2012

Governor Jay Nixon
State Capitol, Room 216
Jefferson City, MO 65101

Dear Governor Nixon:

I am writing to notify you that effective immediately I resign from my current position as State Representative of the 132nd House District in the 96th General Assembly, and also resign from my newly-elected position as State Representative of the 157th House District in the 97th General Assembly.

The past six years have been wonderful and have allowed me to make a difference for our state. Serving the people of Lawrence County and this great state has been one of the most rewarding and fulfilling experiences of my life. I appreciate the support of my constituents and colleagues during those years.

This is a blessed state and I know it will continue to be served with excellence.

Respectfully,

/s/ Don Ruzicka
State Representative
132nd District

January 3, 2013

The Honorable Jay Nixon
State Capitol, Room 216
Jefferson City, MO 65101

Dear Governor Nixon:

Pursuant to Section 21.090, RSMo, I hereby submit my resignation, effective immediately, as state representative-elect for the 76th District of the Missouri House of Representatives, and request that you call a special election to fill the vacancy as soon as possible.

Sincerely,

/s/ Chris Carter
Representative-Elect
76th District

The following roll call indicated a majority of the Representatives present:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson

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Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Jones (110)	

NOES: 000

PRESENT: 001

Shull

ABSENT WITH LEAVE: 001

Frederick

VACANCIES: 002

The following Representatives advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Richard B. “Rick” Teitelman, Chief Justice of the Supreme Court of Missouri.

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Jones (110)

NOMINATIONS FOR TEMPORARY SPEAKER

Representative Guernsey nominated Representative Shelley Keeney as temporary Speaker of the House.

Representative Burlison seconded the nomination.

Representative Kelly (45) nominated Representative Steve Webb as temporary Speaker of the House.

Representative Webb withdrew his nomination.

Representative Diehl moved that nominations cease and Representative Keeney be elected by acclamation.

Which motion was adopted.

Representative Keeney assumed the Chair.

NOMINATIONS FOR SPEAKER

Representative Swan nominated Representative Timothy W. Jones for Speaker of the House.

Representative Funderburk seconded the nomination.

Representative McCann Beatty nominated Representative Jake Hummel as Speaker of the House.

Representative Hummel withdrew his nomination.

Representative Diehl moved that nominations cease and Representative Jones (110) be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Jones (110) to the dais: Representatives Jones (50), Riddle, Hubbard, Elmer, Webb, Kelly (45), Crawford, Burlison, Barnes, Richardson, Allen, former Representatives Danie Moore and Kenny Jones.

Representative Jones (110) subscribed to the oath of office which was administered by the Honorable Dan Pelikan, Judge of the 11th Circuit Court of Missouri.

Speaker Jones assumed the Chair.

ADDRESS BY SPEAKER TIMOTHY W. JONES

Friends and colleagues:

Let me first say thank you for the immense honor you have given me to serve as your Speaker. I am truly blessed to be able to lead such a remarkable group of public servants and I am excited to work with each and every one of you in the coming months to advance the policy items that mean the most to you and to all the people of your districts.

Let me also thank the members, past and present, who so graciously escorted me to the dais to receive this honor. Thank you for your support and friendship.

Let me give extra special thanks to my good friend Danie Moore, the former Lady from Callaway, who made the trip to Jefferson City today to serve on the escort committee. Danie was a mentor and a friend during my first years here in the House. She was an immense help to me as I learned my way in this legislative body. I know there are many of you who can say the same. Thank you, Lady from Callaway, for being such a conscientious public servant and such a giving and caring soul.

And thank you to another of my mentors...someone who has given me sage advice throughout my entire life...who has helped make me the man and the legislator I am today...someone who happens to be my uncle...and the father of our colleague, the Gentleman from Moniteau. Please join me in welcoming the former Gentleman from Moniteau...our friend and fellow public servant...my uncle, Kenny Jones. Thank you for being a guiding force in my life and for teaching me what it means to serve with honesty and integrity.

Thanks as well to the Chief Justice of the Missouri Supreme Court, Richard Teitelman, for swearing us in as members of the House, to Judge Dan Pelikan for administering the oath of office I have taken as your Speaker, and to our House Chaplains, Monsignor Kurwicz and Father Spezia, for providing us with their spiritual guidance as we embark on this important legislative session.

Let me also take a few moments to thank my family for the support they have given me as I have pursued this dream of public service. A heartfelt thank you to my parents who are with us today and to all of my family and friends, many of whom have driven great distances to share in this moment with me. Your love and support have enabled and empowered me to make this incredible journey. It's a journey that has meant long hours here in the Capitol, travel to all four corners of our great state, long hours and days away from home, and apart from my loving wife, Suzanne, and our beautiful daughters, Katherine and Abigail. Even as my duties here have kept me away from the people I love the most, they have never wavered in their commitment to support me, to ground me, and to remind me what truly matters most in my life. Without the encouragement and the love they have given me over the years, I would not be here today. Suzanne, Katie, Abby – thank you for giving me the opportunity to make this dream a reality. I could not have done it without you.

The truth is, when you make sacrifices such as these – and we all make them when we choose to serve – you do so with the hope that the precious moments you miss in your personal life are outweighed by the opportunity you gain in your public life to do something truly remarkable, not just for the ones you love – but for every man, woman and child who calls our great state of Missouri home.

As I've traveled around the state over the course of the last few months and during the last six years as I have served as a state representative, I've had the opportunity to meet with and learn the stories of so many outstanding Missourians. From single parents who have overcome adversity to provide a brighter future for their children, to business owners who have found a way to not only survive but thrive in the face of challenging economic times, to farm families who have endured and overcome some of the toughest years in memory. All have markedly different backgrounds and experiences, but all share the common traits of diligence and determination that have allowed them to succeed in the face of adversity. All have an unrelenting desire to see Missouri become a state where our opportunities outnumber our obstacles—where government can maintain a level playing field that gives all Missourians the chance to make their dreams a reality.

In all that we do, the people expect us to abide by a simple rule – that government shall serve not as the ruler of the people, but that the will of the people shall rule their government. As our state motto forever reminds us, the welfare of the people shall be the supreme law of the land. It is a motto that should be in our hearts and our minds with every action we take as public servants.

As we embark on the 2013 legislative session, we have within our grasp the ability to make our state stronger and more prosperous than it has ever been.

The people of this state sent the largest Republican caucus in the history of the Missouri House to Jefferson City to advance a bold and ambitious policy agenda – one that will mean more and better jobs for those in need of work, innovative solutions to our current and future energy needs, and outside-the-box thinking when it comes to reforming a system of education that has far too often failed to meet the needs of our young people.

Over the last few months I have met with many of you across the state to discuss the agenda items we want to address during this session. From our discussions and our conversations – from the input I have received from the people we are elected to serve – we have developed what I refer to as the “Triple E Agenda.” It’s an agenda I believe that can make Missouri the strongest state in the nation in the areas of Economic Development, Energy Policy, and Education.

Economic Development and Job Creation

Regardless of our party affiliations – or the area of the state from which we hail – we all can agree that effective economic development and job creation policies are essential to ensure a bright future for Missouri.

While our economy has begun to show signs of life and the unemployment rate continues to be significantly below the national average, it is clear we must do more to make Missouri’s business climate one that is friendly to existing and potential employers, and that encourages the creation of good-paying jobs that will allow Missouri families to prosper.

One of my top priorities for this legislative session is to reform our medical malpractice system—so we can protect Missouri businesses and our entire system of health care from frivolous lawsuits and encourage new job creation. When the Supreme Court struck down the caps last year, it opened a floodgate of lawsuits that threaten to drive the cost of medical malpractice insurance through the roof, which will increase the cost of care and will encourage the use of so-called “defensive medicine.” The truth is, unless we take action to fix this problem, we will see millions of dollars in the health care industry diverted away from care from health care investment – from health care education – from creating health care jobs—and instead those precious dollars will be needed for legal defense costs.

These are facts that cannot be denied.

Unless we act, health care costs will increase and health care quality will decline as many of our best doctors will inevitably flee the state. That is why we will work this session to stave off this looming threat by reinstating a reasonable cap – by making reforms that will ensure health care providers are not in danger of being targeted by harmful, needless litigation. We must also work to improve our business climate by making Missouri’s employment law standards comparable to national standards. Court decisions have pushed employment laws above and beyond what is required by federal law – something that has negatively impacted our ability to attract new employers to our state and maintain the ones that are already doing business here. It’s time to give Missouri employers the kind of certainty in the legal system that will allow them to focus on growing their businesses and creating jobs rather than worrying about unnecessary lawsuits.

Another element to improving our business climate and encouraging economic development will be to improve our workers’ compensation system. We must make sure that both workers’ compensation and the Second Injury Fund remain solvent to ensure employers are protected from the costs of workplace accidents. If the insolvent Second Injury Fund cannot be salvaged without unfairly penalizing job creators with excessive taxation – we must follow the lead of many other states and begin the task of winding down this fund which has been mismanaged for decades.

One of the most critical components of the economic development portion of our Triple E Agenda is focused on maintaining and creating incentive tools that work.

This session I want to see this legislative body make a commitment to “Cut, Cap and Create.”

Missouri has a significant number of tax credit programs – 61 in all – and it is no secret not all of these programs are accomplishing a useful goal. It will be a House priority to make changes this session that encourage oversight over these programs – eliminate the credits that do not work – cap programs at a reasonable level to provide budget certainty, create new programs that are fiscally responsible, have significant taxpayer protections and that are immediately fiscally positive.

Our benevolent tax credits must be part of this discussion as well. These credits have been instrumental in helping so many worthwhile causes, from pregnancy resource centers to food pantries. This year we must work to reinstate the credits that have helped our charitable organizations to do so much for so many.

We also must give careful consideration to ways we can supplement our economic development efforts by improving our state’s infrastructure. We must work to make sure our roads and bridges – our essential transportation routes – are maintained, are repaired, and are rebuilt and that our essential state services – and the college campuses where young minds are prepared for the future – have the resources and facilities they need to succeed. This means giving serious consideration to a bonding proposal that could generate billions of dollars for these crucial projects. It will help us meet the demands we face today as well as those our state will face in the future.

Energy Policy

The second component of the Triple E I will ask this body to focus their efforts on this year deals with our state’s energy future. We must work to ensure Missouri embraces responsible energy policies that will encourage affordable energy prices and technological development. We must continue to explore and pursue opportunities with the Department of Energy to develop the small modular reactor industry here in our state.

We must ensure Missouri becomes part of this incredibly exciting industry of the future. We must also work to ensure our regulatory framework does not impede Missourians from using existing energy sources or pursuing new developments using our God-given natural resources like coal and natural gas. Only by using an “all of the above” energy framework can we hope to achieve energy independence.

In all that we do, we must adhere to the free-market principles that have made this country great. The free market should dictate and drive our energy independent future – not government subsidies which engage in artificial market controls and support crony capitalism. Exciting new energy endeavors are part and parcel of this equation, but we must also embrace the abundance of natural resources laid out before us.

Education Reform

The final E in the House agenda is education funding and reform. Although we may at times differ in our opinions of how to reach our goals, we can all agree that a strong, effective education system – as guaranteed by our state constitution – is the key to ensuring prosperity for future generations of Missourians.

One of the top concerns we must address this session is protecting education funding from continued encroachment by the Governor’s welfare expansion funding demands. It is irresponsible to place the immediate benefits of entitlement funding ahead of education. The students of today will become the job creators and business and community leaders of tomorrow.

Our children deserve access to the highest quality education available, but our schools will not be able to provide this level of education if their funding is consistently slashed to the bone to fund an ever-increasing, bloated entitlement system that is full of waste, fraud and abuse.

We must also work to improve and reform our education system in general. Our two largest school districts are failing. We must provide these districts and every other district in our state the tools to ensure that effective teaching, not bureaucracy, is the number one priority.

A key component of accomplishing this goal is to ensure schools are able to evaluate teacher performance. Hold poor teachers accountable for their actions while rewarding the overwhelming majority of good and excellent teachers. Our antiquated, overly bureaucratic education system is the antithesis of innovation and excellence. Teachers should be rewarded for their performance and encouraged to boldly engage in the technological innovations that will create the highly skilled workforce of tomorrow that we so desperately need.

We must enhance local control of the education system. There is no one-size-fits-all approach to education. We should recognize that local districts and parents need to have more influence over their curriculum and policies. Innovative policies exercised at the local level could provide a road map for success to schools across our state.

Finally, we must work to ensure that parents are provided the opportunity to be involved in their children's education. Education cannot just begin and end at the schoolhouse door. It must continue at home, and parents should take an active role in ensuring their children are learning what they need to succeed. This can be accomplished by providing parents more power to intervene in failing school districts and force the necessary changes to ensure access to an effective education.

I hope you will follow with me this session as we place these three components at the forefront of our discussions. While I think these issues are the key to building a better Missouri, there are many other policy issues that will reach this floor, in this Chamber, for discussion in the months to come.

Whether it's creating a fiscally responsible spending plan that makes the best possible use of your taxpayer dollars...

...protecting the rights of millions of hardworking men and women who are employed in Missouri
...defending the time-honored traditions of farming, hunting and fishing that have made this state the great place it is today

...ensuring that all life is held sacred and our children are able to grow into healthy, productive adults
...or standing in defense of the rights and freedoms that our founding fathers handed down to us more than 200 years ago...

we will have important decisions to make that extend beyond these policy goals we have outlined with my Triple E Agenda.

With every decision we make, I hope we can keep in mind all of the Missourians out there who are counting on us to make the right decisions to put the policies in place that will pave the way for prosperity.

They have sent our caucus here in record numbers – a veto-proof super majority – because we have proven to be effective leaders in our communities and because they now expect us to lead the way on issues that matter to Missouri's families and businesses in all parts of our great state.

The citizens who entrusted us with this duty want nothing more than a government that removes the barriers to success rather than creates them...

... that keeps the playing field level rather than tipped in favor of one group or another
...that focuses its attention on the needs of all the people rather than the political schemes of a powerful few.

I have asked some of these remarkable people to join us here today as special guests.

Outstanding Missourians like Rhonda Broussard, who founded the St. Louis Language Immersion School.

I am thrilled to have Rhonda with us today as one of our special guests. I ask all of you to join me in recognizing her for the groundbreaking work she has done to provide a world-class education to hundreds of Missouri children.

The more than 500 young people her school educates come from all walks of life and 44 different zip codes. And while they have different backgrounds, they share in the immense opportunity to receive an education that will give them fluency in a foreign language, a mastery of the English language, and an undeniable educational advantage that will open the doors of opportunity for them both now and in the future.

With her hard work and determination and the incredible vision she has shared with the young people of the City of St. Louis Rhonda Broussard has shown us what our system of education can look like when we embrace innovation and support creative solutions. Her work has made, and will continue to make, a profound positive impact in the lives of hundreds, and soon-to-be thousands, of young people.

Rhonda, for your hard work, your dedication and your desire to make a difference the members of the Missouri House say thank you, and we pledge to continue to support policies that will allow dreams like yours to become reality.

We're blessed to have Rhonda with us today. We're equally blessed to have another outstanding Missourian in the Chamber with us from Northeast Missouri. Please join me in welcoming Cindy O'Laughlin.

Cindy and her husband Russell are the proud owners of a small, family-run business that is such a key component in our state's economic success. First begun by Russell's father, O'Laughlin, Incorporated has been in operation for six decades and has expanded from a small dump truck operation to a flourishing, multifaceted business that provides a variety of services to individuals and larger corporations throughout the state providing jobs for nearly 50 employees in three different small Missouri communities.

O'Laughlin Inc., like thousands of small businesses across Missouri and across our nation, is a vital part of the rural communities in which it operates. Not only do Cindy and Russell provide good-paying jobs with benefits to dozens of industrious Missourians, they donate their time, effort and, yes, their money, to make their communities stronger and more vibrant.

When we talk here in this chamber about the policies we support and how they impact business owners, we are talking about exceptional Missourians like Cindy and Russell O'Laughlin. The decisions we make here help create a business environment that allows businesses like hers to succeed through good, old-fashioned hard work and determination and her success, and the success of so many other small businesses, is what drives our economic engine and allows our state to move in a more positive and prosperous direction.

Cindy, we thank you for all that you and your family have done to create such a successful Missouri business that supports Missouri communities and provides jobs to hard-working Missourians. As a legislature, we pledge to you that we will continue to support policies that keep your tax burden low, the bureaucratic red tape to a minimum, and allow you to continue the tradition of success that your family started 60 years ago.

For our final outstanding Missourian... it was more than 40 years ago that he immigrated to the United States from his native country of Chile. Today he lives and owns a successful business in Wildwood. Please help me make Sergio Cuevas feel welcome.

It has been my privilege to get to know Sergio and to learn his story – a story that personifies the American dream.

Sergio left behind a country oppressed by a communist regime to come to our great nation where he was able to quickly climb the ladder of success. He obtained a quality education, developed his business acumen as a salesman and a supervisor, and ultimately achieved his dream of owning and operating his own business.

He started his Missouri-based business in 2003 with one employee and one contract. Today, Clean-Tek Floor Solutions employs more than a dozen Missourians and has worked successfully with private businesses and governmental agencies on both the state and federal level. From the work his company has done with our department of transportation to waterproof 15 Missouri bridges, to the cleaning services Clean-Tek has provided to Lambert International Airport, Sergio and his employees have developed a reputation for providing quality work and exemplary service.

Sergio's dream was made possible because he left behind a country that was oppressed by an overly intrusive government where his freedoms were suppressed and his rights were ignored. He came here to our nation and our state where we defend these freedoms – where government stays out of the way so enterprising individuals like Sergio have the opportunity to succeed.

Sergio, we appreciate the commitment you have made to making your dream come true right here in Missouri and for being such a vital part of our state's growing economy. Our promise to you is that we will continue to protect the freedoms and rights that inspired you to leave your homeland and make the journey to America four decades ago, and we will keep government out of your way as you continue to grow and expand your business in the decades to come.

All three of these outstanding Missourians may seem to have little in common, but they share with each other, and with us, the dream of a Missouri where jobs are plentiful, our children have access to a quality system of education, and our energy needs are met in a safe and affordable way.

And it is together that we can move our state in the direction of achieving these goals of placing policy into practice and turning sound bites into substantive change.

This session I challenge all of you to put aside any differences we may have – whether partisan, regional or otherwise – and work together to advance an agenda I believe will position Missouri for both immediate and long-term prosperity.

The opportunity lies ahead. While the hours will be long and the challenges numerous, I know we, as a collective of conscientious and compassionate public servants, have the dedication and the determination necessary to make a difference.

Our work begins today.

It begins now.

Let me once again say thank you for providing me this incredible honor of serving you as your Speaker – for allowing me to work with you on matters that will make our great state of Missouri that much greater.

May God bless you all, and may God bless the people of the great state of Missouri.

NOMINATION FOR SPEAKER PRO TEM

Representative Curtman nominated Representative Jason Smith as Speaker Pro Tem of the House.

Representative Rehder seconded the nomination.

Representative Hummel nominated Representative Gail McCann Beatty for Speaker Pro Tem of the House.

Representative McCann Beatty withdrew her nomination.

Representative Diehl moved that nominations cease and Representative Smith (120) be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Smith (120) to the dais: Representatives Kelly (45), Fitzwater, Dugger, Rehder, Black, Entlicher, Lichtenegger, Hubbard, Torpey, McCaherty and Barnes.

Representative Smith (120) subscribed to the oath of office which was administered by the Honorable Bill Hickle, Judge of the 25th Circuit Court of Missouri.

Speaker Pro Tem Smith assumed the Chair.

ADDRESS BY SPEAKER PRO TEM SMITH

Before I say anything else, let me simply say thank you.

Thank you to my family and friends who have supported me in my efforts to serve the people of Missouri. Without their love and encouragement I would not be here today.

Let me also thank each of you...my colleagues here in the Missouri House...for giving me the immense honor of serving as your Speaker Pro Tem. For those of you who have served with me for years now...we have developed friendships that will endure long past our time in this chamber. For those of you who are joining us for the first time, I look forward to the relationships that we are sure to build...and the memories we will make in what I hope will be a productive final two years for me here in Jefferson City.

As your Speaker Pro Tem, I want each of you to know that my door will always be open. Regardless of the side of the aisle you are on, I will be here to help you in any way I can. There will be times that we disagree...and inevitably there will be some differences...but at the end of the day we are all bound by the same purpose...to do what is right and best for the people of the great state of Missouri.

As I begin my final two years of service...I do so with an unwavering belief that now, more than ever, the legislature must act to protect Missouri from the encroachment of an overreaching federal government...a government that is out of touch with reality...and threatening to re-define the basic relationship our founders envisioned between the people and their government.

These are perilous times as the rights of states continue to be threatened by a seemingly endless list of mandates and regulations handed down from above. From the job-killing, economy-crippling edicts contained in the ill-conceived federal health care plan...to the cumbersome and invasive regulatory efforts that threaten to put a stranglehold on many of the family farmers and small businesses that drive our economy...to the endless sea of bloated bureaucracy that transforms even the most mundane inquiry from a private citizen into a herculean task...the actions of our federal government have time and time again reminded us that we, as states, must fend for ourselves...that we will not receive help from our federal counterparts when it comes to defending the conservative principles of fiscal responsibility and a limited and responsive government.

With every action taken by these out of touch Washington D.C. bureaucrats...we are sent one very clear message...that they have forgotten it is we, the states and the people, who created the federal government...not the other way around. Instead they ignore the intentions of our founding fathers...by acting as if the federal government created the states.

But we know the great men who founded this nation believed otherwise. In fact it was Thomas Jefferson, who clearly spelled out their intentions when he said, "I consider the foundation of the Constitution as laid on this ground that 'all powers not delegated to the United States, by the Constitution, nor prohibited by it to the states, are reserved to the states or to the people.' And yet, Congress has defied the will of our founders...and worked to seize a boundless field of power...and in doing so, has encroached on the rights of states. Their arrogant disregard for the very nature of our system of government has given birth to policies that ignore our freedoms and trample on our rights, and with every action they have taken, they have forced states like ours to rally together to defend our sovereignty. So as we take action as states to stand in defense of our people...we simply follow the role defined by the men who created this nation.

I'm proud to say here in Missouri we have slapped away the overreaching hand of the federal government...with our passage of both the Health Care Freedom Act and last year's Proposition E...and with the many actions we have taken to defend our personal freedoms and embrace fiscal responsibility. In Missouri, we do not need the threats of "fiscal cliffs" and maxed-out "debt limits" to balance our budget and keep our fiscal house in order.

And we are not alone in our defense of the liberties of the people and in the conservative principles that have made this nation great. As we look across the nation, we see other states following our lead in telling the federal government it has gone too far. Furthermore, we see now that our states are truly the laboratories of democracy.

While Capitol Hill is firmly entrenched in a mindset of overtaxing and overspending...states are taking new and innovative approaches to solving the problems of their constituents...and bolstering their economies for long-term success.

From Texas where they are embracing revolutionary new ideas to help ensure all young people can afford a college education so they can train the workers of the future...to Kansas where they have taken bold steps to lower the tax burden, develop the workforce and put effective economic development tools in place...states are showing us the kind of leadership that is sorely lacking in Washington, D.C.

When it comes to a shining example of a government that embraces fiscally responsible spending...a commitment to reducing the size of bureaucracy and increasing the attention paid to the needs of the people...and a vision for the future that holds promise and hope rather than mountains of debt...it is the states we must look to for inspiration.

Our federal government, with a fiscal cliff solution that cuts spending far too little...and increases the tax burden far too much...has proven once and for all that it is too big and too out of touch to adequately address the needs of the people of the United States. And so, we as state legislators stand ready to answer the call to duty that our constituents elected us to carry out.

Here in Missouri, we will continue to provide Missouri-based solutions to the problems we face as Missourians.

As your Speaker Pro Tem, I hope you will stand with me to defend the traditional rights of farmers, hunters and fishermen. These proud and long-standing traditions that have been handed down from generation to generation have been under siege by Washington D.C. special interests and federal bureaucrats. These out-of-state radicals have sought to destroy an important part of the Missouri way of life.

Together we can stand in defense of our many farmers, hunters and fishermen...with language that will protect and preserve the time-honored traditions that Missouri families have carried on for generations...and that will forever enshrine this vital way of life that must continue if future generations are to have the kind of Missouri, and the kind of America, that our forefathers envisioned.

I also ask you to join me this session in taking a stand against our federal government on the issue of welfare reform. For more than a decade now the welfare-to-work program has been a successful model for helping put people back on their feet and back to work. Now the politicians in D.C. have opened the door to transform the system into a true entitlement program with handouts to those who have no desire to be productive members of society. This year in Missouri we will send the message loudly and clearly that we will reject their plans for a system that would encourage dependency on government handouts...and instead support a program that puts our neediest citizens on a path to gainful employment and self-sufficiency.

We have the opportunity this session to do great things for the people of Missouri...an opportunity to remind our federal government that we the people, and we the states, have the answers to the problems the career politicians in Washington, D.C. have been unable or unwilling to solve.

Across this nation, state legislatures just like ours are coming together to provide innovative solutions that should serve as inspiration for a federal government that has clearly lost its way.

Here in the people's House, we serve the will of those who elected us to office, and with every action we take, and every vote we make, we do so for the good of the families we serve.

Our founding fathers envisioned a government of citizen-legislators...and as I look across the chamber today, I see that vision is reality here in Missouri.

At a time when our federal government continues to stand in the way of progress and innovation...as it has grown too big and too burdensome...states have led the way. With the decisions we make together we send a message to the people of Missouri...and to the out-of-touch bureaucrats in Washington, D.C....that we, as a state, have done it better...and will continue to do it better both now and in the future.

Thank you again for giving me the immense honor of serving as your Speaker Pro Tem.

May God bless each and every one of you...and may God bless the great state of Missouri.

Speaker Jones resumed the Chair.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Joy McMillan.

Speaker Jones resumed the Chair.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Carson Ross and Rylan Ross.

HOUSE RESOLUTIONS

Representative Diehl offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Rules of the House of Representatives of the Ninety-sixth General Assembly, and all amendments thereto, be the temporary Rules of the House of Representatives, Ninety-seventh General Assembly, until or unless otherwise ordered.

On motion of Representative Diehl, **House Resolution No. 1** was adopted.

Representative Diehl offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the following be elected permanent officers of the House of Representatives of the Ninety-seventh General Assembly.

Chief Clerk.	D. Adam Crumbliss
Doorkeeper.	Don Knollmeyer
Sergeant-at-Arms.	Ralph Robinett
Chaplain.	Reverend Monsignor Robert Kurwicki

On motion of Representative Diehl, **House Resolution No. 2** was adopted.

The following officers subscribed to the oath of office, which was administered by the Honorable Timothy W. Jones, Speaker of the House.

Chief Clerk.	D. Adam Crumbliss
Doorkeeper.	Don Knollmeyer
Sergeant-at-Arms.	Ralph Robinett
Chaplain.	Reverend Monsignor Robert Kurwicki

Representative Diehl offered **House Resolution No. 3**, which was read.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker. Timothy W. Jones
Speaker Pro Tem. Jason Smith
Chief Clerk. D. Adam Crumbliss
Doorkeeper. Don Knollmeyer
Sergeant-at-Arms. Ralph Robinett
Chaplain. Reverend Monsignor Robert Kurwicki

On motion of Representative Diehl, **House Resolution No. 3** was adopted.

Representative Diehl offered **House Resolution No. 4**, which was read.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Diehl, **House Resolution No. 4** was adopted.

Representative Diehl offered **House Resolution No. 5**.

HOUSE RESOLUTION NO. 5

WHEREAS, the members of the Missouri House of Representatives take great pride in recognizing those outstanding public servants who have consistently performed their official duties with the highest degree of dedication, competence, and integrity; and

WHEREAS, the Honorable Robin Carnahan is to be praised and commended for the conscientious and effective manner in which she has performed her duty of presiding over the deliberations of the House of Representatives prior to its temporary organization, one of the numerous responsibilities of the Secretary of State pursuant to the Constitution of the Great State of Missouri; and

WHEREAS, since taking the oath in January 2005, the Honorable Robin Carnahan has distinguished herself through tireless commitment to each and every one of her responsibilities as Secretary of State; and

WHEREAS, since taking office, Secretary Carnahan has focused on providing excellent customer service, protecting investors, cutting red tape and costs of Missouri, businesses and ensuring the integrity and fairness of our elections; and

WHEREAS, as the state's chief elections official, Secretary Carnahan is dedicated to ensuring integrity and fairness in Missouri elections. Since taking office, she has partnered with local election officials to clean up Missouri's voter rolls by establishing the state's first statewide voter registration list and improved election day operations by recruiting and training additional poll workers:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, join unanimously in expressing sincere appreciation and deep gratitude to the Honorable Robin Carnahan for the proud and faithful manner in which she has served this legislative body and in wishing her only the best in her continuing endeavors after completing her service as Missouri's Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Robin Carnahan as a mark of our esteem for her.

On motion of Representative Diehl, **House Resolution No. 5** was adopted.

Representative Diehl offered **House Resolution No. 6.**

HOUSE RESOLUTION NO. 6

WHEREAS, as the Ninety-seventh General Assembly of the State of Missouri convenes on Wednesday, January 9, 2013, the members of the Missouri House of Representatives proudly acknowledge services rendered to the General Assembly by distinguished public servants of this fair state; and

WHEREAS, the Honorable Richard B. Teitelman, Chief Justice of the Supreme Court of Missouri, deserves countless words of praise and commendation for the selfless manner in which he has given his valuable time to administer the oath of office to members of this legislative body in accordance with Missouri law; and

WHEREAS, during the inaugural session of the House of Representatives, Chief Justice Teitelman displayed the highest degree of dedication in continuing the long-established tradition of rendering a sense of both dignity and solemnity in the prestigious ceremony which marks the official beginning of each legislator's two-year term in office as an elected representative of the people of Missouri; and

WHEREAS, it is entirely fitting and proper that this legislative body should take pause to applaud the numerous laudable achievements of the Honorable Richard B. Teitelman during his exemplary legal career:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, join unanimously in expressing our most sincere thanks and deepest appreciation to the Honorable Richard B. Teitelman for the devoted and faithful manner in which he has served this body and further extend our very best wishes for continued great success and even more outstanding accomplishments in executing his numerous varied duties and responsibilities as Chief Justice of our State's Highest Court; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Honorable Richard B. Teitelman as a mark of our esteem for him.

On motion of Representative Diehl, **House Resolution No. 6** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Diehl offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Monday, January 28, 2013, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-seventh General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Diehl, **House Concurrent Resolution No. 1** was adopted.

Representative Diehl offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-seventh General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 23, 2013, to receive a message from the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-seventh General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Diehl, **House Concurrent Resolution No. 2** was adopted.

HOUSE RESOLUTIONS

Representative Cierpiot offered House Resolution No. 7.

Representative Flanigan offered House Resolution No. 8.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 9 through House Resolution No. 21

HOUSE CONCURRENT RESOLUTION

Representative Sommer, et al., offered House Concurrent Resolution No. 3.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 4, introduced by Representative Scharnhorst, relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 2, introduced by Representative Black, relating to the general assembly.

HJR 3, introduced by Representatives Elmer, Jones (50), Morris, Lichtenegger, Davis, Koenig, Burlison, Curtman, Haahr, Korman, Hoskins, Richardson and Hough, relating to property taxation.

HJR 4, introduced by Representatives Neth, Dugger and Entlicher, relating to the term limit reform act.

HJR 5, introduced by Representative Dugger, relating to elections.

HJR 6, introduced by Representatives White and Burlison, relating to limitation of liability for noneconomic damages.

HJR 7, introduced by Representatives Smith (120), Jones (110), Riddle, Diehl, Scharnhorst, Barnes, Jones (50), Flanigan, Walker, Lichtenegger, Franklin, Haefner, Conway (104), Redmon, Fraker, Allen, Love, Hicks, Brown, Anderson, Pike, Wood, Hurst, Crawford, Remole, Entlicher, Wilson, Swan, Rehder, Cornejo, Dohrman, Cookson, Kelley (127) and Rowland, relating to the right to hunt, fish, and farm.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 26, introduced by Representative Lant, relating to an income tax deduction for storm shelters.

HB 28, introduced by Representatives Lichtenegger, Hinson and Richardson, relating to natural disaster ordinances.

HB 29, introduced by Representatives Lichtenegger, Zerr, Diehl and Allen, relating to insurance reimbursement for physical therapist services.

HB 30, introduced by Representative Scharnhorst, relating to insurance coverage for physical therapy services.

HB 31, introduced by Representative Gatschenberger, relating to alternatives-to-abortion agencies.

HB 32, introduced by Representative Guernsey, relating to property assessments.

HB 33, introduced by Representative Guernsey, relating to government meetings and records.

HB 34, introduced by Representative Guernsey, relating to wages for work done on behalf of a school.

HB 35, introduced by Representative Higdon, relating to alcohol regulation fees.

HB 36, introduced by Representative Higdon, relating to peace officer safety alerts.

HB 37, introduced by Representatives Roorda and Colona, relating to retailer hours on Thanksgiving Day.

HB 38, introduced by Representative Roorda, relating to altering or falsifying drug or alcohol tests or test results.

HB 39, introduced by Representative Roorda, relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

HB 40, introduced by Representative Roorda, relating to taxation of unauthorized substances.

HB 41, introduced by Representative Rowland, relating to declarations of candidacy.

HB 42, introduced by Representative Rowland, relating to prohibition on certain policies that infringe on private property rights.

HB 43, introduced by Representative Rowland, relating to the school calendar.

HB 44, introduced by Representative Korman, relating to renewable energy definitions.

HB 45, introduced by Representative Hinson, relating to building codes.

HB 46, introduced by Representative Guernsey, relating to unmanned aerial surveillance.

HB 47, introduced by Representative Cross, relating to tanning facilities.

HB 48, introduced by Representative Dugger, relating to elections.

HB 49, introduced by Representative Dugger, relating to county annual budgets.

HB 50, introduced by Representative Lair, relating to school accreditation.

HB 51, introduced by Representatives Miller, Franklin, Wood and Fitzpatrick, relating to water quality standards for Missouri beaches.

HB 52, introduced by Representatives Miller, Pike and Fitzpatrick, relating to insurance reimbursement.

HB 53, introduced by Representative Gatschenberger, relating to insurance coverage.

HB 54, introduced by Representative Dugger, relating to recounts of votes.

HB 55, introduced by Representatives Flanigan and Allen, relating to amnesty for certain taxes.

HB 56, introduced by Representatives Thomson, Dugger, Ruzicka, Franklin, Fitzwater, Smith (120), Johnson, Rowland, Redmon, Phillips, Houghton, Hansen, Walker, Lichtenegger, Pike, Neely, Gatschenberger, Kolkmeier, Brown, Love, Remole and Crawford, relating to career and technical education.

HB 57, introduced by Representatives Fitzpatrick, Miller and Curtman, relating to the unlawful detention of citizens.

HB 58, introduced by Representative Molendorp, relating to portable electronics devices.

HB 59, introduced by Representative Engler, relating to licensure of nursing home administrators.

HB 60, introduced by Representative Engler, relating to the removal of weeds and trash in certain cities.

HB 61, introduced by Representative Engler, relating to the passage of ordinances in the city of Farmington.

HB 62, introduced by Representative Gatschenberger, relating to drivers' license examination fees.

HB 63, introduced by Representative Gatschenberger, relating to property tax bills.

HB 64, introduced by Representatives Burlison, Jones (110), Diehl, Anderson, Morris, Keeney, Brattin, Lant, Richardson, Allen, Jones (50), Reiboldt, Elmer, Frederick, Schatz, White, Cookson and Stream, relating to labor organizations.

HB 65, introduced by Representative Lant, relating to qualifications of certain aldermen.

HB 66, introduced by Representative Burlison, relating to fire protection district audits.

HB 67, introduced by Representative Higdon, relating to local law enforcement agencies.

HB 68, introduced by Representatives Kelley (127), Bahr, Berry, Davis, Reiboldt, Fitzwater, Entlicher, Crawford, Hoskins, Spencer, Remole, Lant, Gatschenberger, Anders and Black, relating to the designation of pancreatic cancer awareness month.

HB 69, introduced by Representatives Kelley (127), Davis, Bahr, Spencer, Remole, Gatschenberger and Black, relating to certain court actions against correctional facilities.

HB 70, introduced by Representatives Kelley (127), Brattin, Burlison, Berry, Davis, Bahr, Reiboldt, Jones (110), McCaherty, Fitzwater, Crawford, Entlicher, Redmon, Diehl, Fraker, Richardson, Jones (50), Gatschenberger, Smith (120), Keeney, Remole, Parkinson, Ruzicka, Lant and Black, relating to teachers and school administrators carrying concealed firearms on school premises.

HB 71, introduced by Representative Fraker, relating to motor vehicle fee offices.

HB 72, introduced by Representative Barnes, relating to tanning facilities.

HB 73, introduced by Representatives Barnes, Davis and Burlison, relating to drug courts.

HB 74, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 75, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 76, introduced by Representatives Rowland and Cookson, relating to Missouri school improvement program standards.

HB 77, introduced by Representatives Burlison, Jones (110), Brattin, Diehl, Lichtenegger, Lant, Morris, Reiboldt, Elmer, Frederick, Bahr, Schatz, White, Dugger, Ross, Cookson, Anderson and Kelley (127), relating to labor organizations.

HB 78, introduced by Representative Johnson, relating to the Missouri Jobs for Education Program.

HB 79, introduced by Representative Johnson, relating to the Missouri International Business Advertising Fund.

HB 80, introduced by Representative Johnson, relating to a tax credit for construction of data centers.

HB 81, introduced by Representative Johnson, relating to the Missouri international agriculture exchange website.

HB 82, introduced by Representative Johnson, relating to corporate income taxation.

HB 83, introduced by Representative Berry, relating to a tax credit for processed biomass engineered fiber fuel.

HB 84, introduced by Representatives Berry and Neth, relating to fines and court costs for traffic violations.

HB 85, introduced by Representatives Kelley (127), Davis, Bahr, Reiboldt, Spencer, Remole, Lant and Black, relating to emergency utility response permits.

HB 86, introduced by Representatives Ruzicka, Lair and Higdon, relating to charges in criminal cases.

HB 87, introduced by Representatives Burlison, Davis, Funderburk, Jones (110), Diehl, Morris, Neth, Bahr, White, McCaherty, Kratky, Kelley (127), Lant, Phillips, Gatschenberger, Black and Korman, relating to certain benevolent tax credits.

HB 88, introduced by Representative Burlison, relating to drug courts.

HB 89, introduced by Representative Colona, relating to the crime of failure to secure a firearm.

HB 90, introduced by Representatives Gosen, Molendorp and Wieland, relating to intervention of insurers in civil lawsuits.

HB 91, introduced by Representatives Lichtenegger, Jones (110), Burlison and Bahr, relating to labor organizations.

HB 92, introduced by Representative Gatschenberger, relating to concealed carry endorsements.

HB 93, introduced by Representatives Lichtenegger, Torpey, Hampton and Elmer, relating to retirement benefits.

HB 94, introduced by Representatives Miller and Hicks, relating to license and permit fees for certain nonresidents.

HB 95, introduced by Representatives White, Brattin and Burlison, relating to labor organizations.

HB 96, introduced by Representative White, relating to tax increment financing.

HB 97, introduced by Representatives White and Burlison, relating to the prevailing wage on low-income housing.

HB 98, introduced by Representatives White and Burlison, relating to prevailing wages.

HB 99, introduced by Representative White, relating to health insurance providers.

HB 100, introduced by Representative White, relating to the adult health care consent act.

HB 101, introduced by Representative White, relating to child abuse.

HB 102, introduced by Representative White, relating to adoption proceedings.

HB 103, introduced by Representatives Kelley (127), Berry, Davis, Reiboldt, Remole and Black, relating to all-terrain and utility vehicle use in municipalities.

HB 104, introduced by Representatives Solon and Cierpiot, relating to neighborhood improvement districts.

HB 105, introduced by Representatives Kelley (127), Davis, Bahr, Spencer, Lant, Gatschenberger and Black, relating to withholding tax returns.

HB 106, introduced by Representatives Kelley (127), Davis, Reiboldt, Spencer, Gatschenberger and Black, relating to the sex offender registry.

HB 107, introduced by Representative Berry, relating to adoption.

HB 108, introduced by Representatives Kelley (127), Davis, Lant and Black, relating to making a false declaration.

HB 109, introduced by Representative Berry, relating to caffeinated malt beverages.

HB 110, introduced by Representatives Smith (120), Walker, Lichtenegger, Franklin, Haefner, Conway (104), Scharnhorst, Gatschenberger, Pike, Entlicher, Crawford, Rowland and Solon, relating to vacancies in certain statewide offices.

HB 111, introduced by Representatives Solon, Cierpiot and Torpey, relating to school enrollment options for students from unaccredited districts.

HB 112, introduced by Representatives Burlison, Jones (110), Diehl, Molendorp, Morris, Richardson, Smith (120), Frederick, Lant, Allen, Brattin, Gosen, Bahr, Schatz, Cookson, Stream, Koenig, Kelley (127) and Phillips, relating to claims arising out of the rendering of or failure to render health care services.

HB 113, introduced by Representatives Davis and Solon, relating to uniformed military voters.

HB 114, introduced by Representatives Davis and Solon, relating to educational credits for veterans.

HB 115, introduced by Representatives Davis and Solon, relating to the disclosure of private information to employers.

HB 116, introduced by Representative Dugger, relating to county government accounts audits.

HB 117, introduced by Representative Dugger, relating to initiative and referendum petitions.

HB 118, introduced by Representative Shull, relating to closed meetings.

HB 119, introduced by Representative Berry, relating to the net metering and easy connection act.

HB 120, introduced by Representative Rowland, relating to teacher contracts.

HB 121, introduced by Representative Barnes, relating to the appointment of guardians ad litem.

HB 122, introduced by Representative Dugger, relating to overweight vehicles hauling recyclable waste.

HB 123, introduced by Representatives Neth and Berry, relating to transient guest taxes.

HB 124, introduced by Representative Gatschenberger, relating to the manufacturing jobs act.

HB 125, introduced by Representatives Sommer, Berry and Kelley (127), relating to qualifications of voters.

HB 126, introduced by Representative Sommer, relating to nominations of candidates for special elections.

HB 127, introduced by Representatives Sommer, Berry and Kelley (127), relating to the presidential primary date.

HB 128, introduced by Representatives Sommer, Berry and Kelley (127), relating to property tax bills.

HB 129, introduced by Representative Gatschenberger, relating to Missouri state employee benefits.

HB 130, introduced by Representatives Gosen, Rowland, Conway (104), Haefner, Cierpiot, Solon, Sommer and Kelley (127), relating to gold star license plates.

HB 131, introduced by Representative Stream, relating to the treatment of eating disorders.

HB 132, introduced by Representative Stream, relating to health insurance coverage.

HB 133, introduced by Representatives Gosen, Molendorp and Wieland, relating to reinsurance.

HB 134, introduced by Representatives Allen, Flanigan, Zerr, Hough, Haefner and Lichtenegger, relating to school safety.

HB 135, introduced by Representatives Diehl and Jones (110), relating to the authority of political subdivisions to enter into design-build contracts.

HB 136, introduced by Representatives Hinson and Lichtenegger, relating to math and science coursework.

HB 137, introduced by Representatives Hinson, Miller, Rowland, Lichtenegger and Bahr, relating to state implementation of federal programs.

HB 138, introduced by Representative Dugger, relating to county annual budgets.

HB 139, introduced by Representatives McManus, Hummel, Englund, LaFaver, Morgan, McCann Beatty, Anders, English, Carpenter, Meredith, Ellinger, Swearingen, Conway (10), Burns, Mims, Dunn, Montecillo, Black, Roorda, Nichols, Schupp, Kratky, May, Harris, Newman, Pace, Otto, Norr, McNeil, Butler, Webb, Runions, Webber, Pierson, McKenna, Wright, McDonald, Kirkton, Mayfield, Walton Gray, Schieffer, Hodges, Rizzo, Mitten and Kelly (45), relating to ethics.

HB 140, introduced by Representative Thomson, relating to transient guest taxes for tourism purposes.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 2**.

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-seventh General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem.....Tom Dempsey
Secretary of Senate.....Terry L. Spieler
Sergeant-at-Arms.....Bill Smith

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 1**.

SENATE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 14, 2013; and

BE IT FURTHER RESOLVED that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

COMMUNICATIONS

January 8, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a minority owner in a craft brewery located within the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Don Gosen
Representative
101st District

January 8, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a licensed insurance producer and own an insurance agency located within the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Don Gosen
Representative
101st District

January 8, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a Notary in the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Don Gosen
Representative
101st District

January 9, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Mike Lair
Representative
District 7

WITHDRAWAL OF HOUSE JOINT RESOLUTION

TO: Chief Clerk D. Adam Crumbliss

FROM: Representative Tony Dugger

DATE: December 18, 2012

SUBJECT: Removal of **House Joint Resolution No. 1**

I respectfully request that **House Joint Resolution No. 1**, which proposes a constitutional amendment specifying that general law may require a person to provide valid government-issued photo identification in order to vote in an election, be removed.

If you have any questions or wish to discuss this request further, please feel free to contact my office.

WITHDRAWAL OF HOUSE BILLS

December 4, 2012

The Honorable Tim Jones
Speaker, Missouri House of Representatives
Room 308, State Capitol
201 W. Capitol Ave.
Jefferson City, MO 65101

Dear Speaker Jones:

I respectfully ask permission to withdraw **House Bill No. 27**. Due to a change in the language the bill will need to be re-filed under a different number.

Thank you for your assistance in this matter.

Sincerely,

/s/ Bill Lant
District 159

TO: D. Adam Crumbliss, Chief Clerk

FROM: Representative Tony Dugger

DATE: January 9, 2013

SUBJECT: Withdrawal of **House Bill No. 49**

I respectfully request that **House Bill No. 49**, which authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted, be withdrawn.

If you have any questions regarding this matter feel free to contact my office.

LETTER OF OBJECTION

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Missouri State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

We the undersigned hereby object to the swearing-in of candidate Kent Hampton as state representative for the 150th District pending the outcome of a valid election to determine who should represent the district in the Missouri House of Representatives during the 97th General Assembly.

Pursuant to RSMo. 115.600, the election authority for Dunklin County petitioned the court for a new election in the 150th District due to mistakes by the election authority that cast doubt on the validity of the November 6, 2012, general election in that district. A judge has agreed the November 6 results are not valid and has ordered a new election.

None of the parties to the court action – including Candidate Hampton – has claimed that the November 6 results are valid and even Candidate Hampton has agreed that a new election must be held. The dispute remaining to be resolved by the courts is whether the law authorizes a partial new election in only certain precincts or if an entirely new election must be held.

As a result, it was improper to administer the oath of office to Candidate Hampton and seat him in the 97th General Assembly when he hasn't yet been validly elected to the office and resolution of the situation remains pending. Should Candidate Hampton lose the upcoming new election in the 150th District, any votes he casts prior to that time could be called into question and potentially jeopardize the validity of legislative actions.

Sincerely,

/s/ Jake Hummel
House Minority Floor Leader
State Representative District 81

/s/ Gail McCann Beatty
House Assistant Minority Floor Leader
State Representative District 26

Valda Stroesser and Sarah Alsager of Jefferson City, MO, sang the National Anthem.

The benediction was given by Monsignor Robert A. Kurwicki.

"Behold," saith the Lord, "I have set before thee an open door." (Revelation 3:8)

Almighty God, as we enter the door of a new year and of a new session of the House of Representatives we pause in Your presence to offer unto You the devotion of our hearts and to pray for guidance, strength, and wisdom as we face the crucial days and weeks that lie ahead.

In this high hour of a new beginning give to us, the new leaders of our House and people, a deep sense of humility, a broad spirit of understanding, a great attitude of good will, and a real faith in You that we may govern well, by the votes we cast this year, for the good of all and that freedom and justice may live long in Missouri. In this time of transition may there be a spirit of unity among us and may we go forward together to a greater House and a better state.

And the House says, "Amen!"

RECESS

Representative Diehl moved that the House stand in recess for the reading of the Preamble and Article I of the Missouri State Constitution and then stand adjourned until 10:00 a.m., Thursday, January 10, 2013.

The Preamble and Article I of the Missouri State Constitution were read by members of the 97th General Assembly.

ADJOURNMENT

Pursuant to the motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, January 10, 2013.

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 10, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 4

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 2 through HJR 7

HOUSE BILLS FOR SECOND READING

- 1 HB 26
- 2 HB 28 through HB 48
- 3 HB 50 through HB 140

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 10, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord give thee wisdom and understanding....that thou mayest keep the law of the Lord, thy god.
(I Chronicles 22:12)*

O God of all goodness, in this sacred moment we bow at the altar of prayer thanking You for this glorious state in which we live. May we now and always prove ourselves a people mindful of Your presence, eager to do Your will, and ready to serve our fellow citizens. Save us from bitterness and discord. Mold us into a people united in purpose and principle, in faith and fortitude.

Grant Your wisdom to all members of this House of Representatives, especially our Speaker. Direct their decisions, prosper their planning, and expedite their efforts as they seek to promote the welfare of Missouri and the good of its citizens. As a result of our endeavors may peace come and justice rise to new life in our state, and happiness live in every human heart.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

OATH OF OFFICE

Representative-elect Frederick advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Timothy W. Jones, Speaker of the House.

The Journal of the first day was approved as printed by the following vote:

AYES: 153

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins

Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 002

Colona Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Funderburk	McGaugh	Roorda	Smith 85
Webber				

VACANCIES: 002

Speaker Pro Tem Smith assumed the Chair.

HOUSE RESOLUTIONS

Representative Diehl offered House Resolution No. 31.

HOUSE RESOLUTION NO. 31

RULES OF THE HOUSE OF REPRESENTATIVES [96th] 97th GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term “constitutional majority”, as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:

- (i) Reading and approval of the Journal of the previous day's session.
- (ii) Introduction and first reading of House Joint Resolutions.
- (iii) Introduction and first reading of House Bills.
- (iv) Second reading of House Bills and Joint Resolutions.
- (v) Reports of regular standing committees.
- (vi) Reports of special standing committees.
- (vii) Bills, reports and other business on the table.
- (viii) House Joint Resolutions to be perfected and printed.
- (ix) House Bills to be perfected and printed.
- (x) Third reading of House Joint Resolutions.
- (xi) Third reading of House Bills.
- (xii) Messages from the Senate.
- (xiii) First reading of Senate Joint Resolutions and Senate Bills.
- (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
- (xv) Third reading of Senate Joint Resolutions.
- (xvi) Third reading of Senate Bills.
- (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
- (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
- (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.
- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.

- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings; Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and

seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader. The vice-chairman **or a designee of the chair** shall preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and inquiry but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

The Regular Standing Committees Enumerated

Rule 24. The regular standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business.

4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
- 8. Appropriations - Infrastructure and Job Creation.**
- [8.] **9.** Appropriations - Public Safety and Corrections.
- [9.] **10.** Appropriations - **Revenue**, Transportation, and Economic Development.
- [10.] **11.** Budget.
- [11.] **12.** Children [and Families] , **Families, and Persons with Disabilities.**
- [12.] **13.** Corrections.
- [13.] **14.** Crime Prevention and Public Safety.
- [14.] **15.** Downsizing State Government.
- [15.] **16.** Economic Development.
- [16.] **17.** Elections.
- [17.] **18.** Elementary and Secondary Education.
- [18.] **19.** Emerging Issues in [Animal] Agriculture.
- [19.] **20.** Ethics.
- [20.] **21.** Financial Institutions.
- [21.] **22.** Fiscal Review.
- [22.] **23.** General Laws.
- 24. Government Oversight and Accountability.**
- [23.] **25.** Health Care Policy.
- [24.] **26.** Health Insurance.
- [25.] **27.** Higher Education.
- [26.] **28.** Insurance Policy.
- [27.] **29.** International Trade [and Job Creation].
- [28.] **30.** Judiciary.
- [29.] **31.** Local Government.
- [30.] **32.** Professional Registration and Licensing.
- [31.] **33.** Retirement.
- [32.] **34.** Rules.
- [33.] Rural Community Development.]
- [34.] **35.** Small Business.
- [35.] Tax Reform.]
36. Tourism and Natural Resources.
37. Transportation.
- [38.] Transportation Funding and Public Institutions.]
- [39.] **38.** Urban Issues.
- [40.] **39.** Utilities.
- [41.] **40.** Veterans.
- [42.] **41.** Ways and Means.
- [43.] **42.** Workforce Development and Workplace Safety.

Duties of the Regular Standing Committees

Rule 25. (1) Administration and Accounts.

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(e) Issue Development Standing Committees. The committee may approve and prescribe regulation of Issue Development Standing Committees. Any group of House members may seek the designation of an Issue Development Standing Committee by applying to the Administration and Accounts Committee Chair. The application shall include the issue of study and the proposed members of the committee. All findings and recommendations of the approved committees shall be forwarded to the Administration and Accounts Committee Chair. All approved Issue Development Standing Committees shall be afforded the same rights and privileges as a regular standing committee.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, [the Department of Revenue,] the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) The Committee on Appropriations - Infrastructure and Job Creation. The Committee on Appropriations - Infrastructure and Job Creation shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of infrastructure and job creation.

[(8)] (9) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

[(9)] (10) *The Committee on Appropriations - Revenue, Transportation, and Economic Development.* The Committee on Appropriations - **Revenue**, Transportation, and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, **the Department of Revenue**, the Department of Insurance and the Department of Labor and Industrial Relations.

[(10)] (11) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

[(11)] (12) *The Committee on Children [and Families] , Families, and Persons with Disabilities.* The Committee on Children [and Families] , **Families, and Persons with Disabilities** may consider and report upon bills and matters referred to it relating to the Department of Social Services, the Department of Health and Senior Services, and other matters relating to the fostering and promotion of children [and families] , **families, and persons with disabilities** in this state.

[(12)] (13) *The Committee on Corrections.* The Committee on Corrections may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, and the state penitentiary.

[(13)] (14) *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety may consider and report upon bills and matters referred to it relating to criminal laws, law enforcement and public safety matters.

[(14)] (15) *The Committee on Downsizing State Government.* The Committee on Downsizing State Government may consider matters referred to it relating to reducing the size of state government and its programs.

[(15)] (16) *The Committee on Economic Development.* The Committee on Economic Development may consider matters referred to it relating to commerce, industrial growth, expansion, and development.

[(16)] (17) *The Committee on Elections.* The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(17)] (18) *The Committee on Elementary and Secondary Education.* The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

[(18)] (19) *The Committee on Emerging Issues in [Animal] Agriculture.* The Committee on Emerging Issues in [Animal] Agriculture may consider matters referred to it relating to the production, processing, selling, marketing, and distribution of animals, livestock, and poultry in the agricultural industry.

[(19)] (20) *The Committee on Ethics.* The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

[(20)] (21) *The Committee on Financial Institutions.* The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

[(21)] (22) *The Committee on Fiscal Review.* The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money

in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

[(22)] **(23) *The Committee on General Laws.*** The Committee on General Laws may consider matters referred to it relating to general or miscellaneous issues as determined by the Speaker of the House.

(24) *The Committee on Government Oversight and Accountability.* **The Committee on Government Oversight and Accountability may consider and report on bills and matters referred to it relating to the oversight of government programs and policies and to ensure accountability of the executive and judicial branches of government.**

[(23)] **(25) *The Committee on Health Care Policy.*** The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

[(24)] **(26) *The Committee on Health Insurance.*** The Committee on Health Insurance may consider and report upon bills and matters referred to it relating to insurance coverage for health and medical issues.

[(25)] **(27) *The Committee on Higher Education.*** The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

[(26)] **(28) *The Committee on Insurance Policy.*** The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

[(27)] **(29) *The Committee on International Trade [and Job Creation].*** The Committee on International Trade [and Job Creation] may consider and report upon bills and matters referred to it relating to international commerce and development [and the creation and retention of jobs].

[(28)] **(30) *The Committee on Judiciary.*** The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

[(29)] **(31) *The Committee on Local Government.*** The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

[(30)] **(32) *The Committee on Professional Registration and Licensing.*** The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the licensing of professionals in this state and consumer protection issues.

[(31)] **(33) *The Committee on Retirement.*** The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees and senior citizen issues generally.

[(32)] **(34) *The Committee on Rules*** (a) *Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) *Duties related to printing and proofing bills.* The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are

truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) *Duties relating to the issuance of courtesy resolutions.* A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) *Petition to remove from perfection calendar.* Upon petition of two-thirds (2/3) of the regular standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) *Petition to remove from third reading calendar.* Upon petition of two-thirds (2/3) of the regular standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) *Review of Bills Reported from Regular Standing or Special Standing Committees.*

1. Whenever a committee reports a bill with a recommendation that it “Do Pass” or “Without Recommendation”, the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill “Do Pass” to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill “Do Pass” to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee in the form as originally referred by the Speaker.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill “Do Pass”.

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it “Do Pass - Consent”, the Rules Committee shall review the bill for the purpose of determining whether or not it should have “consent” status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate “Consent” calendar. When the Committee on Rules declines to place the bill on the appropriate “Consent” calendar, it may consider whether or not to report the bill to the House with a “Do Pass” recommendation, without “consent” status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as “Do Pass - Consent”.

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it “Do Pass - Federal Mandate”, the Committee on Rules shall review the bill for the purpose of determining whether or not it should have “federal mandate” status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate “Federal Mandate” calendar. When the Committee on Rules declines to place the bill on the appropriate “Federal Mandate” calendar, it may consider whether or not to report the bill to the House with a “Do Pass” recommendation, without “federal mandate” status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as “Do Pass - Federal Mandate”.

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill “Do Pass” with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill “Do Pass” or “Without Recommendation”, such bill shall not be subject to the automatic referral referenced in Rule 25[(32)] (34)(f)1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a “Do Pass” or “Without Recommendation” report from another committee.

[(33)] *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.]

[(34)] (35) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

[(35)] *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and its burden on taxpayers of this state.]

(36) *The Committee on Tourism and Natural Resources.* The Committee on Tourism and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Natural Resources, the Department of Conservation, fish and game laws of this state, preservation and protection of the natural resources of this state, development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

(37) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

[(38)] *The Committee on Transportation Funding and Public Institutions.* The Committee on Transportation Funding and Public Institutions may consider and report upon bills and matters referred to it relating to the funding of public and private transportation infrastructure and resources of this state and issues related to state hospitals, charitable institutions, and other state properties.]

[(39)] (38) *The Committee on Urban Issues.* The Committee on Urban Issues may consider and report upon bills and matters referred to it relating to urban and metropolitan areas of this state.

[(40)] (39) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

[(41)] (40) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

[(42)] (41) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

[(43)] (42) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to employment, labor, and workplace safety.

Duties of Committee Chair; Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee shall preside, and in his/her absence, a member appointed by the chair.

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill “Do Pass” shall fail, or if there be an even division on the question, the chair shall report said bill back to the House “Do Not Pass” unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider. The motion to reconsider shall be a recorded vote.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker’s office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee, **the production of records or documents**, or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee

Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

“EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.”

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

[Timing for Placement on Calendar]

Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it “Do Pass” or “Without Recommendation”, it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted “Do Pass” on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported “Do Pass” by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it “Do Not Pass” it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor’s written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Timing of Placement on Calendar

Rule 41. No **House** bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

Bills Laid Over Informally

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or creates or expands a penalty provision, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the "House Consent Calendar for Perfection" for five legislative days, it shall be ordered perfected and advanced to the "House Consent Calendar for Third Reading and Final Passage" without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been either transmitted electronically and made available on each member's chamber laptop computer and a copy in paper form placed on the desk of the majority floor leader and minority floor leader or placed on the members' desks in paper form, except for the desk of any member who has waived receipt of

amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment **may be offered after the time a bill is initially taken up for consideration but shall be distributed prior to the offeror being recognized for a motion on such amendment.** [shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the amendment or substitute amendment that exceeds two 8 ½" x 11" pages in length shall be distributed prior to the time it is offered.]

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations bills. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in the same bill or any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.

Committee Substitute Printed

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 57. (a) *Signatures on a Conference Report.* All conference committees shall be composed of five conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc. Stand Referred

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full. Joint courtesy resolutions shall be allowed if established by the rules of the Senate.

SENATE BILLS

Referral

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it “Do Pass”, or “Without Recommendation”, it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it “Do Pass”, or “Without Recommendation”, it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported “Do Not Pass”

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it “Do Not Pass” it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

When In Possession of the House

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. No House Bill shall be subject to a division of the question after its perfection.

Indefinite Postponement

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee **in the original form of the bill as it was referred to the committee of origin**, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider - Must Be Made Within Three Days

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to “Mr. Speaker” or “Madam Speaker”. The member shall refer, as appropriate, to other members as “Lady”, “Gentleman” or “Representative”. The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25 [(32)] (34).

No Member Shall Name Another Member in Debate

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 86. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

Voting

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting “Present” on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member’s vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes; Changing Vote

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries.

Electronic Devices

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker and notice has been given to the body. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine Delinquent Members

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be Incorporated in Original Motion

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the Missouri Capitol News Association holding valid credentials issued by the Speaker and any other member of the press issued credentials by the Speaker. All other upper galleries shall be open to the public.

RULES**May Be Rescinded or Amended - How**

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

Representative Jones (110) offered House Resolution No. 32.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 22 through House Resolution No. 30

House Resolution No. 33 through House Resolution No. 37

HOUSE CONCURRENT RESOLUTIONS

Representative Phillips offered House Concurrent Resolution No. 5.
Representative Sommer, et al., offered House Concurrent Resolution No. 6.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 4 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 2 through **HJR 7** were read the second time.

SECOND READING OF HOUSE BILLS

HB 26, **HB 28** through **HB 48** and **HB 50** through **HB 140** were read the second time.

SENATE CONCURRENT RESOLUTION

SCR 1, relating to the Inauguration Committee, was taken up by Representative Diehl.

On motion of Representative Diehl, **SCR 1** was adopted.

INAUGURAL COMMITTEE

The Speaker appointed the following members to the Inaugural Committee: Gannon, Gatschenberger, Haahr, Haefner, Lant, Rehder, Rowden, Torpey, Walker, Webb, Montecillo, Burns, Pace, Rizzo, McCann Beatty, Butler, McKenna and Schupp.

COMMITTEE APPOINTMENTS

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Administration and Accounts:

Anne Zerr	Michael Butler
Chrissy Sommer	Pat Conway
Diane Franklin	Michele Kratky
David Wood	Rochelle Walton Gray
Shelley Keeney	
Jason Smith	

The Speaker has designated Dwight Scharnhorst as Chair, and Lindell Shumake as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Agri-Business:

Jay Houghton	Courtney Curtis
Mike Bernskoetter	Steve Hodges
Lindell Shumake	Chris Kelly
Diane Franklin	TJ McKenna
Nathan Walker	Ed Schieffer
Tim Remole	
Robert Ross	
Donna Pfautsch	

The Speaker has designated Casey Guernsey as Chair, and Kent Hampton as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Agriculture Policy:

Tony Dugger	Warren Love
Sue Entlicher	Linda Black
Sandy Crawford	Randy Dunn
Paul Fitzwater	Steve Hodges
Delus Johnson	Ed Schieffer
Randy Pike	John Wright
Joe Don McGaugh	

The Speaker has designated Bill Reiboldt as Chair, and Jay Houghton as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Agriculture and Natural Resources:

Bill Reiboldt	Linda Black
Bart Korman	Kimberly Gardner
Robert Ross	Ben Harris
Glen Kolkmeier	Charlie Norr
Thomas Hurst	
Ira Anders	

The Speaker has designated Craig Redmon as Chair, and Lincoln Hough as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Education:

Mike Thomson
Diane Franklin
Mike Kelley
Kathryn Swan
Dean Dohrman
Bryan Spencer
Steve Hodges
Genise Montecillo
Tommie Pierson
John Wright

The Speaker has designated Mike Lair as Chair, and Lyle Rowland as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - General Administration:

Jay Barnes	Pat Conway
Kathie Conway	Stacey Newman
Kevin Austin	Rochelle Walton Gray
Steve Lynch	Steve Webb
Jeff Pogue	

The Speaker has designated Mark Parkinson as Chair, and Chrissy Sommer as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Health, Mental Health and Social Services:

Anne Zerr	Rory Ellinger
Donna Lichtenegger	Jeanne Kirkton
Jeff Grisamore	Sue Meredith
Jim Neely	Judy Morgan
Nick Marshall	
Lynn Morris	

The Speaker has designated Sue Allen as Chair, and Noel Torpey as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Public Safety and Corrections:

Paul Fitzwater
Chrissy Sommer
Dave Hinson
Shawn Rhoads
Kenneth Wilson
Dave Muntzel
Brandon Ellington
Penny Hubbard
Bill Otto
Mary Nichols

The Speaker has designated Marsha Haefner as Chair, and Kathie Conway as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Transportation and Economic Development:

Anne Zerr	Elijah Haahr
Dave Schatz	Jon Carpenter
Dennis Fowler	Randy Dunn
Rocky Miller	Vicki Englund
Holly Rehder	Sharon Pace
Ron Hicks	Ed Schieffer
Scott Fitzpatrick	

The Speaker has designated Denny Hoskins as Chair, and Bart Korman as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Budget:

Sue Allen	Kevin Elmer
Mike Lair	Jeremy LaFaver
Mark Parkinson	Chris Kelly
Denny Hoskins	Jeanne Kirkton
Craig Redmon	Karla May
Marsha Haefner	Gail McCann Beatty
Jeff Grisamore	Kevin McManus
Eric Burlison	Genise Montecillo
Dave Schatz	John Rizzo
Mike Thomson	Stephen Webber
Casey Guernsey	Jill Schupp
Shelley Keeney	
Caleb Rowden	
Robert Ross	
Jeffrey Messenger	
Lincoln Hough	
Scott Fitzpatrick	

The Speaker has designated Rick Stream as Chair, and Tom Flanigan as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Corrections:

Kathie Conway	Linda Black
Bill Reiboldt	Rory Ellinger
Dave Muntzel	Penny Hubbard
Dennis Fowler	Bonnaye Mims
Bryan Spencer	
Shawn Rhoads	

The Speaker has designated Paul Fitzwater as Chair, and Rick Brattin as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Crime Prevention and Public Safety:

Don Phillips	Robert Cornejo
Galen Higdon	Linda Black
Nick Marshall	Mike Colona
Jeanie Lauer	Brandon Ellington
John McCaherty	Jeff Roorda
Shawn Rhoads	Rochelle Walton Gray
Kenneth Wilson	

The Speaker has designated Dave Hinson as Chair, and Kathie Conway as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Downsizing State Government:

Bill White	Brandon Ellington
Kent Hampton	Ben Harris
Chrissy Sommer	Gina Mitten
Paul Wieland	John Wright
Nick Marshall	
Thomas Hurst	

The Speaker has designated Paul Curtman as Chair, and Mike Kelley as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Economic Development:

Doug Funderburk	Kevin Engler
Noel Torpey	Jim Hansen
Lyndall Fraker	Randy Dunn
Paul Curtman	Vicki Englund
Wanda Brown	Michele Kratky
Craig Redmon	Bonnaye Mims
Paul Wieland	Bill Otto
Marsha Haefner	John Rizzo
Chrissy Sommer	Joe Runions
Lynn Morris	Clem Smith
Thomas Hurst	Jay Swearingen
Caleb Rowden	
Jeffrey Messenger	
Kevin Austin	

The Speaker has designated Anne Zerr as Chair, and Jeanie Lauer as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Elections:

Don Gosen	Michael Butler
Stanley Cox	Pat Conway
Donna Pfautsch	Randy Dunn
Joe Don McGaugh	Stacey Newman
Thomas Hurst	
Glen Kolkmeier	

The Speaker has designated Sue Entlicher as Chair, and Myron Neth as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Elementary and Secondary Education:

Doug Funderburk	Mike Thomson
Mike Cierpiot	Ira Anders
Kurt Bahr	Michael Butler
Bryan Spencer	Vicki Englund
Kathryn Swan	Margo McNeil
Eric Burlison	Genise Montecillo
Andrew Koenig	Judy Morgan
Ron Hicks	Tommie Pierson
Lyle Rowland	
Elaine Gannon	
Dwight Scharnhorst	

The Speaker has designated Steve Cookson as Chair, and Jay Barnes as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Ethics:

Sandy Crawford	Pat Conway
Mike Bernskoetter	Stacey Newman
Jason Smith	Bill Otto
Shelley Keeney	
Jon Carpenter	

The Speaker has designated John Diehl as Chair, and Rory Ellinger as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Financial Institutions:

Paul Wieland	Keith English
Paul Fitzwater	John Mayfield
Sandy Crawford	Gina Mitten
Shelley Keeney	Mary Nichols
Dave Hinson	Clem Smith
Chuck Gatschenberger	Jay Swearingen
Andrew Koenig	
Jeff Pogue	
Noel Shull	
Kevin Engler	

The Speaker has designated Tony Dugger as Chair, and Wanda Brown as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Fiscal Review:

Sue Allen	Courtney Curtis
Noel Torpey	Tom McDonald
Denny Hoskins	Clem Smith
Jeffrey Messenger	

The Speaker has designated Tom Flanigan as Chair, and Marsha Haefner as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on General Laws:

Jay Houghton	Mike Colona
John McCaherty	Jeremy LaFaver
Mark Parkinson	Tom McDonald
Dwight Scharnhorst	Courtney Curtis
Don Gosen	Stephen Webber
Gary Cross	
Ron Hicks	
Rocky Miller	

The Speaker has designated Caleb Jones as Chair, and Todd Richardson as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Health Care Policy:

Bill White	Steve Hodges
Myron Neth	Chris Kelly
Gary Cross	Jeanne Kirkton
Jim Neely	Sharon Pace
Lynn Morris	
David Wood	

The Speaker has designated Keith Frederick as Chair, and Diane Franklin as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Health Insurance:

Keith Frederick	Margo McNeil
Eric Burlison	Judy Morgan
Don Phillips	Jill Schupp
Kimberly Gardner	Casey Guernsey
Ron Schieber	
Jim Neely	

The Speaker has designated Chris Molendorp as Chair, and Donna Lichtenegger as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Higher Education:

Donna Lichtenegger	Bob Burns
Denny Hoskins	Bonnaye Mims
Steve Cookson	Tommie Pierson
Caleb Rowden	Jill Schupp
Dean Dohrman	John Wright
Nathan Walker	
Kathryn Swan	
Paul Fitzwater	

The Speaker has designated Mike Thomson as Chair, and Keith Frederick as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Insurance Policy:

Chris Molendorp	Mike Colona
Noel Shull	Keith English
Jim Hansen	John Mayfield
Dave Muntzel	

The Speaker has designated Don Gosen as Chair, and Paul Wieland as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Judiciary:

Mike Leara	Mike Colona
Galen Higdon	Rory Ellinger
Elijah Haahr	Chris Kelly
Robert Cornejo	Gina Mitten
Nick Marshall	
Todd Richardson	

The Speaker has designated Stanley Cox as Chair, and Kevin Elmer as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Local Government:

Jeanie Lauer	Lynn Morris
Sheila Solon	Michael Butler
Donna Pfautsch	Keith English
Robert Cornejo	Keven McManus
Glen Kolkmeier	John Rizzo
Kevin Engler	Joe Runions
Sonya Anderson	Michael Frame
Kevin Austin	
Joe Don McGaugh	

The Speaker has designated Chuck Gatschenberger as Chair, and Ron Schieber as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Professional Registration and Licensing:

Keith Frederick	Sonya Anderson
Bill Lant	Shelley Keeney
Sue Allen	Dave Muntzel
Donna Lichtenegger	Gail McCann Beatty
Wanda Brown	Jon Carpenter
Diane Franklin	Michael Frame
Bart Korman	Michele Kratky
Dave Hinson	Mary Nichols
Lyndall Fraker	Jay Swearingen
Robert Cornejo	Steve Webb
Shawn Rhoads	John Mayfield

The Speaker has designated Eric Burlison as Chair, and Kevin Elmer as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Retirement:

Mike Lair	Ira Anders
Lyle Rowland	Genise Montecillo
Lincoln Hough	Charlie Norr
Randy Pike	Joe Runions
Jeffery Justus	
Donna Pfautsch	

The Speaker has designated Mike Leara as Chair, and Bill White as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Rules:

Stanley Cox	Kimberly Gardner
Casey Guernsey	John Rizzo
Mike Lair	Jeff Roorda
Keven Elmer	Steve Webb
Mike Leara	
Dwight Scharnhorst	

The Speaker has designated Jeanie Riddle as Chair, and Caleb Jones as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Small Business:

Mike Bernskoetter	Kevin Austin
T.J. Berry	Jeffery Justus
Rick Brattin	Ira Anders
Delus Johnson	Jon Carpenter
Jeanie Lauer	Vicki Englund
Chrissy Sommer	Ben Harris
Kurt Bahr	Penny Hubbard
Lindell Shumake	Jeremy LaFaver
Charlie Davis	John Mayfield
Steve Lynch	

The Speaker has designated Noel Torpey as Chair, and Gary Cross as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Tourism and Natural Resources:

Steve Cookson	Dennis Fowler
Lyle Rowland	David Wood
Ron Schieber	Linda Black
Ann Zerr	Tom McDonald
T.J. Berry	Mary Nichols
Scott Fitzpatrick	Charlie Norr
Rocky Miller	Bill Otto
Tim Remole	TJ McKenna
Jeffery Justus	Michele Kratky
Warren Love	

The Speaker has designated Don Phillips as Chair, and Jay Houghton as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Transportation:

Don Phillips	Bob Burns
Sheila Solon	Karla May
Dave Hinson	Tom McDonald
Bill Lant	TJ McKenna
Denny Hoskins	Ed Schieffer
Holly Rehder	
Glen Kolkmeier	
Bart Korman	

The Speaker has designated Dave Schatz as Chair, and Lincoln Hough as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Urban Issues:

Jay Barnes	Randy Dunn
Sheila Solon	Brandon Ellington
Bryan Spencer	
Jeff Pogue	
Nathan Walker	

The Speaker has designated Penny Hubbard as Chair, and Nick Marshall as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Utilities:

Mike Bernskoetter	Todd Richardson
Mike Cierpiot	Ron Hicks
Charlie Davis	Ira Anders
Tony Dugger	Keith English
Don Gosen	Charlie Norr
Bart Korman	Sharon Pace
Lyndall Fraker	Jeff Roorda
Jeanie Riddle	Clem Smith
Chuck Gatschenberger	Steve Webb
Tim Remole	Margo McNeil
Holly Rehder	
Rocky Miller	

The Speaker has designated Doug Funderburk as Chair, and Dave Schatz as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Veterans:

Kurt Bahr	Bob Burns
John McCaherty	Pat Conway
Lindell Shumake	Rochelle Walton Gray
Myron Neth	TJ McKenna
Elaine Gannon	Bill Otto
Jim Hansen	
Steve Lynch	
Dean Dohrman	

The Speaker has designated Charlie Davis as Chair, and Sheila Solon as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Ways and Means:

Paul Curtman	Courtney Curtis
Mike Kelley	Rory Ellinger
Bill Reiboldt	Margo McNeil
Jeffrey Messenger	Tommie Pierson
Kevin Engler	
Elaine Gannon	

The Speaker has designated Andrew Koenig as Chair, and Galen Higdon as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 10, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Workforce Development and Workplace Safety:

Kent Hampton	Michael Frame
Mike Kelley	Karla May
Bill White	Kevin McManus
Kathryn Swan	Stephen Webber
Elijah Haahr	
Nathan Walker	

The Speaker has designated Bill Lant as Chair, and Lyndall Fraker as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 31 - Rules

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 110 - Elections

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 8, introduced by Representatives Solon, Berry, Conway (104), Lichtenegger, Cierpiot, Davis, Brattin, Lant, Torpey, Kelley (127), Morris and Brown, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 141, introduced by Representatives Haefner and Kelly (45), relating to the Missouri poison center funding pool.

HB 142, introduced by Representative Dugger, relating to utilities.

HB 143, introduced by Representative McCaherty, relating to utilities in third class cities.

HB 144, introduced by Representative Austin, relating to the examination of private trust companies and alternative dispute resolution for trust agreements.

HB 145, introduced by Representative Gatschenberger, relating to the use of hand-held electronic wireless communications devices while driving.

HB 146, introduced by Representative Davis, relating to real estate transactions involving registered sex offenders.

HB 147, introduced by Representative Davis, relating to residential property tax assessment procedures.

HB 148, introduced by Representatives Davis, Solon, Smith (85), McCaherty, Cross, Lynch, Franklin and Hoskins, relating to child custody and visitation for military personnel.

HB 149, introduced by Representatives Burlison, Davis, Funderburk, Keeney, Jones (110), Diehl, Morris, Elmer, Anderson and Kelley (127), relating to sales tax.

HB 150, introduced by Representatives Brown, Gatschenberger, Davis, Smith (120), White, Curtman, Schieber and Solon, relating to a women veterans license plate.

HB 151, introduced by Representatives Brown, Davis and Solon, relating to bingo.

HB 152, introduced by Representatives Solon, Berry, Lichtenegger, Cierpiot, Gosen, Davis, Lant, McCaherty, Richardson, Torpey, Kelley (127), Morris and Butler, relating to school officers.

HB 153, introduced by Representatives Solon, Lichtenegger, Davis, Torpey, Kelley (127) and Morris, relating to assault of a law enforcement officer.

HB 154, introduced by Representatives Solon, Davis, Conway (104), Berry, Lichtenegger, Cierpiot, Gosen, Brattin, Lant, Torpey, Kelley (127), Morris, Butler and Brown, relating to special license plates.

HB 155, introduced by Representative Gatschenberger, relating to private probation services.

COMMUNICATION

January 10, 2013

Speaker Jones
State Capitol
Jefferson City, MO 65109

Dear Mr. Speaker:

A clerical error was made by inadvertently displaying an asterisk for House District 39 on the Missouri House of Representative listing.

Sincerely,

Waylene Hiles
Deputy Secretary of State for Elections

WITHDRAWAL OF HOUSE BILL

January 10, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue, Room 317A
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Bill No. 150** pertaining to Women Veterans License Plates be withdrawn.

If you have any questions, please contact me at (573) 751-3971.

Sincerely,

/s/ Wanda Brown
State Representative
District 57

The following members' presence was noted: Anders, Roorda and Smith (85).

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Monday, January 14, 2013.

COMMITTEE HEARINGS

ELECTIONS

Tuesday, January 15, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 110

Executive session will be held: HB 110

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 14, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 8

HOUSE BILLS FOR SECOND READING

1 HB 141 through HB 149

2 HB 151 through HB 155

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 14, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

A faithful man shall abound with blessings. (Proverbs 28:20)

Eternal God, we rejoice in the glory of a new day of transitions and in the beginning of another week. During this period of history in state leadership which always brings about changes, causes some to hope and some to be shaken, we would use this hallowed moment of prayer to be assured of Your presence and to tap the spiritual resources we need as we face the pressing duties of these hours.

May we feel Your spirit leading us as we make our decisions, may we possess Your power which holds us steady amid the constant pressures of daily life, and may our trust in You deliver us from those tensions which would tear us to pieces, and from those worries which would wear us out. All through this Inauguration Day may we think our best, do our best, and be our best, and be worthy of our calling to this high office.

Hasten the day when justice and love shall rule the hearts of all and reign in the lives of all people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sawyer Lincoln Richardson, Katherine Jones, Abigail Jones and Grace Allen.

The Journal of the second day was approved as printed by the following vote:

AYES: 153

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney

Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Anders	Curtman	Engler	Grisamore	Hodges
Hoskins	Hubbard	May		

VACANCIES: 002

Speaker Pro Tem Smith assumed the Chair.

OATH OF OFFICE

Members of the Missouri House of Representatives advanced to the bar and re-subscribed to the oath of office, which was administered by the Honorable Jason Smith, Speaker Pro Tem of the House.

HOUSE RESOLUTION

Representative Gosen offered House Resolution No. 56.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 38 through House Resolution No. 55
House Resolution No. 57

HOUSE CONCURRENT RESOLUTION

Representative Pfautsch, et al., offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 8 was read the second time.

SECOND READING OF HOUSE BILLS

HB 141 through **HB 149** and **HB 151** through **HB 155** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has appointed the following committee to act with a like committee from the House pursuant to **SCR 1**.

Senators: Curls, Dempsey, Holsman, Justus, Keaveny, Kehoe, LeVota, McKenna, Nasheed, Nieves, Richard, Rupp, Schaaf, Schaefer, Schmitt, Sifton, Walsh and Wasson.

Speaker Jones resumed the Chair.

JOINT SESSION

The Senate and House of Representatives met in Joint Assembly on the steps of the State Capitol and President Pro Tem Dempsey called the Joint Assembly to order.

Governor-elect Jay Nixon was escorted to his place at the podium by the Legislative Inaugural Committee.

The 135th Army Band, MOARNG, Springfield, Missouri performed.

A welcome was extended by the Honorable Tom Dempsey, President Pro Tem of the Senate.

The Colors were presented by the Joint Service Color Guard.

Cathy Cartier, 2012-2013 Missouri Teacher of the Year, Affton High School, St. Louis, Missouri, led the audience in the Pledge of Allegiance to the flag.

Lieutenant Colonel Regina Kilmer, Missouri National Guard, sang the National Anthem.

The Invocation was offered by Rabbi Amy Feder, Temple Israel, St. Louis, Missouri.

The Honorable Mary R. Russell, Judge of the Supreme Court of Missouri, administered the oath of office to Attorney General-elect Christopher A. Koster.

The Honorable Laura Denvir Stith, Judge of the Supreme Court of Missouri, administered the oath of office to State Treasurer-elect Clint Zweifel.

The Honorable James F. Kanatzar, Judge of the 16th Judicial Circuit Court of Missouri, administered the oath of office to Secretary of State-elect Jason Kander.

The Honorable Zel M. Fischer, Judge of the Supreme Court of Missouri, administered the oath of office to Lieutenant Governor-elect Peter D. Kinder.

The Honorable Rex M. Burlison, Judge of the 22nd Judicial Circuit Court of Missouri, administered the oath of office to Governor-elect Jeremiah W. (Jay) Nixon.

Immediately following the administration of the oath, military honors were rendered to Governor Nixon with the firing of a nineteen-gun salute by the 1st Battalion, 129th Field Artillery Regiment (Truman's Own), MOARNG, Independence, Missouri.

Governor Nixon delivered his Inaugural Address.

INAUGURAL ADDRESS OF JEREMIAH W. (JAY) NIXON
55TH GOVERNOR OF MISSOURI
January 14, 2013

Thank you, Judge Burlison. Thank you, President Pro Tem Dempsey and Speaker Jones.

Let me begin by thanking the people of Missouri for the privilege of serving a second term as your Governor. I am grateful and humbled that once again you have given me the opportunity to lead our state forward. I will honor the trust and confidence you have placed in me each and every day.

I'm joined today by Missouri's First Lady – my lovely wife, Georganne – our sons, Jeremiah and Will, and the rest of our family. I'd like to welcome Missouri's former governors, our statewide office holders, members of the Missouri Supreme Court, legislators and the people of Missouri.

When I first came to the Capitol as a freshman senator from my hometown of De Soto, I was just 30 years old – the youngest person in the Senate. I had the good fortune to serve with many thoughtful, dedicated and capable legislators on both sides of the aisle. Then, as now, Republicans and Democrats were deeply committed to their beliefs. Then, as now, we had a divided state government, with a governor of one party, and the other party holding a majority in the legislature. Disagreement and debate were daily fare.

But it was possible to disagree while continuing to advance the public good. Cooperation wasn't considered a sign of weakness, but rather a prerequisite for progress. And progress is not partisan. We understood that, first and foremost, we were all Missourians.

So no matter which way the pendulum of power might swing, or which way the political winds blew, our bedrock Missouri values of hard work, optimism, faith and compassion never wavered. Those steadfast values have served the people of our state well for generations, and will serve us well for generations to come. Now, some pundits like to say that politics in the Show-Me State has never been more partisan, more difficult than it is today. But as history tells us, that's simply not true.

One hundred and fifty years ago, Missouri was bitterly divided in the struggle for our nation's survival – and its soul. For a time, Missouri had two state governments, two state capitals and two governors. Two state flags fluttered above the boys in blue and gray, the sons of farmers and cobblers, tinkers and slaves. They fought and died on blood-soaked ground from the Bootheel to the Iowa border. They rose with valor and fell with honor at Liberty and Lexington, Carthage and Wilson's Creek, Boonville and Fredericktown.

Our newest state park commemorates the Battle of Island Mound, where the first African-American troops shed their blood for the Union in 1862. Centralia was the site of an infamous massacre, when confederate guerrillas

bushwhacked more than 100 Union soldiers and hacked them to ribbons. Taking part in the killing spree were two young brothers from Clay County: 20-year-old Frank and 16-year-old Jesse James.

Twelve of Missouri's governors served in the military during the Civil War. That's right: twelve. And for years after the war's official end, the suffering, retaliation and political struggles dragged on – crippling our economy, testing our resolve. That my friends? That was hard politics. But from that time forward the arc of Missouri history shows us that even the deepest divisions can be healed.

The people of Missouri are tough and resilient. And generation after generation, a bold vision for the future and a passion for progress spur us forward. We pushed back the wilderness, tilled the prairie and opened the western frontier. We built railroads and highways, founded great universities and hospitals, tamed mighty rivers and even conquered space.

In good times and bad, through hellish drought and high water, the people of Missouri have proved their mettle. And, as we've seen these past few years, when our backs are against the wall, we come together: When the American auto industry was on the ropes in 2009, we pulled together and got it back on its feet. More vehicles made in Missouri means thousands of jobs for hardworking folks in every corner of our state.

In a competitive and volatile global marketplace, we stepped up our game to set all-time records for exports in agriculture, biotech and defense – deals worth billions, creating prosperity at home. When Mother Nature hit our neighbors with ice storms, floods, drought and the most devastating tornado in our history, we rallied to their side. We were there at every step – from rescue to rebuilding. And the strength and resilience of Missourians inspired the world.

History has left its indelible mark on our landscape and our character. But history is not destiny. We do not inherit the future. We must build the future. A future without limits: where all our children get an education that prepares them to compete for the best jobs in the global economy; where the brightest minds in science and technology advance the frontiers of human knowledge; where business and the arts flourish; where the bounty of Missouri's farms and fields will feed, clothe and power the planet; and where the natural beauty of our state is preserved and cherished for all time.

I am more optimistic than ever about our future. We will put our shared principles ahead of our small differences and work together for the common good. The people of Missouri deserve – and expect – no less. And that is how I intend to lead.

Throughout my quarter century of public service, I've had the opportunity to visit with thousands of Missourians from all walks of life, in every corner of this great state. Year after year, I've met them in the halls of this historic Capitol, exercising their First Amendment rights: midwives and math teachers; farmers and firefighters; Muslims and Mennonites; soldiers and Scouts. They may not – and in fact do not – always agree. But they are a vivid reminder that democracy is a chorus of many voices. And our democracy and our state are stronger for it.

On days like this one, I can look out the windows of my office and see the flags of our state and our nation, their colors bright against the winter sky, the wide Missouri River in the distance. It's a beautiful sight. It is a reminder of the bold pioneers who walked this land before us, who explored the wilderness, who dedicated their lives to the creation of a more perfect union, who fought and died so that we might one day enjoy peace and prosperity. I think, too, of the bold pioneers who someday will explore new frontiers beyond our imagining.

Today, I took a solemn oath to serve all the people of Missouri, to do everything in my power to make your lives better, and to make life better for our children and grandchildren. I pledge my oath to the waitress pulling double shifts just to feed and clothe her kids, praying that nobody gets hurt or sick – because she can't afford a doctor's bill.

I pledge my oath to the battle-weary veteran, home from Afghanistan, who deserves a job worthy of his skills and sacrifice. I pledge my oath to the farmer who plows and plants through flood and drought, year in and year out. Hard working, God-fearing, decent folk. I carry them in my heart. Their strength gives me strength. Their courage gives me courage.

And to live a life of service to the people of Missouri is my greatest honor. Our time here is fleeting. But the work we do will endure. Together we can – and we will – build a bright future for the great state of Missouri in the greatest nation on earth.

May God Almighty guide us in our work. Thank you and God bless.

Musical selections were performed by the 135th Army Band, MOARNG, Springfield, Missouri.

The Benediction was given by the Reverend Daniel Hilty, Senior Pastor, First United Methodist Church, Jefferson City, Missouri.

The Colors were retired by the Joint Service Color Guard.

Governor Nixon and Mrs. Nixon were escorted from the platform by the Legislative Inaugural Committee.

The Joint Session was dissolved by President Pro Tem Dempsey.

A musical selection was performed by the 135th Army Band, MOARNG, Springfield, Missouri.

Speaker Jones resumed the Chair.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 8, introduced by Representatives Parkinson, Kelley (127), Sommer, Smith (120), Brattin, Solon, Lair, Curtman, Lichtenegger, Franklin, Higdon, Conway (104), Guernsey, Burlison, Fitzwater, Riddle, McCaherty, Gatschenberger and Diehl, relating to the Obama Administration's proposal that the Senate of the United States consider adoption of a United Nations Arms Trade Treaty.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 156, introduced by Representatives Sommer, Kelley (127), Wieland and Muntzel, relating to a prohibition on use of public assistance benefits.

HB 157, introduced by Representative Franklin, relating to violent video games.

HB 158, introduced by Representatives Flanigan, Davis, Reiboldt, Kelley (127) and Lant, relating to disaster areas.

HB 159, introduced by Representative Guernsey, relating to school district residency for children of certain military members.

HB 160, introduced by Representatives Sommer, Berry, Kelley (127), Wilson, Muntzel and Neth, relating to campaign activities near polling places.

HB 161, introduced by Representative Gatschenberger, relating to political subdivisions.

COMMITTEE APPOINTMENT

January 14, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jeffery Justus as a member of the Committee on Appropriations - General Administration.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMUNICATION

January 11, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Paul Fitzwater
State Representative
District 144

The following members' presence was noted: Curtman, Engler, Grisamore, Hodges, Hubbard and May.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, January 15, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Tuesday, January 15, 2013, 2:00 PM House Hearing Room 1.
Performance Funding presentation from Paul Wagner

APPROPRIATIONS - EDUCATION

Wednesday, January 16, 2013, 2:00 PM House Hearing Room 1.
Higher Education Funding Model presentation from Dr. Stacey Preis

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Tuesday, January 15, 2013, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Organizational Meeting

ELECTIONS

Tuesday, January 15, 2013, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 110
Executive session will be held: HB 110
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 16, 2013, 8:00 AM House Hearing Room 6.
Organizational Meeting

JUDICIARY

Wednesday, January 16, 2013, 12:00 PM House Hearing Room 1.
Organizational Meeting

RETIREMENT

Thursday, January 17, 2013, 9:00 AM House Hearing Room 1.
Organizational Meeting

RULES

Tuesday, January 15, 2013, 12:00 PM House Hearing Room 5.
Public hearing will be held: HR 31
Executive session will be held: HR 31
Executive session may be held on any matter referred to the committee.
CORRECTED

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 15, 2013

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 8 - Parkinson

HOUSE BILLS FOR SECOND READING

HB 156 through HB 161

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 15, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Why art thou cast down, O my soul? Hope thou in God. (Psalm 42:5)

God of life, Who loves all the children and the simple, teach us to trust You and to live in good will with all our people. Forgive those moments when we find it difficult to believe in You, discouraging to trust one another, and disheartening to have faith in ourselves. We are weighed down by the problems we face as a state and by the burdens we carry day by day. So often we want to change conditions and circumstances without any thought of changing ourselves or of letting Your spirit change us.

So we pause in Your presence now, praying that You will change us, restoring our faith in You, retrieving our belief in one another, and renewing our respect for ourselves. May we live this day keeping our lives and the lives of our citizens in Your strong loving hands.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rose Marie Lant, Stephen Lant, Catherine Lant, Logan Lant, Jennie Hubbard and Hunter Houghton.

The Journal of the third day was approved as printed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus

Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Scharnhorst	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Ross	Schatz	Swearingen
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VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 58 through House Resolution No. 72

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 8 was read the second time.

SECOND READING OF HOUSE BILLS

HB 156 through **HB 161** were read the second time.

COMMITTEE REPORTS

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 110**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 31**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE RESOLUTION NO. 31

RULES OF THE HOUSE OF REPRESENTATIVES
[96th] **97th** GENERAL ASSEMBLY

TIME OF MEETING

Rule 1. The time of meeting by the House, unless otherwise ordered, shall be 10:00 a.m.

CONSTITUTIONAL MAJORITY DEFINED

Rule 2. The term “constitutional majority”, as used herein, shall mean eighty-two members of the House.

ORDER OF BUSINESS

Rule 3. The first of each day, after the House is called to order, shall be employed as follows unless otherwise ordered by the House:

- (a) Prayer.
- (b) Pledge of Allegiance to the American Flag.
- (c) Order of Business:
 - (i) Reading and approval of the Journal of the previous day’s session.
 - (ii) Introduction and first reading of House Joint Resolutions.
 - (iii) Introduction and first reading of House Bills.
 - (iv) Second reading of House Bills and Joint Resolutions.
 - (v) Reports of regular standing committees.
 - (vi) Reports of special standing committees.
 - (vii) Bills, reports and other business on the table.
 - (viii) House Joint Resolutions to be perfected and printed.
 - (ix) House Bills to be perfected and printed.
 - (x) Third reading of House Joint Resolutions.
 - (xi) Third reading of House Bills.
 - (xii) Messages from the Senate.
 - (xiii) First reading of Senate Joint Resolutions and Senate Bills.
 - (xiv) Second reading of Senate Joint Resolutions and Senate Bills.
 - (xv) Third reading of Senate Joint Resolutions.
 - (xvi) Third reading of Senate Bills.
 - (xvii) Introduction of petitions, memorials, remonstrances and resolutions.
 - (xviii) Adoption of petitions, memorials, remonstrances and resolutions.
 - (xix) Such other orders of business as deemed necessary pursuant to law.

HEADINGS ON HOUSE CALENDAR

Rule 4. There shall be provided on the House calendar the following divisions:

- (a) House Bills for second reading.
- (b) House Joint Resolutions for second reading.
- (c) House Bills to be perfected and printed.
- (d) House Joint Resolutions to be perfected and printed.
- (e) House Appropriation Bills to be perfected and printed.
- (f) House Revision Bills to be perfected and printed.
- (g) House Bills - Federal Mandate to be perfected and printed.
- (h) House Bills to be perfected and printed - laid over informally.
- (i) House Joint Resolutions to be perfected and printed - laid over informally.

- (j) House Appropriation Bills to be perfected and printed - laid over informally.
- (k) House Revision Bills to be perfected and printed - laid over informally.
- (l) House Bills - Federal Mandate to be perfected and printed - laid over informally.
- (m) House Bills to be agreed to and placed upon third reading and final passage.
- (n) House Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (o) House Appropriation Bills to be agreed to and placed upon third reading and final passage.
- (p) House Revision Bills to be agreed to and placed upon third reading and final passage.
- (q) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage.
- (r) House Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (s) House Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (t) House Appropriation Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (u) House Revision Bills to be agreed to and placed upon third reading and final passage - laid over informally.
- (v) House Bills - Federal Mandate to be agreed to and placed upon third reading and final passage - laid over informally.
- (w) House Bills reported out of committee by consent and placed upon the Consent Calendar for Perfection.
- (x) House Bills perfected by consent to be agreed to and placed upon third reading and final passage.
- (y) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed.
- (z) Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed - laid over informally.
- (aa) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (bb) Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (cc) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.
- (dd) Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage - laid over informally.
- (ee) Senate Bills for second reading.
- (ff) Senate Joint Resolutions for second reading.
- (gg) Senate Bills for third reading and final passage.
- (hh) Senate Joint Resolutions for third reading and final passage.
- (ii) Senate Revision Bills for third reading and final passage.
- (jj) Senate Bills - Federal Mandate for third reading and final passage.
- (kk) Senate Bills for third reading and final passage - laid over informally.
- (ll) Senate Joint Resolutions for third reading and final passage - laid over informally.
- (mm) Senate Revision Bills for third reading and final passage - laid over informally.
- (nn) Senate Bills - Federal Mandate for third reading and final passage - laid over informally.
- (oo) Senate Bills for third reading and final passage - Consent Calendar.
- (pp) Courtesy Resolutions Calendar.
- (qq) House Resolutions and Concurrent Resolutions Calendar.
- (rr) Senate Concurrent Resolutions Calendar.
- (ss) Bills in Conference.
- (tt) House Bills with Senate Amendments.
- (uu) House Bills taken from Committee, as provided by the Constitution.
- (vv) Such other calendars as deemed necessary.

FIRST AND SECOND READING OF BILLS

Rule 5. A bill shall be read the first time by journal entry of the title of the bill on the legislative day of its filing. It shall be second read on the following legislative day by journal entry of the title of the bill. The reading of a bill by its title shall be deemed sufficient reading unless the further reading be called for. If the further reading be called for and no objection made, the bill shall be read at length; if, however, objection be made, the question shall be determined by the majority of the members present.

ORDERS OF THE DAY

Rule 6. Upon recess or adjournment, the Majority Floor Leader shall advise the entire membership of the business anticipated to be conducted during the remainder of the legislative day and during the next legislative day.

ELECTION OF OFFICERS
GENERALLY

Election; Oath; Compensation

Rule 7. The House shall elect by recorded vote the following officers at the commencement of the first regular session of each general assembly: its presiding officer, who shall be called Speaker of the House, a Speaker Pro Tem, a Chief Clerk, a Sergeant-at-Arms, a Doorkeeper and a Chaplain, who shall hold office during all sessions until the convening of the succeeding General Assembly, unless sooner removed by a vote of the majority of the members. Each shall receive such compensation as may be provided for by law. Each shall take an oath to support the Constitution of the United States and of this State and to faithfully demean himself or herself in office and to keep the secrets of the House. Said oath shall be administered to the Speaker and Speaker Pro Tem by a Judge of the Supreme Court, Court of Appeals or a Circuit Court and by the Speaker to the other officers. All other officers of the House shall be appointed by, and serve at the pleasure of, the Speaker and receive such compensation as provided by law.

SPEAKER

Speaker to Call Members to Order

Rule 8. The Speaker shall take the chair at the hour to which the House has been adjourned and immediately call the members to order, and on the appearance of a quorum, shall cause the journal of the preceding day to be read (unless otherwise ordered by the House), which may then be corrected by the House.

Parliamentary Rulings; Referral to Parliamentary Committee

Rule 9. Parliamentary rulings may be made only by the Speaker or the Speaker Pro Tem. At their option or at the request from a member of the Parliamentary Committee they may refer points of order to the Parliamentary Committee for an advisory opinion. In their absence rulings shall be made by a parliamentary committee. The Committee on Parliamentary Procedure shall be composed of the Speaker, the Majority Floor Leader and the Minority Floor Leader, or their designees. No member who is temporarily in the Chair may rule on points of order, except the Speaker or Speaker Pro Tem, until and unless the Parliamentary Committee has been called and ruled. It shall be the duty of the temporary Speaker to call said Parliamentary Committee at the time the point of order is raised and before any discussion on said point of order takes place. It shall be at the Speaker's discretion whether members may speak on points of order.

Speaker May Speak on Points of Order

Rule 10. The Speaker may speak on points of order in preference to any other member, arising from his/her seat for that purpose, and shall decide questions of order, subject to an appeal to the House, upon which appeal no member shall speak more than once, except by leave of the House. No member shall inquire of another member nor debate with other members on points of order but shall address his/her remarks only to the chair.

Appeal from a Ruling of the Chair

Rule 11. Should there be an appeal from any ruling of the chair, the question, "Shall the chair be sustained?" shall be immediately put and determined before the House proceeds to other business.

Speaker Has General Supervision of Hall

Rule 12. The Speaker shall have general direction and supervision of the House and shall preserve decorum and order in the Hall.

Supervision of House Employees

Rule 13. The Speaker shall have general supervision and control over all employees of the House.

Speaker May Substitute Member to Perform Duties

Rule 14. The Speaker may substitute any member to perform the duties of the Chair in the absence of the Speaker Pro Tem.

Speaker Shall Sign Bills

Rule 15. The Speaker shall sign all bills, and perform all other duties in relation thereto, as required by the Constitution. He/she shall also sign all joint resolutions and addresses; and all writs, warrants and subpoenas issued by order of the House shall be under his/her hand, attested by the Chief Clerk.

Speaker May Clear Hall

Rule 16. In case of disturbance or disorderly conduct in the lobbies or galleries, the Speaker, temporary Speaker or Chairman of the Committee of the Whole House shall have power to order the same cleared. They shall not, however, have the power to remove members from the floor of the House, except by a majority vote of those present.

Manner of Putting Questions

Rule 17. The Speaker shall rise to state and put questions. Questions shall be in the following form: "As many as are in favor (by electronic roll call) vote 'Aye'. As many as are opposed (if by electronic roll call) vote 'No'". (Or if by voice vote say "Aye" or "No.") If the Speaker doubts on a voice vote, voting shall be ordered by electronic device. The Speaker may require a recorded vote on any motion.

OTHER OFFICERS

Speaker Pro Tem

Rule 18. The Speaker Pro Tem shall perform the duties of Speaker during the sickness or absence of the Speaker, except while some member is discharging such duties as a substitute under Rule 14.

Chief Clerk

Rule 19. It shall be the duty of the Chief Clerk to serve also as Chief Administrator of the House and to attend the House during its sittings. The Chief Clerk, under the direction of the Speaker, shall prepare and keep the House Journal and seasonably record the proceedings of the House; keep regular files of House papers; attest all writs, warrants and subpoenas issued by order of the House; keep an account of all fines imposed by the House; maintain a record of the members' attendance; keep an account of the traveling and expense allowances of all the members; transmit to the Senate messages, communications, copies and documents of the House; keep a docket of proceedings on all bills, resolutions and acts; and execute the commands of the House from time to time.

Sergeant-at-Arms; Doorkeeper and Chaplain

Rule 20. (a) SERGEANT-AT-ARMS. It shall be the duty of the Sergeant-at-Arms to attend the House during its sittings; to execute the commands of the House from time to time, together with such process issued by authority thereof as shall be directed to him/her by the Speaker. He/she shall preserve order in the galleries and lobby and keep the entry to the aisle cleared during the session of the House.

(b) DOORKEEPER. It shall be the duty of the Doorkeeper, subject to the orders of the Speaker, to attend the sittings of the House. The Doorkeeper shall allow no person to come or remain within the Hall or galleries except as are admitted by the rules or orders of the House. He/she shall execute the commands of the Speaker in relation to his/her duties and shall obey such other orders as may be made by the House.

(c) CHAPLAIN. It shall be the duty of the Chaplain, or a person designated by the Speaker, to attend at the commencement of each day's sitting of the House, to open the sessions thereof with a prayer, visit any member who may be sick, and to preach in the Hall of the House of Representatives whenever requested by a vote of the House.

Employees

Rule 21. The House may employ, and the Speaker appoint, such employees as are necessary to perform the duties of the House. No person shall be initially hired by the House of Representatives who is related to any member of the House within the fourth degree, by consanguinity or by affinity.

COMMITTEES

By Whom Appointed; Composition of Membership

Rule 22. All regular standing, conference, interim and statutory committees shall be appointed by the Speaker who, when appointing a committee, shall designate a member thereof as chairman, designate another member as vice-chairman and designate the total number of members to serve on each committee, except the minority members of each regular standing committee shall be appointed by the Minority Floor Leader. The vice-chairman **or a designee of the chair** shall

preside at all committee meetings in the absence of the chairman. The Speaker of the House, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Majority Whip, the Minority Floor Leader, the Assistant Minority Floor Leader and the Minority Whip shall be ex-officio members of all committees of the House, and the chair of the budget committee and one member of said committee designated by the Minority Leader shall be ex-officio members of all appropriations committees of the House, for the purpose of a quorum and inquiry but shall have no vote unless they are duly appointed members of said committee. The membership of all regular standing committees and all other committees and commissions, unless otherwise provided by the act or resolution creating them, shall be composed as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the House bears to the total membership of the House, except for the Ethics Committee. The Ethics Committee shall consist of an equal number of members from the majority and minority party. The Speaker may appoint such special standing committees as he/she deems necessary. Any special standing committee shall have the authority and duties of a regular standing committee if so designated by the Speaker. The Minority Floor Leader may make recommendations to the Speaker regarding minority membership of special standing committees. The Speaker may dissolve and/or discharge the members of any conference, interim, or special standing committee at any time and reappoint the members thereof.

Time of Sitting

Rule 23. No committee shall meet except during those times so designated by the Speaker. No committee shall sit during the session of the House without leave of the House.

The Regular Standing Committees Enumerated

Rule 24. The regular standing committees of the House shall be as follows:

1. Administration and Accounts.
2. Agriculture Policy.
3. Agri-Business.
4. Appropriations - Agriculture and Natural Resources.
5. Appropriations - Education.
6. Appropriations - General Administration.
7. Appropriations - Health, Mental Health and Social Services.
- 8. Appropriations - Infrastructure and Job Creation.**
- [8.] **9. Appropriations - Public Safety and Corrections.**
- [9.] **10. Appropriations - Revenue, Transportation, and Economic Development.**
- [10.] **11. Budget.**
- [11.] **12. Children [and Families] , Families, and Persons with Disabilities.**
- [12.] **13. Corrections.**
- [13.] **14. Crime Prevention and Public Safety.**
- [14.] **15. Downsizing State Government.**
- [15.] **16. Economic Development.**
- [16.] **17. Elections.**
- [17.] **18. Elementary and Secondary Education.**
- [18.] **19. Emerging Issues in [Animal] Agriculture.**
- [19.] **20. Ethics.**
- [20.] **21. Financial Institutions.**
- [21.] **22. Fiscal Review.**
- [22.] **23. General Laws.**
- 24. Government Oversight and Accountability.**
- [23.] **25. Health Care Policy.**
- [24.] **26. Health Insurance.**
- [25.] **27. Higher Education.**
- [26.] **28. Insurance Policy.**
- [27.] **29. International Trade [and Job Creation].**
- [28.] **30. Judiciary.**
- [29.] **31. Local Government.**
- [30.] **32. Professional Registration and Licensing.**
- [31.] **33. Retirement.**
- [32.] **34. Rules.**

- [33. Rural Community Development.]
- [34.] **35.** Small Business.
- [35. Tax Reform.]
- 36. Tourism and Natural Resources.
- 37. Transportation.
- [38. Transportation Funding and Public Institutions.]
- [39.] **38.** Urban Issues.
- [40.] **39.** Utilities.
- [41.] **40.** Veterans.
- [42.] **41.** Ways and Means.
- [43.] **42.** Workforce Development and Workplace Safety.

Duties of the Regular Standing Committees

Rule 25. (1) Administration and Accounts.

(a) *Duties generally.* The Committee on Administration and Accounts shall superintend and have sole and complete control of all financial obligations and business affairs of the House except those employees appointed by or assigned to the Speaker, or assigned to the Budget Committee Chair, the Speaker Pro Tem, the Majority Floor Leader, the Minority Floor Leader and the Officers of the House. The committee shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the House, and shall further provide for the use and distribution thereof.

(b) *Funds for operation of member's individual offices.* The committee shall also prescribe rules governing the expenditure of funds allotted to individual members for the operation of their offices. Such rules shall be applied equally to, and shall require the equal treatment of, all members with regard to the expenditure of such funds. Subject to such rules, each member shall have discretion to expend such funds, for the use of his or her office, without the approval of the committee.

(c) *Allotment of offices, chamber seats and parking spaces.* Each member shall be allotted his or her own office, chamber seat and parking assignment. The committee shall assign all offices, chamber seats, and parking spaces under its control and reserved for members. The committee may make assignments to the party caucuses for those caucuses to assign to their respective members. The House officers, the floor leaders and assistant floor leaders of each party, the Budget Committee Chair, and the chairman and ranking minority member of the Administration and Accounts Committee, without respect to the seniority of those members, shall have priority with respect to such assignments within their respective caucuses.

(d) *Duties of the Chief Clerk in Respect to Committee.* The Chief Clerk of the House may be authorized to act for the committee, but only in the manner and to the extent as may have been previously authorized by the committee. Such authorization shall be entered in the minutes of the committee. The Chief Clerk shall maintain financial records for the House of Representatives in accordance with generally accepted accounting principles. The Chief Clerk of the House shall keep a detailed accounting of all transactions and shall furnish each member of the committee and the Speaker with a copy of such account on a quarterly basis.

(e) Issue Development Standing Committees. The committee may approve and prescribe regulation of Issue Development Standing Committees. Any group of House members may seek the designation of an Issue Development Standing Committee by applying to the Administration and Accounts Committee Chair. The application shall include the issue of study and the proposed members of the committee. All findings and recommendations of the approved committees shall be forwarded to the Administration and Accounts Committee Chair. All approved Issue Development Standing Committees shall be afforded the same rights and privileges as a regular standing committee.

(2) *The Committee on Agriculture Policy.* The Committee on Agriculture Policy may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agriculture in this state.

(3) *Committee on Agri-Business.* The Committee on Agri-Business may consider and report upon bills and matters referred to it relating to the protection, promotion and encouragement of agri-business in the state.

(4) *The Committee on Appropriations - Agriculture and Natural Resources.* The Committee on Appropriations - Agriculture and Natural Resources shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Agriculture, the Department of Natural Resources and the Department of Conservation.

(5) *The Committee on Appropriations - Education.* The Committee on Appropriations - Education shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to

the appropriations and disbursements of public money for the funding of the Department of Elementary and Secondary Education and the Department of Higher Education.

(6) *The Committee on Appropriations - General Administration.* The Committee on Appropriations - General Administration shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Public Debt, Elected Officials, Office of Administration, the General Assembly, [the Department of Revenue,] the Judiciary and the Public Defender.

(7) *The Committee on Appropriations - Health, Mental Health and Social Services.* The Committee on Appropriations - Health, Mental Health and Social Services shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Health and Senior Services, the Department of Mental Health and the Department of Social Services.

(8) The Committee on Appropriations - Infrastructure and Job Creation. The Committee on Appropriations - Infrastructure and Job Creation shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of infrastructure and job creation.

[(8)] (9) *The Committee on Appropriations - Public Safety and Corrections.* The Committee on Appropriations - Public Safety and Corrections shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Departments of Public Safety and Corrections.

[(9)] (10) *The Committee on Appropriations - Revenue, Transportation, and Economic Development.* The Committee on Appropriations - **Revenue**, Transportation, and Economic Development shall report to the Budget Committee upon all bills, measures, and questions referred to it by the Budget Committee pertaining to the appropriations and disbursements of public money for the funding of the Department of Transportation, the Department of Economic Development, **the Department of Revenue**, the Department of Insurance and the Department of Labor and Industrial Relations.

[(10)] (11) *The Committee on Budget.*

(a) The Committee on Budget shall have the responsibility of filing all appropriations bills, assigning of those bills to the appropriate appropriations committees and shall report upon all bills recommended to it by the respective appropriation committee and any other bills, measures, or questions referred to it pertaining to the appropriation and disbursement of public money.

(b) *Other duties.* The Committee may consider and report upon any bill or resolution referred to it which, in the opinion of the Speaker, merits special consideration. The Committee may also consider and report upon bills and matters referred to it relating to the reorganization, consolidation and abolition of boards, bureaus, commissions and other offices and buildings of the state, including the Division of Facilities Management, Design and Construction, the capitol grounds and the state and legislative library. The Committee is empowered to study and investigate the efficiency and economy of all branches of Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, waste, conflicts of interests and the improper expenditure of Government funds in transactions, contracts and activities of Government or Government officials and employees. The Committee is authorized to hold hearings, sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement. If the Committee, after hearing, and upon findings incorporated in a report, deems that a particular activity, bureau, agency, committee, commission, department or any other entity of state government should be discontinued, it shall report such finding to the House for further action by the House. The Committee shall also consider and report upon bills and matters referred to it relating to the efficiency of government in the state.

[(11)] (12) *The Committee on Children [and Families] , Families, and Persons with Disabilities.* The Committee on Children [and Families] , **Families, and Persons with Disabilities** may consider and report upon bills and matters referred to it relating to the Department of Social Services, the Department of Health and Senior Services, and other matters relating to the fostering and promotion of children [and families] , **families, and persons with disabilities** in this state.

[(12)] (13) *The Committee on Corrections.* The Committee on Corrections may consider and report upon bills and matters referred to it relating to adult and juvenile penal and correctional problems, the administration of correctional institutions, and the state penitentiary.

[(13)] (14) *The Committee on Crime Prevention and Public Safety.* The Committee on Crime Prevention and Public Safety may consider and report upon bills and matters referred to it relating to criminal laws, law enforcement and public safety matters.

[(14)] **(15) *The Committee on Downsizing State Government.*** The Committee on Downsizing State Government may consider matters referred to it relating to reducing the size of state government and its programs.

[(15)] **(16) *The Committee on Economic Development.*** The Committee on Economic Development may consider matters referred to it relating to commerce, industrial growth, expansion, and development.

[(16)] **(17) *The Committee on Elections.*** The Committee on Elections may consider and report upon bills and matters referred to it relating to elections and election contests involving members of the House.

[(17)] **(18) *The Committee on Elementary and Secondary Education.*** The Committee on Elementary and Secondary Education may consider and report upon bills and matters referred to it relating to elementary and secondary education and life-long learning in this state, including teachers, financing, property, indebtedness and curriculum.

[(18)] **(19) *The Committee on Emerging Issues in [Animal] Agriculture.*** The Committee on Emerging Issues in [Animal] Agriculture may consider matters referred to it relating to the production, processing, selling, marketing, and distribution of animals, livestock, and poultry in the agricultural industry.

[(19)] **(20) *The Committee on Ethics.*** The Committee on Ethics may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

[(20)] **(21) *The Committee on Financial Institutions.*** The Committee on Financial Institutions may consider and report upon bills and matters referred to it relating to banks, banking, savings and loans, credit unions, and other financial institutions.

[(21)] **(22) *The Committee on Fiscal Review.*** The Committee on Fiscal Review shall consider any bill which requires net additional expenditures of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill. Any such House bill, after having been perfected and ordered printed by the House, shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House for third reading and final passage. Any House bill with Senate amendment(s) or any House bill with a Senate substitute which requires net additional expenditure of state money in excess of \$100,000 or which reduces net state revenue by more than \$100,000 in any of the three fiscal years immediately following the effective date of the bill shall be referred to the Committee on Fiscal Review for its consideration prior to the bill's submission to the House. Any such Senate bill, after having been approved by the regular or special standing committee to which it was referred, shall be referred to the Committee on Fiscal Review for its consideration prior to its submission to the House for third reading and final passage. Any Senate or House bill amended so as to increase net expenditures or reduce net revenues shall, upon timely motion adopted by the members, be referred to the Committee on Fiscal Review. Such motion shall only be timely for a House bill when the sponsor or handler of the House bill moves that the bill be Third Read and passed and before the Speaker restates that motion. The primary sponsor or, in the case of a Senate bill, the floor handler of a bill referred to the Committee on Fiscal Review shall be entitled to a hearing on the bill but such hearing shall be limited to the reception of testimony by the primary sponsor or floor handler, as the case may be, in person and none other, without leave of the committee Chair. For the purposes of this rule, "net" is defined as the sum of revenues and expenditures, after reductions and increases brought about by a bill have been calculated. The Committee on Fiscal Review may, with the consent of the House sponsor or floor handler, amend an effective date onto any bill referred to the Committee.

[(22)] **(23) *The Committee on General Laws.*** The Committee on General Laws may consider matters referred to it relating to general or miscellaneous issues as determined by the Speaker of the House.

(24) *The Committee on Government Oversight and Accountability.* **The Committee on Government Oversight and Accountability may consider and report on bills and matters referred to it relating to the oversight of government programs and policies and to ensure accountability of the executive and judicial branches of government.**

[(23)] **(25) *The Committee on Health Care Policy.*** The Committee on Health Care Policy may consider and report upon bills and matters referred to it relating to the health care of the citizens of the State, including mental health, and the Departments of Health and Mental Health. The Committee may also consider and report on bills and matters referred to it relating to Medicaid and related matters.

[(24)] **(26) *The Committee on Health Insurance.*** The Committee on Health Insurance may consider and report upon bills and matters referred to it relating to insurance coverage for health and medical issues.

[(25)] **(27) *The Committee on Higher Education.*** The Committee on Higher Education may consider and report on bills and matters referred to it related to higher education, including matters relating to financing, facilities, staff, curriculum and related matters.

~~[(26)]~~ **(28)** *The Committee on Insurance Policy.* The Committee on Insurance Policy may consider and report upon bills and matters referred to it relating to insurance, insurance companies and the Department of Insurance.

~~[(27)]~~ **(29)** *The Committee on International Trade [and Job Creation].* The Committee on International Trade [and Job Creation] may consider and report upon bills and matters referred to it relating to international commerce and development [and the creation and retention of jobs].

~~[(28)]~~ **(30)** *The Committee on Judiciary.* The Committee on Judiciary may consider and report upon bills and matters referred to it relating to the judicial branch of the State and the practices and procedures of the courts of this State, and on matters pertaining to civil and administrative laws and procedures, and on matters relating to the ethics of public officials.

~~[(29)]~~ **(31)** *The Committee on Local Government.* The Committee on Local Government may consider and report upon bills and matters referred to it relating to counties, cities, towns, villages, other political subdivisions of the State and local government generally.

~~[(30)]~~ **(32)** *The Committee on Professional Registration and Licensing.* The Committee on Professional Registration and Licensing may consider and report upon bills and matters referred to it relating to the licensing of professionals in this state and consumer protection issues.

~~[(31)]~~ **(33)** *The Committee on Retirement.* The Committee on Retirement may consider and report upon bills and matters referred to it relating to the retirement and pensions of state and local officials and employees and senior citizen issues generally.

~~[(32)]~~ **(34)** *The Committee on Rules (a) Duties generally.* The Committee on Rules shall formulate and present for consideration the rules of the House; shall consider and report upon all propositions to amend or change the rules, which propositions shall stand referred without reading or consideration and without discussion, explanation, or debate to the Committee on Rules, and upon any bill which merits special consideration.

(b) Duties related to printing and proofing bills. The Committee shall supervise the printing of all bills ordered perfected and printed, assuring that procedures are followed in which all amendments to every such bill are incorporated therein before the bill is printed and that the printed copies of the bill on the desks of the members are true and accurate copies of the bill as ordered perfected and printed. The Committee shall also supervise the printing of all bills which are truly agreed and finally passed, assuring that procedures are followed in which every bill is a true copy of the bill as passed with clerical errors corrected.

(c) Duties relating to the issuance of courtesy resolutions. A courtesy resolution is a non-controversial resolution in the nature of congratulations on the birth of a child, celebration of a wedding anniversary, congratulations of an outstanding citizen achievement or a similar event which is in the practice and procedure of the House to consider as a courtesy resolution. While the House is in session, the resolutions that have been issued under the supervision of the Committee shall be printed in the House Journal by number. Any resolution that is not a courtesy resolution shall require action by the House as provided for by the House Rules.

(d) Petition to remove from perfection calendar. Upon petition of two-thirds (2/3) of the regular standing committee chairmen recommending a House Bill or Joint Resolution be removed from the regular perfection calendar and placed on the Rules Committee Calendar to be perfected and printed, the Committee on Rules shall have authority to consider and remove any House Bill or Joint Resolution from the regular perfection calendar and place it upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed. And any bill so placed upon said calendar shall, after being perfected and printed, be placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage.

(e) Petition to remove from third reading calendar. Upon petition of two-thirds (2/3) of the regular standing committee chairmen, the Committee on Rules shall have the authority to consider and remove any Senate Bill or Joint Resolution from the regular third reading calendar and place it upon the Rules Committee Calendar, Senate Bills or Joint Resolutions to be agreed to and placed upon third reading and final passage. The Committee has the privilege of reporting at any time and the consideration of its report shall have precedence over all other business. Any bill placed upon the Rules Committee Calendar, House Bills or Joint Resolutions to be perfected and printed, by the Committee on Rules may be recommitted to the same committee by a Constitutional majority of the elected members, and if this occurs the bill shall be returned to its place on the Perfection Calendar from which it had been removed.

(f) Review of Bills Reported from Regular Standing or Special Standing Committees.

1. Whenever a committee reports a bill with a recommendation that it “Do Pass” or “Without Recommendation”, the bill shall stand automatically referred to the Committee on Rules. The Committee on Rules is hereby authorized to:

- a. Report the bill “Do Pass” to the House without a limitation on time of debate on the bill or amendments.
- b. Report the bill “Do Pass” to the House with a limitation on the time of debate.
- c. Send the bill back to the originating committee in the form as originally referred by the Speaker.

When the Committee on Rules sends the bill back to the originating committee, that committee may amend the bill and report the bill again without the need to reconsider the initial vote by which the committee voted the bill “Do Pass”.

2. When a bill is automatically referred to the Committee on Rules with a recommendation that it “Do Pass - Consent”, the Rules Committee shall review the bill for the purpose of determining whether or not it should have “consent” status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate “Consent” calendar. When the Committee on Rules declines to place the bill on the appropriate “Consent” calendar, it may consider whether or not to report the bill to the House with a “Do Pass” recommendation, without “consent” status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as “Do Pass - Consent”.

3. When a bill is automatically referred to the Committee on Rules with a recommendation that it “Do Pass - Federal Mandate”, the Committee on Rules shall review the bill for the purpose of determining whether or not it should have “federal mandate” status. The Committee on Rules may decide, by a majority of those present, whether or not to place the bill on the appropriate “Federal Mandate” calendar. When the Committee on Rules declines to place the bill on the appropriate “Federal Mandate” calendar, it may consider whether or not to report the bill to the House with a “Do Pass” recommendation, without “federal mandate” status. The authority of the Committee on Rules with respect to limiting debate shall apply to bills reported by it as “Do Pass - Federal Mandate”.

4. When the Rules Committee shall place a limitation on the time of floor debate on a bill, or on amendments, such time shall be divided equally between, and controlled by, the floor handler of the bill and the floor leader of the political party other than that of the floor handler, or their respective designee(s). The floor handler shall always have the right to have the final one minute of designated time. If time has been allocated and unused by either side and no member from that side is seeking recognition, the Speaker may declare additional time waived and recognize the members of the other side to complete use of their time. Nothing in this rule shall entitle any member to speak longer than the House Rules otherwise allow.

5. In reviewing bills automatically referred to it from another committee, the Committee on Rules may, but is not required to, take such testimony as it deems appropriate to make its decisions. The committee shall not amend any bill that was not initially referred to the Committee on Rules.

(g) When a committee has reported a bill “Do Pass” with committee amendment(s), the Committee on Rules shall take such action as it deems proper on the entire package of the bill with committee amendment(s) as though the committee amendment(s) were already incorporated into the bill.

(h) If the Committee on Rules is the original committee to which a bill is referred, when the Committee reports such bill “Do Pass” or “Without Recommendation”, such bill shall not be subject to the automatic referral referenced in Rule 25[(32)] (34)(f)1. above. However, in reporting such bill, the Committee on Rules may take any action on such bill as though the bill were referred to it after a “Do Pass” or “Without Recommendation” report from another committee.

[(33)] *The Committee on Rural Community Development.* The Committee on Rural Community Development may consider and report upon bills and matters referred to it relating to policies to improve communities and the quality of life of citizens located outside of metropolitan areas and larger cities of the state.]

[(34)] (35) *The Committee on Small Business.* The Committee on Small Business may consider and report upon bills and matters referred to it relating to the establishment, growth, development, expansion, retention, and operations of small businesses in the State.

[(35)] *The Committee on Tax Reform.* The Committee on Tax Reform may consider and report upon bills and matters referred to it relating to reforming and equalizing the state tax code and its burden on taxpayers of this state.]

(36) *The Committee on Tourism and Natural Resources.* The Committee on Tourism and Natural Resources may consider and report upon bills and matters referred to it relating to the Department of Natural Resources, the Department of Conservation, fish and game laws of this state, preservation and protection of the natural resources of this state, development and promotion of travel, tourism, recreation, the arts, and cultural affairs.

(37) *The Committee on Transportation.* The Committee on Transportation may consider and report upon bills and matters referred to it relating to the Department of Transportation, all means of transportation, including roads, highways, bridges, ferries, airports, railroads and other means of transportation. The Committee may also consider and report upon bills and matters referred to it relating to motor vehicles and traffic regulations.

[(38)] *The Committee on Transportation Funding and Public Institutions.* The Committee on Transportation Funding and Public Institutions may consider and report upon bills and matters referred to it relating to the funding of public and private transportation infrastructure and resources of this state and issues related to state hospitals, charitable institutions, and other state properties.]

[(39)] (38) *The Committee on Urban Issues.* The Committee on Urban Issues may consider and report upon bills and matters referred to it relating to urban and metropolitan areas of this state.

[(40)] (39) *The Committee on Utilities.* The Committee on Utilities may consider and report upon bills and matters referred to it relating to the development, uses and regulation of utilities, communications and technology and the development, use and conservation of energy and other energy-related concerns, environmental impact and pollution and public health and safety as it relates to the issue of energy.

[(41)] (40) *The Committee on Veterans.* The Committee on Veterans may consider and report upon bills and matters referred to it relating to terrorism and security against terrorism; veterans affairs and the promotion and strengthening of states rights and military and naval affairs of the State.

[(42)] (41) *The Committee on Ways and Means.* The Committee on Ways and Means may consider and report upon bills and matters referred to it relating to the taxes of the State, tax credits, revenue and public debt of the State, and the interest thereon, and the administration of taxation and revenue laws. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to existing sources of revenue and such new sources of revenue, if any, that in the judgment of the Committee should be considered by the House. The Committee may also inquire into and suggest to the House such changes, if any, that should be made in respect to eliminating any existing sources of revenue, if any, that in the judgment of the Committee should be considered by the House.

[(43)] (42) *The Committee on Workforce Development and Workplace Safety.* The Committee on Workforce Development and Workplace Safety may consider and report upon bills and matters referred to it relating to employment, labor, and workplace safety.

Duties of Committee Chair; Committee Organization

Rule 26. (a) *Duty to preside.* It is the duty of the chair to preside at all sessions of the committee. In the absence of the chair, the vice-chair of the committee **or a designee of the chair** shall preside[, and in his/her absence, a member appointed by the chair].

(b) *Duty to maintain minute book.* The chair shall see that a minute book is kept for his/her committee. The minute book shall contain the attendance and voting records of the committee members, a brief statement of the business that comes before the committee, the names of the persons and witnesses appearing before the committee and what side of a proposition they appeared on behalf of at the committee hearing, or if the appearance was informational in nature and neither for or against the proposition. The Chief Clerk shall be the repository of the minute book after each session of the general assembly and shall submit the same to the Secretary of State prior to the next regular session.

(c) *Duty to preserve order.* The chair, while the committee is in session, shall preserve order and decorum in and adjacent to the committee room and shall conduct all hearings in accordance with the Rules of the House including the provisions that relate to decorum, debate and dress code. The chair may punish breaches of order and decorum by censure and exclusion from the hearings.

(d) *Bills, reports and other documents.* The chair shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the House without delay.

(e) *When a bill fails.* Whenever a motion that a bill “Do Pass” shall fail, or if there be an even division on the question, the chair shall report said bill back to the House “Do Not Pass” unless said bill is otherwise disposed of by another motion.

(f) When a motion has been decided by a committee, any member voting on the prevailing side may move to reconsider the vote provided that: (i) the chair still has possession of the bill; and (ii) the motion to reconsider is made on the same day on which the motion was decided or at the next day on which the committee convenes with a quorum present at a properly scheduled meeting at which the original motion would be in order. A majority of the members appointed to the committee is required to sustain any motion to reconsider. The motion to reconsider shall be a recorded vote.

Committee Hearings

Rule 27. All bills afforded a committee hearing shall be considered by giving the sponsor or handler, the proponents, the opponents, and those testifying for informational purposes a reasonable opportunity to be heard. Persons addressing the committee must keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so. In the discretion of the committee chair, the length of time allowed one speaker or questioner may be limited.

Quorum

Rule 28. A majority of all committees of 30 or less, and 15 members of all committees consisting of more than 30 members, shall constitute a quorum for the transaction of business.

Meetings - How Announced

Rule 29. Announcement of all meetings of committees shall include a statement of all matters to be considered at the meeting, shall include the bill or resolution numbers to be considered and shall be entered in the journal prior to the day on which the meeting is to take place. Such journal entry shall reflect the date, time and location of the meeting.

The chair of each committee shall give written notice of the time, date, place and agenda of the meetings, including executive sessions, of his/her committee and each committee having matters pending before it shall hold a meeting at such time, date and place unless excused by the Speaker of the House. Notice shall be given at least one legislative day in advance of the committee meeting. Notice may be reduced to 24 hours by unanimous consent of all members of the committee, whether in attendance or not. Notice shall never be less than 24 hours. All notices shall include posting of the notice on the bulletin board outside the Speaker's office.

Committees shall comply with the requirements of the statutes pertaining to open meetings.

Committee Substitutes

Rule 30. No bill or substitute may be taken up for consideration by a committee unless said bill or substitute shall have been distributed to the members of the committee at least one legislative day in advance of said consideration. This rule may be waived by unanimous consent of all members of the committee, whether in attendance or not. Failure to take the bill up for consideration at the designated time requires that the one legislative day notice be given again before it is taken up for consideration.

Other Duties

Rule 31. Each committee, in addition to the duty above prescribed, shall perform such other duties as may be required by the House. If it shall become necessary to compel the presence of any person before a committee, **the production of records or documents**, or to receive sworn testimony before a committee, a subpoena may be issued under the hand of the Speaker as provided by law and an oath or affirmation may be administered by the chair of the committee as provided by law.

Attendance

Rule 32. The secretary of each committee shall keep a record of the attendance of each committee meeting in the minute book of the committee, which shall be available to any person upon request. Any member of a committee absent, without good cause, from three consecutive meetings of the committee, as shown by the records of the committee, may be dropped therefrom by a statement to that effect entered into the House Journal by the Speaker. The roll shall be recorded by the chair or secretary of a committee at each meeting.

Minority Views

Rule 33. The minority of a committee may not make a report or present to the House an alternative report, but has the right to file views to accompany the report.

Committee Relieved of Bill - When

Rule 34. No bill shall be taken away from any regular standing committee or special standing committee of the House, as provided by the Constitution, until after ten legislative days have expired after referral to the committee by the Speaker. Pursuant to the Constitution, one-third of the members of the House shall have the power to relieve a committee of any bill. Such power may be exercised by filing a petition to that effect with the Chief Clerk of the House. Upon receipt of said petition containing the signatures of at least 55 members, the Chief Clerk shall publish said petition in the Journal and place the discharged bill upon the regular calendar of House Bills taken from Committee, as provided by the Constitution.

Election Contest

Rule 35. Whenever there shall be filed with the Speaker a notice of contest of the election of a member of the House, he/she shall refer the same, without discussion, either to the regular standing Committee on Elections or a special standing committee appointed to hear the matter. Said committee shall examine the timeliness and sufficiency of the notice, the depositions and other documents submitted and report to the House its recommendations, whereupon the House shall act by resolution to sustain or reject the committee recommendations.

Ethics Committee

Complaints of Ethical Misconduct

Rule 36. (a) The Speaker shall appoint a Committee on Ethics and name the committee's chair. The Minority Floor Leader shall name the committee's vice-chair and minority members. The committee shall have an equal number of members of the majority and minority party.

(b) The committee may consider and report upon complaints referred to it relating to a member of the House involving the commission of a crime, misconduct, willful neglect of duty, corruption in office or other complaints relating to the ethical conduct of a member. The committee is authorized to sit and act at any time or place within the State of Missouri during the recess and adjournment periods of the House, administer oaths, and take testimony, either orally or by sworn written statement.

(c) Within 20 calendar days of the commencement of the first regular session of each general assembly, the Committee on Ethics shall adopt Rules of Procedure for the investigation of complaints of ethical misconduct referred to it involving a member of the House. The proposed Rules of Procedure shall be filed by the committee in the form of a House Resolution with the Clerk of the House, reported in the Journal, and placed on the House Resolutions Calendar.

(d) Upon receipt of a complaint, in writing and under oath, of ethical misconduct by a member of the House made by another member, the Speaker shall refer the same, within 10 days, without discussion, to the Committee on Ethics. The complaint shall be confidential. The Committee shall examine the sufficiency of the complaint, and proceed to conduct an investigation as provided in the Committee's Rules of Procedure, if a majority of the Committee appointed so votes upon a roll call. When a motion to proceed to conduct an investigation fails on a recorded vote, the complaint shall be immediately dismissed.

(e) At the conclusion of the investigation, the Committee shall report its findings, conclusions, and recommendations to the House, whereupon the House shall act by resolution to sustain or reject the Committee recommendations. The Committee may recommend that the House expel the member as provided in Article III, Section 18 of the Missouri Constitution, or that the House punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution or by censure by the Speaker in open session.

(f) All rules that pertain to regular or special standing committees shall apply to the Committee on Ethics to the extent consistent with this rule and any rules of procedure adopted pursuant to this rule.

BILLS

Introduced - Manner of Setting Forth New and Old Material

Rule 37. (a) *When*. Bills may be introduced only on the report of a committee or by any member of the House, in the regular order of business. No member shall file a bill, other than an appropriation bill, after April 1, without leave of the House.

(b) *Manner of Printing*. Any bill shall have the matter which is being repealed from current law enclosed in bold-faced brackets and the matter which is being added to the law underscored when typewritten and in bold-faced type when printed. A footnote shall be annexed to the first page of each bill which contains material enclosed in bold-faced brackets to the following effect:

"EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language."

Where a section is completely rewritten, the existing section shall be set forth in small type in bold-faced brackets in a note following the new section but the changes need not be distinguished. Any House bill or substitute thereof which does not comply with this rule shall not be placed upon the calendar.

(c) *Numbering of Bills*. The Chief Clerk shall number bills in the order of their filing, reserving numbers for appropriations bills.

Number of Copies Printed

Rule 38. The Chief Clerk shall print such number of copies of all House Bills and House Joint Resolutions as he/she shall deem appropriate.

[Timing for Placement on Calendar]

Federal Mandate Calendar

Rule 39. (a) When a federal mandate bill is reported from the appropriate committee(s) with recommendation that it "Do Pass" or "Without Recommendation", it shall go upon the calendar of the House.

(b) No bill shall be placed on the Federal Mandate Calendars unless it is federally mandated, immediate in nature and reduces revenues or savings if not enacted. A federal mandate bill may only contain subject matter concerning the federal mandate. A member wishing for his or her bill to be considered for placement on the Federal Mandate Calendar shall request in writing to the chair of the committee where such bill has been referred. The written request shall state the deadline by which the State must comply with the federal mandate and what will happen if the State fails to take action by such date. A copy for each committee member of the federal statute(s) or regulation(s) mandating such action shall accompany the request. After the committee has voted "Do Pass" on a bill with such a request, it shall take a second recorded vote on whether or not to recommend that it be placed on the Federal Mandate Calendar. If said bill is reported "Do Pass" by the committee with a recommendation that same be placed on the Federal Mandate Calendar, and the Committee on Rules concurs therein, the Committee on Rules Chair shall submit to the Speaker a copy of the original written request, along with a copy of the federal statute(s) or regulation(s) mandating State action. If the Speaker concurs with the committees that the bill complies with the requirements of this rule, he/she shall advise the Chief Clerk to place same on the Federal Mandate Calendar. If the Speaker does not concur, he/she may place the bill on the Perfection Calendar. Each bill placed upon the Federal Mandate Calendars shall have attached thereto a copy of the federal statute(s) or regulation(s) that mandates the bill, along with a copy of the request to place the bill on the Federal Mandate Calendar and shall be distributed to all members at least twenty-four hours prior to consideration by the entire House.

Motion To Place On Calendar

Rule 40. If any bill is reported from committee with the recommendation that it "Do Not Pass" it shall not go on the calendar of the House unless ordered by a constitutional majority. At the same time the bill is reported to the House, the committee chair shall notify the sponsor or handler of the bill that such report is being made. A motion to have a bill placed upon the calendar must be made within three legislative days after the bill is reported and when the sponsor of the bill is present or the motion is made by a member upon the sponsor's written request. If no such action is taken within said time, the bill shall lie on the table. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Timing of Placement on Calendar

Rule 41. No **House** bill shall be taken up for consideration by the House unless it has been upon the calendar for at least one legislative day.

Bills Laid Over Informally

Rule 42. When a bill is reached, in its order, to be perfected and printed, or to be agreed to and read a third time and placed upon its final passage, it may upon the request of the Majority Floor Leader, or the sponsor or handler thereof, if a House Bill, (or upon the request of its handler in the House, if a Senate Bill) hold its place on the calendar, or be laid over informally, and thereafter be called up at any time when otherwise in order.

To Appear In Order

Rule 43. All bills laid over informally and not taken up and disposed of the same day, shall appear in order upon the calendar for the next legislative day following.

Ten Day Rule

Rule 44. If a bill laid over informally is not taken up for further consideration within ten legislative days after being laid over, it shall lie on the table and be dropped from the calendar of the House without further action of the House.

Consent Calendar

Rule 45. (a) *Which Bills May Be Placed on the Consent Calendar.* Each committee, after a favorable vote on a bill, may further determine by a second and affirmative vote of every member present whether or not such bill is of a noncontroversial nature. Any bill which increases net expenditures of the state, reduces net revenue of the state, or creates or expands a penalty provision, shall not be considered by the committee for consent; provided however, any bill which specifically authorizes an easement or right-of-way involving state property may be considered by the committee for placement on the Consent Calendar.

(b) *Procedure on House Bills.* If the committee shall so determine, the committee report shall include a request that a bill be placed on the "House Consent Calendar for Perfection". Any bill so reported shall automatically be referred to the Committee on Rules. Any bill reported by the Committee on Rules with the recommendation that it be placed on the House Consent Calendar for Perfection shall be placed on that calendar and after said bill has remained on the

“House Consent Calendar for Perfection” for five legislative days, it shall be ordered perfected and advanced to the “House Consent Calendar for Third Reading and Final Passage” without further action of the House, unless five members, with at least two from each political party, have filed written objection with the Chief Clerk. If such objections are filed, the bill shall be placed on the House Bills to be Perfected and Printed Calendar. An objection made by five members under this rule cannot be rescinded. Where there is a House Committee Substitute for a consent bill or House Committee Amendments to a consent bill, the committee substitute, or the bill as amended, shall be deemed adopted and perfected by consent.

(c) *Senate Bills - Consent.* When the Senate passes a bill by its procedure for consent bills, such bill shall be considered for treatment as a consent bill by the House committee without further request; provided however, that the same committee procedures, votes and requirements for House Bills being considered for consent shall be applied to Senate Bills being considered for consent. A Senate Bill may be considered by the committee for Consent even if it was not a Consent Bill in the Senate.

(d) *Procedure on Senate Bills.* Senate Bills passed out of the House committee and Committee on Rules with the request that the bill be placed on the Senate Bills for Third Reading and Final Passage - Consent Calendar are subject to the five member objection provision of this rule.

(e) *Deadline for Placing Senate Consent Bills on the Calendar.* No Senate consent bills shall be placed on the consent calendar after April 15.

(f) *Amendments.* House bills may be considered for consent after they are amended in committee but may not be amended on the floor of the House.

Senate consent bills may be amended in committee but not on the floor of the House unless the Senate Rules allow amendment of House consent bills on the floor of the Senate in which case Senate consent bills may be amended on the floor of the House. House committee amendments and House committee substitutes to Senate consent bills shall be deemed adopted on the fifth legislative day.

AMENDMENTS AND SUBSTITUTES

Rule 46. (a) *In Writing and Distributed in Advance.* Proposed amendments must be reduced to writing. Every amendment shall be distributed in advance of the time the bill is initially taken up for consideration. An amendment shall be considered to have been distributed if it has been either transmitted electronically and made available on each member’s chamber laptop computer and a copy in paper form placed on the desk of the majority floor leader and minority floor leader or placed on the members’ desks in paper form, except for the desk of any member who has waived receipt of amendments. The sponsor of an amendment that has been distributed may make technical corrections at the time the amendment is offered or under consideration. Any technical corrections shall be read in full by the clerk. Technical corrections shall be subject to a point of order that they are not truly technical in nature. Every proposed amendment to the amendment and substitute amendment **may be offered after the time a bill is initially taken up for consideration but shall be distributed prior to the offeror being recognized for a motion on such amendment.** [shall be read in its entirety by the clerk unless it has been distributed in advance. Amendments to the amendment and substitute amendments may be offered even though not distributed in advance of the time a bill is initially taken up for consideration. Any amendment to the amendment or substitute amendment that exceeds two 8 ½” x 11” pages in length shall be distributed prior to the time it is offered.]

(b) *What Amendments and Substitute Amendments are in Order.* When a bill, motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order, and it also shall be in order to offer a further amendment by way of substitute for the original motion to amend, to which one amendment may be offered. It shall not be in order to offer a substitute amendment to an amendment to an amendment. When an amendment is offered, a substitute for that amendment is offered and an amendment to the substitute is offered, it shall not be in order to offer a substitute for the amendment to the substitute. Any proposed amendment in the third degree shall be out of order. Any bill may be withdrawn by the sponsor before amendment or decision thereon. Any amendment may be withdrawn by the sponsor before decision thereon. Once a bill has been amended, it shall be in the possession of the House.

(c) *Committee Substitutes Treated as Original.* A House committee substitute shall be considered as an original bill for purposes of amendment.

(d) *House Substitute.* No House Substitute will be in order. A House Substitute is an amendment which, in the opinion of the Speaker, is effectually replacing the underlying bill or committee substitute.

(e) *When Federal Mandate Bills can be Amended.* Amendments to House and Senate bills-Federal Mandate are permitted only within the scope of the federal mandate. Perfecting amendments are permitted to make technical amendments.

(f) *Appropriations Bills.* 1. No amendment to the appropriations bills of the state budget shall be in order if it increases the total amount of general revenue or general revenue equivalent appropriated in the House appropriations bills. Any amendment that increases the amount of general revenue or general revenue equivalent appropriated in the House appropriations bills shall be required to be submitted with a separate amendment that makes an equal reduction in general revenue or general revenue equivalent in the same bill or any other of the bills still pending. If the reduction is in another bill, the decreasing amendment shall be taken up first, and the increasing amendment may be taken up only if the decreasing amendment is adopted.

2. If a member's decreasing amendment is adopted and the same member's increasing amendment is defeated, the decreasing amendment's adoption is void.

3. The offering and adoption of an amendment decreasing the amount of general revenue or general revenue equivalent appropriated without a balancing increase in the same amendment or a paired amendment creates no right of another member to offer an increasing amendment in any amount up to the amount of the decrease effected by the decreasing amendment, and no member may be recognized for the purpose of making such an amendment.

4. For the perfection of the House appropriations bills of the state budget only, it shall be permissible to amend any line item as often as the House pleases, as long as prior adopted amendments to the line item are taken into account.

5. No House Bill or House Committee Substitute of the state budget shall be adopted until all properly offered amendments to the first 12 House appropriations bills or substitutes have been disposed of.

Committee Substitute Printed

Rule 47. When a committee recommends a substitute for a bill, the original bill will accompany the substitute. The substitute shall be handled on the floor of the House by the committee chair or any member designated by the committee chair. The Chief Clerk shall have an appropriate number of copies of the substitute printed. No committee substitute shall be called from the calendar of the House until the printed copies have been distributed for at least one legislative day. Amendments, if any, may be offered to the substitute before the vote on the motion to adopt the substitute is taken. If the substitute is defeated, the original bill shall be before the House for perfection and shall be considered and shall be handled on the floor by the original sponsor of the bill.

Order of Amendments

Rule 48. When amendments to any bill, motion or proposition are pending, they shall be voted on in the following order:

(1) Amendments to the amendment are disposed of before the substitute is taken up. Only one amendment to the amendment is in order at one time; but as rapidly as one is disposed of by rejection or incorporation as a part of the amendment, another is in order as long as any member desires to offer one.

(2) Amendments to the substitute are next voted on, and may be offered, one at a time, and as rapidly as one is disposed of by rejection or incorporation as a part of the substitute amendment, another is in order as long as any member desires to offer one, until the substitute amendment is adopted.

(3) The substitute amendment, as amended, is next voted on. If the substitute amendment is adopted, the underlying amendment to which it was offered shall not be voted upon, but the substitute amendment shall become part of the bill.

(4) The amendment is voted on last. If any substitute has not been agreed to, the vote comes on the amendment as amended.

(5) The House Committee Substitute is next voted upon, after opportunity for amendment. If the House Committee Substitute is adopted, there shall be an additional vote for the perfection of the bill, as amended.

(6) If there is no House Committee Substitute, or if the House Committee Substitute is not adopted, the original House Bill is next voted upon, after opportunity for amendment.

Amendments Incorporated In Bill

Rule 49. All amendments adopted by the House to a bill originating in the House shall be incorporated in the bill as perfected, and the bill, as thus perfected, shall be printed for the use of the members before its final passage. The perfecting and printing shall be done under the supervision of the Chief Clerk who shall assure that the bill is truly perfected and the printed copies furnished to the members are correct.

BILLS AND JOINT RESOLUTIONS

Ayes and Noes Taken

Rule 50. When a bill shall have passed the House and been returned from the Senate with amendments, said amendments may be concurred in collectively by a constitutional majority, unless objection be made, in which case the vote shall be

taken severally, and no amendment or amendments shall be concurred in by the House except by a constitutional majority and the names of those voting for and against recorded upon the Journal of the House.

Repassage

Rule 51. When all Senate amendments to House Bills have been concurred in by a constitutional majority of the House, the question shall then be put: "Shall the bill as amended be passed?" On this question the ayes and noes shall be called for, and as on first passage, a constitutional majority shall be necessary to the final passage of the bill.

Majority to Perfect

Rule 52. A quorum being present, a majority of those voting aye and no shall be sufficient to perfect a bill and order it printed.

Amending After Perfection; Perfecting Amendments

Rule 53. No bill shall be amended after being perfected and printed without a reconsideration of the vote by which it was ordered perfected and printed and if said bill be amended it shall again be perfected and printed, except that a perfecting amendment to make technical corrections is in order after the bill has been ordered perfected and printed and before it has been read the third time.

Motion for Passage

Rule 54. When the Chief Clerk presents a bill as truly perfected and printed, it shall go upon the calendar to be agreed to and passed. When the bill is taken up in its order, the question shall then be: "Shall the bill be third read and passed?" It shall require a constitutional majority to sustain the question.

Course After Passage

Rule 55. When a bill or joint or concurrent resolution passes the House, it shall be certified by the Chief Clerk, noting the day of its passage at the foot thereof.

Perfecting Amendments on Bills Returned From the Senate

Rule 56. No bill or joint or concurrent resolution that has been returned from the Senate may be further amended without placing the bill in conference, except that a perfecting amendment to make technical corrections is in order in the house of origin when the bill is taken up for final passage as amended by the other house. The perfecting amendment may be directed to the bill or to amendments to the bill. If a perfecting amendment is adopted, the bill as finally passed with the perfecting amendment shall be returned to the other house for its concurrence in the perfecting amendment.

Conference Reports

Rule 57. (a) *Signatures on a Conference Report.* All conference committees shall be composed of [five] **three** conferees from each house and no conference report shall be submitted to either house unless approved by a majority vote of the full committee with not less than two conferees from each house signing the report.

(b) *Review for Correctness.* Before a conference report is taken up by the House, it shall be reviewed for the technical correctness of the report and of any amendments, bill or substitute the report recommends for passage by the House.

(c) *Notice Requirements.* No conference committee report shall be taken up and considered unless the same has been distributed to the members, except members who have waived receipt of conference committee reports, at least one legislative day prior to consideration.

(d) *Exceeding the Differences.* Unless authority is granted by the House to exceed the differences, the conferees must confine themselves to matters that are within the scope of the differences between the House position and the Senate position. When a report is offered for adoption, the point of order that the conferees have exceeded the differences shall be in order. The Speaker may rule on the point of order or may place the question of whether the conferees have exceeded the differences before the House for a vote. A majority of members voting prevails on the question.

RESOLUTIONS

Joint and Concurrent Resolutions

Rule 58. All joint and concurrent resolutions designed to submit to the qualified voters of the state amendments to the Constitution of the State of Missouri, to be voted upon by such voters, shall be read on three separate days, and shall be reported upon by the committee of the House, and shall otherwise be proceeded upon in like manner as a bill.

Joint and Concurrent Resolutions of Congress

Rule 59. All joint and concurrent resolutions of the Congress of the United States designed to submit to the legislature an amendment to the Constitution of the United States shall be submitted as a Concurrent Resolution and read on three separate days, shall be reported upon by a committee, shall be adopted only by a constitutional majority and shall otherwise be proceeded upon in like manner as a bill.

The text of the amendment as proposed by the Congress of the United States shall not be amended.

Reference of Resolutions, etc. Stand Referred

Rule 60. All petitions, memorials, remonstrances, resolutions and other papers offered shall stand referred, without reading, consideration, discussion, explanation or debate, to the Committee on Rules unless timely referred to some other appropriate committee by the Speaker; provided however, that resolutions informing the Governor and/or the Senate that the House has convened, taken some action, or adjourned, resolutions to elect officers of the House, resolutions expressing the appreciation of the House to public officials, resolutions to adopt temporary rules, and concurrent resolutions to convene joint sessions may be adopted by the House upon introduction without referral to committee. Those papers that are favorably recommended by the committee for adoption by the House shall be listed in the Journal and placed upon a resolutions calendar. Courtesy resolutions shall be printed in the Journal by number except those determined by the Committee to be of a controversial nature which shall be printed in full. Joint courtesy resolutions shall be allowed if established by the rules of the Senate.

SENATE BILLS

Referral

Rule 61. Each Senate Bill shall, upon second reading, be referred to the appropriate committee of the House.

Go Upon The Calendar

Rule 62. When a Senate Bill is reported from the committee to which it was referred with the recommendation that it "Do Pass", or "Without Recommendation", it shall stand automatically referred to the Committee on Rules. When a Senate Bill is reported from the Committee on Rules with the recommendation that it "Do Pass", or "Without Recommendation", it shall go upon the House Calendar for the third reading and final passage, provided that no Senate Bill shall be taken up for consideration by the House unless it has been upon the Calendar for at least one legislative day.

Senate Bills Reported "Do Not Pass"

Rule 63. If a Senate Bill is reported from the committee to which referred with the recommendation that it "Do Not Pass" it shall not go upon the calendar of the House for third reading and final passage, unless so ordered by a constitutional majority of the House. In such case, the motion to place the bill on the calendar shall be made within three legislative days of the report, and by a member who has been requested by the Senate sponsor of the bill. If such a motion is sustained, the bill shall stand automatically referred to the Committee on Rules for further action thereon.

Amendments

Rule 64. Senate Bills may be amended by the House when placed upon third reading and final passage, before the vote is taken thereon.

BILLS NOT TO BE PASSED ON PREVIOUS ROLL CALL

Rule 65. No bill shall be passed by any roll call previously taken on another bill, nor shall more than one bill be passed on any one roll call.

MOTIONS

Must Be Read or Stated Before Debate

Rule 66. When a motion is made, it shall be stated by the Chair before being debated.

When In Possession of the House

Rule 67. When a motion is stated by the Speaker it shall be deemed to be in possession of the House. The motion may be withdrawn by the author at any time before a decision or amendment.

To Be Reduced to Writing

Rule 68. Every motion shall be reduced to writing if the Speaker or any member demands it.

Must Be Germane

Rule 69. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Privileged

Rule 70. When a question is under debate, no motion shall be entertained but to adjourn; to take a recess; to lay on the table; for the previous question; to postpone to a certain day; to recommit to committee; or to postpone indefinitely; which several motions shall have precedence in the order herein set forth.

Dilatory

Rule 71. When any of the motions enumerated in the preceding rule have been made and lost, no similar motion shall be entertained until some other business is transacted by the House.

Privileged Motions In Order - When

Rule 72. Except as otherwise limited herein, and except when a member is speaking or the roll is being called, the privileged motions set forth in Rule 70 are always in order, and pending the result of such a motion, no member shall leave his/her seat in the House.

Previous Question

Rule 73. Any member may move the previous question. The motion shall be restated by the Speaker in this form: "Shall the question under immediate consideration be now put?" It may be moved like any other question but it shall only prevail when supported by a constitutional majority and until decided shall preclude amendments and debate. If the motion is sustained, the proponent of the matter under consideration shall be allowed one minute in which to make a closing statement before the House votes on the question. A failure to sustain the motion shall not take the matter under consideration from further consideration of the House; but the House shall proceed as if the motion had not been made.

Not Debatable

Rule 74. Motions to adjourn and for the previous question shall be decided without debate; provided however, that a motion to adjourn is subject to a request by five members for a roll call vote. All other privileged motions are debatable.

Division of Questions

Rule 75. Any member may have, as a personal right, a division of the question where the sense will admit of it. When the question having been divided is a Senate Bill for Third Reading, each part of the bill shall be voted upon separately and a subsequent separate vote shall be taken on the entire bill. When a bill is divided for consideration, the title and enacting clause shall be considered a separate part and shall, unless otherwise amended, be technically changed to reflect any amendments or deletions to the bill. No House Bill shall be subject to a division of the question after its perfection.

Indefinite Postponement

Rule 76. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

Question Laid on the Table - How Taken Up

Rule 77. When a question has been laid on the table, the same cannot be taken up again without a vote of two-thirds (2/3) of the members present.

Motion to Recommit to Committee

Rule 78. Any member may make a motion, at any time prior to the time said bill is third read and passed, that a bill be recommitted to the committee from which it was reported or that a bill be committed to another specifically named committee **in the original form of the bill as it was referred to the committee of origin**, which shall be sustained if a majority of the members present vote in the affirmative.

Motion to Reconsider - Must Be Made Within Three Days

Rule 79. When a motion that a bill be perfected and printed, or that a bill be agreed to, read a third time, and placed upon its passage fails, or when any other question is decided by the House, any member voting on the prevailing side may move to reconsider the vote provided that the motion to reconsider is made within three legislative days after the day on which the vote was taken.

Procedure for Motion to Reconsider

Rule 80. A constitutional majority is required to sustain any motion to reconsider. If the motion to reconsider is sustained the House shall proceed to the original question or motion immediately before proceeding to other questions; whereupon the original question shall be voted upon before any other business of the House is transacted. This shall not preclude further debate or amendment of the proposition, if otherwise appropriate. Any motion to reconsider having failed once shall not be reconsidered again, except to reconsider the vote by which an appropriation bill failed to pass. In the case of an appropriation bill, the motion to reconsider may be considered as many times as the House chooses.

DECORUM AND DEBATE

On Speaking

Rule 81. When any member is about to speak in a debate or deliver a matter to the House, he/she shall rise from his/her seat and respectfully address himself/herself to "Mr. Speaker" or "Madam Speaker". The member shall refer, as appropriate, to other members as "Lady", "Gentleman" or "Representative". The member shall confine himself/herself to the questions under debate and avoid personality and derogatory personal comments. If any member violates the rules of the House, the Speaker, or any member, may call him/her to order. Any member called to order shall immediately sit down, unless permitted to explain, and the House shall, if appealed to, decide the case.

Appeals

Rule 82. If there is no appeal, the decision of the Speaker is final. If the decision of the Speaker is in favor of the member called to order, he/she may proceed; if otherwise, and the case requires it, he/she shall be liable to the censure of the House.

Member to Rise or Seek Recognition

Rule 83. The Speaker shall not recognize any member desiring to speak unless such member arises or appropriately seeks recognition at or near his/her desk. When two or more members seek recognition at the same time the Speaker shall name the member who is to speak first, the other members having the preference next to speak.

Member May Speak - How Often

Rule 84. No member shall speak more than twice on the same question without leave of the House, nor more than once until all other members desiring to speak have spoken. Except when reporting a bill or resolution from a committee, no member may speak or inquire for more than fifteen minutes unless by unanimous consent of the House. When the question is to Third Read and Pass a House Consent Bill or a Senate Consent Bill, the floor handler of the bill and the ranking committee member from the party not the same as the bill handler, shall not speak or inquire for more than ten minutes. Other members shall not speak or inquire for more than five minutes on such bills. The provisions of this rule shall not take precedence over any limitations set pursuant to Rule 25 [(32)] (34).

No Member Shall Name Another Member in Debate

Rule 85. No member shall name another member in debate, but shall refer to the member by district number or county.

Members Not to Use Profanity

Rule 86. No member may use profanity either while speaking on the floor or in committee.

Members Not to Walk Across House - When

Rule 87. While the Speaker is putting any question or addressing the House, no one shall walk out of or cross the House. When a member is speaking or the Journal is being read, no member shall engage in any private conversation; nor while a member is speaking shall anyone pass between him/her and the Speaker. No member shall walk between two members who are engaged in debate or inquiries in the Hall of the House.

Order of Questions

Rule 88. Except as otherwise set forth in these rules, all questions shall be propounded in the order in which they are moved except privileged questions, which shall be propounded as stated in Rule 70.

Voting

Rule 89. (a) Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put; unless he/she has a direct personal or pecuniary interest in such question. No member shall be recorded as voting when he/she was not present when the vote was taken. Nothing herein contained shall prohibit a member from voting "Present" on a question, and such vote shall be recorded in the Journal. In the case of equal division the question shall be lost. In the event that a member's vote (or absence) is incorrectly recorded in the Journal, he/she shall file with the Chief Clerk an affidavit stating that he/she was in the chamber at the time the vote was taken, that he/she did in fact vote, that the vote (or absence) was incorrectly recorded and the correct vote that should have been recorded. In addition to any other penalty provided by rule or law, the filing of a false affidavit shall subject that member to censure by the House.

(b) A member may not authorize any other person to cast his/her vote or record his/her presence. No other person may cast a member's vote or record a member's presence. A vote by a member of a committee with respect to any measure or matter may not be cast by proxy.

Verification of the Roll

Members Not to Interrupt Calling of Ayes and Noes; Changing Vote

Rule 90. Except as otherwise specifically allowed by these rules no member shall be permitted to interrupt a roll call, and no member shall be allowed to vote or change his/her vote (except to have his/her vote correctly recorded) after a verification has begun, or after the final vote is announced.

Demand for Verification

Rule 91. Any five members may demand a verification of the roll call if such is made at any time prior to the time the voting has ended; which, in the event of electronic voting, shall be when the Speaker orders the voting board closed. A demand for verification and a call for absentees are the only reasons for which a member may interrupt a roll call vote.

Bell to Signal Recorded Vote

Rule 92. At a reasonable time prior to the beginning of calling the ayes and noes on any question, a bell notifying the members of a roll call shall be sounded. After the votes are registered the absentees shall be noted and upon demand of any member, another bell signifying that a call of absentees is being taken shall be sounded and a reasonable time shall be allowed after the sounding of the bell before the voting is closed.

Roll Call Votes

Rule 93. In all cases where a rule of the House of Representatives refers to the "calling of the names of the members" or "calling of the ayes or noes" or "calling of the roll", such reference shall be understood to refer also to the "taking" of the vote by electronic roll call system. There shall be a taking of the vote by electronic roll call system on the motion of any one member which is seconded by four other members immediately standing. A vote by electronic roll call shall be limited to thirty minutes, except in the cases of quorum calls. In the event that the electronic roll call system is inoperable, the taking and recording of such vote shall be done by calling the name of each member and recording the respective aye, no or present votes. Any member not responding when his/her name is called shall be recorded as absent.

Dress Code

Rule 94. At all times when the House is seated, proper attire for gentlemen shall be business attire, including coat, tie, dress trousers and dress shoes/boots. Proper attire for women shall be dresses or skirts or slacks worn with a blazer or sweater and appropriate dress shoes/boots. This rule shall apply to all members and staff on the floor of the House and lower gallery.

Eating, Smoking, Distracting Activities

Rule 95. No food, newspapers, or other items or activities distractive to House deliberations shall be permitted on the floor of the House while the House is in session. Smoking is prohibited in the Hall of the House, upper and lower galleries.

Electronic Devices

Rule 96. Tape recorders, portable phones, video equipment, television equipment, photography equipment and/or any other electronic recording devices are not authorized for use on the floor of the House or in any gallery of the House unless permission has been granted by the Speaker and notice has been given to the body. Nothing contained in this rule shall prevent any member from using a portable laptop computer, which is hereby specifically authorized.

Ascending the Dais

Rule 97. No person shall ascend to the Dais without first being recognized to do so by the Speaker. The Speaker may invite any person to ascend the dais.

INTERIM PROCEDURE

Bills - End of First Regular Session

Rule 98. All House Bills or House Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the Speaker's desk. All Senate Bills and Senate Joint and Concurrent Resolutions in possession of the House and not finally acted upon shall, at 5:59 p.m. on the first Friday following the second Monday in May in odd-numbered years, be laid on the President Pro Tem's desk. House Bills and Joint and Concurrent resolutions laid on the Speaker's desk may be re-referred by the Speaker to House committees at the second regular session of the General Assembly in even-numbered years. This rule may only be suspended by a vote of two-thirds (2/3) of the elected members of the House.

Bills - Pre-Filing

Rule 99. A member or member-elect of the House of Representatives may file a bill or joint resolution by mail or in person with the Chief Clerk of the House at any time during the period beginning on December first and ending on the day before a regular session begins which next precedes the session at which the bill or joint resolution is to be considered. Upon receiving a bill or joint resolution filed during the pre-filing period preceding a regular session of the General Assembly in odd-numbered years, the Chief Clerk of the House shall immediately date, number and have the bill or joint resolution printed in the most economical manner as approved by the House Rules Committee and made available according to the rules and practices of the General Assembly next preceding that for which the bill or joint resolution is filed and those bills and joint resolutions received during the filing period preceding a regular session in an even-numbered year shall be printed and made available according to the then effective rules of that General Assembly. All bills or joint resolutions that are pre-filed shall be deemed filed on the day the House begins its regular session.

Interim Committees

Rule 100. All regular or special standing committees named during the first regular session of a General Assembly may meet to consider bills or perform any other necessary legislative function during the interim between the session ending on the thirtieth day of May and the session commencing on the first Wednesday after the first Monday of January; except the Speaker may appoint a subcommittee, made up of members of the regular or special standing committee, to act in place of the regular or special standing committee during the interim. The Speaker may appoint special interim committees to consider bills or perform other necessary legislative duties. Members of each of the committees, or any subcommittee thereof, shall be reimbursed for their necessary and actual expenses incurred while attending meetings of the committee or subcommittee, if approved by the Speaker.

CALL OF THE HOUSE

Names of Absentees to Be Called

Rule 101. A call of the House may be made at any time on motion seconded by ten members and sustained by a majority of those present; (names of members may be called orally or by electronic roll call) and under a call of the House a majority of those present may send for and compel the attendance of absent members; and a majority of all the members present shall be a sufficient number to adjourn.

Absent Members May Be Sent For

Rule 102. Upon the call of the House, the names of those members present shall be recorded and the absentees noted, and those whose names do not appear may be sent for and taken into custody wherever found by the Sergeant-at-Arms or special messenger appointed.

Prohibited While Voting In Progress

Rule 103. No call of the House shall be made after the Speaker has directed the clerk to open the electronic voting device to record the names of the members and until the vote be announced.

Majority Not Under Arrest May Censure And Fine Delinquent Members

Rule 104. The majority of those present, not under arrest, may make an order for the censure or fine of delinquent members, and prescribe the terms under which they shall be discharged.

Release from Custody

Rule 105. When a member shall have been discharged from custody and admitted to his/her seat the House shall decide whether such discharge shall be with or without fees; and, in like manner, whether a delinquent member, taken into custody by a special messenger shall defray the expense of such special messenger.

COMMITTEE OF WHOLE HOUSE

When Permitted

Rule 106. On motion, the House may resolve itself into a Committee of the Whole House for consideration of any business which may properly come before it.

Chair Appointed by Speaker

Rule 107. In forming a Committee of the Whole House, the Speaker shall leave his/her chair, and a Chairman preside in the Committee, who shall be appointed by the Speaker.

Procedure upon Bills

Rule 108. Upon a bill being committed to a Committee of the Whole House, the same shall be first read at length by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered. After report, the bill shall again be subject to debate and amended by clauses, as before.

Amendment to Motion Must Be Incorporated in Original Motion

Rule 109. All amendments made to an original motion in Committee of the Whole House shall be incorporated with the motion and so reported.

Amendments Shall Be Noted

Rule 110. All amendments made to reports, resolutions or other matters committed to a Committee of the Whole House shall be noted and reported, as in case of bills.

Rules of Proceedings

Rule 111. Rules and proceedings of the House shall be observed in Committee of the Whole House, as far as they are applicable, except that limiting the number of times of speaking.

Quorum

Rule 112. A majority of the members elected shall be a quorum to do business, and if, at any time, a sufficient number shall not be present in Committee of the Whole House, and the Committee shall arise, and the Speaker shall resume the chair and the Chairman report the cause of the rising of the Whole Committee.

ADMISSION TO HALL

Definitions

Rule 113. The space between the granite columns shall be known as the floor of the House and the space beyond the granite columns on either side shall be known as the lower gallery, and the space on the upper floor of the House shall be known as the upper gallery.

Admission to House Floor

Rule 114. No person shall be admitted to the floor of the House or the House East Gallery other than the officers and members of the House and the staffs of the Speaker, Speaker Pro Tem, Majority and Minority Floor Leaders, Assistant Majority and Minority Floor Leaders, Majority and Minority Whips, and Chairman of the Budget Committee and, at the

request of the Speaker, technical support staff needed to maintain data processing equipment and other equipment. Other persons may be admitted to the floor and East Gallery with the consent of the House. For the purposes of this rule, the Chief Clerk's staff, the Assistant Chief Clerk, any doormen, sergeant-at-arms and House Photographer are considered officers of the House. Guests may upon written request, submitted five days in advance and with the consent of the Speaker, address the House from the dais at the beginning or adjournment of a daily legislative session or any recess thereof.

Admission to Lower Gallery

Rule 115. No person shall be admitted to the lower gallery of the House except members of the General Assembly, spouses of members, employees of the General Assembly, Joint Committee staff, the Governor, the Lieutenant Governor, the Secretary of State, the State Auditor, the State Treasurer, the State Attorney General, Judges of the Supreme Court, Clerk of the Supreme Court, Judges of the Courts of Appeal or Circuit Courts, Members of Congress, the Governor's Chief of Staff and former members of the General Assembly who are not registered lobbyists or who do not lobby for an individual or organization, and physically disabled persons. No official or other person, except current members of the General Assembly, otherwise allowed to enter the lower gallery by this rule shall engage in any activity supporting or opposing any bill or resolution before the House from the lower gallery. Other persons may be admitted to the gallery by the Speaker upon special request of any Representative when the House is in session. Members of the press may enter the lower galleries while the House is in session for the purpose of interviewing members of the House.

Admission to Upper Gallery

Rule 116. The gallery at the front of the chamber above the Speaker's dais shall be reserved for members of the Missouri Capitol News Association holding valid credentials issued by the Speaker and any other member of the press issued credentials by the Speaker. All other upper galleries shall be open to the public.

RULES

May Be Rescinded or Amended - How

Rule 117. Any motion or resolution purporting to rescind or change the standing rules of the House or to introduce a new rule shall stand without reading or consideration and without discussion, explanation, or debate to the Committee on Rules. Such motions or resolutions as shall be favorably recommended by such committee for adoption by the House shall, upon such recommendation, be printed in the Journal and shall be placed upon a Resolutions Calendar. A constitutional majority shall be required to pass such a resolution. Nothing herein shall prohibit a member from offering substitute rules or amendments to rules recommended by the committee.

May Be Dispensed With

Rule 118. Rules 70, 79 and 80 of the House shall not be suspended or dispensed with, unless by unanimous consent or unless two-thirds (2/3) of the elected members concur therein. No other standing rule or order of the House shall be dispensed with, except by unanimous consent or unless a constitutional majority concurs therein and motions for that purpose shall be limited to the question or proposition under consideration.

JEFFERSON'S MANUAL

Rule 119. The rules of parliamentary practice comprised in "Jefferson's Manual" and the "Rules of the House of Representatives of the United States", and the official collection of precedents and interpretations of the rules by parliamentary authorities of the United States House of Representatives shall govern the House in all cases in which they are applicable and not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. The Chief Clerk, the Speaker, the Speaker Pro Tem, the Majority Floor Leader, the Assistant Majority Floor Leader, the Minority Floor Leader and the Assistant Minority Floor Leader will make available copies of these documents in their offices to any member who so requests. Three copies of these documents shall be available during sessions of the House: one copy shall be at a location determined by the majority party and one copy shall be at a location determined by the minority party and one copy shall be in the possession of the Chief Clerk or his/her designee. The documents shall be purchased by the House and shall be the property of the House and not of the individual holding office. The Manual, Rules, precedents and interpretations above referred to shall be taken as authority in deciding questions not otherwise provided for in these rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 162, introduced by Representatives Sommer, Spencer, McCaherty, Wood, Berry and Fitzpatrick, relating to the Missouri firearms freedom act.

HB 163, introduced by Representatives Fitzpatrick and Dugger, relating to primary elections.

HB 164, introduced by Representatives Pace, Ellinger, Schieffer, Rizzo, Walton Gray, Black, Schupp, Pierson, Ellington, McCann Beatty, Smith (85), Otto, Hubbard, Mims, May, Webb, Hummel, McNeil, Morgan, Gardner and Englund, relating to use of credit scores by prospective employers.

HB 165, introduced by Representatives Gosen, Leara, Kelley (127), Gatschenberger, Colona and Hough, relating to intoxicating liquor manufactured for personal or family use.

HB 166, introduced by Representatives Hubbard, Ellington, Walton Gray, Pace, Carpenter, Colona, Otto, McCaherty, Haefner, Montecillo, Rizzo, Webb, Ellinger, Butler and May, relating to a pilot project for increasing children's access to incarcerated mothers.

HB 167, introduced by Representatives Hubbard, Walton Gray, Pace, Ellington, Montecillo, Rizzo, Webb, Ellinger, May and Newman, relating to repealing the death penalty.

HB 168, introduced by Representatives Davis, Kelley (127), Spencer, Hoskins, Crawford, Cox, McCaherty and White, relating to residency at public institutions of higher education.

HB 169, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

HB 170, introduced by Representatives Guernsey, Curtman, Johnson, Hinson, Kolkmeier, Smith (120), Neely, Higdon, Davis, Wilson, Shull, Love, Phillips, Rowland, Rhoads, Miller, Fowler, Lant, Crawford, Brown, Redmon, Franklin, Keeney, Reiboldt, Fitzpatrick, Pike, Lair, Brattin, Dugger, Fitzwater, Burlison, Parkinson, Elmer, McCaherty, Conway (104), Houghton, Bernskoetter, Lichtenegger, Zerr, Flanigan, Allen, Schieber, Kelley (127), Hicks, Riddle, Walker, Hansen, White, Neth, Muntzel, Remole, Gatschenberger, Frederick, Spencer, Molendorp, McGaugh, Hurst, Cookson, Ross, Pogue, Leara and Thomson, relating to firearms.

HB 171, introduced by Representative Hodges, relating to the designation of ROHHAD awareness day.

HB 172, introduced by Representatives Hodges, Schieffer, McDonald, Kratky, McNeil, Black, Colona, Hummel, Rizzo and Norr, relating to insurance coverage for treatment of infertility.

HB 173, introduced by Representatives Hodges, Schieffer, McDonald, Kratky, Black, Colona, Hummel, Kelly (45), Kirkton, Rizzo, McManus and Norr, relating to residential use of oxygen tanks and apparatuses.

HB 174, introduced by Representatives Hodges, Schieffer, McDonald, Kratky, Conway (10), Black, Colona, Hummel, Kirkton, Rizzo and Norr, relating to crimes against police animals.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed a committee to act with a like committee from the House pursuant to **HCR 1**.

Senators: Curls, Dempsey, Justus, Keaveny, Kehoe, McKenna, Nieves, Richard, Walsh and Wasson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

The President Pro Tem has appointed a committee to act with a like committee from the House pursuant to **HCR 2**.

Senators: Curls, Dixon, Emery, Justus, Keaveny, McKenna, Schaaf, Schaefer, Schmitt and Sifton.

COMMUNICATIONS

January 15, 2013

D. Adam Crumbliss
Chief Clerk
State Capitol, Room 317-A
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Ira Anders
State Representative
District 21

January 15, 2013

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C, State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith
Representative
District 85

The following members' presence was noted: Grisamore, Ross and Schatz.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Wednesday, January 16, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 16, 2013, 2:00 PM House Hearing Room 1.
Higher Education Funding Model presentation from Dr. Stacey Preis

APPROPRIATIONS - EDUCATION

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Public Testimony

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 16, 2013, 8:00 AM House Hearing Room 6.
Organizational Meeting

JUDICIARY

Wednesday, January 16, 2013, 12:00 PM House Hearing Room 1.
Organizational Meeting

RETIREMENT

Thursday, January 17, 2013, 9:00 AM House Hearing Room 1.
Organizational Meeting
CANCELLED

RULES

Wednesday, January 16, 2013, 3:00 PM House Hearing Room 7.
Executive session will be held: HCS HB 110
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 16, 2013

HOUSE BILLS FOR SECOND READING

HB 162 through HB 174

HOUSE RESOLUTIONS

HCS HR 31 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 16, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The fear of the Lord is the beginning of wisdom: a good understanding have all they that do His commandments: His praise endureth forever. (Psalm 111:10)

God of Glory, we bow before You with our daily devotions, grateful to be alive, opening our hearts to You and endeavoring to make them channels for Your power in our state. Keep our thinking clear and clean, our emotions in complete control, and give us the mind to keep our bodies healthy and fit for finer service to You and for greater service to the state of Missouri.

Give to these Members of the House faith, hope and love, that they may lead our people into the right paths of enduring peace and abounding goodwill.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan

Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Fraker	Kelly 45	McDonald	McManus
Swearingen				

VACANCIES: 002

HOUSE RESOLUTION

Representative Smith (85), et al., offered House Resolution No. 88.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 73 through House Resolution No. 87
House Resolution No. 89 through House Resolution No. 121

HOUSE CONCURRENT RESOLUTION

Representative Curtman, et al., offered House Concurrent Resolution No. 9.

SECOND READING OF HOUSE BILLS

HB 162 through **HB 174** were read the second time.

HOUSE RESOLUTIONS

HCS HR 31, relating to the Rules of the House of Representatives, was taken up by Representative Diehl.

Representative Haefner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Resolution No. 31, Page 40, Rule 95, Line 21, by inserting after the word "galleries." the following:

"The majority and minority caucuses shall adopt policies for its individual member's office space within the Capitol as it relates to the use of tobacco and alcohol products."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Gardner offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Resolution No. 31, Page 40, Rule 95, Line 21, by inserting after the word "galleries" the following:

", House member offices, and any other areas of the Capitol controlled by the House of Representatives";
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Gardner moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Anders	Burns	Butler	Carpenter	Conway 10
Curtis	Dunn	Ellinger	Englund	Gardner
Harris	Hodges	Hummel	Kirkton	LaFaver
May	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Walton Gray	Webb	Webber
Wright				

NOES: 114

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Colona	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50

Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

PRESENT: 003

Ellington	English	Mayfield
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ABSENT WITH LEAVE: 003

Kelly 45	McManus	Swearingen
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VACANCIES: 002

On motion of Representative Haefner, **House Amendment No. 1** was adopted by the following vote:

AYES: 128

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McDonald	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Norr	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 027

Black	Carpenter	Colona	Curtis	Ellington
Frame	Gardner	Hubbard	Hummel	Kirkton
Kratky	May	McCann Beatty	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Otto	Pace	Pierson	Smith 85	Walton Gray
Webb	Webber			

PRESENT: 003

English	Mayfield	McNeil
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ABSENT WITH LEAVE: 003

Kelly 45	McManus	Swearingen
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VACANCIES: 002

Speaker Pro Tem Smith assumed the Chair.

Representative Webb offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Resolution No. 31, Page 28, Lines 44-46, and Page 29, Lines 1, Rule 46(a), by deleting all of said lines and inserting in lieu thereof the following:

"proposed amendment to the amendment and substitute amendment shall be read"; and

Further amend said rule, Page 29, Line 8, by removing the bracket "]" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Frame offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Frame offered **House Substitute Amendment No. 2 for House Amendment No. 2.**

*House Substitute Amendment No. 2
for
House Amendment No. 2*

AMEND House Committee Substitute for House Resolution No. 31, Page 28, Lines 44-46, and Page 29, Lines 1, Rule 46(a), by deleting all of said lines and inserting in lieu thereof the following:

"proposed amendment to the amendment and substitute amendment shall be read"; and

Further amend said rule, Page 29, Line 8, by removing the bracket "]" on said line and inserting in lieu thereof the following:

"At least two members from each party who have an amendment to the amendment or substitute amendment shall be recognized to offer said amendment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Kelly 45	McManus	Swearingen
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VACANCIES: 002

Representative Frame moved that **House Substitute Amendment No. 2 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

NOES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Kelly 45	McManus	Swearingen
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VACANCIES: 002

Representative Webb moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

NOES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Kelly 45	McManus	Swearingen
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VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McKenna
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Kelly 45	May	McDonald	McManus
Miller	Swearingen			

VACANCIES: 002

On motion of Representative Diehl, **HCS HR 31, as amended**, was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Kelly 45	McManus	Swearingen
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VACANCIES: 002

Speaker Jones resumed the Chair.

COMMITTEE REPORT

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 9, introduced by Representative Fitzwater, relating to the state board of education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 175, introduced by Representatives Crawford and Dugger, relating to delinquent property taxes.

HB 176, introduced by Representatives Crawford and Dugger, relating to open-end credit fees and to depository institution open-end credit advance fees applicable to transaction account cash advances.

HB 177, introduced by Representatives Koenig, Smith (120), Bahr, Burlison, Zerr, Higdon, Gosen, Wieland, Funderburk, Curtman, Brown, Brattin, Cookson, White, Davis, McCaherty, Hampton, Cox, Dohrman, Kolkmeyer, Dugger, Crawford, McGaugh and Fitzpatrick, relating to the abortion-inducing drugs safety act.

HB 178, introduced by Representatives Koenig, White, Curtman and Bahr, relating to local ballot proposals.

HB 179, introduced by Representatives Koenig, Bahr, Higdon, Funderburk, Curtman, Brattin, Wood, Cookson, Davis, McGaugh and Fitzpatrick, relating to teacher academic freedom to teach scientific evidence regarding evolution.

HB 180, introduced by Representatives Roorda, Guernsey, Kirkton, Pace, Ellinger, Walton Gray, Schupp, McNeil, English, Mayfield, Burns, Hodges, Norr, Schieffer, LaFaver, McKenna, May, Newman, Mims, Gardner, Webb, Rizzo, Gatschenberger, Englund, Anders, Kratky, Kelley (127) and Otto, relating to changes to the sunshine law.

HB 181, introduced by Representatives Sommer, Spencer, Fitzpatrick and Franklin, relating to states rights to limit the commerce clause from controlling goods produced or manufactured in Missouri.

HB 182, introduced by Representatives Hoskins and Wood, relating to the Missouri angel investment incentive act.

HB 183, introduced by Representatives Hoskins, Schatz, Elmer and Wood, relating to tax credit reporting.

HB 184, introduced by Representatives Cox, Dohrman and Hoskins, relating to the Pettis county transient guest tax.

HB 185, introduced by Representatives Kirkton, Messenger, English and McNeil, relating to the designation of PKS day.

HB 186, introduced by Representatives Curtman, Kelley (127), Koenig, Bahr, Rehder and Parkinson, relating to parental liability for damages by a minor.

HB 187, introduced by Representatives Newman, Kirkton, Gardner, Schupp, Rizzo, Pace, Montecillo, Webb, Englund, McDonald, Kratky, LaFaver, Morgan, Ellington, Mitten, Hummel, McCann Beatty, Kelly (45), McNeil, Butler, Mims, Nichols, Burns, Pierson, Walton Gray, Colona, Ellinger and Meredith, relating to the sale and transfer of firearms.

HB 188, introduced by Representatives Conway (10), Ellinger, Schupp, Newman, Roorda, Kratky, McDonald, Kelly (45), Hodges, Montecillo, Dunn, Anders, Mims, Mayfield, McNeil, Walton Gray, Otto, Englund, McCann Beatty, Hummel and Kirkton, relating to absentee voting.

HB 189, introduced by Representatives Muntzel, Jones (50), Love, Remole, Miller, Dohrman, Kolkmeyer, Cox, Rowden, Neely and Berry, relating to primary election results.

HB 190, introduced by Representatives Burlison, Davis, Funderburk, Keeney, Jones (110), Diehl, Morris, Elmer, Bahr, Schatz, Kelley (127) and Lant, relating to the volunteer health services act.

HB 191, introduced by Representatives Torpey, Zerr, Diehl, Allen, Leara, Swearingen, McCaherty, Walker, Lauer, Conway (104), Kratky, Sommer, Wieland, Smith (85) and Otto, relating to the Missouri Angel Investment Incentive Act.

HB 192, introduced by Representatives McNeil, White, Ellinger, Rizzo, Hodges, Black, Norr, Gardner, Kratky, Meredith, Montecillo, English, Otto, Mayfield, McKenna, Schupp, Morgan and Pace, relating to senior citizens property tax relief.

HB 193, introduced by Representatives Diehl and Cox, relating to boards of election commissioners.

HB 194, introduced by Representatives Diehl, Cierpiot, Hough, Neth, Torpey, Flanigan, Allen, Walker, Jones (50), Hodges, Kratky, Redmon, Colona, Webber and Rizzo, relating to a tax deduction for creation for job new home purchasers.

COMMITTEE APPOINTMENTS

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Holly Rehder, Representative David Wood, and Representative Bonnaye Mims to the Committee on Appropriations – Health, Mental Health and Social Services.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Appropriations – Infrastructure and Job Creation:

Dave Hinson	Michael Butler
Mike Thomson	Jeremy LaFaver
Dwight Scharnhorst	Gail McCann Beatty
Caleb Jones	Michael Frame
Dave Schatz	
Myron Neth	
Sandy Crawford	

The Speaker has designated Chris Kelly as Chair, and Lincoln Hough as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Children, Families, and Persons with Disabilities:

Rick Brattin	Sue Meredith
Andrew Koenig	Stacey Newman
Elaine Gannon	Jill Schupp
Tim Remole	Genise Montecillo
Jim Neely	
Elijah Haahr	

The Speaker has designated Jeff Grisamore as Chair, and Kurt Bahr as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Emerging Issues in Agriculture.

Holly Rehder	Dave Muntzel
Craig Redmon	Michael Frame
Dennis Fowler	Ben Harris
Sonya Anderson	Sue Meredith
Noel Shull	Bill Otto

The Speaker has designated Delus Johnson as Chair, and Lyle Rowland as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on Government Oversight and Accountability:

Tom Flanigan	Kevin McManus
Todd Richardson	Tommie Pierson
Chris Molendorp	Jeff Roorda
Jeffrey Messenger	

The Speaker has designated Jay Barnes as Chair, and Mark Parkinson as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Committee on International Trade.

Mike Kelley	Bob Burns
Lindell Shumake	Courtney Curtis
Delus Johnson	Judy Morgan
Jeff Grisamore	

The Speaker has designated John McCaherty as Chair, and T.J. Berry as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jim Neely, Representative Randy Pike and Representative Jon Carpenter to the Committee on Veterans.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Emerging Issues in Health Care:

Stanley Cox	Jeanne Kirkton
Doug Funderburk	Kimberly Gardner
Sue Allen	Kevin McManus
Jeanie Riddle	Sharon Pace
Kathryn Swan	
Jeanie Lauer	

The Speaker has designated Todd Richardson as Chair, and Eric Burlison as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMITTEE CHANGE

January 16, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ira Anders from the Committee on Appropriations - Agriculture and Natural Resources and appoint Representative Sonya Anderson.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMUNICATION

January 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a licensed insurance producer and own an insurance agency located within the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Paul Wieland
District 112

WITHDRAWAL OF HOUSE BILL

January 15, 2013

Chief Clerk Adam Crumbliss
201 W. Capitol Avenue
Room 317A
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss:

I am writing to respectfully request that **House Bill No. 94** be withdrawn. The bill was seeking to require a full-time nonresident student in a college, university, or technical school to pay the same hunting, trapping, and fishing license or permit fee as a resident applicant. The Missouri Department of Conservation has informed me that this is a rule already.

I appreciate your consideration and hope that you will contact me if you have any questions.

Sincerely,

/s/ Rocky Miller
State Representative
District 124

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, January 17, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Public Testimony

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 22, 2013, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Organizational Meeting

BUDGET

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 3.
Organizational Meeting

FISCAL REVIEW

Thursday, January 24, 2013, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
The committee may consider any legislation having been referred.

RETIREMENT

Thursday, January 17, 2013, 9:00 AM House Hearing Room 1.

Organizational Meeting

CANCELLED

VETERANS

Wednesday, January 23, 2013, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 17, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 9

HOUSE BILLS FOR SECOND READING

HB 175 through HB 194

HOUSE BILLS FOR PERFECTION

HCS HB 110 - Smith (120)

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 17, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

O give thanks unto the Lord; for He is good: for His mercy endureth forever. (Psalm 106:1)

O God, Who is worthy of a nobler praise than our lips can utter, and worthy of a greater love than our hearts can offer, in Your presence we bow this moment as into Your hands we commit our lives and hearts.

May the thoughts in our minds become channels for Your goodness, may the noble dreams in our hearts find their fulfillment in You and may the work of our hands be honest and true. Together may we build a greater and a better state upon the foundations of the faith of our parents and our faith in the possibility of a new day.

Open our eyes to the manifestations of Your spirit in our world. Give us courage in weakness, steady us when we would fall, enlarge our sympathies that we may become all God's children. Make us a people grateful for our privileges, faithful in our stewardship, and sensitive to the needs of our innocent.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Diehl offered House Resolution No. 139.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 122 through House Resolution No. 138

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 9 was read the second time.

SECOND READING OF HOUSE BILLS

HB 175 through **HB 194** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 139 - Ethics

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 4 - Elections

HJR 5 - Elections

HJR 7 - Agriculture Policy

HJR 8 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 33 - General Laws

HB 34 - Workforce Development and Workplace Safety

HB 42 - Tourism and Natural Resources

HB 43 - Elementary and Secondary Education

HB 44 - Utilities

HB 46 - Agri-Business

HB 48 - Elections

HB 61 - Local Government

HB 63 - Downsizing State Government

HB 64 - Workforce Development and Workplace Safety

HB 77 - Workforce Development and Workplace Safety

HB 87 - Children, Families, and Persons with Disabilities

HB 95 - Workforce Development and Workplace Safety

HB 97 - Workforce Development and Workplace Safety

HB 98 - Workforce Development and Workplace Safety

HB 113 - Elections

HB 125 - Elections

HB 126 - Elections

HB 127 - Elections

HB 137 - Downsizing State Government

HB 148 - Veterans

HB 166 - Urban Issues

HB 169 - Retirement

HB 170 - General Laws

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 10, introduced by Representatives Reiboldt, Smith (120), Lant, Wilson, Love, Kelley (127), Spencer, Hansen and Walker, relating to agriculture.

HJR 11, introduced by Representatives Reiboldt, Smith (120), Lant, Love, Wilson, Kelley (127), Wieland, Spencer, Hansen and Walker, relating to the right to raise animals.

HJR 12, introduced by Representatives Cox, Kelley (127), Austin, Remole, Davis, Koenig, Berry, Brown and Crawford, relating to elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 195, introduced by Representatives Jones (50), Cornejo, Frederick and Neely, relating to midwifery.

HB 196, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Allen, Leara, Swearingen, McCaherty, Walker, Conway (104), Kratky, Sommer, Wieland, Smith (85), McNeil and Otto, relating to job training programs.

HB 197, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Allen, Leara, Swearingen, McCaherty, Walker, Conway (104), Kratky, Sommer, Smith (85) and Otto, relating to sales tax and revenue bonds.

HB 198, introduced by Representatives Flanigan, Spencer, Funderburk, Molendorp, White, Davis, Lant, Reiboldt and Roorda, relating to infrastructure replacement surcharges.

HB 199, introduced by Representatives Dugger, Conway (10), Entlicher and McGaugh, relating to elections.

HB 200, introduced by Representative Barnes, relating to state employees.

HB 201, introduced by Representatives Torpey, Neth and Berry, relating to tax credits for freight line companies.

HB 202, introduced by Representatives Reiboldt, Lant, Love, Wilson, Kelley (127), Spencer, Walker, Hansen, Rowden, Kelly (45) and Wright, relating to University of Missouri extension districts.

HB 203, introduced by Representatives Reiboldt, Lant, Kelley (127) and Spencer, relating to certain disclosures on credit card processing service contracts.

HB 204, introduced by Representatives Reiboldt, Lant, Kelley (127) and Spencer, relating to fees for garnishments.

HB 205, introduced by Representatives Reiboldt, Smith (120), Lant, Wilson, Love, Kelley (127), Wieland, Spencer, Hansen and Walker, relating to the right to raise domesticated animals.

HB 206, introduced by Representatives Reiboldt, Lant, Love, Wilson, Kelley (127), Spencer, Hansen and Walker, relating to the designation of Missouri pet breeders appreciation month.

HB 207, introduced by Representative Kirkton, relating to the taxation of property.

HB 208, introduced by Representative Kirkton, relating to a sales tax holiday for school supplies.

HB 209, introduced by Representative Richardson, relating to firearms.

HB 210, introduced by Representatives Cox, Kelly (45), Ellinger, Elmer, Higdon, Leara and Cornejo, for the sole purpose of restructuring the Missouri criminal code.

HB 211, introduced by Representatives Cox, Higdon, Mayfield, Dohrman, Brown and Crawford, relating to real estate loans.

HB 212, introduced by Representatives Cox, Brown and Crawford, relating to secured transactions.

HB 213, introduced by Representative Cox, relating to depositions in criminal cases.

HB 214, introduced by Representatives Cox and Higdon, relating to restitution.

HB 215, introduced by Representative Cox, relating to the defense of indigent defendants and restitution of crime victims.

HB 216, introduced by Representatives Cox, Diehl and Brown, relating to voter photo identification.

HB 217, introduced by Representatives Cox, Remole, Koenig and Berry, relating to the transparency and accountability of public funds.

HB 218, introduced by Representatives Cox, Hough, Walker, Neth, Parkinson, Fraker, Funderburk, LaFaver, Ellinger, Colona, Morgan, Webb, Englund, Hummel, Rizzo and Ellington, relating to controlled substances.

HB 219, introduced by Representative Stream, relating to state aid for transportation of pupils.

HB 220, introduced by Representatives May, Ellington, Pace, McDonald, Kratky, Webb, Rizzo, McManus, Smith (85), Roorda, Conway (10), McNeil, Norr, Morgan, Colona, Dunn, Kirkton, Hubbard, Otto, Pierson and Walton Gray, relating to criminal nonsupport.

HB 221, introduced by Representatives Zerr, Diehl, Allen, Leara, Swearingen, McCaherty, Walker, Lauer, Kratky, Sommer, Torpey, Smith (85), McNeil and Otto, relating to the sole purpose of freight forwarding.

HB 222, introduced by Representatives Zerr, Diehl, Hummel, Allen, Leara, Swearingen, Otto, McCaherty, Walker, Lauer, Kratky, Sommer, Torpey, Wieland, Smith (85) and Rowden, relating to tax incentives for technology business facilities and data storage centers.

HB 223, introduced by Representatives Zerr, Diehl, Hummel, Allen, Leara, Swearingen, Walker, Lauer, Conway (104), Kratky, Sommer, Torpey, Wieland, Smith (85) and Otto, relating to incentives to attract amateur sporting events to Missouri.

HB 224, introduced by Representatives Berry, Kelley (127), Shull, Neth, Wilson, Lauer, Cierpiot, Brown, Wieland, Lant, Solon, Frederick, Swearingen, McNeil, Muntzel, Love, Davis, White, Crawford, Wood, Reiboldt, Rowden, Curtman, Richardson and Houghton, relating to school bus advertisements.

HB 225, introduced by Representatives Berry, Wilson and Pace, relating to personal flotation devices.

HB 226, introduced by Representatives Berry, Neth, Kelley (127), Wilson and Pace, relating to motor fuel tax exemptions.

COMMITTEE APPOINTMENTS

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Committee on Appropriations - Revenue, Transportation and Economic Development:

Anne Zerr	Elijah Haahr
Dave Schatz	Jon Carpenter
Dennis Fowler	Randy Dunn
Rocky Miller	Vicki Englund
Holly Rehder	Sharon Pace
Ron Hicks	Ed Schieffer
Scott Fitzpatrick	Karla May
Noel Shull	
Warren Love	

The Speaker has designated Denny Hoskins as Chair, and Bart Korman as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Elijah Haahr, Representative Mark Parkinson and Representative Jeff Roorda to the Committee on Elementary and Secondary Education.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Sue Entlicher, Representative T.J. Berry and Representative Jeanne Kirkton to the Committee on Local Government.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Nathan Walker, Representative Robert Ross and Representative Ira Anders to the Committee on Tourism and Natural Resources.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMITTEE CHANGES

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Gina Mitten from the Committee on Downsizing State Government and appoint Representative Jeff Roorda.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Courtney Curtis from the Committee on Fiscal Review and appoint Representative Brandon Ellington.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 17, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jeff Roorda from the Committee on Government Oversight and Accountability and appoint Representative Gina Mitten.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

The following members' presence was noted: Allen, Anderson, Bahr, Barnes, Bernskoetter, Berry, Black, Brattin, Brown, Burlison, Burns, Butler, Cierpiot, Conway (10), Conway (104), Cookson, Cornejo, Cox, Crawford, Cross, Curtis, Curtman, Davis, Dohrman, Dugger, Dunn, Ellinger, Ellington, Elmer, English, Entlicher, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Frederick, Funderburk, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Houghton, Hubbard, Hummel, Hurst, Johnson, Jones (50), Justus, Keeney, Kelley (127), Kelly (45), Koenig, Kolkmeier, Korman, Kratky, LaFaver, Lair, Lant, Lauer, Leara, Lichtenegger, Love, Lynch, Marshall, May, Mayfield, McCaherty, McCann Beatty, McDonald, McGaugh, McKenna, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morris, Muntzel, Neely, Neth, Newman, Norr, Otto, Pace, Parkinson, Pfautsch, Phillips, Pike, Pogue, Redmon, Rehder, Reiboldt, Remole, Rhoads, Riddle, Rizzo, Roorda, Ross, Rowden, Rowland, Runions, Scharnhorst, Schatz, Schieber, Schieffer, Schupp, Shull, Shumake, Smith (85), Solon, Sommer, Spencer, Stream, Swan, Thomson, Torpey, Walker, Walton Gray, Webb, White, Wieland, Wilson, Wood, Wright and Zerr.

ADJOURNMENT

On motion of Speaker Jones, the House adjourned until 4:00 p.m., Tuesday, January 22, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Public Testimony

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 22, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

DMH department overview

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DSS department overview

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 24, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DHSS department overview

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, January 22, 2013, Upon Adjournment House Hearing Room 6.

Organizational Meeting

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 22, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Organizational Meeting

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Department of Corrections overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Testimony

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Public Testimony

BUDGET

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 3.

Organizational Meeting

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, January 22, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 87

Executive session may be held on any matter referred to the committee.

Introductory/Organizational meeting and hearing for HB 87

CORRECTIONS

Wednesday, January 23, 2013, 7:30 AM House Hearing Room 1.

Informational Only

ECONOMIC DEVELOPMENT

Tuesday, January 22, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Organizational Meeting - Presentation from the Department of Economic Development

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 6.

Organizational and Information meeting only

EMERGING ISSUES IN AGRICULTURE

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Informational meeting

FISCAL REVIEW

Thursday, January 24, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

The committee may consider any legislation having been referred.

VETERANS

Wednesday, January 23, 2013, 9:00 AM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 22, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 10 through HJR 12

HOUSE BILLS FOR SECOND READING

HB 195 through HB 226

HOUSE BILLS FOR PERFECTION

HCS HB 110 - Smith (120)

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 22, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Have no anxiety about anything; but in everything by prayer and supplication with thanksgiving let your requests be made known unto God. (Philippians 4:6)

Eternal God, Whose mercy is from everlasting to everlasting and Whose truth endures forever - in this moment of prayer may we hear Your voice speaking to us and with receptive minds may we respond. Always and in all ways You are very, very near. Help us to be aware of Your presence and to keep ourselves open to the leading of Your spirit. Strengthen us when we fail; support us when we fall and sustain us when we falter.

Open our eyes that we may see the higher virtues, open our ears that we may hear the greater voices as they speak to us, open our hands that we may deal wisely and justly the events that life hands to us - not that we may always win but that we may act fairly and honorably. By Your spirit help us to live together in this land of our birth and preserve us, O God, for in You do we put our trust. Finally, grant eternal rest to Stan Musial who brought honor and dignity to baseball in Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer

Leara	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Dunn	Grisamore	Kirkton	Lichtenegger	May
McManus	Molendorp	Newman	Richardson	Smith 85
Webb	Webber			

VACANCIES: 002

The Journal of the sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 140 through House Resolution No. 154

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 10 through **HJR 12** were read the second time.

SECOND READING OF HOUSE BILLS

HB 195 through **HB 226** were read the second time.

ESCORT COMMITTEE

The Speaker appointed the following committee to act with a like committee from the Senate pursuant to **HCR 2**: Representatives Gardner, Colona, Ellinger, Smith (85), Englund, Elmer, Cornejo, McGaugh, Lichtenegger and Marshall.

PERFECTION OF HOUSE BILL

HCS HB 110, relating to vacancies in certain elected offices, was taken up by Representative Smith (120).

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 110, In the Title, Page 1, Line 4, by deleting the phrase "vacancies in certain statewide offices" and inserting in lieu thereof the phrase:

"vacancies and time limits for certain offices"; and

"115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2 and 3 of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in November, or on another day expressly provided by city or county charter, and in nonprimary years on the first Tuesday after the first Monday in August. Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections [115.755] **115.758** to 115.785 shall be held on the first Tuesday after the first Monday in [February] **March** of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

- (1) Bond elections necessitated by fire, vandalism or natural disaster;
- (2) Elections for which ownership of real property is required by law for voting;
- (3) Special elections to fill vacancies and to decide tie votes or election contests; and
- (4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

4. Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

5. Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter."; and

Further amend said bill, Page 5, Section 30.070, Line 5, by inserting after all of said section and line the following:

"[115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in February of each presidential election year.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Korman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 110, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"21.110. If the governor receives any resignation or notice of vacancy, or if he is satisfied of the death of any member of either house, during the recess, he shall, without delay, issue a writ of election to supply the vacancy. **For purposes of this section, the phrase "without delay" shall mean that the writ of election is issued in such a manner**

that the election to supply the vacancy shall be held, in accordance with all general laws governing such elections, not later than six months from the time that the governor receives any resignation or notice of the vacancy."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2** was adopted.

Representative Dugger offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 110, Page 5, Section 115.365, Line 20, by inserting after all of said section and line the following:

"115.601. 1. Any contestant in a primary or other election contest who was defeated by less than one percent of the votes cast for the office and any contestant who received the second highest number of votes cast for that office if two or more are to be elected and who was defeated by less than one percent of the votes cast, or any person whose position on a question was defeated by less than one percent of the votes cast on the question, shall have the right to a recount of the votes cast for the office or on the question.

2. In cases where the candidate filed or the ballot question was originally filed with an election authority as defined in section 115.015, such recount shall be requested in accordance with the provisions of section 115.531 or 115.577 and conducted under the direction of the court or the commissioner representing the court trying the contest according to the provisions of this subchapter.

3. In cases where the candidate filed or the ballot question was originally filed with the secretary of state, the defeated candidate or the person whose position on a question was defeated by less than **one-half of** one percent of the votes cast on the question shall be allowed a recount pursuant to this section by filing with the secretary of state a request for a recount stating that the person or the person's position on a question was defeated by less than **one-half of** one percent of the votes cast. Such request shall be filed not later than seven days after certification of the election. The secretary of state shall notify all concerned parties of the filing of the request for a recount. The secretary of state shall authorize the election authorities to conduct a recount pursuant to this section if the requesting party or his position on a question was defeated by less than **one-half of** one percent of the votes cast. The secretary of state shall conduct and certify the results of the recount as the official results in the election within twenty days of receipt of the aforementioned notice of recount.

4. Whenever a recount is requested pursuant to subsection 3 of this section, the secretary of state shall determine the number of persons necessary to assist with the recount and shall appoint such persons equally from lists submitted by the contestant and the opponent who received more votes or a person whose position on a question received more votes than the contestant's position on that question. Each person appointed pursuant to this section shall be a disinterested person and a registered voter of the area in which the contested election was held. Each person so appointed shall take the oath prescribed for and receive the same pay as an election judge in the jurisdiction where the person is registered. After being sworn not to disclose any facts uncovered by the recount, except those which are contained in the report, the contestant and the opponent who received more votes or a person whose position on a question received more votes than the contestant's position on that question shall be permitted to be present in person or represented by an attorney at the recount and to observe the recount. Each recount shall be completed under the supervision of the secretary of state with the assistance of the election authorities involved, and the persons appointed to assist with the recount shall perform such duties as the secretary of state directs. Upon completion of any duties prescribed by the secretary of state the persons appointed to assist with the recount shall make a written and signed report of their findings. The findings of the persons appointed to assist with the recount shall be prima facie evidence of the facts stated therein, but any person present at the examination of the votes may be a witness to contradict the findings. No one other than the secretary of state, the election authorities involved, the contestant and the other witnesses described in this subsection, their attorneys, and those specifically appointed by the secretary of state to assist with the recount shall be present during any recount conducted pursuant to this section.

5. For purposes of this section, "recount" means one additional counting of all votes counted for the office or on the question with respect to which the recount is requested."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 3** was adopted by the following vote:

AYES: 121

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Otto	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 035

Burns	Colona	Curtis	Ellinger	Ellington
English	Gardner	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Pace	Pierson
Rizzo	Runions	Schupp	Swearingen	Walton Gray

PRESENT: 001

Butler

ABSENT WITH LEAVE: 004

Dunn	Grisamore	Smith 85	Webb
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VACANCIES: 002

Representative Fitzpatrick offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 110, Page 3, Section 30.080, Line 7, by inserting after all of said section and line the following:

"78.090. **1.** Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of sections 78.010 to [78.420] **78.400** shall be nominated by a primary election, **except as provided in this section**, and no other names shall be placed upon the general ballot except those selected in the manner herein prescribed. The primary election for such nomination shall be held on the first Tuesday after the first Monday in February preceding the municipal election.

2. (1) In lieu of conducting a primary election under this section, any city organized under sections 78.010 to 78.400 may, by order or ordinance, provide for the elimination of the primary election and the conduct of elections for mayor and councilman as provided in this subsection.

(2) Any person desiring to become a candidate for mayor or councilman shall file with the city clerk a signed statement of such candidacy, stating whether such person is a resident of the city and a qualified voter of the city, that the person desires to be a candidate for nomination to the office of mayor or councilman to be voted upon at the next municipal election for such office, that the person is eligible for such office, that the person requests to be placed on the ballot, and that such person will serve if elected. Such statement shall be sworn to or affirmed before the city clerk.

(3) Under the requirements of section 115.023, the city clerk shall notify the requisite election authority who shall cause the official ballots to be printed, and the names of the candidates shall appear on the ballots in the order that their statements of candidacy were filed with the city clerk. Above the names of the candidates shall appear the words "Vote for (number to be elected)". The ballot shall also include a warning that voting for more than the total number of candidates to be elected to any office invalidates the ballot."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Keeney assumed the Chair.

On motion of Representative Fitzpatrick, **House Amendment No. 4** was adopted.

Representative Newman offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 110, Page 4, Section 105.030, Lines 23-27, by deleting all of said lines from the bill and inserting in lieu thereof the following:

"purpose under section 105.031."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Newman moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webber	Wright	Mr Speaker

NOES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 003

Dunn	Smith 85	Webb
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VACANCIES: 002

Representative Roorda offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 110, Page 5, Section 115.365, Line 20, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law, no person shall be elected governor, lieutenant governor, secretary of state, attorney general, state auditor, or treasurer more than twice, and no person who has held the office of governor, lieutenant governor, secretary of state, attorney general, state auditor, or treasurer, or acted as governor, lieutenant governor, secretary of state, attorney general, state auditor, or treasurer, for more than two years of a term to which some other person was elected to the office of governor, lieutenant governor, secretary of state, attorney general, state auditor, or treasurer shall be elected to the office of governor, lieutenant governor, secretary of state, attorney general, state auditor, or treasurer more than once."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

On motion of Representative Smith (120), **HCS HB 110, as amended**, was adopted.

On motion of Representative Smith (120), **HCS HB 110, as amended**, was ordered perfected and printed.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 227, introduced by Representatives Zerr, Diehl, Allen, Leara, Swearingen, McCaherty, Walker, Lauer, Kratky, Sommer, Torpey and Wieland, relating to qualified equity investment tax credits.

HB 228, introduced by Representatives Sommer, Mayfield and English, relating to automated school bus safety cameras.

HB 229, introduced by Representatives Sommer, Spencer, Muntzel and Mayfield, relating to physical education curriculum in public schools.

HB 230, introduced by Representatives Sommer, Wood and Berry, relating to dangerous vehicular flight.

HB 231, introduced by Representatives Sommer, Berry, Kelley (127) and Muntzel, relating to temporary instruction permits.

HB 232, introduced by Representative Barnes, relating to electronic precinct registers.

HB 233, introduced by Representative Leara, relating to the administration of state employee benefits.

HB 234, introduced by Representative Gatschenberger, relating to debt setoffs for unpaid healthcare expenses.

HB 235, introduced by Representatives Crawford, Entlicher and Dugger, relating to county treasurer candidate qualifications.

HB 236, introduced by Representatives Ellington, Webb, Pierson, Pace, Montecillo, Hummel, Newman, McCann Beatty, Rizzo, Mims, Gardner, Dunn, Butler, Mitten, McKenna and Smith (85), relating to state contracts.

HB 237, introduced by Representatives Ellington, Mims, Pierson, Webb, Ellinger, Gardner, Dunn, Walton Gray, Smith (85) and Meredith, relating to title loans.

HB 238, introduced by Representatives Ellington, Mims, Pierson, Pace, Webb, McCann Beatty, Rizzo, Ellinger, Gardner, Dunn, Butler, Mitten, Colona, Conway (10), Walton Gray, Smith (85) and Meredith, relating to expungement of certain criminal records.

HB 239, introduced by Representatives Ellington, Mims, Butler, Colona, Smith (85) and Meredith, relating to applications for state employment and public assistance.

HB 240, introduced by Representatives Ellington, Mims, Pierson, Webb, Montecillo, Hummel, Newman, McCann Beatty, Ellinger, Gardner, Dunn, Conway (10), Walton Gray, Mitten, McKenna and Smith (85), relating to the Malcolm X observance day commission.

HB 241, introduced by Representatives Ellington, Mims, Pierson, Pace, Webb, Dunn, Butler, Colona, Conway (10), Walton Gray and Smith (85), relating to repealing intervention fees for parolees.

HB 242, introduced by Representatives Ellington, Hummel, Pierson, Pace, Webb, Gardner, Dunn, Smith (85) and Mims, relating to an economic development grant program.

HB 243, introduced by Representatives Ellington, Mims, Pierson, Pace, Butler, Colona, Conway (10), Walton Gray and Smith (85), relating to small businesses.

HB 244, introduced by Representatives Ellington, Pace, Newman, Rizzo, Ellinger, Gardner, Dunn, LaFaver, Walton Gray and Mitten, relating to the labeling of food.

HB 245, introduced by Representatives Ellington, Webb, Montecillo, Hummel, Newman, Rizzo, Ellinger, Gardner, Dunn, LaFaver and Walton Gray, relating to labeling of genetically modified food and food products.

HB 246, introduced by Representatives Ellington, Mims, Webb, Gardner, Colona, Walton Gray and Smith (85), relating to the Missouri supporting families income tax holiday act.

HB 247, introduced by Representatives Ellington, Hummel, Pierson, Pace, Webb, Montecillo, Newman, McCann Beatty, Rizzo, Mims, Dunn, Butler, Englund, Mitten, Conway (10), Walton Gray, Smith (85) and Meredith, relating to statute of limitations for certain offenses against a child.

HB 248, introduced by Representatives Ellington, Mims, Pace, Pierson, Hummel, Dunn, Meredith, LaFaver, Conway (10), Walton Gray and Smith (85), relating to adoption.

HB 249, introduced by Representatives Ellington, Mims, Gardner, LaFaver, Walton Gray and Smith (85), relating to title loans.

HB 250, introduced by Representatives Jones (50), Cornejo, Scharnhorst, Rowden, Korman, Richardson, Cierpiot and Elmer, relating to Missouri ethics commission operations and procedures.

HB 251, introduced by Representatives Lauer, McCaherty, Conway (104), Zerr, Montecillo, McDonald and Hansen, relating to court costs.

HB 252, introduced by Representatives Lauer, Shumake, McCaherty, Cox, Zerr and Montecillo, relating to adoption.

HB 253, introduced by Representatives Berry, Jones (110), Neth, Diehl, Smith (120), Cierpiot, Molendorp, Schieber, Brown, Wieland, Lant, Guernsey, Keeney, Barnes, Frederick, Franklin, Muntzel, Love, Davis, White, Crawford, Lair, Allen, Jones (50), Elmer, Richardson, Houghton, Hough and Koenig, relating to the taxation of business income.

HB 254, introduced by Representatives Swearingen, Berry, Neth, Carpenter and Shull, relating to sales taxes for public safety.

HB 255, introduced by Representatives Torpey, Kirkton and Shull, relating to animal shelter fees.

HB 256, introduced by Representatives Jones (50) and Richardson, relating to sunset dates for exceptions to the public records law.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, January 23, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Thursday, January 24, 2013, 8:00 AM House Hearing Room 1.
Informational meeting

APPROPRIATIONS - EDUCATION

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Public testimony

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DSS department overview

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 24, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DHSS department overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public Safety overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Department of Corrections overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public testimony

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, January 23, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Public testimony

BUDGET

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 3.

Organizational meeting

CORRECTIONS

Wednesday, January 23, 2013, 7:30 AM House Hearing Room 1.

Informational only

DOWNSIZING STATE GOVERNMENT

Thursday, January 24, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 63, HB 137

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 6.

Organizational and information meeting only

EMERGING ISSUES IN AGRICULTURE

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Informational meeting

CORRECTED

ETHICS

Wednesday, January 23, 2013, 8:00 AM South Gallery.

Public hearing will be held: HR 139

Executive session will be held: HR 139

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, January 23, 2013, 5:00 PM House Hearing Room 6.

FISCAL REVIEW

Wednesday, January 23, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

The committee may consider any legislation having been referred.

CANCELLED

FISCAL REVIEW

Thursday, January 24, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

The committee may consider any legislation having been referred.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 28, 2013, 10:00 AM House Hearing Room 3.

Organizational meeting followed by public testimony on the Quality Jobs Act

JOINT COMMITTEE ON EDUCATION

Thursday, January 24, 2013, 8:30 AM SCR 2.

The committee will meet to hear a presentation from Complete College America.

LOCAL GOVERNMENT

Wednesday, January 23, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 61

Executive session may be held on any matter referred to the committee.

SMALL BUSINESS

Wednesday, January 23, 2013, 12:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE
Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.
This will be an organizational meeting only.

UTILITIES
Tuesday, January 29, 2013, 6:30 PM 516 South Country Club Dr, Jefferson City, MO.
Informational meeting

VETERANS
Wednesday, January 23, 2013, 9:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
This will be for informational purposes only.

WAYS AND MEANS
Wednesday, January 23, 2013, 4:00 PM Room 312, Rep. Koenig's Office.
A meet and greet organizational meeting
Legislative Assistants of committee members welcome; RSVP requested

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Wednesday, January 23, 2013, Upon Morning Adjournment House Hearing Room 4.
Public hearing will be held: HB 34
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 23, 2013

HOUSE BILLS FOR SECOND READING

HB 227 through HB 256

HOUSE BILLS FOR THIRD READING

HCS HB 110 - Smith (120)

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 23, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is the strength of my life. (Psalm 27:1)

O God, Whose still small voice calls us to turn aside for a moment from the weary ways of a busy world to wait upon You and to find our strength in You - make us aware of Your Spirit, as we bow before the altar of Your presence. Amid the haste of daily duties and the pressure of persistent problems may we find in You strength for the day, wisdom to make sound decisions, and the spirit of good will to motivate all our endeavors on behalf of our beloved state.

With a consciousness of Your presence alive within us and tapping the unfailing resources of our faith may our souls be restored, our minds refreshed, our bodies renewed, and together may we be made ready for the tasks and the responsibilities we face these hours in the People's House. Bless our chief justice and all members of the Missouri Supreme Court who will be present and in our midst today.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Euritt and Abbey Euritt.

The Journal of the seventh day was approved as printed.

ESCORT COMMITTEE

The Speaker appointed the following committee to act with a like committee from the Senate pursuant to **HCR 1**: Representatives Swan, Pfautsch, Hansen, Burlison, Gosen, McKenna, Frame, Morgan, Newman and Runions.

HOUSE RESOLUTION

Representative Haefner offered House Resolution No. 156.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 155

House Resolution No. 157 through House Resolution No. 176

HOUSE CONCURRENT RESOLUTIONS

Representative Walton Gray, et al., offered House Concurrent Resolution No. 10.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 11.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 12.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 13.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 14.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 15.
 Representative Walton Gray, et al., offered House Concurrent Resolution No. 16.

SECOND READING OF HOUSE BILLS

HB 227 through **HB 256** were read the second time.

MOTION

Representative Diehl moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray

Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Fraker	Webb	Zerr
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VACANCIES: 002

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 033

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey
Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota
Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp
Sater	Schaaf	Schaefer	Schmitt	Sifton
Silvey	Wallingford	Walsh		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Wasson

VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr

Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 002

Kelly 45 Roorda

ABSENT WITH LEAVE: 009

Barnes	Cross	Fraker	Frame	Hubbard
Jones 50	Leara	Pfautsch	Webb	

VACANCIES: 002

The Doorkeeper announced the approach of the Honorable Richard B. Teitelman, Chief Justice of the Supreme Court of Missouri. Chief Justice Teitelman was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

by

Chief Justice Richard B. Teitelman

Mr. Speaker, Mr. President, Mr. President Pro Tem, members of the General Assembly: Thank you for welcoming me here again this morning. I am humbled to stand before you today to deliver this 40th state of the judiciary address.

Before I begin, let's take a moment of silence to remember the great Stan "the Man" Musial, who not only was a great baseball player but also a humanitarian who treated everyone with graciousness and dignity.

I congratulate all of you – and especially the new legislators coming to Jefferson City for their first session – for your commitment to serving your fellow citizens. I want to offer particular congratulations to your new leaders: in the House, Speaker Tim Jones; Speaker Pro Tem Jason Smith; and Majority Floor Leader John Diehl; and in the Senate, President Pro Tem Tom Dempsey; and Majority Floor Leader Ron Richard.

I was struck by something President Pro Tem Dempsey said on the opening day of the legislative session. He observed that this remarkable state truly has been “the land of opportunity for so many.” Like Senator Dempsey, I too see Missouri as a land of opportunity, where people reach out to others and help them succeed.

I know my colleagues on the Supreme Court share my sentiments. Let me introduce success stories in their own right: Judges Mary Russell, Patty Breckenridge and Zel Fischer, all of whom practiced law in small firms in rural Missouri communities; Judge George Draper III, whose father – while serving as an assistant attorney general in the 1960s under Tom Eagleton – was refused service at restaurants here in Jefferson City; and Judge Laura Denvir Stith and our newest addition, Jefferson City native Judge Paul Wilson, both of whom learned the importance of public service at an early age from parents who were community leaders.

I remain grateful to have the opportunity to serve with such wonderful people who are so dedicated to serving the constitution and the people of Missouri.

Monday, as we celebrated the birth of Dr. Martin Luther King Jr., I thought of success stories here in Missouri – stories like those beginning in 1920 with the election of Republican Representative Walthall Moore and continuing through the 1960s with Senator Theodore McNeal, Representative DeVerne Calloway, Representative Leon Jordan and Representative Harold Holiday Sr.; through the 1970s with Representative Orchid Jordan and Senator Gwen Giles; and into the 1980s with Senator Lee Vertis Swinton – men and women who, across generations, cast their votes in this great institution as Missouri’s first black legislators.

I also thought about Lloyd Gaines and Lucile Bluford, both of whom sought in the 1930s to become students at the University of Missouri. Their struggles helped lead to opportunities. In just the past decade, the university’s enrollment of African-Americans alone has increased by more than 80 percent, and now nearly 20 percent of the university’s freshmen are minorities.

Truly, opportunities for success abound in Missouri. One more recent success story is that of Alice Conway, assistant general counsel at Monsanto.

She is remarkable for her educational achievements – she earned her Ph.D. in comparative literature at the same time as she earned her law degree from Washington University in St. Louis; she is a mezzosoprano who has studied at Julliard; and she has studied not only English but also French, German, Latin and Spanish literature.

She is all the more remarkable because she did all this reading in Braille, as she has been blind since infancy. Her mother translated many of her reading materials into Braille by hand. Alice now manages commercial and employment law issues for Monsanto.

We in the judiciary are doing what we can to create more opportunities for people in Missouri to gain access to our courts. Thanks largely to grant funding, we are providing interpreters as needed in all criminal, family, domestic and juvenile cases, and we now have a dedicated language-access point of contact for every county in the state.

At the Supreme Court, we are working to provide closed-captioning services for the oral arguments we stream online, and we will be providing informational brochures in Braille and audio files for the blind.

The judiciary’s educational efforts are expanding statewide. We continue to welcome thousands of your constituents as visitors touring our beautiful Supreme Court Building. And we now have more than 125 individuals – business and civic leaders, teachers, lawyers, court staff, judges and others – volunteering their time to help educate our citizens about the role Missouri’s courts serve in our outstanding system of government as well as the importance of the constitution and the laws.

One example of a local community coming together to get young people excited about these important issues is Houston, Texas – Missouri, that is. Former legislator and now Associate Circuit Judge Doug Gaston has engaged local leaders and high school students together in a “Constitution Project.”

Much like we all have to work together, he has worked with the local police department, sheriff’s office, newspapers, radio stations, lawyers, and, of course, school administrators and teachers to provide legal experience.

During this Constitution Project, students from four Texas County high schools spent part of their fall semester participating in a mock criminal case. Some students investigated the crime scene and analyzed the evidence, others reported in the local newspaper and radio stations about the progress of the investigation and case, and the rest served as prosecution and defense attorneys. The project helped them see first-hand how so many facets of our constitutional system of government work together.

Winners were chosen at the school and county level and awarded scholarships. Along with Judge Gaston and some of the local leaders who made the Constitution Project possible, we have several of the winners here with us today: county winners Brittany Scott and Nathan Poynter, both of Houston High School; and Houston High School winner Dusti Turner. Let's recognize them for their wonderful efforts.

This Constitution Project has been such a success that the members of the Supreme Court Committee on Civic Education – in partnership with the Missouri Highway Patrol, the Missouri Press Association, the Missouri Broadcasters Association and the Missouri Bar – hope to bring it to other local communities, eventually having a statewide competition.

As another statewide effort, the courts continue to try to make it easier and more affordable for people to file cases. The Supreme Court, all three districts of the court of appeals, and the circuit courts in Callaway and St. Charles counties are up and running in the Missouri eFiling System, and an additional 25 county circuit courts plan to join the eFiling System this year.

Although Judge Ray Price Jr. left the Court last summer to return to private practice, his legacy remains. Thanks largely to his commitment to being “smart,” and not just “tough,” about the way we deal with those in the criminal justice system, we now have treatment court divisions serving all but two of our 45 judicial circuits.

With a graduation rate exceeding 50 percent, Missouri now has more than 12,000 graduates who successfully have completed treatment court programs. In addition, nearly 600 drug-free babies have been born to treatment court participants.

One drug court graduate has received national recognition: Josh Palmer of Malden was featured in a nationwide meth-prevention media campaign sponsored by the Office of National Drug Control Policy. Josh's first encounter with meth at 17 spiraled into a full-blown addiction that eventually cost him his job, his house and the trust of his family. Through the drug court program in Dunklin County, Josh was able to beat his addiction and turn his life around. He now lives with his wife and children and works as a substance abuse counselor for youth in Hayti. Josh, will you please stand and be recognized?

Missouri's treatment courts are celebrating their 20th anniversary this year. One of the reasons we have drug courts in Missouri is because of the leadership of Albert Riederer – a former court of appeals judge and three-term Jackson County prosecutor – who died December 27 after a courageous battle with cancer. While he was prosecutor, Albert spearheaded the effort to fund a drug court in Kansas City that was just the second in the country. One of his partners in this effort – Jim Nunnally, former administrator of the Jackson County “COMBAT” program to help fight drug abuse and drug-related crime – was honored earlier this month for his contribution to the development of the Jackson County drug court.

We appreciate everything that people like Albert and Jim have done for their community, their state and, indeed, the nation – as Missouri has become a national leader in drug courts. It has three “mentor courts” established as educational training sites for other drug courts throughout the country. And last fall, Jackson County's family drug court received a national award of excellence for being one of just five peer learning courts.

Because it brings positive change to Missourians and their communities, this model of providing treatment to certain nonviolent criminal offenders has moved beyond just drug courts. In 2010, your legislation made Missouri one of the first states in the nation to establish DWI courts.

And we now have three regional treatment courts serving the unique needs of our military veterans. One success story is Kennedy, who served in the Army in the 1980s and who, a decade later, fell into drug and alcohol abuse, leading to multiple arrests. Kennedy graduated from the St. Louis veterans treatment court this past September and now

coordinates a computer clinic to help others in that program learn basic computer skills. The treatment court was his key to freedom from addiction and crime. Let's salute Kennedy, who is here with us today.

We also want to thank you in the legislative branch and those in the executive branch for working with the judiciary during the last year to implement meaningful reforms that make sentencing for nonviolent offenders more effective and our state safer.

We too can create amazing opportunities when we strive to follow the example of cooperation among the branches of government set by civic leaders such as Albert Riederer and our own longtime Supreme Court clerk, Tom Simon, who also died late last year.

These leaders, and so many more like them in Missouri, embody Dr. Martin Luther King's belief, drawn from the words of the prophet Amos, that we should not be satisfied until "justice rolls down like water and righteousness like a mighty stream." And with students like those in Texas County embracing the ideals of justice laid out in our constitution, Missouri will be in good hands in the years to come.

I know all of us on the Court – and all of you here today – firmly believe in our state's motto – carved into the dais in this beautiful chamber – "Let the welfare of the people be the supreme law." I am humbled to serve with you.

I know you all are very busy, but if you have the opportunity, please join us now for lunch, graciously provided by the Missouri Bar, downstairs in Hearing Room 3. For those who enjoyed the knishes last year, we are bringing more this year, and it also will give you a great opportunity to meet the Bar's new executive director, Sebrina Barrett.

Thank you. And God Bless America!

The Joint Session was dissolved by Senator Richard.

Speaker Jones resumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 110, relating to elections, was taken up by Representative Smith (120).

On motion of Representative Smith (120), **HCS HB 110** was read the third time and passed by the following vote:

AYES: 115

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson

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Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Scharnhorst	Schatz	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 045

Burns	Carpenter	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Gardner
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Roorda	Runions	Schieber	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 001

Webb

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 000

VACANCIES: 002

COMMITTEE REPORT

Committee on Ethics, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Ethics, to which was referred **HR 139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 139 ETHICS COMMITTEE RULES OF PROCEDURE

RULE 1. Scope and Authority

These Rules of Procedure govern the conduct of the investigation of complaints of ethical misconduct by a member of the House and are adopted pursuant to House Rule 36.

RULE 2. Definitions

As used in these Rules, unless the context requires otherwise, the following words and terms shall have the following meanings, and the use of masculine gender shall include the feminine.

(1) Censure - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong, and which shall include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report and requires the presence of the respondent in the chamber during consideration and vote by the entire House on such resolution.

(2) Letter of Reproval - A sanction which expresses disapproval of conduct based on the appropriateness of such conduct by a legislator, regardless of whether the conduct constitutes a legal or moral wrong and is included as part of the committee's report.

(3) Reprimand - A sanction which recognizes the respondent's conduct constituted a legal or moral wrong and which may include punishment in the form of denying privileges of office, which recommendation is included as part of the committee's report, is issued by the Speaker and the recommendation for reprimand is made a public record.

RULE 3. Quorum

A quorum exists when a majority of the members of the Committee are present.

RULE 4. Form of Complaints

A. All complaints filed with the Speaker against a member of the House shall be made by a member. The complaints shall be confidential and shall be referred to the Committee on Ethics within ten (10) days and shall be in writing and under oath, setting forth in simple, concise and direct statements:

- (1) The name and legal address of the member or members acting as complainant;
- (2) The name of the member of the House alleged to have engaged in the commission of a crime, misconduct, willful neglect of duty, corruption in office or other acts constituting ethical misconduct. "Misconduct" means:
 - (a) Any conduct constituting a legal or moral wrong which materially impairs the member's ability to perform the duties of his office or substantially impairs public confidence in the General Assembly;
 - (b) Any conduct constituting a conflict of interest under Chapter 105, RSMo;
 - (c) The intentional filing of a false complaint or the filing of a complaint in reckless disregard of the truth.
- (3) The nature of the alleged crime, misconduct, neglect, corruption or other unethical act, including when applicable, the specific law, rule, regulation or ethical standard violated;
- (4) The facts alleged to have given rise to the violation; and
- (5) Where the facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

B. All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

RULE 5. Initial Examination of the Complaint by the Committee

A. Within thirty (30) days of the assignment of the complaint by the Speaker, the Committee shall determine if it is in compliance with Rule 4 of these Rules, and whether on the face of the complaint, the allegations contained therein are within the jurisdiction of the Committee, and if so, whether the allegations merit proceeding to a preliminary hearing. The complainant shall not act as a member of the Committee at a hearing in which the complainant is likely to be called as a necessary witness. A respondent shall not act as a member of the Committee for purposes of his complaint.

B. Complaints determined not to be in compliance with Rule 4 of these Rules shall be returned to the complainant with a general statement that it is not in compliance with the Rules of Procedure. The complaint may be resubmitted in the proper form.

C. Once a determination has been made that the complaint complies with Rule 4 of these Rules, a majority of the Committee appointed shall vote by roll call to either:

- (1) Defer action pending completion of any other administrative, disciplinary, commission, or judicial proceeding;
- (2) Proceed to a preliminary hearing;
- (3) Dismiss the complaint. When a motion to proceed to a preliminary hearing fails on a recorded vote, the complaint shall be immediately dismissed.

D. In determining whether or not to proceed the Committee shall consider the following:

- (1) The credible evidence contained in the complaint or appended thereto of the commission of a crime, misconduct, willful neglect of duty, corruption in office, or other acts violating applicable ethical standards;
- (2) Other administrative or disciplinary action by other interested bodies;
- (3) Criminal investigation, Missouri Ethics Commission proceeding, or judicial proceedings, either civil or criminal; and
- (4) Other relevant circumstances that would justify expediting, declining or deferring action by the Committee.

E. Complaints determined to be in compliance with Rule 4 of these Rules and accepted for a preliminary hearing shall be transmitted to the respondent with a copy of the Rules of Procedure and notice in writing that the respondent has twenty-one (21) calendar days to respond to the complaint either by way of answer or motion pursuant to Rule 6 of these Rules. The complainant shall also be notified, in writing, of the action of the Committee. Examination of the complaint and the determination of Rule 5.C. shall be conducted in a closed meeting.

RULE 6. Answers and Motions

A. If the Committee determines that the complaint merits proceeding to a preliminary hearing, the respondent shall have twenty-one (21) calendar days in which to respond to the complaint by way of answer or motion, unless this time period is waived by the respondent. Any answer or motion shall be in writing, signed by the respondent and his counsel, if he has one, and shall be limited to the following:

- (1) An admission or denial under oath, of the allegations set forth in the complaint, including negative and affirmative defenses, and any other relevant information, including supporting evidence which the respondent may desire to submit. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each allegation;
- (2) An objection to the jurisdiction of the Committee to investigate the complaint; or
- (3) An objection to the participation of any member of the Committee in an investigation of the complaint on the grounds that the member cannot render an impartial and unbiased decision in the case. The majority of the members present shall rule on the objection to the participation of any member of the Committee. A temporary replacement shall be made to serve on the Committee on Ethics for all actions concerning a particular complaint for any member of the Committee who is prevented from acting on a complaint under these rules.

B. Any motion submitted pursuant to this rule is not in lieu of an answer and shall be accompanied by a memorandum of points and authorities. Answers or motions not submitted within the twenty-one (21) calendar-day period shall not be considered by the Committee.

C. The Chairman of the Committee shall pass upon such motions as soon as practicable and notice of the decision shall be furnished to the respondent and the complainant. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

D. Time limitations imposed by this Rule may be extended when, in the discretion of the Chairman, such extension would facilitate a fair and complete inquiry and may be shortened when the Chairman determines that there are special circumstances compelling expedition, and upon twenty-four (24) hours notice of said action to the respondent and the claimant.

E. In the event that a special counsel is retained by the Committee, the attorney-client privilege is applicable to the Committee and not to the House.

RULE 7. Preliminary Hearings

A. A preliminary hearing may be held to hear arguments based on the pleadings submitted in the case. The preliminary hearing shall be an open meeting. The committee shall provide the complainant and the respondent or counsel for the complainant and respondent an opportunity to present, orally or in writing, a statement, which shall be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the pleadings. A complainant or

respondent who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

B. The committee shall require that testimony be given under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by him to administer oaths. Members of the committee shall be given an opportunity to question the complainant and respondent or counsel for the complainant or respondent following the opening statements.

C. At the conclusion of the preliminary hearing, a majority of the Committee shall vote by roll call to either:

(1) Dismiss the complaint, or

(2) Proceed by

(a) undertaking an investigative hearing; or

(b) deciding the case based upon the preliminary hearing.

A decision based upon a preliminary hearing shall require the consent of the respondent.

D. If the committee decides to make a summary decision of the case and the respondent accepts this disposition the Committee may, by a majority vote, recommend one of the following sanctions:

(1) Letter of reproof;

(2) Reprimand; or

(3) Censure.

RULE 8. Investigative Hearings

A. An investigative hearing may be held on the record to receive evidence upon which to base findings, conclusions, and recommendations, if any, to the House. The Committee may require, by subpoena or otherwise, or by subpoena duces tecum, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers and documents as it deems necessary. The Committee may obtain a court-issued subpoena in the event that any person refuses to obey the subpoena issued by the Committee.

B. Prior to setting a hearing date and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearings. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearings the Committee may expand or contract the scope in light of evidence received.

C. The order of the investigative hearing shall be as follows:

(1) The Chairman shall open the hearing by stating the Committee's authority to conduct the investigation, the purpose of the investigation and its scope.

(2) The complainant and the respondent or counsel for the complainant and respondent shall be permitted to make opening statements. Such opening statements shall not exceed fifteen minutes each.

(3) Testimony from witnesses and other evidence pertinent to the matter under investigation shall be received in the following order:

(a) Witnesses and other evidence offered by the complainant;

- (b) Witnesses and other evidence offered by the respondent;
- (c) Witnesses and other evidence offered by the Committee staff; and
- (d) Rebuttal witnesses.

(4) The Chairman or his designee shall examine each witness. The Committee members may then question the witness. The respondent or his counsel may then cross-examine the witness. Redirect or recross examination may be permitted in the Chairman's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, if he has one, and then may be cross-examined by the complainant or his counsel, if he has one, and then may be cross-examined by the Chairman or his designee. Committee members may then question the witness. Redirect and recross examination may be permitted in the Chairman's discretion.

D. Testimony of all witnesses shall be taken under oath. The form of the oath shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this Committee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath shall be administered by the Chairman or Committee member designated by him to administer oaths.

RULE 9. Admissibility of Evidence

A. The object of the hearings shall be to ascertain the truth. Any evidence that is relevant and probative shall be admissible, unless privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

B. The Chairman or other member presiding shall rule upon any question of admissibility of testimony or evidence presented to the Committee. The Chairman or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

C. At an investigative hearing, the burden of proof is on the complainant with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that he introduces.

RULE 10. Witnesses

A. A subpoena to a witness shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

B. Except as otherwise specifically authorized by the Chairman, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before his scheduled appearance.

C. Witnesses at investigative hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to procedures or to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted in the discretion of the Committee.

D. The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon good cause shown by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

E. The respondent is entitled to present witnesses in his behalf. However, the Chairman may limit such testimony when, in his discretion, he finds the testimony is repetitious or cumulative.

F. Each witness subpoenaed by the Committee shall be reimbursed for those reasonable expenses approved by the Committee.

G. Each witness shall be furnished a printed copy of the Rules of Procedure and the pertinent provisions of the Rules of the House applicable to the rights of witnesses.

H. Within ten (10) calendar days before the scheduled investigative hearing, the Chairman shall notify the respondent, in writing, of the witnesses that are to appear before the Committee. Within five (5) calendar days before the scheduled investigative hearing, the respondent shall notify the Committee, in writing, of the witnesses that are to appear in his behalf. Additional witnesses may be brought before the Committee, in the discretion of the Chairman or other member presiding and upon good cause, if their whereabouts or existence were unknown to the respondent at the time for submission of the witness list to the Committee.

RULE 11. Findings, Conclusions and Recommendations

A. At the completion of the preliminary hearing or investigative hearings, the Committee, by a majority vote of its members, shall, within forty-five (45) days, adopt a report stating its findings and conclusions on the complaint. The report shall be filed with the Chief Clerk of the House and shall be printed in the House Journal. In the event the Committee finds that the complaint is not well-founded, the report shall so state, and shall include a copy of a Letter of Reproval if the Committee authorized such sanction. In the event the Committee finds that the complaint is well-founded, the report shall state the Committee's recommendation in a resolution appended thereto.

B. The resolution shall state the Committee's findings and conclusions on each allegation in the complaint with the recommendation that the House:

- (1) Expel the member as provided in Article III, Section 18 of the Missouri Constitution;
- (2) Punish the member as provided in Article III, Section 18 of the Missouri Constitution, by reprimand on the adoption of the resolution, or by censure by the Speaker in open session; or
- (3) Take no further action, stating the reasons therefor.

RULE 12. Matters Not Covered in These Rules of Procedure

The Rules of Procedure of the United States House of Representatives Committee on Ethics of the 113th Congress shall be taken as guidelines in deciding questions, issues, and other matters not otherwise provided for in these Rules of Procedure, except that the Rules of the Missouri House of Representatives governing the party representation on committees shall apply to this Committee.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 13, introduced by Representative Walton Gray, relating to the general assembly.

HJR 14, introduced by Representatives Jones (110), Kelly (45), Stream, Lichtenegger, Flanigan, LaFaver, Rizzo, Wright, Schieffer, Rowden, Otto, Anders, Lair, Walker, Hough, Neth, Redmon, Molendorp, Riddle, Jones (50), Barnes, Scharnhorst, Black, Hodges, McCaherty, Ellinger, Morgan, Webber, McNeil, McCann Beatty, Norr, Conway (10), Swearingen, Meredith, Burns, Mayfield, McKenna, Colona, Harris, Mims, Walton Gray, English, Runions, Phillips, Pace, Ellington, Gatschenberger, Entlicher, Zerr, Haefner, Hoskins, Bernskoetter, Sommer, Allen, Davis, White, Kirkton, Nichols, Englund, Fitzwater, Wieland, Franklin, Solon, Kratky, Crawford, Swan, Schupp, Grisamore, Elmer, Messenger, May, Spencer, Neely, McGaugh, McDonald, Schatz, Funderburk, Korman, Frederick and Houghton, relating to the fifth state building fund.

HJR 15, introduced by Representatives Brattin, Riddle, Ross, Bahr, Koenig, White, Franklin, Love, Burlison, Pike, Hicks, Lichtenegger, Wilson, Smith (120), Schieffer, Neely, Brown and McGaugh, relating to the right to bear arms.

HJR 16, introduced by Representatives McCaherty, Swan, Higdon, Cross, Hinson and Richardson, relating to admissibility of evidence.

HJR 17, introduced by Representatives Burlison, Davis, Smith (120), Funderburk, Jones (110), Diehl, Barnes, Morris, Richardson, Elmer, Neth, Bahr, Schatz, Stream, Koenig, Curtman and Kelley (127), relating to the commonsense obligation to provide accountability and spending stabilization act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 257, introduced by Representatives Frederick, Franklin, Lichtenegger, Neely, Kelly (45) and Pace, relating to tuberculosis testing.

HB 258, introduced by Representatives Conway (10) and Kratky, relating to the designation of the official state exercise.

HB 259, introduced by Representatives Walton Gray, Ellinger and Pace, relating to vacation leave for state employees.

HB 260, introduced by Representatives Walton Gray, Pace, Norr, McCann Beatty, Swearingen and Ellington, relating to the use of credit scores by insurance companies.

HB 261, introduced by Representatives Walton Gray, Smith (85), Morgan and McCann Beatty, relating to dating violence education in secondary schools.

HB 262, introduced by Representatives Walton Gray, Ellington, Pace, Smith (85) and Norr, relating to a sickle cell standing committee.

HB 263, introduced by Representatives Walton Gray, Pace, Smith (85), Norr and Swearingen, relating to the designation of organ donor recognition day.

HB 264, introduced by Representative Walton Gray, relating to the establishment of a community schools program.

HB 265, introduced by Representative Walton Gray, relating to liquor control.

HB 266, introduced by Representatives Walton Gray, Pace, Smith (85) and Norr, relating to a task force on alternative confinement for victims human sex trafficking.

HB 267, introduced by Representatives Walton Gray, Ellinger and Colona, relating to delinquent real estate payments.

HB 268, introduced by Representatives Walton Gray and Ellinger, relating to exemption of property in bankruptcy.

HB 269, introduced by Representatives Walton Gray and Ellinger, relating to abandoned property.

HB 270, introduced by Representative Walton Gray, relating to the duties of the board of probation and parole.

HB 271, introduced by Representative Walton Gray, relating to mortgages.

HB 272, introduced by Representative Walton Gray, relating to transportation of certain fugitives.

HB 273, introduced by Representative Walton Gray, relating to forcible entry and unlawful detainer.

HB 274, introduced by Representatives Brattin, Haefner, Mims, Nichols, Lichtenegger, LaFaver, Swan, McNeil, Pace, Kirkton, Barnes, Frederick, Schieffer, Roorda, Englund and Montecillo, relating to newborn screenings.

HB 275, introduced by Representatives Brattin, Berry, Wilson, Hansen, Bahr, White, Brown and McGaugh, relating to illegal immigration.

HB 276, introduced by Representatives Brattin, Cox, Bahr, Smith (120), Neely, Brown and McGaugh, relating to school protection officers.

HB 277, introduced by Representatives Brattin, Koenig, Bahr, Smith (120), Frederick, Neely, Brown and McGaugh, relating to motor fuel tax exemptions.

HB 278, introduced by Representatives Brattin, Riddle, Lichtenegger, Hansen, Bahr, Koenig, White, Franklin, Love, Burlison, Pike, Frederick and Neely, relating to federal holidays.

HB 279, introduced by Representatives Hinson, Mayfield, Walker, Leara, Cookson, Lauer, Austin, Hicks, Haahr, Brown, McGaugh, Wood, Curtman, Fitzwater, Bahr, Pike, Brattin, Lichtenegger, Kolkmeier, Fitzpatrick, Wieland, English, Smith (120), Koenig, Franklin, Wilson, Cierpiot, Gatschenberger, Pogue, Miller, Rhoads, Hurst, Kelley (127), Richardson, Schatz, Redmon, Kelly (45), Davis, Cross, Elmer, Jones (50) and Jones (110), relating to a prohibition on use of public assistance benefits.

HB 280, introduced by Representatives Barnes, Mims, LaFaver, Cornejo, Roorda, Webber, Montecillo and Higdon, relating to crime.

HB 281, introduced by Representatives Barnes, LaFaver, Roorda, Webber, Montecillo and Mims, relating to domestic violence.

HB 282, introduced by Representatives Shumake, Hansen, Rowland, Brown, Bahr, Redmon, Houghton and Walker, relating to the use of religious books in public schools.

HB 283, introduced by Representatives Thomson, Rowland, Davis, Reiboldt, Lant, Schieber and Stream, relating to state funding for elementary and secondary education.

HB 284, introduced by Representatives Hummel, McCann Beatty, Butler, Meredith, Scharnhorst, Webb, Rizzo, Montecillo, Colona, Ellinger and English, relating to possession of exotic animals.

HB 285, introduced by Representatives Pace, Hubbard, English, Roorda, Burns, McKenna, Walton Gray, Ellinger, McNeil, Mims, Kratky, McCann Beatty, Rizzo, Hummel, Newman, Morgan, Pierson, May, Swearingen, Kelley (127), Anderson, Fitzwater, Hicks, Bahr, Englund, White, Fraker, Redmon, Hampton, Hurst, Ross, Muntzel, Remole, Rhoads, Gatschenberger, Solon, Berry, Hansen, Sommer, Entlicher and Lant, relating to distribution of a controlled substance near child care facilities.

HB 286, introduced by Representatives Funderburk, Korman and Pace, relating to an employer's request for account information from a social networking website.

HB 287, introduced by Representatives McCaherty, Higdon, Crawford, Lauer, Cross and Richardson, relating to statute of limitations for liability of licensed professional counselors.

HB 288, introduced by Representatives McCaherty, Solon, Higdon, McKenna, Shumake, Rowland, Crawford, Lauer, Richardson and Cross, relating to tax credits for donated food and pregnancy care center contributions.

HB 289, introduced by Representatives Montecillo and Conway (10), relating to election judges.

HB 290, introduced by Representatives Lichtenegger, Torpey, Zerr, Burlison, Swan, Morris, Solon, Allen, Scharnhorst, Conway (104), Brattin, Korman, Jones (110), Kelly (45), Haefner and Johnson, relating to adoption investigations.

HB 291, introduced by Representatives Brattin, Koenig and Bahr, relating to standard science instruction.

HB 292, introduced by Representatives Spencer, Kelley (127), Parkinson, Gatschenberger, Reiboldt, Shull, Justus and Butler, relating to requirements for high school graduation.

HB 293, introduced by Representatives Spencer, Cornejo, Kelley (127), Parkinson, Gatschenberger, Reiboldt, Shull, Berry, Justus, Bahr, Morris and Butler, relating to fines assessed by state agencies.

HB 294, introduced by Representatives Spencer, Kelley (127), Parkinson, Gatschenberger, Reiboldt, Shull, Berry, Justus and Bahr, relating to requirements for a high school academic diploma.

HB 295, introduced by Representatives Spencer, Parkinson, Gatschenberger, Reiboldt, Shull, Morris and Miller, relating to school funding.

HB 296, introduced by Representatives Spencer, Kelley (127), Reiboldt, Justus and Morris, relating to the Missouri Good Samaritan Law.

HB 297, introduced by Representatives English, Hicks, Rhoads, Miller, Schieffer, Love, Fitzwater, Rehder, Jones (110), Black, Kolkmeier, Hinson, Smith (120), Pogue, Burlison, Kelley (127), Ellinger, Franklin, Fitzpatrick, Cornejo, Swan, Hurst and Neely, relating to food stamps.

HB 298, introduced by Representatives English, Hicks, Rhoads, Miller, Schieffer, Love, Fitzwater, Rehder, Jones (110), Black, Haahr, Smith (120), Pogue, Burlison, Kelley (127), Franklin, Fitzpatrick, Wood, Swan and Hurst, relating to informed consent for abortions.

HB 299, introduced by Representatives Schieber, Allen, Curtis, Lichtenegger, Higdon, Flanigan, Redmon, Wilson, Franklin, Wieland, Wood and Marshall, relating to cyber crime investigation.

HB 300, introduced by Representatives Hubbard, Solon, Higdon, Wilson, Phillips, Pace, Walton Gray, Colona, Smith (85) and Otto, relating to domestic violence.

HB 301, introduced by Representative Engler, relating to civil commitment of sexually violent predators.

HB 302, introduced by Representative Engler, relating to the failure to vacate leased premises in a rent and possession case.

HB 303, introduced by Representatives Scharnhorst, Jones (110), Stream, Diehl, Gatschenberger, Engler, Hodges, Allen, Cornejo, Hicks, Miller, Franklin, Muntzel, Remole, Hurst, Fitzwater, Swan, Rehder, Parkinson, Koenig, Walker, Redmon, Phillips, Shull, Curtman, Cookson, Schatz, Hoskins, Schieffer, Fitzpatrick, Cierpiot, Mayfield, Wood, Austin and Wieland, relating to the designation of the new Mississippi River bridge.

HB 304, introduced by Representative Stream, relating to the designation of the new Mississippi River bridge.

COMMITTEE APPOINTMENTS

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Kevin Engler to serve on the Joint Committee on Capital Improvements and Leases Oversight.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Paul Fitzwater and Representative Shawn Rhoads to serve on the Joint Committee on Corrections.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Steve Cookson and Representative Ron Hicks to serve on the Joint Committee on Education.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Government Accountability:

Representative Tom Flanigan
Representative Sandy Crawford

Representative Paul Curtman
Representative Kevin Engler

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Jason Smith to serve on the Joint Committee on Legislative Research.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Life Sciences:

Representative Anne Zerr
Representative Keith Frederick
Representative Caleb Rowden
Representative Casey Guernsey

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Mike Cierpiot and Representative Elijah Haahr to serve on the Joint Committee on Missouri's Promise.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Chris Molendorp to serve on the Joint Committee on MO HealthNet.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Mike Leara and Representative Mike Bernskoetter to serve on the Joint Committee on Public Employee Retirement.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Caleb Jones and Representative Marsha Haefner to serve on the Joint Committee on Tax Policy.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Bart Korman and Representative Dave Schatz to serve on the Joint Committee on Transportation Oversight.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 23, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Tom Hurst to serve on the Missouri Job Training Joint Legislative Oversight Committee.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, January 24, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Thursday, January 24, 2013, 8:00 AM House Hearing Room 1.
Informational meeting

AGRICULTURE POLICY

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 6.
Informational meeting

APPROPRIATIONS - EDUCATION

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Institution Presidents
AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Institution Presidents, continued
AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Organizational meeting and public testimony. Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public testimony (continued if needed). Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, January 24, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

DHSS department overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Department of Corrections overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public testimony

DOWNSIZING STATE GOVERNMENT

Thursday, January 24, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 63, HB 137

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, January 24, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

The committee may consider any legislation having been referred.

CANCELLED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 28, 2013, 10:00 AM House Hearing Room 3.

Organizational meeting followed by public testimony on the Quality Jobs Act

JOINT COMMITTEE ON EDUCATION

Thursday, January 24, 2013, 8:30 AM SCR 2.

The committee will meet to hear a presentation from Complete College America.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.

This will be an organizational meeting only.

UTILITIES

Tuesday, January 29, 2013, 6:30 PM 516 South Country Club Dr, Jefferson City, MO.

Informational meeting

UTILITIES

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 44

Executive session may be held on any matter referred to the committee.

Public hearing and organizational/informational meeting

VETERANS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HJR 8, HB 148

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, January 29, 2013, 5:00 PM Senate Lounge.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 24, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 13 through HJR 17

HOUSE BILLS FOR SECOND READING

HB 257 through HB 304

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 24, 2013

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord will give strength unto His people; the Lord will bless His people with peace. (Psalm 29:11)

O merciful God, from Whom no secrets are hidden, help us in this opening moment of prayer to draw near to You with sincere and humble hearts. With Your presence alive within us may we face the tasks of this day with courage and faith and in all honesty of mind and heart. May no deceit dim our vision, no hatred mar our relationship with others, and no pretense affect our attitude toward ourselves.

Into this state which we love with all our hearts may there come a new and greater unity of spirit so that no sinister powers without conscience and without morals may seek to destroy our freedoms and to belittle our reverence for personality. As we live through these days of destiny which call aloud for wisdom and good will, make us worthy of our positions and give us courage and strength to preserve liberty, to defeat tyranny, and to establish a just and enduring peace in Missouri. Not easy, O Lord, not easy, but with You we can do it and by Your grace we will.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Rowland offered House Resolution No. 201.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 177 through House Resolution No. 200

House Resolution No. 202 through House Resolution No. 208

HOUSE CONCURRENT RESOLUTION

Representative Frederick, et al., offered House Concurrent Resolution No. 17.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 13 through **HJR 17** were read the second time.

SECOND READING OF HOUSE BILLS

HB 257 through **HB 304** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 32 - Ways and Means
HB 55 - Ways and Means
HB 112 - Special Standing Committee on Emerging Issues in Health Care
HB 124 - Economic Development
HB 128 - Local Government
HB 158 - Economic Development
HB 175 - Local Government
HB 194 - Ways and Means
HB 196 - Economic Development
HB 197 - Economic Development
HB 221 - Economic Development
HB 222 - Economic Development
HB 223 - Economic Development
HB 227 - Economic Development
HB 233 - Retirement

COMMITTEE REPORT

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 305, introduced by Representatives Walker, Hansen, Shumake, Redmon, Fitzwater, Fraker, Lynch, Love, Wieland, Remole, Spencer and Guernsey, relating to changes to the sunshine law.

HB 306, introduced by Representatives Hoskins, Wood, Berry, Love, Diehl, Kolkmeier, Pike and Muntzel, relating to the designation of the state historical dog.

HB 307, introduced by Representatives Riddle, Barnes, Kelly (45) and Hinson, relating to fire protection districts.

HB 308, introduced by Representatives Jones (50), Cornejo, Neely and Frederick, relating to midwifery.

HB 309, introduced by Representatives Solon, Kelly (45), Davis, Lichtenegger, Zerr, Allen, Lynch, Haefner, Wieland, Black, Brattin, Berry, Leara, Kelley (127), Walton Gray, Hansen, Conway (104) and Webber, relating to the veterans treatment intervention act.

HB 310, introduced by Representatives Solon, Leara, Hubbard, Entlicher, Black, Ellinger, Berry, Kelley (127) and Walton Gray, relating to the seniors' retirement protection act.

HB 311, introduced by Representative Thomson, relating to special road districts.

HB 312, introduced by Representative Thomson, relating to college or university police officers.

HB 313, introduced by Representatives Thomson, Lair, Rowland, Spencer, Gannon, Anders, McNeil, Fitzwater and Pfautsch, relating to public school and education employees' retirement systems.

HB 314, introduced by Representatives Rowland, Lichtenegger, McCaherty, Shumake, Norr, Swan, Fitzwater, Love, Entlicher, Brattin, Wood, Reiboldt, Gatschenberger, Swearingen, Schieffer, Kirkton, Conway (10), Morgan, Redmon, Schupp, Englund, McDonald, Lant, Webb, Kelley (127), Jones (50), Rowden, Crawford, Allen, Hodges, Dugger and Phillips, relating to nursing scope of practice.

HB 315, introduced by Representative Rowland, relating to prescription eye drop refills.

HB 316, introduced by Representatives Phillips, Franklin, Pace, Fitzpatrick, Kratky, Rowland, Justus, Houghton, Otto, Nichols and Wood, relating to the division of tourism supplemental revenue fund.

HB 317, introduced by Representatives Phillips, Muntzel and Rowland, relating to Molly's law.

HB 318, introduced by Representatives Crawford and Franklin, relating to jury costs.

HB 319, introduced by Representatives Elmer, Jones (110), Korman, Funderburk, Redmon, Jones (50), Spencer, Hough, Hinson, Diehl, Cross and Frederick, relating to unlawful employment practices.

HB 320, introduced by Representatives Elmer, Jones (110), Funderburk, Redmon, Jones (50), Spencer, Hough, Hinson, Diehl, Cross and Frederick, relating to unlawful discriminatory practices.

HB 321, introduced by Representatives Haahr, Walker, Rhoads, Cornejo, Hicks, Fitzpatrick, Leara, Jones (50), Hough, Hinson, Elmer, Miller, Rowden, Wilson, LaFaver, Englund, Austin, McKenna, Mayfield, Fitzwater, Spencer, Lant, Colona, Mitten, Hansen, Bernskoetter, Schupp, Messenger, Justus, Hurst and Love, relating to the second injury fund.

HB 322, introduced by Representatives Gosen, Black, Hinson, Bahr and Wieland, relating to the modernization of certain information provided by insurance companies.

HB 323, introduced by Representatives Elmer, Entlicher and Fraker, relating to a surcharge on civil court cases.

HB 324, introduced by Representatives Frederick, Wood, Franklin and Neely, relating to medical records.

HB 325, introduced by Representatives Elmer, Rowland, Phillips and Morris, relating to judicial circuits.

HB 326, introduced by Representative Fitzwater, relating to the crime of sexual misconduct in the second degree.

COMMITTEE CHANGES

January 23, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from Appropriations: Public Safety and Corrections and appoint Representative Gina Mitten.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel
House Minority Leader
Missouri House of Representatives

January 23, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Corrections and appoint Representative Kimberly Gardner.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel
House Minority Leader
Missouri House of Representatives

January 23, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Small Business and appoint Representative Steve Hodges.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel
House Minority Leader
Missouri House of Representatives

January 23, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Penny Hubbard from the Committee on Urban Issues and appoint Representative Stacey Newman.

If you have any questions, please feel free to contact my office.

Thank you,

/s/ Jake Hummel
House Minority Leader
Missouri House of Representatives

January 24, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Kevin McManus from the Special Standing Committee on Emerging Issues in Health Care and appoint Representative Penny Hubbard.

If you have any questions, please feel free to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMITTEE APPOINTMENTS

January 24, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Review Committee on Downtown and Rural Economic Stimulus Act:

Representative Tim Remole
Representative Scott Fitzpatrick
Representative Chrissy Sommer

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 24, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Corrections.

Kathie Conway	Linda Black
Bill Reiboldt	Rory Ellinger
Dave Muntzel	Penny Hubbard
Dennis Fowler	Bonnaye Mims
Bryan Spencer	
Shawn Rhoads	

The Speaker has designated Paul Fitzwater as Chair, and Rick Brattin as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 24, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Small Business.

Mike Bernskoetter	Kevin Austin
T.J. Berry	Jeffery Justus
Rick Brattin	Ira Anders
Delus Johnson	Jon Carpenter
Jeanie Lauer	Vicki Englund
Chrissy Sommer	Ben Harris
Kurt Bahr	Penny Hubbard
Lindell Shumake	Jeremy LaFaver
Charlie Davis	John Mayfield
Steve Lynch	

The Speaker has designated Noel Torpey as Chair, and Gary Cross as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 24, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints the following Representatives to the Special Standing Committee on Urban Issues.

Jay Barnes	Randy Dunn
Sheila Solon	Brandon Ellington
Bryan Spencer	
Jeff Pogue	
Nathan Walker	

The Speaker has designated Penny Hubbard as Chair, and Nick Marshall as Vice-Chair.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

The following members' presence was noted: Allen, Anders, Anderson, Austin, Bahr, Barnes, Berry, Black, Brown, Burns, Butler, Conway (10), Conway (104), Cookson, Cornejo, Cox, Crawford, Cross, Curtis, Curtman, Davis, Dugger, Dunn, Ellinger, Ellington, Elmer, English, Englund, Entlicher, Fitzpatrick, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Frederick, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Hough, Hubbard, Hurst, Johnson, Jones (50), Jones (110), Justus, Keeney, Kelley (127), Kelly (45), Kirkton, Koenig, Kolkmeyer, Korman, Kratky, LaFaver, Lair, Lant, Lauer, Leara, Love, Lynch, Marshall, Mayfield, McCann Beatty, McDonald, McGaugh, McKenna, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Neely, Neth, Newman, Norr, Otto, Pace, Pfautsch, Phillips, Pike, Pogue, Redmon, Rehder, Reiboldt, Remole, Rhoads, Riddle, Rizzo, Roorda, Ross, Rowden, Rowland, Scharnhorst, Schatz, Schieffer, Shull, Shumake, Smith (85), Sommer, Spencer, Stream, Swan, Swearingen, Thomson, Walker, Walton Gray, Webb, White, Wieland, Wilson, Wood and Wright.

ADJOURNMENT

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, January 28, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 6.
Informational meeting

APPROPRIATIONS - EDUCATION

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Institution Presidents
AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Institution Presidents, continued
AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2013, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Organizational meeting and public testimony. Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2013, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Public testimony (continued if needed). Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Department of Corrections overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public testimony

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 1.

Executive session will be held: HB 87

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, January 28, 2013, 1:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Organizational meeting

Lunch will be provided.

ELECTIONS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HJR 5, HB 48, HJR 4

Executive session will be held: HJR 5, HB 48

Executive session may be held on any matter referred to the committee.

CORRECTED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, January 28, 2013, 10:00 AM House Hearing Room 3.

Organizational meeting followed by public testimony on the Quality Jobs Act

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

RETIREMENT

Tuesday, January 29, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 169, HB 233

Executive session may be held on any matter referred to the committee.

Organizational meeting will be held at 5:00. House bills will be heard at 6:00.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.

This will be an organizational meeting only.

TOURISM AND NATURAL RESOURCES

Thursday, January 31, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 42

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Informational meeting

CORRECTED

UTILITIES

Tuesday, January 29, 2013, 6:30 PM 516 South Country Club Dr, Jefferson City, MO.

Informational meeting

UTILITIES

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 44

Executive session may be held on any matter referred to the committee.

Public hearing and organizational/informational meeting

VETERANS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HJR 8, HB 148

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, January 29, 2013, 5:00 PM Senate Lounge.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 64

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 28, 2013

HOUSE BILLS FOR SECOND READING

HB 305 through HB 326

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 28, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Pastor Paul Meinsen.

Through the prophet, Isaiah, the LORD stated, "*For I am God, and there is no other; I am God, and there is no one like Me, declaring the end from the beginning, and from ancient times things which have not been done, saying, 'My purpose will be established, and I will accomplish all My good pleasure'...Truly I have spoken; truly I will bring it to pass. I have planned it, surely I will do it.*" (Isaiah 46:9-10, 11b)

Father, I give thanks this afternoon for Your mercies, abounding loving kindness and grace. Your Word teaches us to do justice, love mercy, and to walk humbly with You. Please give each one of us the wisdom to know what is just and how to show mercy. Please give each one of us a heart that is desirous to do what is just and to show mercy.

I also pray, O Lord, for these You have ordained to lead the State of Missouri. May they govern in a way which glorifies You. May they seek that which is righteous and may they defend it with honor. In their discourses may they speak with respect for all.

I pray too, O Lord, for my fellow citizens of this great state. I pray that we will learn what it means to respect and honor those whom You have appointed to lead. Too many times, we have prayed for these leaders out of one side of our mouth and then spoken words of scorn, hatred and dishonor from the other. Instead, Lord, even if we disagree on issues, may we, as citizens, always show the honor due to these servants of Yours.

I pray that we will render unto Caesar that which is due; may we render unto You that which belongs to You.

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed.

The Journal of the ninth day was approved as printed.

HOUSE RESOLUTIONS

Representative Scharnhorst offered House Resolution No. 222.

Representative Thomson offered House Resolution No. 229.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 209 through House Resolution No. 221

House Resolution No. 223 through House Resolution No. 228

House Resolution No. 230 through House Resolution No. 235

SECOND READING OF HOUSE BILLS

HB 305 through **HB 326** were read the second time.

RECESS

On motion of Representative Cierpiot, the House recessed until 6:45 p.m.

The hour of recess having expired, the House was called to order by Speaker Jones.

MOTION

Representative Cierpiot moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson

Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Diehl	Ellinger	Ellington	Gardner	Guernsey
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Lichtenegger	Mims	Mitten	Molendorp	Montecillo
Norr	Smith 85	Webber	Wright	

VACANCIES: 002

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors, and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 033

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey
Dixon	Emery	Holsman	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	LeVota
Libla	McKenna	Munzlinger	Nieves	Parson
Pearce	Richard	Romine	Rupp	Sater
Schaaf	Schaefer	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 001

Nasheed

VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 148

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Dohrman	Dugger	Dunn	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 012

Allen	Diehl	Ellinger	Ellington	Engler
Gardner	Hubbard	Kirkton	Lichtenegger	Mims
Montecillo	Smith 85			

VACANCIES: 002

The Sergeant-at-Arms announced the approach of the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE
ADDRESS BY
GOVERNOR JEREMIAH W. (JAY) NIXON**

Thank you, President Pro Tem Dempsey, Speaker Jones, judges of the Missouri Supreme Court, Lieutenant Governor Kinder, state officials, members of the legislature, members of my cabinet, and my fellow Missourians.

This evening it is my pleasure to be joined by Missouri's outstanding First Lady, Georganne Nixon, and our son Jeremiah.

Before I begin to lay out our state's agenda for the year, I would like to thank the people of Missouri for the privilege of serving a second term as Governor. I am grateful for your continued trust and support, and the opportunity to lead our great state forward.

Looking around this chamber tonight, I see folks with different backgrounds, different ideologies, and different interests. But whatever our small differences may be, we are united in a common purpose: to serve all the people of Missouri...to make their lives better...and to make life better for our children and grandchildren.

These past four years, Missouri has weathered historic challenges – from nearly double-digit unemployment to the tornado in Joplin. But together, we met each challenge with courage and conviction, and moved our state forward. That makes me proud to be a Missourian. That makes me more optimistic than ever about our future. Because the people of the Show-Me State know how to work together. And once our minds are made up, nothing can stop us. That's who we are. That's what we do.

Some who answer the call of service put their lives at risk to protect the lives of others. They serve here at home whenever danger and disaster threaten. They serve in perilous outposts in every corner of the globe, to defend our freedom and liberty. We call them heroes. They make us proud.

Last December, I again had the opportunity to visit our troops in Afghanistan and Kuwait. One of them is with us tonight. Sergeant Joseph Schicker served with the Guard's Agribusiness Development Team in Afghanistan. Just hours after his team arrived at their base, Taliban insurgents attacked. In successfully repelling the attack, several Missouri Guardsmen, including Sergeant Schicker, were wounded. For his part in the battle, Sergeant Schicker received the Combat Infantry Badge and the Army Commendation Medal with Valor.

I personally had the honor of pinning Sergeant Schicker with the Purple Heart during the ADT's welcome home ceremony in September. Sergeant Schicker, you represent every man and every woman who has ever fought to defend our great nation, in every era and on every field of battle. Will you please stand, with all the members of our military past and present, and accept the heartfelt gratitude of your state?

In the last four years, we've overcome our share of challenges. Missouri was hit by unprecedented natural disasters. We came together to help our neighbors hit hard by twisters and ice storms, floods and drought.

In the grip of an historic recession, we did what every family in Missouri did: we tightened our belts and cut spending. Together, we balanced the budget while holding the line on taxes. We dramatically reduced the size of state government, while making it more efficient. We protected our spotless Triple-A credit rating. And unlike most states, we did it without reaching into taxpayers' wallets, or putting it on the credit card.

And you know what? It worked. And as a result, our economy is moving forward.

Last year, Missouri employers added more than 40,000 new jobs. We're exporting more goods than ever before...training more workers than ever before...and bringing Missouri's auto industry back to life.

Two weeks ago – on the day after my inauguration – I went back to Detroit to meet with auto suppliers and manufacturers. We got our first good look at the Ford Transit, one of the fantastic new vehicles we're going to build right here in the Show-Me State. A top Ford exec said that if we hadn't come together during that special session two years

ago, the Claycomo plant would have closed. That would have put those 4,000 workers out of a job, and pushed Missouri's auto industry to the brink.

Instead?

Automakers are investing more than \$1.5 billion in Missouri, creating thousands of jobs at the Ford plant in Claycomo, the GM plant in Wentzville, and suppliers in every corner of our state. By coming together in that special session, we saved Missouri's auto industry.

So when the skeptics say that nothing gets done in this building, or when the press writes that the two parties can't come together, think of those workers and their families. And remember that what we do here really matters. And that same spirit is needed now more than ever, to keep Missouri moving forward. Together, we've kept our fiscal discipline, and our economy is gaining ground. We now have a unique opportunity to build a better future for our children. We must seize it.

And nothing will have a greater impact on our children's future than the commitment we make now to their education. So in my budget, we increase funding for education. And we increase it by \$150 million.

- * That's \$17 million more for early childhood education.
- * That's \$34 million more for higher education;
- * And that's \$100 million more for our K-12 classrooms.

Our children are our first priority. They are Missouri's future. Of course, with increased funding, come higher expectations. We expect better test scores, better graduation rates, more college degrees and more Missourians ready to compete for the best jobs in a global economy. We've all got to do better, and that means everybody: students and teachers; parents and principals; coaches and college presidents. Increased funding means increased accountability.

We know the early years of a child's life are critical. Over the past few weeks I've visited preschool classrooms in Greenville, Nixa, Parkway and St. Joseph – local communities committed to giving their kids a strong foundation for lifelong learning. And the first official business of my second term was to meet with leaders in preschool education. We discussed ways to ensure that every young child comes to school ready to learn and ready to succeed. The clear consensus: early childhood education is a smart investment with a big return. We want every child, in every Missouri community – no matter their family's circumstances – to get the best possible start. That is why, with an increase of \$17 million, we'll more than double funding for our Missouri Preschool Program, and put more money into programs like Early Head Start.

Tonight, we are fortunate to be joined by the St. Louis Pre-School Teacher of the Year, Linda Smith, of Dewey International School. Joining her is St. Louis Public Schools Superintendent, Dr. Kelvin Adams. Under Dr. Adams's strong leadership, the St. Louis schools have made steady progress over the past five years, as they work to earn full accreditation. That kind of progress is only possible when everyone pulls together toward a shared goal. Mrs. Smith and Dr. Adams, please stand. Thank you for the lifelong commitment you've made to our children.

In the past four years, our schools have made steady gains. Math scores are up. Reading scores are up. And I'm proud to report that Missouri's high school graduation rate is now the seventh highest in the nation. But we must commit to even higher goals.

That's why my budget includes \$100 million in new funding for our K-12 classrooms. We'll use it to train more teachers, modernize equipment, and lengthen the school year.

Right now, Missouri has the fourth-shortest school year in the nation. Adding six more days to the next school year will give teachers more time to work with their students, and give kids more time to learn.

But we won't stop at K-12. This year, we'll help even more Missouri families afford college. That's been a top priority of mine since Day One. On my watch, we led the nation in holding down the cost of tuition. But the cost of college is still out of reach for too many Missouri families. And too many students who do attend college graduate with crushing debt. That's why my budget includes more than \$75 million for our Access and Bright Flight scholarships. And

it increases funding for our A+ scholarships, which cover tuition and fees at all our public community colleges. To qualify for an A+ scholarship, high school students must keep their grades up, have excellent attendance, and stay out of trouble.

Since I've been Governor, we've expanded the A+ program to 150 more schools. But there are still schools that aren't part of the A+ program, so their students can't even apply for A+ scholarships. That's unfair to these kids, and we're going to fix it. This is the year we will expand our A+ scholarship program to every public high school in the state, so that every qualified student in this state has the opportunity to go to community college – tuition free.

The dream of a college education should be within reach for all Missouri families. Because education is the best economic development tool there is.

While our colleges and universities are doing a great job, and graduating more students than ever before, we're also holding these schools to higher standards than ever before.

Two years ago, I convened a summit to lay out my agenda for higher education. I challenged the leaders of all our public two- and four-year institutions to develop a new funding model – based on performance. And that's what we did. My budget includes an increase of \$34 million for higher education. But instead of funding schools based merely on what they've received in the past, we'll tie new funding to specific performance goals – like increased student retention, higher graduation rates and improved learning. We will achieve higher academic goals – with greater accountability.

Now, we've made it our mission to help more high school students graduate, go to college, complete their degrees and enter the workforce. That's the traditional path. And I'm glad more students are taking it. But there are nearly 750,000 Missourians who started college but never completed their degrees. They left school, got jobs, started families, moved on with their lives. At this point, some of these folks may feel that going back to college is too expensive, or too hard to juggle with work and raising kids. I want to change that and help these adult students finish the degrees they started years ago, so they can get better jobs and meet their full earning potential. This year, we'll do more to help these adult students finish their degrees online, from an accredited university that's putting down new roots in Missouri. Let me tell you about its history.

In 1995, 19 governors came together to provide a realistic option to help adult students complete their degrees at an affordable price. They founded Western Governors University, a nonprofit institution that offers bachelors and masters degrees in four areas Missouri's employers are looking for: business, health care, teacher preparation and information technology.

It's designed to meet the needs of real people with real lives. You can take your tests after work, on weekends or at night, after the kids are asleep. Instead of paying tuition by the credit hour, students can take as much coursework as they want for a flat rate. And how quickly you earn your degree depends on how quickly you master the subject matter: you advance at your own pace. The point is that with today's technology, we can make it easier than ever for folks to finish their degrees without disrupting their lives, and help them move up the economic ladder.

In the past three years, Indiana Governor Mitch Daniels, and the states of Texas and Washington have established WGU in their states. And starting this year, we will begin enrolling students at WGU-Missouri. We'll be helping Missourians who never finished college, who are underemployed and who need degrees to move up, reach their full potential. Now that's a mission we can all get behind.

Throughout state government, we've applied business principles to make the most efficient use of taxpayer dollars. Cutting waste. Doing more with less. Making better use of technology.

And as a result, the state workforce is now the smallest it has been in 19 years. From the time I became Governor to the end of Fiscal Year 2014, we will have reduced the size of state government by 4,500 positions, and cut \$1.8 billion in state spending. We've sharply cut energy use, sold off surplus property and reduced leased space. We've put more state services online – from license plates to child support. And in addition to applying business principles to make state government more efficient, we must use those same principles to make government more business friendly.

Now, Missouri's already rated one of the Top-Ten best states to do business, because of things like our low tax rates, low workers comp rates, low energy costs and strong workforce. But talk to small business owners and they'll tell you: there's still too much red tape. Too many bureaucratic hurdles. We hear those concerns, and we're doing something about it.

First, we need to streamline Missouri's economic incentive programs – and there are a lot of them – so that they're easier to use and understand.

Second, we need to simplify our convoluted environmental permitting process. Currently, business owners have to go to as many as six commissions at the Department of Natural Resources to get permits. And that's before they turn the first shovel of dirt. We need to consolidate those commissions into one, to help businesses grow and create jobs.

And while we're at it, I propose that we eliminate another ten commissions at DNR that are redundant and unnecessary. We can take common-sense steps to cut red tape for businesses – without backing off our commitment to protecting our air, land and water.

We also must address the Second Injury Fund. This year, let's work together and solve this issue for the benefit of Missouri workers and employers.

In a highly competitive global economy, employers need access to a highly skilled, well-trained workforce. That's why I've made it a top priority to give Missouri workers the skills they need to compete for the jobs of tomorrow. Since I've been in office, we've dramatically increased our investment in worker training, helping 150,000 Missouri workers sharpen their skills and get better jobs in their field. So once again, my budget increases funding for workforce training that's custom-tailored to the needs of Missouri employers.

Investing in Missouri workers' skills – that's real economic development. But job training doesn't just happen in the classroom or on the work site. Some of Missouri's best workers got their training serving us in the armed forces. Helping our veterans get work when they come home is not only honorable and patriotic, it's good for Missouri businesses. If you're looking for an employee who shows up early, stays late, works hard all day and knows how to overcome adversity – hire a veteran.

In 2010, we launched Show-Me Heroes. We've asked every employer in the state to reach out, recruit and interview veterans first for new job openings. I'd like to thank all the legislators in this room who helped us strengthen this program by adding job training, so our veterans can re-enter the civilian workforce quickly and be even more successful on the job. More than 2,700 employers have signed the Show-Me Heroes pledge, putting more than 4,000 of our proud Missouri veterans to work. And tonight, again, I call on every Missouri business to go to our website – MO.gov – and take the Show-Me Heroes pledge. Because it's not enough to honor and support our service members abroad. We must honor and support them at home, with jobs that are worthy of their skills and work ethic.

For the third straight year, I am proud to report that we are shipping more Missouri goods around the world than ever before. Missouri exports hit record levels in 2010, and topped the \$14 billion mark with double-digit growth in 2011. And we're on track to break records again. That's because we're taking a pro-active approach.

In October of 2011, I led a group of Missouri business leaders on a highly successful trade mission to China. We secured agreements to sell \$4.6 billion in Missouri goods. In April of 2012, we went to Brazil, and signed our first-ever trade agreement with the state of Sao Paulo, the financial capital of one of the world's fastest-growing economies. And this coming March, I will lead a trade mission to South Korea and Taiwan.

We're making this a priority because it's critical for every business in the state – no matter how small – to think globally. Because companies that once only did business with customers around the corner are finding new customers around the world. And when we sell more Missouri products overseas, we're creating more jobs here at home. That's why my budget includes \$2.3 million to enter new markets, expand foreign trade, and help Missouri businesses develop a world-wide customer base.

One of our export superstars comes from one of Missouri's oldest family-owned businesses, Volpi Foods in St. Louis. Next time you are in St. Louis, stop by their shop on The Hill. Volpi is a prime example of a traditional

business that with visionary new leadership has broken the mold. With the help of our departments of Agriculture and Economic Development, Volpi has doubled its exports in growing markets like Japan, South Korea, Taiwan and Costa Rica. Please welcome the CEO of Volpi Foods, Lorenza Pasetti.

There's no doubt that Missouri is ready to meet the challenges of a global economy. But quite frankly, the biggest economic decision facing our state right now is how to move forward on health care. This isn't the time to re-open the debate or reargue the merits of the President's health care plan. I had some problems with it, and I know many of you did as well. But Congress passed it – the President signed it – and the Supreme Court upheld it. It's the law of the land. And it's not within our power to rewrite federal laws, even if we wanted to. It is within our power – it's our responsibility – to now do what's right for Missouri.

And the question before us is a narrow one. Will we bring the tax dollars that Missourians send to Washington back home to strengthen our Medicaid system here in Missouri? Or will we let the tax dollars that Missourians send to Washington be spent in other states instead? Other states would get the benefits, and we'd get the bill. The answer is clear: the people of Missouri deserve to see their tax dollars come back to their communities.

Friends, let's put the politics of health care aside for just a moment and look at this as a business decision for the state of Missouri.

The Missouri Chamber of Commerce supports the Medicaid expansion – not because they're big supporters of this President and his agenda – but because it's the smart thing to do. They know that bringing billions of dollars back to Missouri is good for our state's economy.

The Kansas City Chamber of Commerce has endorsed the Medicaid expansion. So have the chambers in Independence, Springfield, Lee's Summit and St. Louis. So have the Civic Council of Greater Kansas City, Kirksville REDI, and our friends at the Associated Industries of Missouri. Would the leaders from these business organizations who have joined us tonight because of the importance of this issue please stand? Thank you for your leadership on this critical issue.

For these business leaders, this is not a political decision. It's an economic one. And we shouldn't let last year's politics get in the way of next year's economic growth.

Moving forward with this plan will bring a total of \$5.7 billion to Missouri for the first three calendar years – at no additional cost to the state. The University of Missouri estimates this will generate an additional 24,000 jobs – and that's just in 2014. We're talking about good jobs – for nurses, doctors, pharmacists, therapists and medical technicians.

Strengthening Medicaid will strengthen our economy. Without question, it's the smart thing to do.

Now I know there are some who have voiced concern that Washington will not live up to its commitment. Let me address that directly: I support including a provision that rolls back the Medicaid expansion if Washington doesn't honor its financial commitment. If Washington drops the ball, we'll do what's right for Missouri. We'll always do what's right for Missouri. And there's a human element to this that can't be ignored. A stronger Medicaid system will make health care available to 300,000 of our friends and neighbors.

Let's be clear about who these people are. They're working Missourians – folks who work day and night, but simply can't afford health coverage. These are not people who aren't trying, or hoping to game the system. They're folks we see every day – some holding down two jobs just to make ends meet. We're talking about a family of four, with a household income of roughly \$32,000 a year. They wait tables and clean office buildings. They cut hair and trim trees. They work in factories, and repair cars and trucks.

Making it easier for these hardworking Missourians to get basic health insurance is the right thing to do. And because these folks can't afford doctors' bills or insurance, they often end up in our hospital emergency rooms, because it's the only option for their family. In their shoes, you'd probably do the same thing. It's a terrible way to deliver health care. It drives up premiums for people who do have health insurance. That must change.

I'm well aware this is a tough issue politically. But across the country, we're seeing governors and state legislators put politics aside to do what's undeniably best for their states. Republican governors in places like Arizona, North Dakota, New Mexico and Nevada are using federal funds to strengthen their Medicaid systems. Not because it's the easy thing for them to do politically, but because it's the right thing to do.

Here in Missouri, we must make the smart business decision. The right human decision. And bring the tax dollars we send to Washington back to work here in Missouri.

On another health care front, in recent years we have seen the tragic consequences when people with serious mental illness don't get the help they need. Right now, many people with severe mental illness only get treatment when they reach a crisis point. That's too late. My budget includes \$10 million to help those with mental illness get timely, effective treatment in their own communities. That money will be used to:

- * Provide more services in our community mental health centers;
- * Increase mental health first-aid training for professionals so they can recognize the early warning signs of mental illness;
- * Train law enforcement in mental health crisis-intervention; and
- * Teach families how to care for loved ones who suffer from severe mental illness.

We must do everything in our power to get folks the treatment they need, before it's too late. Each day in our state and across the country tragedies occur that don't make headlines, and often don't get reported at all. I am talking about domestic violence.

Last year, our network of shelters for victims of domestic violence provided safe haven for thousands of women and children. But thousands of others were turned away because the shelters were full. We know that battered women are at greatest risk when they make the courageous decision to leave an abusive partner. Finding shelter can literally make the difference between life and death for these women and for their children. That is why my budget includes a 29 percent increase in funds to provide more beds, more treatment, more safety at domestic violence shelters throughout our state. No child – no mother – who has been the victim of domestic violence should ever be turned away and left to fend for themselves during these moments of crisis.

These past four years, we have opened new doors for thousands of Missourians with disabilities.

I'm passionate about this work, as I know many of you in this room are as well. Together, we passed landmark legislation in 2010 to ensure that children with autism get the medical care they need. Issues like this transcend politics. And now thousands of youngsters are getting the therapy that, just a couple years ago, their families couldn't afford. We will keep moving forward by funding training for more therapists to help even more children with autism lead happier, healthier lives.

In October of 2010, we started the Partnership for Hope. And it's already helped thousands of people with developmental disabilities live fuller lives. My budget includes funds to expand this vital program to 1,000 more Missourians, some of whom have spent years waiting for services. By the end of 2014, we'll be serving more than 3,500 people with developmental disabilities.

Missourians like Vishal Patel. Vishal is 23. He has a rare form of cerebral palsy, and gets around in a motorized wheelchair. For years Vishal had to crawl, or have his parents carry him upstairs in their home, to take a shower. The Partnership for Hope provided Vishal with a stair lift, a roll-in shower, a permanent ramp and the physical therapy he needs. But as he told me in a letter, his real dream was to get a real job – with a real paycheck. The Partnership arranged for him to volunteer every Friday at a movie theater in St. Peters. And Vishal did so well that just before Christmas they offered him that real job, with a real paycheck. His first day was January 4th.

Vishal represents the many Missourians with disabilities who are now entering the workforce, thanks to the Partnership for Hope and the enlightened business owners who recognize the value of these outstanding workers. Vishal is here tonight with his job coach, Pam Westhoff, and Peg Capo, who runs the program in St. Charles County. Please welcome the newest member of Missouri's workforce, Vishal Patel.

At the start of my speech, I spoke about unique opportunities and the importance of seizing them.

With our perfect Triple-A credit rating intact and interest rates at all-time lows, we now have a unique opportunity to move forward with a bond issuance. It would allow us to modernize our K-12 classrooms and college research labs, mental hospitals and state parks. Some of our state's most important buildings need long-overdue improvements, including this one.

Interest rates today are about half of what they were in 1995 when Governor Carnahan issued bonds, and about a third of what they were when Governor Bond did the same in 1983, when interest rates were more than 8 percent. But the bond issue must be focused on our state's most pressing needs. And we must have a way to pay for it.

When we talk about our state's long-term needs, nothing is more important than our schools.

A bond issuance will allow the state to establish a permanent, low-interest loan fund dedicated to improving our local schools. Which is why I am proposing the creation of the BOOST Fund. BOOST stands for Building Opportunities in Our Schools Today. Because, folks, let's not kid ourselves. If we want our children to get a first-rate education and compete in a 21st-century global economy, they'll need first-rate, 21st-century facilities: state-of-the-art computers and science labs, libraries and wired classrooms. The BOOST Fund will go to work in your communities, in schools in every corner of Missouri.

In addition, a targeted bond issuance will provide funds for cutting-edge university research facilities in areas critical to our competitiveness, such as engineering, math, and science.

Bond proceeds will also allow us to build a new and improved Fulton State Mental Hospital. We have a moral responsibility to these patients and their caregivers to provide the best possible environment: one that is safe, secure and conducive to healing.

Bonds will also pay to upgrade accommodations in our state parks. It's an investment that will have a big impact on tourism. And tourism is big business in Missouri. Last year, Missouri welcomed 36 million visitors, pumping nearly \$11 billion into our state's economy. But we can do even better. Updating our cabins and lodges, and building brand-new, top-of-the-line facilities at our most popular parks will create jobs, help our economy, and make our parks an even bigger draw. Our 87 state parks and historic sites are a priceless legacy that belongs to all of us. Hunting, fishing, hiking and camping are part of our Missouri way of life. Investing in Missouri's state parks today will help preserve our outdoor heritage for our grandchildren and their grandchildren.

As I said before, we can only move forward with a bond issuance if we have a way to pay for it.

Saying "we'll figure it out later" won't work. That's not how we became a Triple-A state. The way to pay for the bond issuance is to finally get our tax credit system under control.

We've worked on reining in tax credits for years. In 2010, I appointed a statewide, bipartisan, tax credit commission to study the issue. That commission tapped the expertise of Missouri leaders in business, education, labor and government. They recommended a series of pragmatic, fiscally responsible reforms to rein in tax credit expenditures and ensure these programs provide a strong return on taxpayers' investment. But two years later, these reforms have yet to pass, and the costs of inaction continue to grow.

Last year tax credit redemptions grew to a staggering \$629 million – one-twelfth of our entire general revenue budget. That's not fiscally responsible. This is the year to get comprehensive, fiscally responsible tax credit reform legislation to my desk, and get smart, strategic investments in our state moving forward.

But all of the ideas and proposals I outlined tonight mean very little if the people of Missouri lose faith in the system.

Missouri's ethics laws are among the weakest in the nation. Every year as governor, I've put forward my agenda for ethics reform, and I know many of you have made genuine efforts to pass legislation. The list of reforms we must implement is long. Everything from curbing committee-to-committee transfers to banning office holders from doubling as paid political consultants to finally closing the revolving door between the legislature and lobbyists. All things we

must do. But above all, the single most destructive force to our system is the unlimited sums of money pouring into the campaign accounts of candidates seeking public office.

We must institute – we must re-institute – strict campaign contribution limits.

Each time a wealthy individual or business or special interest sends a check for \$20,000 or \$50,000 or \$100,000 to a candidate, the public's trust erodes a little bit more. And eventually, if we continue on this path, there will be no trust left at all.

I've led the fight for campaign contribution limits for many years. As attorney general, I stood before the U.S. Supreme Court and successfully argued in support of Missouri's contribution limits. And as governor, I stood before you every year and made the case for them. This year, if the legislature does not send a campaign contribution limit bill to my desk, I will do everything in my power to get it on the ballot and make sure it passes.

The people of Missouri have voiced their opinion on this matter already at the ballot box, and their support for contribution limits was overwhelming. We all know it would pass once again. Let's work together and get it done this session. The era of unlimited contributions to candidates must end.

These past four years, we've been faced with some historic challenges. And by working together, we've tackled them head-on ...and made great strides in the Show-Me State.

We've kept our fiscal discipline, balanced the budget and put strict cost controls in place throughout state government. And as a result, our economy is making solid, steady progress. The signs are everywhere. Businesses large and small are hiring again. Missouri's unemployment rate has been lower than the national average for 40 consecutive months. New building permits are up. Personal income is up, and wages are up.

And now we are in a position to make smart, long-term investments that will boost our children's academic achievement, protect Missourians' health, strengthen our workforce, improve our quality of life and create prosperity for generations to come. We have unique opportunities before us. Now is the time to seize them.

Just two weeks ago, I stood at the steps of this Capitol and spoke of my vision for the future of our beloved state: a future where all our children get an education that prepares them to compete for the best jobs in the global economy; where the brightest minds in science and technology advance the frontiers of human knowledge; where business and the arts flourish; where the bounty of Missouri's farms and fields will feed, clothe and power the planet; and where the natural beauty of our state is preserved and cherished for all time.

That future is ours to build. And we can only do it by working together.

When I first came to the Capitol in 1987, I was the youngest person in the Senate. I had a lot to learn. And I was fortunate to serve with many dedicated and capable legislators on both sides of the aisle. They showed me what public service is and what it requires of each of us.

Republicans and Democrats didn't agree on everything back then, just like they don't now. We had a divided state government, with a governor of one party, and the other party holding a large majority in the legislature – just like we do now. But we worked together to get things done for the good of the people.

I've been in public service for a long time. More than a quarter of a century. And in those many years, my faith in the people of Missouri has never faltered. My faith in our bedrock values has never wavered. And I have always been mindful of, and inspired by, the words inscribed on the Great Seal of Missouri, on our flag and in these marble halls:

“Let the Good of the People Be the Supreme Law.”

This is our call to action, our common oath and rallying cry. This is our sworn duty. Ours is a sacred calling. Our time is short. Let every action we take in these halls and in the offices of government be guided by that supreme law: the good of the people.

Now let us seek God's everlasting grace and protection to finish the good works He has entrusted to our care.

God bless Missouri. And God bless the United States of America.

Thank you.

The Joint Session was dissolved by Senator Richard.

Speaker Jones resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 30 - Special Standing Committee on Small Business

HB 133 - Insurance Policy

HB 255 - Ways and Means

HB 256 - General Laws

HB 305 - General Laws

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 18, introduced by Representatives Schupp, English, Morgan, Englund, Mitten, Kratky, Montecillo, May, Ellinger, Pace, Rizzo, Otto, Parkinson, Ellington, Runions, McCaherty, McDonald, Schieffer and Hoskins, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 327, introduced by Representative Barnes, relating to nonexchange financial guarantees.

HB 328, introduced by Representatives Nichols, Phillips, Schupp, Black, Otto and McNeil, relating to the residential electronic products recycling and reuse act.

HB 329, introduced by Representatives Dugger and Crawford, relating to residential real estate loan violations reporting.

HB 330, introduced by Representative Guernsey, relating to crime scene photographs and video recordings.

HB 331, introduced by Representatives Miller and Funderburk, relating to telecommunications.

HB 332, introduced by Representatives Sommer, Kelley (127), Pike, Schupp, Roorda, Spencer, Walker, Miller, Shull, Kirkton, Wilson, Wood, McCaherty, Schieber, Curtman and Austin, relating to government meetings and records.

HB 333, introduced by Representatives Kelly (45) and Hummel, relating to second injury fund deposits.

HB 334, introduced by Representatives Dugger, Reiboldt, Smith (120), Pike, Crawford, Spencer, Rowland, Lant, Houghton, Entlicher, Redmon, Walker, Hurst, Thomson, Phillips, Fraker, Fitzwater, Anderson, Franklin, Guernsey, Hampton, Jones (50), Engler, Kolkmeier, Neth, Wood, Fitzpatrick, Johnson, Ross, Hodges, McGaugh, Hoskins, Schieffer and Harris, relating to children performing agricultural work.

COMMITTEE APPOINTMENT

January 28, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Kevin McManus to the committee on Appropriations - Infrastructure and Job Creation.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

COMMITTEE CHANGE

January 28, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Steve Webb and appoint Representative Rory Ellinger to serve on the Joint Committee on Child Abuse and Neglect.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

WITHDRAWAL OF HOUSE BILLS

January 28, 2013

The Honorable Tim Jones
Speaker, Missouri House of Representatives
Room 308, State Capitol
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Speaker Jones:

I respectfully ask permission to withdraw **House Bill No. 160**, which would make electioneering at precinct polling places a class four election offense.

If you have any questions regarding this matter feel free to contact my office.

Thank you for your assistance.

Sincerely,

/s/ Chrissy Sommer
State Representative
District 106

January 25, 2013

To: Chief Clerk Adam Crumbliss

From: Representative Caleb Jones

Re: HB 195, Midwifery Bill

Dear Chief Clerk Crumbliss,

I would like to respectfully request **House Bill No. 195** be removed due to a wording error. The wording has been corrected and submitted on **House Bill No. 308**.

If you have any questions or concerns, please call me or my Legislative Assistant, Sherri Kempf.

Sincerely,

/s/ Caleb Jones
State Representative
District 50

The following members' presence was noted: Ellinger, Ellington, Gardner, Mims, Montecillo and Smith (85).

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Tuesday, January 29, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Tuesday, January 29, 2013, 9:00 AM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

CANCELLED

AGRICULTURE POLICY

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 6.

Informational meeting

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 4.

Organizational meeting and public testimony. Persons interested in providing testimony are required to sign up in advance with the Chairman's office.

APPROPRIATIONS - EDUCATION

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Institution Presidents

AMENDED

APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Institution Presidents, continued

AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, January 29, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Organizational meeting and public testimony. Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public testimony (continued if needed). Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Medicaid discussion; Medicaid fraud detection presentation by department staff

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, January 29, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Department of Corrections overview

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public testimony

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

BUDGET

Wednesday, January 30, 2013, 12:00 PM House Hearing Room 3.

Budget Transparency hearing

DESE, DSS, DHE, MSHP, DOC

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 1.

Executive session will be held: HB 87

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, January 29, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 222, HB 196, HB 197

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HJR 5, HB 48, HJR 4

Executive session will be held: HJR 5, HB 48

Executive session may be held on any matter referred to the committee.

CORRECTED

HEALTH INSURANCE

Wednesday, January 30, 2013, 4:30 PM SCR1.

The committee, along with the Senate Small Business, Insurance and Industry Committee, will meet to hear a presentation related to the changes coming to the health insurance marketplace on 1/1/14.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

RETIREMENT

Tuesday, January 29, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 169, HB 233

Executive session may be held on any matter referred to the committee.

Organizational meeting will be held at 5:00; House bills will be heard at 6:00.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.

This will be an organizational meeting only.

CANCELLED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, January 30, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 30

Executive session will be held: HB 30

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 31, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 42

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, January 29, 2013, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Informational meeting

CORRECTED

UTILITIES

Tuesday, January 29, 2013, 6:30 PM 516 South Country Club Dr, Jefferson City, MO.

Informational meeting

UTILITIES

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 44

Executive session may be held on any matter referred to the committee.

Public hearing and organizational/informational meeting

VETERANS

Tuesday, January 29, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HJR 8, HB 148

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, January 29, 2013, 5:00 PM Senate Lounge.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 64

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 29, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 18

HOUSE BILLS FOR SECOND READING

HB 327 through HB 334

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 29, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be of good courage, and He shall strengthen your heart, all ye that hope in the Lord. (Psalm 31:24)

O eternal God, Whose law is truth and Whose life is love, as we enter the gates of a new day we would pause in reverence before You to acknowledge our dependence on You and to pray for strength as we face the demanding responsibilities of this day.

Give us courage and faith for the tasks before us. May we now and always do our best to preserve liberty, to prevent tyranny from spreading, to promote peace in our state, and to proclaim the good news of freedom to all people in Missouri.

May we live worthily as Your children and be faithful and true in every experience. Help us to rise above fear and hatred and to maintain our integrity in this free land of our birth. We do not pray for easy tasks but for power to meet them; not for easy burdens but for strength to carry them; not for less dangerous times in which to live but to keep loyal to our ideals in an all too un-ideal world. So may we go forward conscious of Your presence, eager to do Your will and to live in good will with all Your children.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair

Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Colona	Cookson	Diehl	Hinson
Kirkton	May	Riddle	Scharnhorst	Smith 85

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 236 through House Resolution No. 250

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 18 was read the second time.

SECOND READING OF HOUSE BILLS

HB 327 through **HB 334** were read the second time.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 30 - Health Insurance

COMMITTEE REPORT

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 87**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 335, introduced by Representatives Hinson and Hough, relating to public safety.

HB 336, introduced by Representatives Hinson, Montecillo, Hough, English and Neth, relating to first responder political activity.

HB 337, introduced by Representatives Swearingen and Burlison, relating to licensed professional counselors.

HB 338, introduced by Representatives Wieland, White and Davis, relating to insurance payments for covered loss or damage.

HB 339, introduced by Representatives Wieland, Gosen and Berry, relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law.

HB 340, introduced by Representative Johnson, relating to daylight saving time elimination.

HB 341, introduced by Representative Johnson, relating to protective headgear for operation of motorcycles and motortricycles.

HB 342, introduced by Representative Johnson, relating to a sales tax exemption for farm products sold at farmers' markets.

HB 343, introduced by Representatives Guernsey, Smith (120), Allen, Flanigan, Fitzwater, Rowland, Hicks, Brown, Franklin, Conway (104), Fitzpatrick, Walker, Wood, Ross, Grisamore, Wilson, Austin, Love, Crawford, Dugger, Lant, Burlison, Neely, Reiboldt and Wieland, relating to public assistance.

HB 344, introduced by Representative Molendorp, relating to MO HealthNet reimbursement for behavior assessment and intervention.

HB 345, introduced by Representatives Cierpiot, Funderburk, Schatz, Davis, Hicks and Gosen, relating to broadband and wireless deployment.

HB 346, introduced by Representative Molendorp, relating to insurance coverage for dental services.

HB 347, introduced by Representatives Engler, Hampton, Redmon, Rehder and Swan, relating to a prescription drug monitoring program.

HB 348, introduced by Representative Neth, relating to elections of school directors.

HB 349, introduced by Representatives Brown and Gatschenberger, relating to license plates for property-carrying commercial motor vehicles.

HB 350, introduced by Representatives Frederick, Curtman, Riddle, Higdon, Houghton, Davis, Schatz, Funderburk, Richardson, McCaherty, Smith (120), Korman, Elmer, Neely, Brattin, Lichtenegger, Lynch, Schieber, Berry and Brown, relating to firearms owners.

HB 351, introduced by Representatives Frederick, Franklin, Neely and White, relating to hospital licensure.

HB 352, introduced by Representatives Hurst, Wood and Miller, relating to the sale or provision of certain commodities to seven director school districts.

HB 353, introduced by Representative Leara, relating to the academic pension act.

COMMITTEE APPOINTMENTS

January 29, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

I hereby appoint Representative Genise Montecillo to serve on the Autism Spectrum Disorders Commission.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 29, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Bonnaye Mims to serve on the Joint Committee on Education.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 29, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Sue Meredith and Representative Jay Swearingen to serve on the Joint Committee on Tax Policy.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

January 29, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Keith English to serve on the Joint Committee on Transportation Oversight.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

The following members' presence was noted: Barnes, Colona, Riddle, Scharnhorst and Smith (85).

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Wednesday, January 30, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 46

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - EDUCATION

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Institution Presidents, continued

AMENDED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 30, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public testimony (continued if needed). Persons interested in providing testimony are required to sign up in advance with the Chairman's office, and remarks should be limited to no more than 5 minutes.

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public debt (HB 1) and Office of Administration debt (HB 5) – Budget presentation

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Operations, Fringe Benefits and Attached Programs (HB 5) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM this day to continue hearing budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration leasing (HB 13), Public Defender Commission, and Judiciary (HB 12) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, January 30, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Public testimony

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

BUDGET

Wednesday, January 30, 2013, 12:00 PM House Hearing Room 3.

Budget Transparency hearing - Linda Luebbering 2014 Budget Overview and Supplemental Department of Elementary and Secondary Education, Department of Social Services, Department of Higher Education, Missouri State Highway Patrol, Department of Corrections

AMENDED

HEALTH INSURANCE

Wednesday, January 30, 2013, 4:30 PM SCR 1.

The committee, along with the Senate Small Business, Insurance and Industry Committee, will meet to hear a presentation related to the changes coming to the health insurance marketplace on 1/1/14.

CANCELLED

INSURANCE POLICY

Monday, February 4, 2013, 6:00 PM 516 S Country Club Dr., Jefferson City, MO 65109.

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

RULES

Wednesday, January 30, 2013, 4:00 PM House Hearing Room 7.

Executive session will be held: HB 34, HCS HB 87

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 1.

This will be an organizational meeting only.

CANCELLED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 4.

This will be an organizational meeting for the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, January 30, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 30

Executive session will be held: HB 30

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 31, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 42

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 44

Executive session may be held on any matter referred to the committee.

Public hearing and organizational/informational meeting

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, January 30, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 64

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 30, 2013

HOUSE BILLS FOR SECOND READING

HB 335 through HB 353

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 30, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord with all thine heart; and lean not unto thine own understanding. In all thy ways acknowledge Him, and He shall direct thy paths. (Proverbs 3:5,6)

Our Ancient God, You have given us the morning light, give us also the morning blessing as we lift our hearts to You in prayer in the People's House on this day.

Grant us the blessings of wisdom - not only to make wise choices, but also to find the right paths we ought to take. Lift high our vision that we may see clearly and be given courage to walk in Your way.

Grant us the blessings of love. Deepen our understanding, expand our sympathy, enlarge our capacity for good will. Give us grace to rise above the low prejudices that separate us and help us to enter the realm of high principles where all people are brought together in spirit and in love.

Grant us the blessings of faith - in these difficult and trying times may we keep our faith with You and in You, and may this faith keep us strong and pure and good. As public servants grant us wisdom, grant us love, grant us faith that in these days we fail not our citizens nor You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 251 through House Resolution No. 266

SECOND READING OF HOUSE BILLS

HB 335 through **HB 353** were read the second time.

COMMITTEE REPORTS

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 233**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 87**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 19, introduced by Representatives Bahr, Koenig, Curtman, Smith (120), Houghton, Rowland, Schieber, Lichtenegger, Brattin, Grisamore, Fitzwater, Burlison, Jones (110), Remole, Riddle, Diehl, Wieland, Franklin, Funderburk, Frederick, Cox, Berry, Miller, Hurst, Anderson, Shumake, Davis, Dugger, Gosen, Hansen, Walker and White, relating to health care freedom.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 354, introduced by Representatives Cornejo, Jones (50), Colona, Austin and Haahr, relating to judicial supervision by probation and parole in DWI courts.

HB 355, introduced by Representatives Cornejo, Lynch, Pike, Spencer, Elmer, Reiboldt, Lant, Davis, Jones (50), Cox, English and Hicks, relating to hunter education and safety training exemption for military personnel.

HB 356, introduced by Representatives Cornejo, Haahr, Rhoads, Rowden, Jones (50) and Zerr, relating to the sale of draft beer.

HB 357, introduced by Representatives Roorda, Schieffer, Montecillo, Englund, Burns, Meredith, Carpenter, English, Otto, Butler, Runions, Mayfield, Mims, Walton Gray, Mitten, Schupp, McNeil, Newman, Morgan, McKenna, Harris, Anders, May and Hummel, relating to public employee labor organizations.

HB 358, introduced by Representatives Roorda and Ellinger, relating to the creation of a death penalty commission and moratorium.

HB 359, introduced by Representatives Roorda, Newman and Ellinger, relating to cord blood collection.

HB 360, introduced by Representatives Roorda, Ellinger and Newman, relating to child abuse and neglect.

HB 361, introduced by Representatives Roorda and Ellinger, relating to neutral site child custody exchange.

HB 362, introduced by Representatives Roorda and Ellinger, relating to the Missouri sheriff methamphetamine relief task force (MoSMART).

HB 363, introduced by Representatives Roorda and Ellinger, relating to county court municipal judges.

HB 364, introduced by Representative Roorda, relating to board members of fire protection and ambulance districts.

HB 365, introduced by Representative Roorda, relating to the regulation of methamphetamine precursor substances.

HB 366, introduced by Representative Roorda, relating to days off for school districts.

HB 367, introduced by Representatives Hough, Montecillo, Hinson, Redmon, Fraker, Messenger, Gardner and Ellington, relating to state employee overtime.

HB 368, introduced by Representatives Hough, Rowden, Kratky, Haahr, Hinson, Bernskoetter, Redmon, Fraker, Messenger, Norr, Rizzo, LaFaver and Hoskins, relating to certain benevolent tax credits.

HB 369, introduced by Representatives Hough, Rowden, Kratky, Hinson, Bernskoetter, Redmon, Fraker, Norr, Rizzo and Hoskins, relating to incentives to attract amateur sporting events to Missouri.

HB 370, introduced by Representative Cox, relating to municipal traffic violations.

HB 371, introduced by Representative Cox, relating to judicial procedure.

HB 372, introduced by Representatives Cox, Smith (120), Crawford, Brown and Kelley (127), relating to business premises safety.

HB 373, introduced by Representative Cox, relating to the alteration of judicial boundaries by the supreme court.

HB 374, introduced by Representative Cox, relating to the transfer of judicial positions by the supreme court.

HB 375, introduced by Representatives Cox and Brown, relating to credit agreements.

HB 376, introduced by Representatives Hough, Elmer, Messenger, Austin, Burlison, Fraker, Anderson, Norr and Haahr, relating to family court commissioners.

HB 377, introduced by Representatives Kelley (127), Davis, Entlicher, Lant, Funderburk, Cierpiot, Crawford, Gannon, Reiboldt, Fowler, Lynch, Love, Conway (10), Houghton, Redmon, Schieber, Elmer, Koenig, Burlison, Black, Keeney, Berry, Grisamore, Anderson, Bahr, English, Curtman, Sommer, Schatz, Remole, Smith (120) and Bernskoetter, relating to government meetings and records.

HB 378, introduced by Representatives Kelley (127), Entlicher, Riddle, Davis, Spencer, Dugger, Lant, Funderburk, Cierpiot, Crawford, Reiboldt, Gannon, Fowler, Lynch, Love, Johnson, Houghton, Redmon, Higdon, Koenig, Burlison, Fitzpatrick, Black, Keeney, Berry, Grisamore, Anderson, Hurst, Bahr, Haahr, Korman, Curtman, Sommer, Schatz, Remole, Smith (120), Bernskoetter and Jones (110), relating to pharmacy inventories.

HB 379, introduced by Representatives Kelley (127), Spencer, Davis, Entlicher, Lant, Funderburk, Crawford, Reiboldt, Gannon, Fowler, Lynch, Love, Houghton, Redmon, Higdon, Koenig, Burlison, Fitzpatrick, Keeney, Berry, Grisamore, Anderson, Bahr, Haahr, Curtman, Sommer, Schatz, Remole, Smith (120) and Bernskoetter, relating to anonymous finger print background checks.

HB 380, introduced by Representatives Bahr, Koenig, Smith (120) and Curtman, relating to income taxation.

HB 381, introduced by Representative Bahr, relating to restrictive covenants.

HB 382, introduced by Representatives Bahr, Spencer, Koenig, Curtman, Cornejo and Gosen, relating to peace officers.

HB 383, introduced by Representatives Bahr and Curtman, relating to motor vehicle mileage taxes.

HB 384, introduced by Representatives Lant, Davis, Flanigan, Burlison, Funderburk and Reiboldt, relating to fire sprinkler contractors.

HB 385, introduced by Representatives Burlison, Davis, Funderburk, Jones (110), Diehl, Morris, Jones (50), Elmer, Neth, Cookson, McCaherty, Kratky, Phillips and Austin, relating to incentives to attract amateur sporting events to Missouri.

HB 386, introduced by Representatives McCaherty, Jones (110), Wieland, Higdon, Smith (120), Hurst, Korman, Walker, Pike, Koenig, Wood, Brown, McGaugh, Lauer, Hampton, Leara, Cross, Houghton, Crawford, Bernskoetter, Cierpiot, Torpey, Wilson, Love, Burlison, Dugger, Hoskins, Lant, Shumake, Lichtenegger, Thomson, Gosen, Rowland, Elmer, Bahr, Engler, Conway (104), Schatz, Fitzwater, Barnes, Frederick and Hinson, relating to a ban on abortions for sex selection and genetic abnormalities.

HB 387, introduced by Representatives Frederick, White, Franklin and Neely, relating to physician assistants.

HB 388, introduced by Representatives Swan, Cookson, Jones (110), Jones (50), Cierpiot, Lichtenegger, Barnes, Morris, Keeney, Haahr, Spencer, Smith (120), Scharnhorst, Bahr, Koenig, Hicks, Hodges, Austin, Anderson, Pierson and Guernsey, relating to school building report cards.

HB 389, introduced by Representatives Zerr, Diehl, Allen, Leara, Swearingen, McCaherty, Walker, Lauer, Kratky, Sommer, Torpey, Smith (85) and Otto, relating to tax credits for qualified research expenses.

COMMITTEE CHANGE

January 30, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Keith English from the Joint Committee on Transportation Oversight.

In accordance with section 21.795 of the Missouri Revised Statutes, I hereby appoint Representative Karla May, Representative Tom McDonald and Representative Ed Schieffer to serve on the Joint Committee on Transportation Oversight.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

The following members' presence was noted: Allen, Anders, Anderson, Austin, Bahr, Barnes, Bernskoetter, Berry, Black, Brown, Burlison, Burns, Butler, Carpenter, Cierpiot, Colona, Conway (10), Conway (104), Cookson, Cornejo, Crawford, Cross, Curtis, Curtman, Davis, Dohrman, Dugger, Dunn, Ellinger, Ellington, Elmer, Engler, English, Englund, Entlicher, Fitzpatrick, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Frederick, Funderburk, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Hough, Houghton, Hubbard, Hummel, Hurst, Johnson, Jones (50), Justus, Keeney, Kelley (127), Kelly (45), Koenig, Kolkmeier, Korman, Kratky, LaFaver, Lair, Lant, Lauer, Leara, Lichtenegger, Love, Lynch, May, Mayfield, McCaherty, McCann Beatty, McDonald, McGaugh, McKenna, McManus, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Neely, Neth, Newman, Nichols, Norr, Otto, Pace, Pfautsch, Phillips, Pierson, Pike, Pogue, Redmon, Rehder, Reiboldt, Remole, Rhoads, Riddle, Rizzo, Roorda, Ross, Rowden, Rowland, Runions, Scharnhorst, Schatz, Schieffer, Schupp, Shull, Shumake, Smith (85), Smith (120), Solon, Sommer, Spencer, Stream, Swan, Swearingen, Thomson, Torpey, Walker, Walton Gray, Webb, Webber, White, Wieland, Wilson, Wood, Wright and Zerr.

ADJOURNMENT

On motion of Speaker Jones, the House adjourned until 10:00 a.m., Thursday, January 31, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 46

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public debt (HB 1) and Office of Administration debt (HB 5) – Budget presentation

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Operations, Fringe Benefits and Attached Programs (HB 5) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM this day to continue hearing budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Leasing (HB 13), Public Defender Commission, and Judiciary (HB 12) –

Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

INSURANCE POLICY

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 133

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 4, 2013, 6:00 PM 516 S Country Club Dr., Jefferson City, MO 65109.

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 4.

This will be an organizational meeting for the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 4, 2013, 6:00 PM House Hearing Room 5.

This will be an organizational meeting for the committee.

TOURISM AND NATURAL RESOURCES

Thursday, January 31, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 42

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 31, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 19

HOUSE BILLS FOR SECOND READING

HB 354 through HB 389

HOUSE BILLS FOR PERFECTION

HCS HB 87 - Burlison

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 31, 2013

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

That He would grant you, according to the riches of His glory, to be strengthened with might by His spirit in the inner man. (Ephesians 3:16)

O Living God, Who is the light of life and the glory of every noble endeavor, we thank You for this quiet moment when facing important issues and carrying heavy responsibilities in that we can turn our hearts to You, Who alone can renew our strength and hold us steady amid the troubles of this time. In the secret place of the Most High may we find the resources we need for this high hour.

In all the perplexities of this period may we not lose our perspective and certainly not our poise. May the principles of freedom and justice upon which this state was founded still be our support as we face the challenge of this day. Grant that our faith may be triumphant over our fears, our courage surmount every discouragement and our loyalty to truth and good will be the solid ground upon which we walk together. Strengthened by Your spirit may we think clearly, plan creatively and act courageously.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 267 through House Resolution No. 297

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 19 was read the second time.

SECOND READING OF HOUSE BILLS

HB 354 through **HB 389** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 222 - Administration and Accounts

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 3 - Budget

HCR 4 - Budget

HCR 7 - Tourism and Natural Resources

HCR 9 - Government Oversight and Accountability

HCR 17 - Health Care Policy

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 10 - Agriculture Policy

HJR 11 - Emerging Issues in Agriculture

HJR 12 - Elections

HJR 13 - Elections

HJR 14 - Budget

HJR 17 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 26 - Ways and Means

HB 28 - Local Government

HB 29 - Health Insurance

HB 35 - Crime Prevention and Public Safety

HB 45 - Local Government

HB 47 - Health Care Policy

HB 50 - Elementary and Secondary Education

HB 51 - Tourism and Natural Resources

HB 56 - Agriculture Policy

HB 60 - Local Government

HB 65 - Local Government

HB 66 - Local Government

HB 67 - Crime Prevention and Public Safety

HB 69 - Special Standing Committee on Corrections

- HB 72** - Health Care Policy
- HB 73** - Veterans
- HB 76** - Elementary and Secondary Education
- HB 81** - Emerging Issues in Agriculture
- HB 84** - Local Government
- HB 85** - Transportation
- HB 91** - Workforce Development and Workplace Safety
- HB 96** - Economic Development
- HB 99** - Health Care Policy
- HB 104** - Local Government
- HB 111** - Elementary and Secondary Education
- HB 114** - Veterans
- HB 116** - Local Government
- HB 117** - Elections
- HB 118** - Utilities
- HB 119** - Utilities
- HB 121** - Utilities
- HB 122** - Transportation
- HB 129** - Retirement
- HB 130** - Transportation
- HB 134** - Elementary and Secondary Education
- HB 136** - Elementary and Secondary Education
- HB 141** - Health Insurance
- HB 144** - Judiciary
- HB 151** - Veterans
- HB 152** - Crime Prevention and Public Safety
- HB 154** - Transportation
- HB 162** - General Laws
- HB 163** - Elections
- HB 176** - Financial Institutions
- HB 177** - Health Care Policy
- HB 178** - Ways and Means
- HB 179** - Elementary and Secondary Education
- HB 181** - International Trade
- HB 182** - Economic Development
- HB 184** - Local Government
- HB 186** - Judiciary
- HB 189** - Elections
- HB 191** - Economic Development
- HB 201** - Economic Development
- HB 202** - Agriculture Policy
- HB 203** - Financial Institutions
- HB 205** - Agriculture Policy
- HB 210** - Judiciary
- HB 211** - Financial Institutions

- HB 212** - Financial Institutions
- HB 213** - Judiciary
- HB 214** - Judiciary
- HB 215** - Judiciary
- HB 216** - Elections
- HB 217** - Downsizing State Government
- HB 218** - Judiciary
- HB 224** - Special Standing Committee on Urban Issues
- HB 226** - Ways and Means
- HB 229** - Elementary and Secondary Education
- HB 234** - Local Government
- HB 235** - Elections
- HB 257** - Health Care Policy
- HB 275** - International Trade
- HB 278** - Downsizing State Government
- HB 282** - Elementary and Secondary Education
- HB 287** - Judiciary
- HB 288** - Children, Families, and Persons with Disabilities
- HB 291** - Elementary and Secondary Education
- HB 293** - Tourism and Natural Resources
- HB 297** - Downsizing State Government
- HB 298** - Health Care Policy
- HB 299** - Crime Prevention and Public Safety
- HB 300** - Special Standing Committee on Urban Issues
- HB 301** - Special Standing Committee on Corrections
- HB 302** - Judiciary
- HB 303** - Transportation
- HB 304** - Transportation
- HB 309** - Veterans
- HB 311** - Local Government
- HB 312** - Higher Education
- HB 313** - Retirement
- HB 314** - Professional Registration and Licensing
- HB 319** - Workforce Development and Workplace Safety
- HB 320** - Workforce Development and Workplace Safety
- HB 321** - Workforce Development and Workplace Safety
- HB 334** - Agri-Business
- HB 345** - Utilities
- HB 349** - Transportation
- HB 388** - Elementary and Secondary Education

RE-REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was re-referred to the Committee indicated:

HJR 11 - Agriculture Policy

COMMITTEE REPORTS

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 169**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 44**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 20, introduced by Representatives Hampton, Redmon and Rowland, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 390, introduced by Representatives Kratky, English, Schupp, Ellinger and Morgan, relating to unlawful use of a weapon.

HB 391, introduced by Representatives Kratky, English, Schupp, Mitten, Ellinger and Morgan, relating to a tax credit for certain small businesses.

HB 392, introduced by Representatives Kratky, English, Schupp, Ellinger and Morgan, relating to unlawful use of a weapon.

HB 393, introduced by Representatives Kratky, English and Morgan, relating to a tax credit for renovation of rental property.

HB 394, introduced by Representatives Kratky, English, White, McKenna, Schupp, Mitten, Ellinger, Morgan and Burns, relating to text messaging while operating motor vehicles.

HB 395, introduced by Representatives Kratky, English, Mitten, Ellinger, Gosen, Morgan and Solon, relating to the resale of scrap metals.

HB 396, introduced by Representatives Kratky and English, relating to the transitional school district.

HB 397, introduced by Representative Riddle, relating to local sales tax exemptions.

HB 398, introduced by Representatives Riddle, Funderburk, Houghton, Leara, Hansen, Shumake, Love, Gatschenberger, Rowland, Burns, Neely, Redmon, Webb, Hubbard, Hurst, Barnes, Crawford, Grisamore, Stream, Molendorp, McManus, Berry, Pike, Davis, Hicks, Haefner, Kelly (45), Burlison, Nichols, Higdon, Zerr, Gosen, Flanigan, Parkinson, McCaherty, Lant, Allen, Runions, Spencer, Kelley (127), White, Colona, Scharnhorst, Reiboldt, Conway (10), Conway (104), Remole, Wood, Bahr, Walker, Phillips, Bernskoetter, Englund, Anderson, Austin, Morris, Rowden, Fraker, Walton Gray, Ellington, Gardner, Dugger, Pace, Miller, Pierson, Hinson, Wilson, Rhoads, Hummel, McGaugh, Fitzwater, Rizzo, Montecillo, Harris, McCann Beatty, Frame, Roorda, Norr, Korman, Justus, Mims, Dunn, Curtis, English, Cornejo, Otto, May and Smith (85), relating to ratemaking for public utilities.

HB 399, introduced by Representatives Riddle, Wilson, Rhoads, Pike, Hinson, Conway (104), Higdon, Phillips and Hicks, relating to the removal of non-elected chief law enforcement officers.

HB 400, introduced by Representatives Riddle, Miller, Wood, Hurst, Fitzwater, Spencer, Harris, Cornejo, Kolkmeier, Reiboldt, Diehl, Neely, Lichtenegger, Lant, Brown, Messenger, Johnson, Rowland, Walker, Entlicher, Anderson, Fitzpatrick, Wilson, Crawford, Korman, White, Hansen, Cross, Shumake, English, Cox, Lynch, McCaherty, Haefner, Rehder, McGaugh, Hicks, Schieffer, Houghton, Conway (104), Lauer, Kelley (127), Elmer, Parkinson, Swan, Richardson, Pfautsch, Rowden, Jones (50), Barnes, Fraker, Bahr, Guernsey, Zerr, Schieber, Ross, Flanigan, Koenig, Pogue, Pike, Remole, Smith (120), Wieland, Redmon, Higdon, Dohrman, Cierpiot, Torpey, Solon, Thomson, Leara, Cookson, Gannon, Dugger, Scharnhorst, Morris, Muntzel, Brattin, Austin, Gatschenberger, Black, Grisamore, Curtman, Bernskoetter, Keeney, Stream, Jones (110), Davis, Engler, Allen, Sommer, Franklin, Phillips, Justus, Rhoads, Schatz, Frederick, Burlison, Hampton, Haahr, Love, Hinson, Gosen, Fowler, Funderburk and Hodges, relating to administration of abortion-inducing drugs.

HB 401, introduced by Representatives Shumake, Rowden, Redmon, Lichtenegger, Hansen and Entlicher, relating to the Missouri Advisory Boards and Commissions Association.

HB 402, introduced by Representatives Shumake, Walker, Bahr, Hansen, Lichtenegger, Redmon and Entlicher, relating to family intervention orders.

HB 403, introduced by Representatives Gosen, Reiboldt, Lant and Kelly (45), relating to unsecured loans of seven hundred fifty dollars or less.

HB 404, introduced by Representative Conway (104), relating to workers' compensation.

HB 405, introduced by Representatives Harris, Reiboldt, Schatz, Engler, Rowland, McCaherty, Mayfield, Fitzwater, Redmon, Otto, McGaugh, Miller, Wood, Pierson, Frame, Anders, McKenna, Ellinger, Hummel, Norr, Hodges, McDonald and Runions, relating to museums.

HB 406, introduced by Representative Wieland, relating to the family support payment center.

HB 407, introduced by Representatives Wieland, Gannon and Roorda, relating to petitions for incorporation.

HB 408, introduced by Representatives McNeil, Newman, Kelley (127), English, Morgan, Redmon and Fitzwater, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 409, introduced by Representatives Love and Remole, relating to prevailing wage determinations for third class counties.

HB 410, introduced by Representatives Love, Funderburk, Spencer, English, Justus, Reiboldt, Swan, McNeil, Meredith and Morris, relating to sales and use taxes.

HB 411, introduced by Representatives Muntzel and Jones (50), relating to compensatory leave for nonexempt state employees.

HB 412, introduced by Representatives Reiboldt, Redmon, Johnson, Hampton, Black, Love, Crawford, Houghton, Schieffer, Hodges, McGaugh, Fitzwater, Pike, Dugger and Entlicher, relating to agricultural loan guarantees.

HB 413, introduced by Representatives Fitzwater, Phillips, Morris, Lant, Reiboldt, Justus, Kelly (45), Walker, Rowland, Pike, Ross, Rhoads, Cookson, Wood, Houghton, Fraker and Hampton, relating to the tax credit for wood energy procedures.

HB 414, introduced by Representative Kelly (45), relating to revenue bonds for public projects.

HB 415, introduced by Representatives Phillips and Rowland, relating to special license plates.

HB 416, introduced by Representative Korman, relating to transient guest taxes.

COMMITTEE APPOINTMENTS

January 28, 2013

Representative Bill Lant
State Representative, Room 235
State Capitol
Jefferson City, MO 65101

Dear Representative Lant:

I hereby appoint you as the Chair of the Subcommittee on Child Abuse Reporting and Investigating. This subcommittee is one of the two subcommittees created within the Joint Committee on Child Abuse and Neglect.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Kurt Schaefer
Chairperson
Joint Committee on Child Abuse and Neglect

January 31, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints Representative Jim Hansen to the Committee on Emerging Issues in Agriculture.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

COMMITTEE CHANGE

January 31, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Mike Cierpiot from the Joint Committee on Transportation Oversight and appoint Representative Glen Kolkmeier.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones

Speaker of the House

The following members' presence was noted: Allen, Anders, Anderson, Austin, Barnes, Berry, Black, Brown, Burlison, Burns, Butler, Cierpiot, Colona, Conway (104), Cookson, Cornejo, Crawford, Cross, Curtis, Curtman, Davis, Dunn, Ellington, English, Englund, Entlicher, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Hicks, Higdon, Hinson, Hodges, Hoskins, Houghton, Hubbard, Hurst, Johnson, Jones (110), Justus, Keeney, Kelley (127), Kelly (45), Koenig, Korman, Kratky, Lair, Lant, Leara, Lichtenegger, Love, Mayfield, McCaherty, McDonald, McKenna, McNeil, Meredith, Messenger, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Neely, Neth, Newman, Nichols, Norr, Otto, Pace, Pfautsch, Phillips, Pike, Pogue, Rehder, Reiboldt, Remole, Rhoads, Riddle, Ross, Rowden, Rowland, Runions, Scharnhorst, Shull, Shumake, Smith (85), Spencer, Stream, Swan, Thomson, Torpey, Walker, Walton Gray, White, Wieland, Wilson, Wood, and Zerr.

ADJOURNMENT

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, February 4, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 46

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 202

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

DHE Budget presentation/DESE Budget presentation

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

DESE Budget presentation, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public Debt (HB 1) and Office of Administration Debt (HB 5)–Budget presentation

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Operations, Fringe Benefits and Attached Programs (HB 5)–Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM this day to continue hearing budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Leasing (HB 13), Public Defender Commission, and Judiciary (HB 12)–Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 288

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 4, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 35, HB 67, HB 152, HB 299

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 124, HB 158, HB 227

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 4, HB 216, HB 113, HB 117

Executive session will be held: HJR 4, HB 216

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 81

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Rd., Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HIGHER EDUCATION

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Presentation of proposed higher education funding model

INSURANCE POLICY

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 133

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 4, 2013, 6:00 PM 516 S Country Club Dr., Jefferson City, MO 65109.

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

JOINT COMMITTEE ON EDUCATION

Monday, February 4, 2013, 11:00 AM House Hearing Room 2.

Director of the Joint Committee on Education, Dr. Stacey Preis, and Senate and House staff will present a detailed updated draft of the higher education funding model.

LOCAL GOVERNMENT

Monday, February 4, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 128, HB 175

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 4, 2013, Upon Afternoon Adjournment House Hearing Room 6.

Executive session will be held: HB 44

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Monday, February 4, 2013, 5:00 PM or Upon Adjournment House Hearing Room 4.

This will be an organizational meeting for the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 4, 2013, 6:00 PM House Hearing Room 5.

This will be an organizational meeting for the committee.

TRANSPORTATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 85, HB 122, HB 349

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 77

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, FEBRUARY 4, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 20

HOUSE BILLS FOR SECOND READING

HB 390 through HB 416

HOUSE BILLS FOR PERFECTION

HCS HB 87 - Burlison

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, FEBRUARY 4, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Tommie Pierson.

Almighty God, our Father,

Once again, You have allowed us to gather here in the people's House of Representatives. Our heartfelt condolences and prayers go out to Representative Sandy Crawford and her family on the loss of her father-in-law Wayne Crawford.

Thank You for our new members, and I thank You for the returning members. I am thankful for the hearts of the people who were touched in the hopes that we will deliberate and pass bills that will improve their lives.

Let the spirit of unity, love and respect for those whose ideas are different from our own be embraced. Let us not be disturbed when others share their beliefs. Grant us the wisdom to understand that everyone has the right to their opinion, but not every opinion is right.

Let us be thankful for the privilege to serve, and to be thankful for good health and the ability to have joy in our hearts.

Today, let the spirit of God "anoint our heads with oil and our cups run over, surely goodness and mercy and unfailing love shall follow us all the days of our lives, and through the length of our days, the house of the Lord shall be our dwelling place."

Let us embrace the words of the prophet Amos, "Let justice roll down like waters and righteousness like a mighty stream." We ask it all in the name of Jesus.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the eleventh day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher

Fitzpatrick	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Kirkton

ABSENT WITH LEAVE: 007

Black	Colona	Crawford	Fitzwater	Hough
Keeney	Smith 120			

VACANCIES: 002

The Journal of the twelfth day was approved as printed.

The Journal of the thirteenth day was approved as printed.

HOUSE RESOLUTION

Representative Burns offered House Resolution No. 310.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 298 through House Resolution No. 309
House Resolution No. 311 through House Resolution No. 313

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 20 was read the second time.

SECOND READING OF HOUSE BILLS

HB 390 through **HB 416** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 198 - Utilities

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 121 - Judiciary

COMMITTEE REPORT

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 44**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 417, introduced by Representative Stream, relating to political subdivision contracts for water storage tanks.

HB 418, introduced by Representatives Neth, Swearingen and Torpey, relating to Kansas City police retirement systems.

HB 419, introduced by Representatives Hubbard, Ellington, Colona, Walton Gray, Pace and May, relating to the duties of the board of probation and parole.

HB 420, introduced by Representatives Curtman, Burlison, Lichtenegger, Koenig and Brown, relating to legislative preemption of firearm regulation by political subdivisions.

HB 421, introduced by Representatives Curtman, Smith (120), Burlison, Lichtenegger, Koenig and Swan, relating to legal tender.

HB 422, introduced by Representatives Brattin, Koenig and White, relating to the implementation of the streamlined sales and use tax agreement.

HB 423, introduced by Representatives Zerr, Hubbard, Berry, Lauer, McManus, McCann Beatty, Rizzo, Molendorp, Mayfield, Mims, Gardner, Ellington, Hough and Jones (50), relating to the distressed areas land assemblage tax credit act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 10 & 25**, entitled:

An act to amend chapter 67, RSMo, by adding thereto two new sections relating to incentives to attract amateur sporting events to Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 20, 15 & 19**, entitled:

An act to repeal sections 135.090, 135.326, 135.327, 135.535, 135.562, 135.630, 135.647, and 135.800, RSMo, and to enact in lieu thereof nine new sections relating to certain benevolent tax credits, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

February 4, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Rm. 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to serve on the Joint Committee on Life Sciences:

Representative Jon Carpenter
Representative Margo McNeil
Representative Jill Schupp

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

February 4, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Rm. 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Karla May to serve on the Joint Committee on Urban Agriculture.

I hereby continue the appointment of Representative Stacey Newman on the Joint Committee on Urban Agriculture.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

COMMITTEE CHANGE

February 4, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Kevin Engler from the Joint Committee on Capital Improvements and Leases Oversight and appoint Representative Robert Ross.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

MESSAGES FROM THE GOVERNOR

February 4, 2013

REORGANIZATION PLAN NO. 1 2013

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2013, by Executive Order 13-01, to transfer the Center for Emergency Response and Terrorism from the Department of Health and Senior Services and assign it, and all of its responsibilities and functions, to the Department of Public Safety. The Center for Emergency Response and Terrorism will retain all functions and authority as provided by law. The Department of Public Safety shall furnish administrative support and staff as is necessary for the effective operation of the Center for Emergency Response and Terrorism.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER 13-01

WHEREAS, the Department of Public Safety, created pursuant to Article IV, Section 48 of the Missouri Constitution and Chapter 650, RSMo, is responsible for providing coordination between local, state, and federal agencies in regard to public safety and law enforcement programs; and

WHEREAS, the State Emergency Management Agency (SEMA), established pursuant to Section 44.020, RSMo, is a division of the Department of Public Safety and responsible for assisting federal, state, local and faith-based activities related to emergency functions by coordinating response, recovery, planning and mitigation; and

WHEREAS, the Office of Homeland Security, established within the Department of Public Safety, is responsible for coordinating activities to promote unity of effort among federal, state, local, private sector, and citizen activities related to emergency preparedness and homeland security; and

WHEREAS, the Department of Public Safety oversees the coordinated emergency response to natural and man-made disasters on behalf of the State of Missouri and coordinates emergency response planning and preparedness through SEMA and the Office of Homeland Security using an all-hazard approach; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Chapter 192, RSMo, is responsible for public health and aging issues; and

WHEREAS, the Center for Emergency Response and Terrorism is located within the Department of Health and Senior Services to coordinate emergency response and preparedness among public health agencies relating to terrorism, natural disasters, and pandemic; and

WHEREAS, transferring the Center for Emergency Response and Terrorism's response, planning, and preparedness responsibilities to the Department of Public Safety will promote coordination and consistency among emergency response agencies; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Department of Health and Senior Services and the Department of Public Safety to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all emergency response, planning, and preparedness responsibilities within the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Public Safety; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Secretary of State

February 4, 2013

**REORGANIZATION PLAN NO. 2
2013**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2013, by Executive Order 13-02, to transfer post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development and assign those responsibilities and functions to the Department of Revenue. The Department of Revenue shall furnish administrative support and staff as is necessary for the effective operation of the post-issuance compliance functions for tax credit and job incentive programs administered by the Department of Economic Development.

/s/ Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER
13-02

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo; and

WHEREAS, the Missouri Department of Revenue is created pursuant to Article IV, Section 22, of the Missouri Constitution and Chapter 32, RSMo; and

WHEREAS, the Missouri Department of Economic Development's mission is to promote economic growth and job creation; and

WHEREAS, the Missouri Department of Revenue is a regulatory agency charged with collecting revenue and ensuring compliance with Missouri's tax laws; and

WHEREAS, the Missouri Department of Economic Development administers tax credit and job incentive programs; and

WHEREAS, the Missouri Department of Revenue currently performs various functions related to tax credit and job incentive programs, including those associated with the redemption of tax credits issued through the programs administered by the Missouri Department of Economic Development; and

WHEREAS, the Missouri Department of Revenue is positioned to perform post-issuance compliance functions related to such tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will provide greater efficiency and accountability in the state's tax credit and job incentive programs; and

WHEREAS, transferring these post-issuance compliance functions to the Missouri Department of Revenue will enable the Missouri Department of Economic Development to provide greater focus on its core mission of expanding the state's economy; and

WHEREAS, I am committed to integrating and consolidating government operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of these post-issuance compliance functions from the Missouri Department of Economic Development to the Missouri Department of Revenue will make state government more efficient and effective.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Economic Development and the Missouri Department of Revenue to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop mechanisms and processes necessary to effectively transfer the above-referenced functions to the Missouri Department of Revenue; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This Order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Secretary of State

February 4, 2013

**REORGANIZATION PLAN NO. 3
2013**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and Sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 3 of 2013, by Executive Order 13-03, to transfer the Division of Energy from the Department of Natural Resources and assign it, and all of its responsibilities and functions, to the Department of Economic Development. The Division of Energy will retain all functions and authority as provided by law. The Department of Economic Development shall furnish administrative support and staff as is necessary for the effective operation of the Division of Energy.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

**EXECUTIVE ORDER
13-03**

WHEREAS, the Missouri Department of Natural Resources is created pursuant Article IV, Section 47 of the Missouri Constitution and Chapter 640, RSMo; and

WHEREAS, the Division of Energy, located within the Missouri Department of Natural Resources, is responsible for promoting energy efficiency and security through policy development, research, and educational outreach; and

WHEREAS, the Missouri Department of Economic Development is created pursuant to Article IV, Section 36(a) of the Missouri Constitution and Chapter 620, RSMo, and is charged with promoting economic growth and job creation; and

WHEREAS, energy production and efficiency are crucial to moving Missouri's economy forward; and

WHEREAS, I am committed to integrating and consolidating governmental operations to provide for the most efficient and effective use of resources; and

WHEREAS, the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development will benefit the State of Missouri by creating efficiencies through a better alignment of goals which will help promote the development, security, and affordability of diverse energy sources essential to the future of Missouri's economy.

NOW THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby order the Missouri Department of Natural Resources and the Missouri Department of Economic Development to cooperate to:

1. Transfer all authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development, by Type I transfer, as defined under the Reorganization Act of 1974;
2. Develop the mechanisms and processes necessary to effectively transfer the Division of Energy to the Missouri Department of Economic Development; and
3. Take the steps necessary to maintain compliance with federal requirements so as not to jeopardize federal financial participation with this transfer.

This order shall become effective no sooner than August 28, 2013, unless disapproved within sixty days of its submission to the First Regular Session of the Ninety-Seventh General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 4th day of February, 2013.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Secretary of State

The following members' presence was noted: Hough and Keeney.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, February 5, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HR 222

Executive session may be held on any matter referred to the committee.

Additional topics will include: Proposed Majority Caucus Smoking Policy, Employee Salary Ranges, Issue Development Standing Committees

CORRECTED

AGRI-BUSINESS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 46

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 202

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 4.

Department of Conservation Budget presentation

APPROPRIATIONS - EDUCATION

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Department of Higher Education Budget presentation/Department of Elementary and Secondary Education Budget presentation

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Department of Elementary and Secondary Education Budget presentation, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Operations, Fringe Benefits and Attached Programs (HB 5) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM this day to continue hearing budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Leasing (HB 13), Public Defender Commission, and Judiciary (HB 12) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Public testimony regarding FY14 DSS, DMH, & DHSS program budgets

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DHSS Budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of DHSS Budget presentation, if necessary; DMH Budget presentation

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, February 5, 2013, 5:00 PM House Hearing Room 3.

Public hearing will be held: HJR 14

Public testimony

Please call Donna in Representative Chris Kelly's office at 573-751-4189 if you want to testify on bill. Thanks.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Missouri Department of Economic Development budget presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Economic Development budget presentation and Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 288

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 5, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 124, HB 158, HB 227

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 5, 2013, Upon Morning Adjournment South Gallery.

Public hearing will be held: HJR 12

Executive session will be held: HJR 12, HJR 5

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HJR 4, HB 216, HB 117

Executive session will be held: HJR 4, HB 216

Executive session may be held on any matter referred to the committee.

AMENDED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 134, HB 388

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 81

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 203, HB 176, HB 212, HB 211

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 6, 2013, 6:00 PM 2125 Missouri Blvd, Jefferson City, MO 65103.

GENERAL LAWS

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 33, HB 256, HB 305

Executive session may be held on any matter referred to the committee.

CORRECTED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Road, Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HEALTH CARE POLICY

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17, HB 47, HB 72

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 30

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Presentation of proposed higher education funding model.

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

JUDICIARY

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 210, HB 218

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 5, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 85, HB 122, HB 349

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 345, HB 198, HB 119

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 5, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 73, HB 114, HB 151

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, February 5, 2013, 4:00 PM House Hearing Room 6.

Public hearing will be held: HB 32, HB 55, HB 255, HB 178

Executive session may be held on any matter referred to the committee.

The normal time and place have changed.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 77

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, FEBRUARY 5, 2013

HOUSE BILLS FOR SECOND READING

HB 417 through HB 423

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 87 - Burlison
- 2 HB 44 - Korman

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 10 & 25
- 2 SS SCS SBs 20, 15 & 19

HOUSE RESOLUTIONS

HR 139 - Diehl

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, FEBRUARY 5, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

A moment of silence was observed in memory of Father David Buescher who served as House Chaplain from 2000 through 2005.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

They looked unto Him, and were lightened; and their faces were not ashamed. (Psalm 34:5)

O God, source of all life and the ever-flowing fountain of love, we open the gates of a new day with prayer and bow before You reverently and in all humility of mind and heart. At this time we need to renew our strength, to restore our courage, and to receive Your spirit which makes us equal to every situation. So we pray that now and all through these days You will help us to be conscious of Your presence, and by Your grace may we do Your will.

Save us from recounting our resentments, from harboring any hatred, and from remembering the slights that dim the lights of our day. May we accept the duties of this week with confidence, carry our responsibilities with faith, and enjoy the work we are doing building a better and a stronger state. Always and in all ways may we follow the way that leads beyond the dark to the dawn and You.

We recall our Missouri history today when a bolt from the heavens in 1911 reduced the old Capitol to fiery rubble, yet from its ashes rose this magnificent structure. May God continue to protect and bless all who work at and visit our Capitol, as the People's House.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed.

HOUSE RESOLUTION

Representatives Cox and Kelly (45) offered House Resolution No. 314.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 315 through House Resolution No. 323

HOUSE CONCURRENT RESOLUTION

Representative English, et al., offered House Concurrent Resolution No. 18.

SECOND READING OF HOUSE BILLS

HB 417 through **HB 423** were read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 10 & 25 and **SS SCS SBs 20, 15 & 19** were read the second time.

Representative Leara assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 87, relating to tax credits, was taken up by Representative Burlison.

Representative Engler offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 87, Page 4, Section 135.327, Line 71, by deleting the word "**July**" and inserting in lieu thereof the following:

"January"; and

Further amend said bill, Page 11, Section 135.630, Line 37, by deleting the word "**July**" and inserting in lieu thereof the following:

"January"; and

Further amend said bill, Page 13, Section 135.647, Line 12, by deleting the word "**July**" and inserting in lieu thereof the following:

"January"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 1** was adopted.

Representative Montecillo requested a division of the question on **HCS HB 87, as amended**.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Crawford	Hinson	Keeney
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VACANCIES: 002

On motion of Representative Burlison, **Part I of HCS HB 87, as amended**, was adopted by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Crawford	Cross	Hinson	Keeney
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VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Cross	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Crawford	Dugger	Hinson	Keeney
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VACANCIES: 002

On motion of Representative Burlison, **Part II of HCS HB 87, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	McManus	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 038

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 003

Crawford	Hinson	Keeney
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VACANCIES: 002

On motion of Representative Burlison, **Part III of HCS HB 87, as amended**, was adopted by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Crawford	Dunn	Hinson	Keeney	Messenger
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VACANCIES: 002

On motion of Representative Burlison, **HCS HB 87, as amended**, was ordered perfected and printed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 003

Butler	Morgan	Newman
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PRESENT: 000

ABSENT WITH LEAVE: 005

Crawford	Dunn	Hinson	Keeney	May
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VACANCIES: 002

HOUSE RESOLUTION

HR 139, relating to ethics rules of procedure, was taken up by Representative Diehl.

On motion of Representative Diehl, **HR 139** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 87 - Fiscal Review

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your **Committee on Agriculture Policy**, to which was referred **HB 202**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your **Committee on General Laws**, to which was referred **HB 256**, **HB 33**, and **HB 305**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 21, introduced by Representatives Scharnhorst and Cierpiot, relating to term limits.

HJR 22, introduced by Representatives Neth, Spencer, Rizzo, Molendorp, Zerr, Berry, Grisamore, Elmer, Wright, McNeil, Mayfield, Kelly (45), Lauer, Redmon and Gannon, relating to debt limitations for school districts.

HJR 23, introduced by Representatives Hinson, Miller, Walker, Montecillo, Phillips, Schatz, Burns, Hough, Kelly (45), Love, Korman, Wood, McKenna, Lant, Reiboldt, Rizzo, Schieffer, Fitzwater and Flanigan, relating to a temporary tax to improve the state highway system, city streets, county roads, and the state transportation system.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 424, introduced by Representatives Jones (50), Houghton, Cross, Webber, Gosen, Bernskoetter, Rhoads, Torpey, Hinson, Keeney, McCaherty, Funderburk, Norr, Berry, Hoskins, Roorda, Rizzo and Rowden, relating to the sheriffs' retirement fund.

HB 425, introduced by Representatives Wilson, Riddle, Higdon, Koenig, Hinson and Wieland, relating to immunity from civil liability for law enforcement officers.

HB 426, introduced by Representative Berry, relating to state legal expense fund.

HB 427, introduced by Representative Schatz, relating to rental of machinery and equipment.

HB 428, introduced by Representative Schatz, relating to the issuance of salvage motor vehicle titles.

HB 429, introduced by Representative Schatz, relating to the issuance of salvage motor vehicle titles.

HB 430, introduced by Representative Schatz, relating to employer paid medical costs in the experience rating plan of workers' compensation insurance.

HB 431, introduced by Representatives Jones (50), Richardson, Elmer, Johnson, Lynch, McCaherty, Crawford, Fowler, Austin, Rizzo and Webber, relating to law enforcement officers on school premises.

HB 432, introduced by Representatives Funderburk, Schatz, Smith (85), Roorda, Gosen, Dugger, Davis, Gatschenberger, Cierpiot, Rehder, Korman, Bahr, Hicks, Anders, Webb, Riddle, Bernskoetter, Richardson, Remole, Norr, McNeil, English and Fraker, relating to the public service commission.

HB 433, introduced by Representatives Korman, Hicks, Fitzwater, Lant, Reiboldt, Cornejo, Crawford, Hampton and Ross, relating to inspection of meat processors.

HB 434, introduced by Representatives Elmer, Austin, Cox, Cornejo, Barnes, Hough, White, Diehl, Haahr and Richardson, relating to the transfer of judicial positions by the supreme court.

HB 435, introduced by Representatives Elmer, Austin, Cox, Cornejo, Barnes, Hough, White, Diehl and Haahr, relating to the alteration of judicial boundaries by the supreme court.

HB 436, introduced by Representatives Funderburk, Jones (110), Burlison, Hicks, Rhoads, Ross, Miller, Parkinson, Remole, Anderson, Hurst, Bahr, Brown, Smith (120), Koenig, Curtman, Dugger, Morris, Sommer, Leara, Gatschenberger, Brattin, Schieffer and Korman, relating to the Second Amendment preservation act.

HB 437, introduced by Representatives Funderburk, Miller, Smith (85), Roorda and English, relating to underground facility safety.

HB 438, introduced by Representatives Rowland, Cookson, Redmon, Shumake, Elmer, Webber, Black, Fitzwater, Justus, Smith (120) and Schatz, relating to license plates.

HB 439, introduced by Representatives Webb, May, Newman, Norr, Pace and Cookson, relating to student participation in extracurricular activities.

HB 440, introduced by Representatives Webb and Parkinson, relating to the sale of cottage foods.

HB 441, introduced by Representatives Webb and Pace, relating to the designation of a highway.

HB 442, introduced by Representatives Hoskins, Brattin, Davis, Lichtenegger and Jones (50), relating to professional therapy dogs.

HB 443, introduced by Representatives Hubbard, Ellington, Curtis, Pace, McCaherty, Otto, May, Smith (85), Walton Gray, Colona, Webb and Mims, relating to a pilot project for increasing children's access to incarcerated parents.

HB 444, introduced by Representatives Hubbard, Curtis, Pace, May, Smith (85), Ellington, Webb and Mims, relating to the parent time for Missouri program.

HB 445, introduced by Representatives Engler and Black, relating to the designation of memorial highways.

HB 446, introduced by Representative Diehl, relating to real estate loans.

HB 447, introduced by Representative Diehl, relating to the exemption from attachment and execution of a person's interest in inherited retirement accounts and health savings plans.

HB 448, introduced by Representatives Webb, Burlison, Fraker, Funderburk, Kratky, Pace and Cookson, relating to licensure of hearing instrument specialists.

HB 449, introduced by Representatives English, LaFaver, Frame, White, Pace and Walton Gray, relating to limited driving privileges for child support arrearage license suspensions.

HB 450, introduced by Representatives Carpenter, Davis, Otto, Walton Gray, Haahr, Rhoads, Rowden and Butler, relating to military medallions, medals, and certificates.

HB 451, introduced by Representatives Fraker, Hampton, Fitzwater, Redmon, Cross, Richardson, Hough, Diehl, Dugger, Messenger and Reiboldt, relating to procedures for counties to decrease their budgets.

HB 452, introduced by Representatives Fraker, Lant, Redmon, Hampton, Fitzwater, Jones (110), Richardson, Diehl, Dugger, Messenger and Reiboldt, relating to prevailing wages on public work projects.

HB 453, introduced by Representatives Fraker, Lant, Redmon, Hampton, Fitzwater, Jones (110), Cross, Richardson, Diehl, Dugger, Messenger and Reiboldt, relating to prevailing wages on public works projects.

HB 454, introduced by Representatives Koenig, Curtman, Brown, Kelley (127), Love, Lichtenegger, Wood, Higdon and Scharnhorst, relating to the administration of vaccinations by pharmacists.

HB 455, introduced by Representatives Koenig, Schieber, Wilson, Marshall, Curtman, Dohrman, Kolkmeier, Brown, Kelley (127), Love, Hansen, Lichtenegger, Wood, Justus, Higdon, Ross, Swan, Smith (120) and Scharnhorst, relating to food stamps.

HB 456, introduced by Representative Webber, relating to military leave for public employees.

HB 457, introduced by Representatives Jones (110), Frederick, Franklin, White, Neth, Brown, Bernskoetter, Neely, Sommer, Fitzwater, Barnes, English, McCaherty, Crawford, Allen, Flanigan, Burlison, Lichtenegger, Mayfield, Wieland, Jones (50), Pfautsch, Houghton, Hicks, Black, Anderson, Austin, Zerr, Smith (120), Remole, Entlicher, Higdon, Lant, Walker, Hansen, Gatschenberger, Funderburk, Shumake, Wilson, Swan, Hampton, Rowden, Koenig, Haefner, Solon, Cox, Dugger, Rehder, Cierpiot, Cross, Conway (104), Wood, Riddle, Diehl, Morris, Kelley (127), Gannon and Stream, relating to the conscience rights of all individuals who provide medical services.

HB 458, introduced by Representative Scharnhorst, relating to the Missouri special needs scholarship tax credit program known as Bryce's Law.

The following member's presence was noted: Hinson.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, February 6, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HR 222

Executive session may be held on any matter referred to the committee.

Additional topics will include: Proposed Majority Caucus Smoking Policy, Employee Salary Ranges, Issue Development Standing Committees

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 4.

Department of Conservation Budget presentation

CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 11, 2013, 1:00 PM House Hearing Room 1.

Department of Agriculture Budget presentation

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 4.

Department of Agriculture and Department of Natural Resources Budget presentations

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.

Department of Natural Resources Budget presentation

APPROPRIATIONS - EDUCATION

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

DESE Budget presentation, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Office of Administration Leasing (HB 13), Public Defender Commission, and Judiciary (HB 12) – Budget presentation

–NOTE–Hearing is scheduled from 12:00 PM to 2:00 PM; if necessary, committee will reconvene at 5:00 PM to continue hearing budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DHSS Budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of DHSS Budget presentation if necessary; DMH Budget presentation

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Governor-recommended budgets for Public Safety and Corrections, continued

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 6, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Labor and Industrial Relations budget presentation

DOWNSIZING STATE GOVERNMENT

Thursday, February 7, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 217, HB 278

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 134, HB 388

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 81

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 203, HB 176, HB 212, HB 211

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 6, 2013, 6:00 PM 2125 Missouri Blvd, Jefferson City, MO 65103.

FISCAL REVIEW

Thursday, February 7, 2013, 8:30 AM South Gallery.

Public hearing will be held: HCS HB 87

Executive session will be held: HCS HB 87

Executive session may be held on any matter referred to the committee.

Public hearing and Executive session on HB 87

AMENDED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Road., Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HEALTH CARE POLICY

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 257

Executive session may be held on any matter referred to the committee.

Bills have changed; we will not hear HCR 17, HB 47 or HB 72 this week, but will hear HB 257 instead.

AMENDED

HEALTH CARE POLICY

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HCR 17, HB 47, HB 72

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Rd, Columbia MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 6, 2013, 5:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

This will be for informational purposes only.

JUDICIARY

Wednesday, February 6, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 210, HB 218

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 7

Executive session may be held on any matter referred to the committee.

Director of Tourism, Katie Steele Danner, will speak briefly.

Aaron Jeffries, Missouri Department of Conservation, will speak briefly.

AMENDED

UTILITIES

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 345, HB 198

Executive session may be held on any matter referred to the committee.

HB 119 will not be heard.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 6, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 77

Executive session may be held on any matter referred to the committee.

CORRECTED

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 21 through HJR 23

HOUSE BILLS FOR SECOND READING

HB 424 through HB 458

HOUSE BILLS FOR PERFECTION

HB 44 - Korman

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2013

The House met pursuant to adjournment.

Speaker Pro Tem Smith in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Bear ye one another's burdens and so fulfill the law of Christ. (Galatians 6:2)

Almighty God, before the work of a new day begins we would be still in Your presence and receive the benediction of Your spirit. May the words of our mouths and the meditations of our hearts be acceptable in Your sight. Cleansed by Your forgiving love, made stronger by Your spirit, and becoming wise with Your wisdom we would face the unfinished tasks committed to our care this day.

These are times which call for greater courage, higher wisdom, broader sympathy, and deeper faith. May they increasingly become ours as we wait upon You. In all our decisions and in all our doing may we keep our hearts confident, our spirits courageous, our minds clear, and our hands clean. Together may we move forward to a greater day when people shall live together in good will and each one be ready to bear another's burden.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elizabeth Meyer, Casey Hulshof and Kyle McNew.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Korman	Kratky	Lair	Lant	Lauer

Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Crawford	Diehl	Grisamore	Hodges
Keeney	Kolkmeyer	LaFaver	McManus	Pierson
Thomson				

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 324 through House Resolution No. 331

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 21 through **HJR 23** were read the second time.

SECOND READING OF HOUSE BILLS

HB 424 through **HB 458** were read the second time.

Speaker Jones assumed the Chair.

Speaker Pro Tem Smith resumed the Chair.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 5 - Veterans

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 19** - Health Care Policy
- HJR 20** - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 75** - Local Government
- HB 78** - Special Standing Committee on Small Business
- HB 79** - International Trade
- HB 82** - Ways and Means
- HB 83** - Agriculture Policy
- HB 103** - Emerging Issues in Agriculture
- HB 105** - Special Standing Committee on Small Business
- HB 108** - Crime Prevention and Public Safety
- HB 138** - Local Government
- HB 142** - Utilities
- HB 149** - Ways and Means
- HB 161** - Local Government
- HB 168** - Higher Education
- HB 199** - Elections
- HB 200** - Elections
- HB 228** - Elementary and Secondary Education
- HB 252** - Children, Families, and Persons with Disabilities
- HB 274** - Health Care Policy
- HB 277** - Ways and Means
- HB 294** - Elementary and Secondary Education
- HB 307** - Crime Prevention and Public Safety
- HB 315** - Health Insurance
- HB 316** - Tourism and Natural Resources
- HB 318** - Judiciary
- HB 329** - Financial Institutions
- HB 332** - General Laws
- HB 354** - Special Standing Committee on Corrections
- HB 370** - Judiciary
- HB 371** - Judiciary
- HB 372** - General Laws
- HB 373** - Judiciary
- HB 374** - Judiciary
- HB 375** - Judiciary
- HB 381** - General Laws
- HB 383** - Downsizing State Government
- HB 385** - Economic Development

HB 386 - Health Care Policy
HB 389 - Economic Development
HB 397 - Ways and Means
HB 398 - Utilities
HB 399 - Crime Prevention and Public Safety
HB 400 - Health Care Policy
HB 401 - Special Standing Committee on Corrections
HB 409 - Workforce Development and Workplace Safety
HB 410 - Ways and Means
HB 412 - Agriculture Policy
HB 415 - Transportation

COMMITTEE REPORTS

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 5** and **HJR 12**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 48** and **HB 216**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 133**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 24, introduced by Representatives Riddle and Davis, relating to bingo.

HJR 25, introduced by Representatives Koenig, Schieber, Wilson, Brattin, Burlison, White, Davis, Messenger, Lichtenegger, Higdon, Scharnhorst and McCaherty, relating to taxation.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 14, introduced by Representative Stream, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 459, introduced by Representatives Bahr, Parkinson, Hicks, Cornejo, Harris, McKenna, Frame, McCaherty, Jones (50), Conway (104), Sommer, Haefner, Englund, Kratky, Funderburk, Leara, Burns, English, Pierson, Gatschenberger, Zerr, Pace, Black, Montecillo, Koenig, Nichols, Roorda, Ellinger, Spencer, Curtman and Stream, relating to adoption of ordinances for redevelopment.

HB 460, introduced by Representative Engler, to authorize the conveyance of certain state properties.

HB 461, introduced by Representatives Phillips and Rowland, relating to the crime of tampering with physical evidence.

HB 462, introduced by Representatives Phillips, Rowland, English, Ellinger and Wood, relating to the state sex offender registry.

HB 463, introduced by Representatives Black, Hodges, Kelley (127) and Engler, relating to sexually violent predators.

HB 464, introduced by Representatives Higdon, Hampton, Fitzwater, Richardson, Jones (50), Hough, Rowland, Wieland, Brown, Phillips, Walker, Mayfield, Shumake, Lauer, Hoskins, Lair, Wilson, Pike, Franklin, Hansen, Hinson, Rizzo, Muntzel, Kratky, Conway (10), Roorda, Colona, Fraker and Bahr, relating to sheriffs.

HB 465, introduced by Representative Curtman, relating to motor vehicle sales by dealers.

HB 466, introduced by Representatives Curtman, Higdon, Brown and Koenig, relating to workers' compensation insurance.

HB 467, introduced by Representatives Lichtenegger, Swan, Haefner, Zerr, Kirkton, Neely, Hampton, Frederick, Otto, Walker, Koenig and Shumake, relating to public water systems.

HB 468, introduced by Representative Higdon, relating to immunity for law enforcement officers conducting court directed service of process.

HB 469, introduced by Representatives Higdon, English, Wieland, Kolkmeier and Walker, relating to automated traffic enforcement systems.

HB 470, introduced by Representative Barnes, relating to virtual schools.

HB 471, introduced by Representatives Spencer, Anderson, Fitzpatrick, Kelley (127), Gannon, Walker, Rhoads, Kolkmeier, Pike, Scharnhorst, Zerr, Berry and Diehl, relating to the designation of engineer awareness week in Missouri.

HB 472, introduced by Representatives Rhoads, Ross, Cornejo, Haahr, Miller, Hicks, Spencer, Redmon, Riddle, Fitzwater, Rowden, Remole, Englund, Bahr and Messenger, relating to the highways and transportation commission.

HB 473, introduced by Representatives Funderburk, Webb and Roorda, relating to gas corporations.

HB 474, introduced by Representatives Brattin, Smith (120), Fitzpatrick, Hansen, Bahr, Neely and McGaugh, relating to members of the general assembly.

HB 475, introduced by Representatives Brattin, Koenig, White and McGaugh, relating to retirement benefits for members of the general assembly.

HB 476, introduced by Representative Brattin, relating to nondriver's licenses.

HB 477, introduced by Representatives Morgan, Schupp, Pace, Smith (85), Dunn, Mayfield, Newman, Otto, Runions, Zerr, Montecillo, Colona, McNeil, McCann Beatty, Walton Gray, Ellington, Butler, Hodges, Anders, Conway (10), Ellinger, Pierson, Carpenter, May, Englund, McDonald, Kirkton, Roorda, Kratky, Mitten, Webber, Mims, McManus, Rizzo, Swearingen, Nichols, Norr, Kelly (45), Engler, Curtis, Burns, Hummel, English, LaFaver, Webb, Schieffer, Gardner and Meredith, relating to school safety.

HB 478, introduced by Representatives Wieland, Dugger, Crawford, Swearingen, Nichols, English, Frame, Brown, Scharnhorst, Koenig, Lauer, Hinson and Rizzo, relating to credit unions.

COMMITTEE APPOINTMENTS

February 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints Representative Kevin Engler and Representative Elijah Haahr to the Committee on Appropriations - Infrastructure and Job Creation.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 6, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Margo McNeil to the Committee on Appropriations - Infrastructure and Job Creation.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

COMMUNICATION

February 5, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Stephen C. Cookson
Representative
District 153

The following members' presence was noted: Barnes, Diehl, Grisamore, Hodges, Kolkmeier, LaFaver, McManus and Thomson.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Thursday, February 7, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 11, 2013, 1:00 PM House Hearing Room 1.

Department of Agriculture Budget presentation

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 4.

Department of Agriculture and Department of Natural Resources Budget presentations

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.

Department of Natural Resources Budget presentation

APPROPRIATIONS - EDUCATION

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets

APPROPRIATIONS - EDUCATION

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets, continued

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continuation of Department of Health and Social Services Budget presentation, if necessary

Department of Mental Health Budget presentation

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 252

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 7, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 217, HB 278

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 7, 2013, 8:30 AM South Gallery.

Executive session will be held: HCS HB 87

Executive session may be held on any matter referred to the committee.

AMENDED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Road, Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HEALTH CARE POLICY

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

LOCAL GOVERNMENT

Monday, February 11, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 65, HB 184, HB 175, HB 116, HB 161, HB 75

Executive session will be held: HB 128

Executive session may be held on any matter referred to the committee.

CORRECTED

RULES

Thursday, February 7, 2013, 9:30 AM House Hearing Room 5.

Executive session will be held: HCS HB 169, HCS HB 202, HCS HBs 256, 33 & 305, HCS HB 233

Executive session may be held on any matter referred to the committee.

Note correction on HCS HBs 256, 33 & 305

CORRECTED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 78, HB 105

Executive session will be held: HB 78, HB 105

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 7, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 7

Executive session may be held on any matter referred to the committee.

Katie Steele Danner, Director of Tourism, will speak briefly.

Aaron Jeffries, Missouri Department of Conservation, will speak briefly.

AMENDED

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 7, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 24 and HJR 25

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 14

HOUSE BILLS FOR SECOND READING

HB 459 through HB 478

HOUSE BILLS FOR PERFECTION

HB 44 - Korman

HOUSE BILLS FOR THIRD READING

HCS HB 87, (Fiscal Review 2-5-13), E.C. - Burlison

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 7, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*And they that know Thy name will put their trust in Thee: for Thou, Lord, has not forsaken them that seek Thee.
(Psalm 9:10)*

O loving Lord in whose presence our spirits find strength, our minds are given fresh insights and our hearts feel the warmth of Your love - at the gateway of another day we pause in silence before You. Incline our hearts to seek wisdom and truth and mercy at Your hands. Reveal to us the way we should go, the decisions we should make, the plans we should follow, and may all our work be based upon intelligent conviction and dynamic faith.

Hear us as we pray for those of our state who bear the burden of war abroad and are ready to give their lives that we may continue to live free. May we not be heedless of their courage but be ready to bear with them and support them that out of this turmoil there may come an enduring peace. Cleanse our lives from discord and violence and suspicion. Keep us from hurting one another lest in our ill will we destroy ourselves. Lead us in the ways of unity, peace and good will forever in Missouri during this Black History Month.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 332 through House Resolution No. 347

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 24 and **HJR 25** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 14 was read the second time.

SECOND READING OF HOUSE BILLS

HB 459 through **HB 478** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 87**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Hoskins assumed the Chair.

HOUSE BILL FOR THIRD READING

HCS HB 87, relating to tax credits, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 87** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Morgan Newman

PRESENT: 000

ABSENT WITH LEAVE: 010

Black	Crawford	Fraker	Keeney	Leara
Lichtenegger	McDonald	Pierson	Rehder	Richardson

VACANCIES: 002

Representative Hoskins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 140

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 012

Anders	Colona	Gardner	Marshall	May
Meredith	Mims	Mitten	Morgan	Newman
Runions	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Crawford	Keeney	Leara	Lichtenegger
McDonald	Pierson	Rehder	Richardson	

VACANCIES: 002

Speaker Jones resumed the Chair.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 16 - Crime Prevention and Public Safety

HJR 21 - Elections

HJR 23 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 14 - Budget

HB 37 - General Laws

HB 57 - Downsizing State Government

HB 58 - Insurance Policy

HB 204 - Judiciary

HB 242 - International Trade

HB 247 - Crime Prevention and Public Safety

HB 254 - Local Government

HB 280 - Judiciary

HB 281 - Judiciary

HB 285 - Special Standing Committee on Urban Issues

HB 322 - Insurance Policy

HB 326 - Special Standing Committee on Corrections

HB 335 - Crime Prevention and Public Safety

HB 339 - Insurance Policy

HB 348 - Elections

HB 352 - Elementary and Secondary Education

HB 359 - Health Care Policy

HB 362 - Crime Prevention and Public Safety

HB 363 - Judiciary

HB 364 - Local Government

HB 391 - Special Standing Committee on Small Business

HB 413 - Agri-Business

HB 418 - Retirement

HB 423 - Economic Development

HB 428 - Transportation

HB 429 - Transportation

HB 434 - Judiciary
HB 435 - Judiciary
HB 438 - Transportation
HB 444 - Special Standing Committee on Urban Issues
HB 451 - Downsizing State Government
HB 452 - Workforce Development and Workplace Safety
HB 453 - Workforce Development and Workplace Safety
HB 458 - Elementary and Secondary Education

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 293 - Corrections

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SBs 20, 15 & 19 - Children, Families, and Persons with Disabilities

COMMITTEE REPORTS

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 5 & 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 48 & 216**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 169**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 202**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 233**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 256, 33 & 305**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 479, introduced by Representative Dugger, relating to residential mortgage loan brokers.

HB 480, introduced by Representatives Gosen and Rowland, relating to sexual crimes against a resident of a skilled nursing facility.

HB 481, introduced by Representative Gosen, relating to construction contracts.

HB 482, introduced by Representatives Davis, Lynch, Hurst, Spencer, McKenna, Solon, Reiboldt, Grisamore and White, relating to the disposal of unclaimed veterans' remains.

HB 483, introduced by Representative Neth, relating to mixed martial arts.

HB 484, introduced by Representatives Lauer, Cross, Grisamore and Brown, relating to the Missourians with Disabilities Jobs Act of 2013.

HB 485, introduced by Representatives Hinson, Muntzel, Wood, Walker, Kratky, Roorda and Riddle, relating to the offense of unlawful possession or use of a firearm during the commission of a felony.

HB 486, introduced by Representative Korman, relating to transportation and economic development planning activities funds.

HB 487, introduced by Representative Dugger, relating to overweight vehicles hauling recyclable waste.

HB 488, introduced by Representatives Elmer, Burlison, Rhoads, Berry, Korman, Fraker, Cornejo, Hinson, Brown, Allen, Anderson, Hough, Lant, Franklin, Frederick and Houghton, relating to the state board of chiropractic examiners.

HB 489, introduced by Representative Roorda, relating to associate circuit judges.

HB 490, introduced by Representatives Roorda, Newman, Ellinger, Hinson and McKenna, relating to testing of certain defendants for sexually transmitted diseases.

HB 491, introduced by Representatives Roorda, Hinson and McKenna, relating to the regulation and licensing of fire equipment distributors.

HB 492, introduced by Representatives Roorda and Jones (50), relating to closed records.

HB 493, introduced by Representatives LaFaver, Morgan, Rizzo, Schupp, McManus and Newman, relating to child-care facilities.

HB 494, introduced by Representatives LaFaver, Ellinger, Newman, Burns, Carpenter, Meredith and McNeil, relating to the illegal possession of a firearm magazine.

HB 495, introduced by Representatives Dunn, English, Otto, Montecillo, Englund, Carpenter, Hicks, Gardner, Ellington, Curtis, Mims, Smith (85), Walton Gray, Meredith, Mitten, McKenna, Butler and Hummel, relating to credit card transactions.

HB 496, introduced by Representatives Pfautsch, Norr, Molendorp, Solon, Lauer, White, Gatschenberger, Lant, Haefner, Houghton, Reiboldt, Ellinger, Hansen, McGaugh and Gannon, relating to the imposition of surcharges on credit card transactions.

HB 497, introduced by Representatives Kirkton, McNeil, Schupp, Ellinger, Kelley (127) and Grisamore, relating to foster care subsidies.

HB 498, introduced by Representatives Jones (50), Cornejo, Swan, McGaugh, Webb, Diehl and Jones (110), relating to the distribution of paid-in surplus.

HB 499, introduced by Representatives Jones (50) and Frederick, relating to health insurance benefit determinations for serious and urgent conditions.

HB 500, introduced by Representatives McNeil, Funderburk, Ellinger, LaFaver, Meredith, Wright, Koenig, Schupp, Norr, Hummel, McCann Beatty, Kelly (45), Pace, White, McCaherty, Curtis, Kratky, Walton Gray, Otto, Love and Swan, relating to taxation.

HB 501, introduced by Representatives McNeil, Berry, Ellinger, English, Meredith, Englund, Kirkton, Pace, Kelly (45), Korman and Redmon, relating to high performance energy efficient schools.

HB 502, introduced by Representatives McNeil, Berry, Ellinger, English, Meredith, Englund, Kirkton, Pace, Kelly (45) and Redmon, relating to environmentally sustainable construction for state-funded buildings.

HB 503, introduced by Representatives McCaherty, Cross and Wieland, relating to paperless communications.

HB 504, introduced by Representative McCaherty, relating to professional licenses.

HB 505, introduced by Representatives Haefner, Jones (110), McCaherty, Hinson, Solon, Stream, Kirkton, Newman, Brattin, Grisamore, Hummel, Allen, McCann Beatty, Montecillo, Hough, Redmon, Bernskoetter, Kelly (45), Ellinger, Zerr and Franklin, relating to child abuse and neglect.

HB 506, introduced by Representatives Redmon, Hampton, Lair, Pike, Lynch, Kolkmeier, Hansen and Houghton, relating to nursing home districts.

HB 507, introduced by Representatives Redmon, Hampton, Fraker, Curtman and Flanigan, for the sole purpose of codifying previous executive branch reorganizations.

HB 508, introduced by Representatives Redmon, Hampton, Curtman, Flanigan and Fraker, for the sole purpose of restructuring statutes based on executive branch reorganizations.

HB 509, introduced by Representatives Otto, Jones (50), Muntzel, Hubbard, Burns, Rizzo, Zerr, Swearingen, Neth, Redmon, Hampton and Swan, relating to excursion gambling boats.

HB 510, introduced by Representatives Torpey and Wieland, relating to series limited liability companies.

HB 511, introduced by Representatives Ellinger, LaFaver, Walton Gray, McDonald, Conway (10), Kelly (45), Meredith, Smith (85) and Schieffer, relating to petitions to expunge certain criminal records.

HB 512, introduced by Representatives Ellinger, Pace, English, LaFaver, Kelly (45), Walton Gray, Meredith and Smith (85), relating to controlled substances.

HB 513, introduced by Representatives Bahr, Koenig, Curtman, Parkinson, Morris, Haahr, Anderson, Walker, Houghton, Shumake, Spencer, Fitzpatrick, Gatschenberger, Phillips, Brattin, Molendorp, Wilson, Rowland, Pogue and Marshall, relating to the protection of parental rights.

HB 514, introduced by Representatives Bahr, Burlison, Swearingen, Koenig, Curtman, Cornejo, Spencer, Redmon, Funderburk, Hough, Rowden, McDonald, Korman, Dugger, Pogue, Rhoads, Richardson, Smith (120), McCaherty, Wieland, Zerr, Parkinson, Shumake, Anderson, Wilson, Rowland, Kelley (127), Sommer, Davis, Hurst, Reiboldt, Lant, Ross, Morgan, Kirkton, Haahr, Hubbard and Hodges, relating to midwifery.

HB 515, introduced by Representatives Burlison, Morris and Grisamore, relating to foster children.

HB 516, introduced by Representatives Burlison and Grisamore, relating to marital and family therapists.

HB 517, introduced by Representatives Newman, English, McNeil, Pace, Kratky, Roorda, Morgan, Butler and Kirkton, relating to Sean's Law.

HB 518, introduced by Representatives Newman, Walton Gray, McNeil, Pace, Morgan, Butler and Kirkton, relating to the duty of a pharmacy to fill prescriptions.

HB 519, introduced by Representatives Newman, Walton Gray, McNeil, Pace, Kratky, Morgan and Kirkton, relating to domestic violence.

HB 520, introduced by Representatives Newman, English, Walton Gray, McNeil, Pace, Roorda, Morgan, Butler and Kirkton, relating to pay equity.

HB 521, introduced by Representatives Koenig and Brattin, relating to taxation.

HB 522, introduced by Representative Engler, relating to proof of motor vehicle financial responsibility.

HB 523, introduced by Representatives Schupp, McNeil, Morgan, Kirkton, Montecillo, May, Ellinger, Pace, Runions and McDonald, relating to the Missouri indoor clean air act.

HB 524, introduced by Representatives Schupp, Pace, Smith (85), English, Mitten, Morgan, Kratky, May, Rizzo, Ellinger, Otto, Runions, McDonald and Schieffer, relating to text messaging while operating motor vehicles.

HB 525, introduced by Representatives Franklin, Solon, McGaugh, Allen, Kelly (45), Haefner and Kelley (127), relating to reverse auctions.

HB 526, introduced by Representatives Franklin, Kelley (127), Hoskins, McGaugh, Muntzel, Miller, Brown and Lynch, relating to rural regional development grants.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 7**, entitled:

An act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof three new sections relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 33**, entitled:

An act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to accommodations for persons with mental disabilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 47**, entitled:

An act to repeal section 453.072, RSMo, and to enact in lieu thereof one new section relating to subsidized legal guardianship of a child.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

February 7, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Lyle Rowland
Representative
District 155

The following members' presence was noted: McDonald and Rehder.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, February 11, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 12, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 334, HB 413

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HJR 11, HJR 7

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Monday, February 11, 2013, 1:00 PM House Hearing Room 1.

Department of Agriculture budget presentation

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 4.

Department of Agriculture and Department of Natural Resources budget presentations

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.

Department of Natural Resources budget presentation

APPROPRIATIONS - EDUCATION

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets

APPROPRIATIONS - EDUCATION

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Monday, February 11, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

House Bill 12 budget presentations – Committee will hear testimony from the Offices of the State Auditor, the State Treasurer, and the General Assembly.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

House Bill 12 budget presentations – Committee will hear testimony from the Offices of the Governor, Lieutenant Governor, Attorney General, and Secretary of State.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Continue DMH budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

DSS budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continue DSS budget presentation

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Working committee meeting - committee discussion of requests submitted

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Monday, February 11, 2013, 1:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Missouri Department of Transportation budget presentation

BUDGET

Tuesday, February 12, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 14

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 252

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 11, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 307, HB 335, HB 362

Executive session will be held: HB 35, HB 67, HB 152

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 12, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 163, HB 235, HB 199

Executive session will be held: HB 163, HB 235, HB 199, HB 117

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 136, HB 294

Executive session will be held: HB 134, HB 388

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 13, 2013, 9:00 AM House Hearing Room 4.

Executive session will be held: HB 81

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Friday, February 8, 2013, 9:00 AM Greater Kansas City Chamber of Commerce, 30 W. Pershing Road, Suite 301, Kansas City, MO 64108.

The committee will hear testimony on tax credits.

HEALTH CARE POLICY

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 12, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 168, HB 312

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 11, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 322, HB 339

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

LOCAL GOVERNMENT

Monday, February 11, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 65, HB 184, HB 175, HB 116, HB 161, HB 75, HB 128

Executive session will be held: HB 128

Executive session may be held on any matter referred to the committee.

CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 13, 2013, 12 PM or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 314

Executive session may be held on any matter referred to the committee.

Also hearing from David Stokes of the Show-Me Institute

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 13, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 69, HB 301, HB 401

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 78, HB 105

Executive session will be held: HB 78, HB 105

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 303, HB 304, HB 130, HB 154, HB 415, HB 438, HB 429, HB 428

Executive session will be held: HB 349, HB 85, HB 122

Executive session may be held on any matter referred to the committee.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 11, 2013, 1:00 PM House Hearing Room 4.

Public hearing will be held: HB 320

Executive session may be held on any matter referred to the committee.

CORRECTED

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 11, 2013

HOUSE BILLS FOR SECOND READING

HB 479 through HB 526

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 5 & 12 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HBs 48 & 216 - Dugger
- 3 HCS HBs 256, 33 & 305 - Jones (50)

SENATE BILLS FOR SECOND READING

- 1 SCS SB 7
- 2 SCS SB 33
- 3 SCS SB 47

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 11, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Pastor Paul Meinsen.

Dear LORD, through Your prophet Isaiah You have revealed that “*It is You* who sits above the circle of the earth...*It is You* who stretches out the heavens like a curtain and spreads them out like a tent to dwell in. *It is You* who reduces rulers to nothing, *It is You* who makes the judges of the earth meaningless. Scarcely have they been planted, scarcely have they been sown, scarcely has their stock taken root in the earth, but He merely blows on them, and they wither, and the storm carries them away like stubble”. (*Isaiah 40:22-24*)

Lord, please remind us that we all, regardless of profession and stage in life, are here today and gone tomorrow. Remind each one when we walk down the halls and see the photographs of past legislators that one future day today’s legislators will be past legislators.

But yet, You have each one here now. Therefore, may each one be of a humble mind and spirit. May each one seek You for direction in right and wrong. May each one consider the needs of others as more important than their own. May each one be diligent in his or her service to their constituents. May each one honor You in all that is done.

May each one remember that only You, O Lord, remain eternal. May we all learn to fear You and You alone. Draw each one unto Yourself. We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son’s name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson

Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 010

Brattin	Curtman	Hubbard	May	McGaugh
Otto	Rowden	Smith 85	White	Wieland

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 348 through House Resolution No. 374

SECOND READING OF HOUSE BILLS

HB 479 through **HB 526** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 7, **SCS SB 33** and **SCS SB 47** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 432 - Utilities

HB 473 - Utilities

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 527, introduced by Representatives Sommer, Curtman, Lichtenegger, Koenig, Burlison, Funderburk, Kelley (127), Berry, Neely, Love, Hicks, Wilson, Haahr, Fitzpatrick, Parkinson, Bahr and Schieber, relating to the joint committee on the tenth amendment.

HB 528, introduced by Representatives Sommer, Norr, Englund, Neth, Pfautsch, Kelly (45), Spencer, Pace, McNeil, Montecillo, Webber, Fitzwater, Higdon, Korman, Lynch, Allen, Diehl, Franklin, Swan, Gannon, Roorda and Morris, relating to the education of gifted and talented children.

HB 529, introduced by Representatives Mims, Berry, Butler, Kirkton, Dunn, Pierson, Anders, Morgan, Pace, Hubbard, Colona, Kelley (127), Walton Gray, Englund, McCann Beatty, Smith (85), Schupp, Nichols, Meredith, Curtis, Runions, Ellington, Gardner, Cross, Webb, McManus, Ellinger and Hummel, relating to eligibility for food stamps.

HB 530, introduced by Representatives Butler, Walton Gray, McKenna, English, Burns and Dunn, relating to neighborhood safety.

HB 531, introduced by Representative Bahr, relating to independent contractors.

HB 532, introduced by Representative Bahr, relating to fees and expenses to be paid by the department of labor and industrial relations in certain instances.

HB 533, introduced by Representatives Riddle, Bernskoetter, Barnes, Jones (50), Hurst, Ross, Wood, Houghton, Rhoads, Rowland, Scharnhorst, Hinson, Miller, Smith (120), Rowden, Cornejo, Haahr, Guernsey, Walker, Gannon, Pike, Wilson, Justus, Franklin, Fowler, Fitzpatrick, Kelley (127), Korman, Morris and Lichtenegger, relating to a state employee keeping a firearm in his or her vehicle.

HB 534, introduced by Representative Schupp, relating to public records.

HB 535, introduced by Representatives Barnes, Smith (120), Guernsey, Richardson, Jones (50), Rowden, Lant, Hinson, Haefner, McCaherty, Black and Scharnhorst, relating to sexual offenses against a child.

HB 536, introduced by Representatives Burlison, Davis, Smith (120), Funderburk, Jones (110), Diehl, Barnes, Morris, Richardson, Jones (50), Elmer, Neth, Bahr, Schatz, White, Stream, Koenig, Curtman, Kelley (127) and Lant, relating to the taxation of business income.

HB 537, introduced by Representatives Zerr and Hicks, relating to hunting accidents.

HB 538, introduced by Representative Walton Gray, relating to direct appeals in certain civil cases.

HB 539, introduced by Representatives Walton Gray, Ellington, Mims, Pace, Dunn, Curtis and Butler, relating to traffic offenses.

HB 540, introduced by Representatives Walton Gray, Morgan, Pace, Mims, Runions, Butler and McNeil, relating to the establishment of a council for community education.

HB 541, introduced by Representatives Hicks, LaFaver, Redmon, Wilson, Rhoads, Pike, English, Fitzpatrick, Miller, Kolkmeier, Ross, Lauer, Meredith, Muntzel, Remole, Zerr, Hough, Swan, Scharnhorst, Wood, Mims and Cookson, relating to Jonathan's Law.

WITHDRAWAL OF HOUSE BILL

February 11, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Missouri State Capitol
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Chief Clerk,

I respectfully request withdrawal of **House Bill No. 489** regarding St. Louis Associate Circuit Judges.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

/s/ Jeff Roorda
State Representative
District 113

The following members' presence was noted: Brattin, Curtman, Hubbard and McGaugh.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, February 12, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, February 12, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 334, HB 413

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HJR 11, HJR 7

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 4.

Department of Agriculture and Department of Natural Resources budget presentations

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.

Department of Natural Resources budget presentation

APPROPRIATIONS - EDUCATION

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets

APPROPRIATIONS - EDUCATION

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Analyst markup sheets, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

House Bill 12 budget presentations – Committee will hear testimony from the Offices of the Governor, Lieutenant Governor, Attorney General, Secretary of State, and the Judiciary.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Continue Department of Mental Health budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Department of Social Services budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continue Department of Social Services budget presentation

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 12, 2013, 3:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Working committee meeting - committee discussion of requests submitted

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 12, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Innovation Center Network presentation

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Department of Insurance, Financial Institutions, and Professional Registration budget presentation
and Department of Revenue budget presentation

BUDGET

Tuesday, February 12, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 14

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 252, SS SCS SBs 20, 15 & 19

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 307, HJR 16

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 12, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 191, HB 182, HB 201, HB 423

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 12, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 163, HB 235, HB 199

Executive session will be held: HB 163, HB 235, HB 199, HB 117

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 136, HB 294

Executive session will be held: HB 134, HB 388

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 13, 2013, 9:00 AM House Hearing Room 4.

Executive session will be held: HB 81

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 176, HB 329

Executive session will be held: HB 176, HB 329, HB 203, HB 211, HB 212

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH CARE POLICY

Wednesday, February 13, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 141, HB 315

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 12, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 168, HB 312

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 79, HB 181, HB 275

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 13, 2013, 11:30 AM or Upon Morning Recess House Hearing Room 1.

Public hearing will be held: HB 214, HB 215, HB 210, HB 213

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 13, 2013, 12 PM or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 314

Executive session may be held on any matter referred to the committee.

Also hearing from David Stokes of the Show-Me Institute

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 69, HB 301, HB 401

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 78, HB 105

Executive session may be held on any matter referred to the committee.

AMENDED

TRANSPORTATION

Tuesday, February 12, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 303, HB 304, HB 130, HB 154, HB 415, HB 438, HB 429, HB 428

Executive session will be held: HB 349, HB 85, HB 122

Executive session may be held on any matter referred to the committee.

AMENDED

UTILITIES

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 432, HB 473

Executive session will be held: HB 198

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 12, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HCR 5, HB 309

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, February 12, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 277, HB 194

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 95, HB 91

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 12, 2013

HOUSE BILLS FOR SECOND READING

HB 527 through HB 541

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 5 & 12 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HBs 48 & 216 - Dugger
- 3 HCS HBs 256, 33 & 305 - Jones (50)

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 12, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Restore unto me the joy of Thy salvation; and uphold me with Thy free spirit. (Psalm 51:12)

Eternal God, our refuge and strength in every hour of need, we come to You in this moment of prayer opening our hearts to Your love, our minds to Your truth, and our spirits to Your redeeming grace. Help us to accept our privileges with gratitude, to face our difficulties with courage, and to carry our responsibilities with fidelity.

Deliver us from annoyances and antagonism which corrode our souls and pull us down. Help us so to live with the lift of good will in our hearts that life may be better and brighter for us and for all. Bind us together in one great effort to keep democracy and freedom and faith alive and growing in our day.

God bless Missouri and these leaders of a free people. Give wisdom to these in authority that they may use their power for the welfare of our people and for the well-being of all people. Having done our work faithfully and sincerely, may we come to the end of the day unashamed and unafraid and with the peace of a quiet heart on this Mardi Gras day!

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: D'Andre Mink.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50

Justus	Keeney	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 009

Brown	Conway 10	Grisamore	Hodges	Kelley 127
May	McDonald	Schatz	White	

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 375 through House Resolution No. 392

HOUSE CONCURRENT RESOLUTION

Representative Rowden, et al., offered House Concurrent Resolution No. 19.

SECOND READING OF HOUSE BILLS

HB 527 through **HB 541** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 256, 33 & 305, relating to open meetings and records, was taken up by Representative Jones (50).

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 1, Title, Line 3, by removing the phrase "sunset dates for exceptions to the public records law" and inserting in lieu thereof the phrase "public safety"; and

Further amend said bill, Page 4, Section 610.021, Line 114, by inserting after all of said section and line, the following:

"Section 1. Any records or flight logs pertaining to any flight or request for a flight by any elected member of either the executive or legislative branch shall be open public records under chapter 610, unless otherwise provided by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Berry offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 1, Line 8, by inserting after the third occurrence of the word "**flight**", the following:

"after such flight has occurred"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Berry, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 124

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	McManus	Messenger	Miller	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Norr	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross

Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webber	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 035

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
Gardner	Hodges	Hubbard	Hummel	Kirkton
Kratky	McCann Beatty	McDonald	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Nichols
Otto	Pace	Pierson	Roorda	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 002

May	White
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VACANCIES: 002

Representative Jones (50) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 3, Section 610.021, Line 68, by deleting all of said line and inserting in lieu thereof the following:

"(18) Operation guidelines, [and] policies **and specific response plans** developed, adopted, or maintained by any public"; and

Further amend said bill, section and page, Line 71, by inserting after the word "health." the following:

"Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rhoads offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 1, Line 15, by inserting after all of said line the following:

‘Further amend said bill, Page 3, Section 610.021, Line 71, by placing an opening bracket "[" before the period "." on said line; and

Further amend said bill, section and page, Line 77, by placing a closing bracket "]" after the number "2016" on said line; and

Further amend said bill and section, Page 4, Line 94, by placing an opening bracket "[" in front of the "(d)" on said line; and

Further amend said bill, section, page and line, by placing a closing bracket "]" after the number "2016;" on said line; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rhoads, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Jones (50), **House Amendment No. 2, as amended**, was adopted.

Representative Parkinson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"43.265. There is hereby created in the state treasury the "Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund", which shall be administered by the superintendent of the highway patrol. All funds received by the highway patrol from:

- (1) Any source for purchase of highway patrol motor vehicles, watercraft, watercraft motors, and trailers;
- (2) Any source for reimbursement of costs associated with the official use of highway patrol vehicles;
- (3) Any source for restitution for damage to or loss of a highway patrol vehicle or aircraft;
- (4) Any other source for the purchase of highway patrol aircraft or aircraft parts; and
- (5) Government agencies for the reimbursement of costs associated with aircraft flights flown on their behalf

by the highway patrol;

shall be credited to the fund. The state treasurer is the custodian of the fund and shall approve disbursements from the fund subject to appropriation and as provided by law and the constitution of this state at the request of the superintendent of the highway patrol. The balances from this fund shall be used for the purchase of highway patrol motor vehicles, highway patrol watercraft, watercraft motors, and trailers, highway patrol aircraft or aircraft parts and operational costs. **All expenditures for highway patrol aircraft, aircraft parts and operational costs of any highway patrol aircraft shall exclusively and solely be used for executing the duties and responsibilities of the department of public safety and shall not be used for the transportation of any member of the executive or legislative branch for any other purposes than to execute the functions of the department of public safety.** Any unexpended balance in the fund at the end of the fiscal year shall be exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the general revenue fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 1, Lines 21-22, by deleting all of said lines and inserting in lieu thereof the following:

"aircraft shall not be used for the transportation of any elected member of the"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 055

Allen	Bahr	Barnes	Bernskoetter	Berry
Brown	Cierpiot	Cookson	Crawford	Cross
Davis	Diehl	Dugger	Elmer	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Funderburk
Gatschenberger	Guernsey	Hampton	Hansen	Hicks
Hinson	Houghton	Jones 50	Kelley 127	Korman
Lant	Leara	Marshall	McGaugh	Molendorp
Muntzel	Parkinson	Pogue	Reiboldt	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Smith 120	Solon	Sommer	Spencer
Stream	Thomson	Torpey	Zerr	Mr Speaker

NOES: 103

Anders	Anderson	Austin	Black	Brattin
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Cornejo	Cox	Curtis
Curtman	Dohrman	Dunn	Ellinger	Ellington
Engler	English	Englund	Entlicher	Fowler
Frame	Frederick	Gannon	Gardner	Gosen
Grisamore	Haahr	Haefner	Harris	Higdon
Hodges	Hoskins	Hough	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelly 45
Kirkton	Koenig	Kolkmeyer	Kratky	LaFaver
Lair	Lauer	Lichtenegger	Love	Lynch
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Remole	Rizzo	Roorda
Rowden	Runions	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Swan	Swearingen
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 003

May McCaherty White

VACANCIES: 002

House Amendment No. 3 was withdrawn.

Representative Schupp offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 4, Section 610.021, Line 94, by inserting after all of said line, the following:

"(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;"; and

Further renumber said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schupp, **House Amendment No. 4** was adopted.

Representative Franklin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 3, Section 610.021, Line 73, by inserting after the word "policies" on said line, the following:

"or to close records of video from cameras outside the governor's office in the capitol building"; and

Further amend said bill and section, Page 4, Line 93, by inserting after all of said line, the following:

"(d) Nothing in this exception shall be deemed to include video from cameras outside the governor's office in the capitol building;"; and

Renumber said subdivision accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 5** was adopted.

On motion of Representative Jones (50), **HCS HBs 256, 33 & 305, as amended**, was adopted.

On motion of Representative Jones (50), **HCS HBs 256, 33 & 305, as amended**, was ordered perfected and printed.

HCS HBs 48 & 216, relating to photo identification to vote, was taken up by Representative Dugger.

HCS HBs 48 & 216 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 5 & 12, relating to photo identification to vote, was taken up by Representative Cox.

HCS HJR 5 & 12 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 531 - General Laws

HB 532 - General Laws

COMMITTEE REPORT

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HJR 11** and **HJR 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 542, introduced by Representatives Love, Pike, Houghton, Johnson, Reiboldt, Redmon, Dunn, McGaugh, Hansen, Schieffer, Fitzwater, Dugger and Wright, relating to eggs.

HB 543, introduced by Representatives Hoskins, Bernskoetter, Kelley (127), Korman, Stream, Austin, Jones (50) and Diehl, relating to the state auditor's office responsibilities, duties, and enforcement.

HB 544, introduced by Representative Bahr, relating to peace officers.

HB 545, introduced by Representatives Ellinger, Schupp, McNeil and Walton Gray, relating to the manufacture, import, possession, purchase, sale, or transfer of any assault weapon or large capacity magazine.

HB 546, introduced by Representatives Ellinger, LaFaver, Meredith, Smith (85), Schieffer, Kelly (45), McCann Beatty, Schupp and Morgan, relating to cigarette taxes.

HB 547, introduced by Representatives Mitten, Ellinger, Meredith and Kelly (45), relating to termination of parental rights.

HB 548, introduced by Representatives Englund, Otto, Ellinger, English, Burns, Roorda, Pace and Frame, relating to the informed growth act.

HB 549, introduced by Representatives Englund and Ellinger, relating to the labeling of personal care items sold in Missouri.

HB 550, introduced by Representatives Englund, Ellinger and Pace, relating to the sale of toxic flame-retardant products.

HB 551, introduced by Representatives Englund, Mayfield, Pace and English, relating to statements of no taxes due.

HB 552, introduced by Representatives Conway (104), Spencer, Bahr, Lant, Reiboldt, Fitzwater, Koenig, Korman, Zerr, Gatschenberger, Cornejo, Funderburk, Sommer, Marshall, Hicks and Rhoads, relating to the distribution of revenues collected from traffic violations.

HB 553, introduced by Representatives Englund, Dunn, Ellinger, Pace and McNeil, relating to federal vendor offset agreements.

HB 554, introduced by Representatives Englund, Kelly (45), English and Frame, relating to administrative garnishment and lien simplification.

HB 555, introduced by Representatives Burlison, Johnson, Jones (50), Cornejo, Lant, Cox, Parkinson, Norr, Rowden, Reiboldt, Justus, Fitzpatrick, Love, Morris, Bahr, Marshall, Keeney, Fitzwater, Conway (104), McCaherty, Schieffer, Higdon, Curtman, Thomson, Smith (120), Allen, Lair, Brown, Swearingen, Cierpiot, Torpey, Lynch and Hicks, relating to protective headgear for operation of motorcycles or motortricycles.

HB 556, introduced by Representatives Ellinger, Hubbard, Rizzo, Anders, Harris, Pierson, Kirkton, Schupp, McManus, Mayfield, Conway (10), LaFaver, Walton Gray, Pace, Morgan, McNeil, Smith (85), Hummel, Mims, McKenna and Wright, relating to establishment of paternity.

HB 557, introduced by Representatives Ellinger, Hubbard, Kelly (45), Burns, Kirkton, Morgan, McNeil, Hummel, Swearingen, Conway (10), Mims and McKenna, relating to the child abuse and neglect registry.

HB 558, introduced by Representative Roorda, relating to associate circuit judges.

HB 559, introduced by Representative Scharnhorst, relating to insurance coverage for physical therapy services.

HB 560, introduced by Representative Molendorp, relating to use of tobacco products in state correctional facilities.

HB 561, introduced by Representative Molendorp, relating to anatomical gifts.

HB 562, introduced by Representatives Morgan, Mayfield, Newman, Otto, Runions, Butler, McCann Beatty, Mims, Schieffer, Rizzo, LaFaver, Schupp and Ellington, relating to school class size.

HB 563, introduced by Representatives Morgan, Mayfield, Newman, Otto, Runions, Butler, McCann Beatty, Mims, Norr, Rizzo, Schupp, Rowland, Harris, Neth, Meredith, Dunn, LaFaver and English, relating to school attendance.

HB 564, introduced by Representatives McGaugh, Jones (50), Dugger, Entlicher, Reiboldt, Hurst, Hansen, Houghton, Schieffer, Fitzpatrick, Smith (120), Guernsey, Love, Black, Crawford and Pike, relating to crimes against animals.

HB 565, introduced by Representatives Cornejo, Burlison, Rowden, Elmer, Spencer, Anderson and Fraker, relating to licensed professional counselors.

HB 566, introduced by Representative Austin, relating to visitation rights.

HB 567, introduced by Representative Austin, relating to civil immunity for supervision of community service work.

HB 568, introduced by Representatives Lauer and Gatschenberger, relating to neighborhood improvement district special assessments.

COMMITTEE CHANGE

February 11, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Sue Meredith from the Joint Committee on Tax Policy.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

WITHDRAWAL OF HOUSE BILL

February 12, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Missouri State Capitol
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Chief Clerk,

I am respectfully requesting that **House Bill No. 358** be withdrawn.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

/s/ Jeff Roorda
State Representative
District 113

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, February 13, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 14, 2013, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
We will be meeting to vote on issue development standing committees.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 4.
Department of Natural Resources budget presentation

APPROPRIATIONS - EDUCATION

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Analyst markup sheets, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
House Bill 12 budget presentations – Committee will hear testimony from the Offices of the Governor, Lieutenant Governor, Attorney General, Secretary of State, and the Judiciary.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Department of Social Services budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continue Department of Social Services budget presentation

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from subcommittees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 13, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Department of Insurance, Financial Institutions, and Professional Registration budget presentation
and Department of Revenue budget presentation

BUDGET

Thursday, February 14, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 14

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 307, HJR 16

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 136, HB 294

Executive session will be held: HB 134, HB 388

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 13, 2013, 9:00 AM House Hearing Room 4.

Executive session will be held: HB 81

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 176, HB 329

Executive session will be held: HB 176, HB 329, HB 203, HB 211, HB 212

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 14, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH CARE POLICY

Wednesday, February 13, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, February 18, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 58

Executive session will be held: HB 322, HB 339

Executive session may be held on any matter referred to the committee.

AMENDED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 79, HB 181, HB 275

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 13, 2013, 11:30 AM or Upon Morning Recess House Hearing Room 1.

Public hearing will be held: HB 214, HB 215, HB 210, HB 213

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 13, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 314

Executive session may be held on any matter referred to the committee.

Also hearing from David Stokes of the Show-Me Institute

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 69, HB 301, HB 401

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 13, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 78, HB 105

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 316, HB 51

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 432, HB 473

Executive session will be held: HB 198

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 13, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 95, HB 91

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2013

HOUSE BILLS FOR SECOND READING

HB 542 through HB 568

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJRs 5 & 12 - Cox

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HBs 48 & 216 - Dugger

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Monsignor Robert A. Kurwicki, Chaplain.

*Let not mercy and truth forsake Thee; bind them about Thy neck; write them upon the table of Thine heart.
(Proverbs 3:3)*

Our Forgiving God, the source of all that is good in life, once again we come to You on this Ash Wednesday: weak - seeking greater strength; tired - needing more rest; worried - desiring a deeper peace. We have sought satisfaction in the minor details of daily life that do not matter much and have left undone the major duties that matter most. Forgive us, and strengthen us by Your spirit that the labor of this day may be done with Your just causes in our hearts and minds.

Awaken within us the spirit of friendliness, kindness and peace. Keep us from allowing disagreements to make us disagreeable and from permitting differences in us to make differences between us. Kindle in our hearts and in the hearts of all people the spirit of good will. Let tolerance and understanding and compassion rule our spirits and possess our souls. Send us out into this day to do our work with all our might and may this world be a better place because we have lived, worked and prayed.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the nineteenth day was approved as printed.

SPECIAL RECOGNITION

Members of the Future Farmers of America were introduced by Representative Guernsey.

Jaelynn Bergmann, President of the Future Farmers of America, addressed the body.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 393 through House Resolution No. 405

HOUSE CONCURRENT RESOLUTIONS

Representative Black, et al., offered House Concurrent Resolution No. 20 and House Concurrent Resolution No. 21.

Representative Roorda offered House Concurrent Resolution No. 22.

SECOND READING OF HOUSE BILLS

HB 542 through **HB 568** were read the second time.

PERFECTION OF HOUSE BILL

HCS HBs 48 & 216, relating to photo identification to vote, was taken up by Representative Dugger.

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 48 & 216, Page 3, Section 115.427, Line 72, by enclosing in brackets the phrase: "January 1, 1941" and inserting immediately thereafter the phrase:

"January 1, 1948"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 48 & 216, Page 6, Section 115.427, Line 186, by inserting after all of said section and line the following:

"115.430. 1. This section shall apply to primary and general elections where candidates for federal or statewide offices are nominated or elected and any election where statewide issue or issues are submitted to the voters. **In addition, any person denied the ability to cast a regular ballot because of a lack of photographic identification under section 115.427, shall be allowed to vote by provisional ballot.**

[2.]

(1) A voter claiming to be properly registered in the jurisdiction of the election authority and eligible to vote in an election, but whose eligibility at that precinct cannot be immediately established upon examination of the precinct register, shall be entitled to vote a provisional ballot after providing a form of personal identification required pursuant to section 115.427 or upon executing an affidavit under section 115.427, or may vote at a central polling place as established in section 115.115 where the voter may vote his or her appropriate ballot for his or her precinct of residence upon verification of eligibility or vote a provisional ballot if eligibility cannot be determined. The provisional ballot provided to a voter under this section shall be the ballot provided to a resident of the voter's precinct determined by reference to the affidavit provided for in this section. If the voter declares that the voter is eligible to vote and the election authority determines that the voter is eligible to vote at another polling place, the voter shall be directed to the correct polling place or a central polling place as established by the election authority pursuant to subsection 5 of section 115.115. If the voter refuses to go to the correct polling place or a central polling place, the voter shall be permitted to vote a provisional ballot at the incorrect polling place, but such ballot shall not be counted if the voter was not eligible to vote at that polling place.

(2) The following steps shall be taken to establish a voter's eligibility to vote at a polling place:

(a) The election judge shall examine the precinct register as provided in section 115.425. If the voter is registered and eligible to vote at the polling place, the voter shall receive a regular ballot;

(b) If the voter's eligibility cannot be immediately established by examining the precinct register, the election judge shall contact the election authority. If the election authority cannot immediately establish that the voter is registered and eligible to vote at the polling place upon examination of the Missouri voter registration system, or if the

election judge is unable to make contact with the election authority immediately, the voter shall be notified that the voter is entitled to a provisional ballot.

(3) The voter shall have the duty to appear and vote at the correct polling place. If an election judge determines that the voter is not eligible to vote at the polling place at which a voter presents himself or herself, and if the voter appears to be eligible to vote at another polling place, the voter shall be informed that he or she may cast a provisional ballot at the current polling place or may travel to the correct polling place or a central polling place, as established by the election authority under subsection 5 of section 115.115, where the voter may cast a regular ballot or provisional ballot if the voter's eligibility still cannot be determined. Provisional ballots cast at a polling place shall be counted only if the voter was eligible to vote at such polling place as provided in subsection 5 of this section.

(4) For a voter requesting an absentee ballot in person, such voter shall be entitled to cast a provisional ballot when the voter's eligibility cannot be immediately established upon examination of the precinct registers or the Missouri voter registration system.

(5) Prior to accepting any provisional ballot at the polling place, the election judges shall determine that the information provided on the provisional ballot envelope by the provisional voter is consistent with the identification provided by such person under section 115.427.

[3.] 2. (1) No person shall be entitled to receive a provisional ballot until such person has completed a provisional ballot affidavit on the provisional ballot envelope.

(2) The secretary of state shall produce appropriate sizes of provisional ballot envelopes and distribute them to each election authority according to their tabulating system. All provisional ballot envelopes shall be printed on a distinguishable color of paper that is different from the color of the regular ballot. The provisional ballot envelope shall be in the form required by subsection 4 of this section. All provisional ballots shall be marked with a conspicuous stamp or other distinguishing mark that makes them readily distinguishable from the regular ballots.

(3) Once voted, the provisional ballot shall be placed and sealed in a provisional ballot envelope.

[4.] 3. The provisional ballot in its envelope shall be deposited in the ballot box. The provisional ballot envelope shall be completed by the voter for use in determining eligibility. The provisional ballot envelope specified in this section shall contain a voter's certificate which shall be in substantially the following form:

STATE OF

COUNTY OF

I do solemnly swear (or affirm) that my name is; that my date of birth is; that the last four digits of my Social Security Number are; that I am registered to vote in County or City (if a City not within a County), Missouri; that I am a qualified voter of said County (or City not within a County); that I am eligible to vote at this polling place; and that I have not voted in this election.

I understand that if the above-provided information is not correct and the election authority determines that I am not registered and eligible to vote, my vote will not be counted. I further understand that knowingly providing false information is a violation of law and subjects me to possible criminal prosecution.

.....

(Signature of Voter)

.....

(Current Address)

Subscribed and affirmed before me this day of, 20.....

(Signature of Election Official)

The voter may provide additional information to further assist the election authority in determining eligibility, including the place and date the voter registered to vote, if known.

[5.] 4. (1) Prior to counting any provisional ballot, the election authority shall determine if the voter is registered and eligible to vote and if the vote was properly cast. The eligibility of provisional votes shall be determined according to the requirements for a voter to cast a ballot in the election as set forth in sections 115.133 and 115.135. A provisional voter ballot shall not be eligible to be counted until the election authority has determined that:

(a) The voter cast such provisional ballot at a polling place established for the voter or the central polling place established by the election authority under subsection 5 of section 115.115;

(b) The individual who cast the provisional ballot is an individual registered to vote in the respective election at the polling place where the ballot was cast;

(c) The voter did not otherwise vote in the same election by regular ballot, absentee ballot, or otherwise; and

(d) The information on the provisional ballot envelope is found to be correct, complete, and accurate.

(2) When the ballot boxes are delivered to the election authority from the polling places, the receiving teams shall separate the provisional ballots from the rest of the ballots and place the sealed provisional ballot envelopes in a separate container. Teams of election authority employees or teams of election judges with each team consisting of one

member of each major political party shall photocopy each provisional ballot envelope, such photocopy to be used by the election authority to determine provisional voter eligibility. The sealed provisional ballot envelopes shall be placed by the team in a sealed container and shall remain therein until tabulation.

(3) To determine whether a provisional ballot is valid and entitled to be counted, the election authority shall examine its records and verify that the provisional voter is properly registered and eligible to vote in the election. If the provisional voter has provided information regarding the registration agency where the provisional voter registered to vote, the election authority shall make an inquiry of the registration agency to determine whether the provisional voter is properly registered and eligible to vote in the election.

(4) If the election authority determines that the provisional voter is registered and eligible to vote in the election, the election authority shall provide documentation verifying the voter's eligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
- (b) The name of the reviewer;
- (c) The date and time; and
- (d) A description of evidence found that supports the voter's eligibility.

(5) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and a notation marking it as accepted.

(6) If the election authority determines that the provisional voter is not registered or eligible to vote in the election, the election authority shall provide documentation verifying the voter's ineligibility. Such documentation shall be noted on the copy of the provisional ballot envelope and shall contain substantially the following information:

- (a) The name of the provisional voter;
- (b) The name of the reviewer;
- (c) The date and time;
- (d) A description of why the voter is ineligible.

(7) The local election authority shall record on a provisional ballot acceptance/rejection list the provisional ballot identification number and notation marking it as rejected.

(8) If rejected, a photocopy of the envelope shall be made and used by the election authority as a mail-in voter registration. The actual provisional ballot envelope shall be kept as ballot material, and the copy of the envelope shall be used by the election authority for registration record keeping.

[6.] 5. All provisional ballots cast by voters whose eligibility has been verified as provided in this section shall be counted in accordance with the rules governing ballot tabulation. Provisional ballots shall not be counted until all provisional ballots are determined either eligible or ineligible and all provisional ballots must be processed before the election is certified. The provisional ballot shall be counted only if the election authority determines that the voter is registered and eligible to vote. Provisional ballots voted in the wrong polling place shall not be counted. If the voter is not registered but is qualified to register for future elections, the affidavit shall be considered a mail-in application to register to vote pursuant to this chapter.

[7.] 6. (1) After the election authority completes its review of the provisional voter's eligibility under subsection 5 of this section, the election authority shall deliver the provisional ballots and copies of the provisional ballot envelopes that include eligibility information to bipartisan counting teams, which may be the board of verification, for review and tabulation. The election authority shall maintain a record of such delivery. The record shall include the number of ballots delivered to each team and shall include a signed receipt from two judges, one from each major political party. The election authority shall provide each team with a ballot box and material necessary for tabulation.

(2) If the person named on the provisional ballot affidavit is found to have been properly qualified and registered to cast a ballot in the election and the provisional ballot otherwise qualifies to be counted under the provisions of this section, the envelope shall be opened, and the ballot shall be placed in a ballot box to be counted.

(3) If the person named on the provisional ballot affidavit is found not to have been properly qualified and registered to cast a ballot in the election or if the election authority is unable to determine such person's right to vote, the envelope containing the provisional ballot shall not be opened, and the person's vote shall not be counted. The members of the team shall follow the procedures set forth in subsection [5] 4 of this section for rejected provisional ballots.

(4) The votes shall be tallied and the returns made as provided in sections 115.447 to 115.525 for paper ballots. After the vote on all ballots assigned to a team have been counted, the ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Voted provisional ballots and ballot envelopes from the election held, 20...". All rejected provisional ballots, ballot envelopes, and copies of ballot envelopes with the eligibility information provided by the election authority shall be enclosed in sealed containers marked "Rejected provisional ballots and ballot envelopes from the election held

....., 20...". On the outside of each voted ballot and rejected ballot container, each member of the team shall write their name and all such containers shall be returned to the election authority. Upon receipt of the returns and ballots, the election authority shall tabulate the provisional votes.

[8.] 7. Challengers and watchers, as provided by sections 115.105 and 115.107, may be present during all times that the bipartisan counting teams are reviewing or counting the provisional ballots, the provisional ballot envelopes, or copies of the provisional ballot envelopes that include eligibility information provided by the election authority. Challengers and watchers shall be permitted to observe the determination of the eligibility of all provisional ballots. The election authority shall notify the county chair of each major political party of the time and location when bipartisan counting teams will be reviewing or counting the provisional ballots, the provisional ballot envelopes, or the copies of the provisional ballot envelopes that include the eligibility information provided by the election authority.

[9.] 8. The certificate of ballot cards shall:

- (1) Reflect the number of provisional envelopes delivered; and
- (2) Reflect the number of sealed provisional envelopes with voted ballots deposited in the ballot box.

[10.] 9. In counties where the voting system does not utilize a paper ballot, the election authority shall provide the appropriate provisional ballots to each polling place.

[11.] 10. The secretary of state may promulgate rules for purposes of ensuring the uniform application of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

[12.] 11. The secretary of state shall design and provide to the election authorities the envelopes and forms necessary to carry out the provisions of this section.

[13.] 12. Pursuant to the Help America Vote Act of 2002, the secretary of state shall ensure a free access system is established, such as a toll-free number or an internet website, that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted. At the time an individual casts a provisional ballot, the election authority shall give the voter written information that states that any individual who casts a provisional ballot will be able to ascertain under such free access system whether the vote was counted, and if the vote was not counted, the reason that the vote was not counted.

[14.] 13. In accordance with the Help America Vote Act of 2002, any individual who votes in an election as a result of a court order or any other order extending the time established for closing the polls in section 115.407 may vote only by using a provisional ballot, and such provisional ballot shall be separated and held apart from other provisional ballots cast by those not affected by the order. Such ballots shall not be counted until such time as the ballots are determined to be valid. No state court shall have jurisdiction to extend the polling hours established by law, including section 115.407."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richardson assumed the Chair.

On motion of Representative Cox, **House Amendment No. 2** was adopted by the following vote:

AYES: 114

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	McKenna

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Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 044

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Gardner	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Rizzo	Runions	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 003

May	Pierson	Smith 120
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VACANCIES: 002

HCS HBs 48 & 216, as amended, was laid over.

On motion of Representative Diehl, the House recessed until 4:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 5 & 12, relating to photo identification to vote, was taken up by Representative Cox.

HCS HJR 5 & 12 was laid over.

RECESS

On motion of Representative Diehl, the House recessed until 7:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 5 & 12, relating to photo identification to vote, was again taken up by Representative Cox.

Representative Engler moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Butler	Funderburk	May	Molendorp	Pierson
Smith 85	Smith 120			

VACANCIES: 002

On motion of Representative Cox, **HCS HJR 5 & 12** was adopted.

On motion of Representative Cox, **HCS HJR 5 & 12** was ordered perfected and printed by the following vote:

AYES: 108

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 046

Black	Burns	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	English
Frame	Gardner	Harris	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Butler	Funderburk	May	Molendorp	Pierson
Smith 85	Smith 120			

VACANCIES: 002

PERFECTION OF HOUSE BILL

HCS HBs 48 & 216, as amended, relating to photo identification to vote, was again taken up by Representative Dugger.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Butler	Funderburk	May	Molendorp	Pierson
Smith 85	Smith 120			

VACANCIES: 002

On motion of Representative Dugger, **HCS HBs 48 & 216, as amended**, was adopted.

On motion of Representative Dugger, **HCS HBs 48 & 216, as amended**, was ordered perfected and printed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Butler	Funderburk	May	Molendorp	Pierson
Smith 85	Smith 120			

VACANCIES: 002

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 5 & 12 - Fiscal Review

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 48 & 216 - Fiscal Review

COMMITTEE REPORTS

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 176**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 85**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 569, introduced by Representatives Smith (85), Ellinger, Walton Gray, Morgan and Gardner, relating to unfair employment advertisements.

HB 570, introduced by Representatives Smith (85), English, Ellinger, Higdon, McKenna, Johnson, Pace, Schupp, Walton Gray, Morgan, Kratky and Gardner, relating to Rosa Parks observance day commission.

HB 571, introduced by Representatives Schupp, Lant, LaFaver, McDonald, McNeil, Ellinger, Otto, Roorda, Mitten, English, Walton Gray, Berry, Solon, Reiboldt, Fitzwater, Burns, May, Kirkton, Wieland, Anders, Norr, Meredith, Morgan, Webber and Newman, relating to child-care facilities.

HB 572, introduced by Representatives Schupp, Lant, LaFaver, Burns, Walton Gray, McNeil, McDonald, Kratky, Ellinger, Otto, Mitten, English, Berry, Reiboldt, Fitzwater, Roorda, Kirkton, Walker, Anders, Norr, Morgan, Meredith, Webber and Newman, relating to child-care workers.

HB 573, introduced by Representatives Schupp, English, Pace, Kirkton, Burns, Norr, Morgan and Meredith, relating to the University of Missouri board of curators.

HB 574, introduced by Representatives Schupp, Ellinger, Pace, Burns, Norr, Meredith, Morgan, Kirkton and Newman, relating to the sale of kosher food.

HB 575, introduced by Representatives Higdon, Ellinger, Pierson and Kelly (45), relating to criminal procedure.

HB 576, introduced by Representative Walker, relating to automatic stays of court proceedings for members of the general assembly.

HB 577, introduced by Representatives Engler, Gannon, Hinson, Black and Fitzwater, relating to access to certain electronic monitoring information by local law enforcement agencies.

HB 578, introduced by Representatives Funderburk, LaFaver, McCaherty, English and Wright, relating to the determination of what are business activities within this state.

HB 579, introduced by Representatives Funderburk, LaFaver, McCaherty, English, McNeil and Wright, relating to taxation.

HB 580, introduced by Representatives May, Ellington, Ellinger, Pace, Kratky, Webb, Swearingen, Colona, Frame, Walton Gray, Roorda and Kirkton, relating to use of zip codes for underwriting by insurance companies.

HB 581, introduced by Representatives Roorda, Engler, Webb, Hubbard, Butler, Colona, Kratky, Mitten, Meredith, Burns, Gardner and Hummel, relating to the designation of memorial highways.

HB 582, introduced by Representatives Roorda and Kratky, relating to the resale of scrap metals.

HB 583, introduced by Representative Roorda, relating to the school safety trust fund act.

HB 584, introduced by Representatives Roorda, Ellinger and Schupp, relating to the creation of a death penalty commission and moratorium.

HB 585, introduced by Representatives Schieffer, Spencer, Kratky, Roorda, Kirkton, English, Wood, Pike, Walker, Gannon, Korman, Colona, Hodges, Hummel, Rizzo, McManus, Burns, Curtis, Harris, Walton Gray, Mayfield, Butler, Otto, Carpenter, Webb, Norr and Stream, relating to the designation of Stan Musial day in Missouri.

HB 586, introduced by Representatives Schieffer, Anderson, Love, Houghton, Entlicher, Crawford, Rizzo, Bernskoetter, Hoskins, Smith (120), Johnson, Spencer, Neely, McGaugh, Brown, Hampton, Sommer, Hansen, Wood, Brattin, Pike, Lynch, Walker, Gannon, Lair, Guernsey, Dugger, Korman, Colona, Hodges, Harris, Walton Gray, Mayfield, Otto, Black and Norr, relating to rodeos.

HB 587, introduced by Representatives Remole, Love, Guernsey, Muntzel, Marshall, Fitzpatrick, Houghton, Pfautsch and Kelley (127), relating to polling places for registered sex offenders.

HB 588, introduced by Representatives Diehl and Entlicher, relating to primary elections.

HB 589, introduced by Representative Hinson, relating to sex offender registration and classification.

HB 590, introduced by Representatives Koenig, Curtman, Brattin and Marshall, relating to licensure requirements for certain professions.

HB 591, introduced by Representatives Hubbard, Jones (110), Diehl, Webb, Gardner, Curtis, Colona, Montecillo, Walton Gray, English, Ellinger, Burns, Pace, Mims, Conway (104) and Parkinson, relating to the designation of a memorial bridge.

HB 592, introduced by Representatives Roorda, McDonald, Mitten, McCaherty, Rizzo, McKenna, Webber, LaFaver, Kirkton, Englund and Hummel, relating to failure to report illegal conduct regarding prescription medications.

HB 593, introduced by Representatives Solon, Leara, Kelly (45), Rowden, Conway (104), Berry, Torpey, Lynch, Gannon, Pfautsch, Wood, Brattin, Haefner, Davis, Cookson, Phillips and Brown, relating to emerging issues in cancer medications.

HB 594, introduced by Representative Cornejo, relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

HB 595, introduced by Representatives Kirkton, Burns, Kratky, Smith (85), Roorda, May, Ellinger, McNeil, Schupp, Swan, Englund, Kelley (127), Neely, Morgan and Gardner, relating to insurance coverage for hearing screenings and hearing aid devices.

The following member's presence was noted: Pierson.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, February 14, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, February 14, 2013, Upon Morning Adjournment South Gallery.

Executive session may be held on any matter referred to the committee.

We will be meeting to vote on issue development standing committees.

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AGRI-BUSINESS

Thursday, February 14, 2013, Upon Morning Adjournment House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

CORRECTED

AGRICULTURE POLICY

Tuesday, February 19, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 56

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - EDUCATION

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continue Department of Social Services budget presentation

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Friday, February 15, 2013, 10:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Completion of Department of Social Services budget presentation, if necessary

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

BUDGET

Thursday, February 14, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 14

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, February 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 307, HJR 16

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, February 14, 2013, 9:00 AM House Hearing Room 4.

Public hearing will be held: HB 383, HB 57

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 14, 2013, Upon Morning Adjournment House Hearing Room 7.

Executive session will be held: HB 158

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 14, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, February 18, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 58

Executive session will be held: HB 322, HB 339

Executive session may be held on any matter referred to the committee.

AMENDED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

JOINT COMMITTEE ON EDUCATION

Thursday, February 14, 2013, 8:00 AM Senate Lounge.

Committee work session 8:00 AM to 8:30 AM

RULES

Thursday, February 14, 2013, Upon Morning Adjournment North Gallery.

Executive session will be held: HCS HJR 11 & 7, HB 55, HJR 4, HCS HB 388

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 18, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 224, HB 285

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 14, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 316, HB 51

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 14, 2013

HOUSE BILLS FOR SECOND READING

HB 569 through HB 595

HOUSE BILLS FOR PERFECTION

HB 44 - Korman

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 5 & 12 , (Fiscal Review 2-13-13) - Cox

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 256, 33 & 305, E.C. - Jones (50)
- 2 HCS HBs 48 & 216, (Fiscal Review 2-13-13) - Dugger

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 14, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Love bears all things, believes all things, hopes all things, and endures all things. (I Corinthians 13:7)

O Loving God, again we come to You on this St. Valentine's Day with gratitude for the opportunity of loving You and our state. We pray that You will help these representatives of our people in their marriages and relationships. Help them to face the challenges of these times with courage: to accept their responsibilities with confidence and to solve their ever-present problems with creative wisdom and love.

May they learn anew the lesson that the secret of finding love and happiness is not to do what you like to do but to learn to like what you have to do. In this spirit we pray and in this spirit may we do our work this day.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Chloe Till.

The Journal of the twentieth day was approved as printed.

Representative Keeney assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 406 through House Resolution No. 435

HOUSE CONCURRENT RESOLUTION

Representative Fitzpatrick, et al., offered House Concurrent Resolution No. 23.

SECOND READING OF HOUSE BILLS

HB 569 through **HB 595** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 5 & 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 48 & 216**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 5 & 12, relating to photo identification to vote, was taken up by Representative Cox.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman

Nichols	Norr	Otto	Pace	Rizzo
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Cookson	Cornejo	May	Pierson
Roorda	Smith 85	Smith 120	White	

VACANCIES: 002

Speaker Jones resumed the Chair.

On motion of Representative Cox, **HCS HJR 5 & 12** was read the third time and passed by the following vote:

AYES: 107

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 046

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Rizzo	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Cornejo	May	Pierson	Roorda
Smith 85	Smith 120	White		

VACANCIES: 002

Speaker Jones declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HBs 256, 33 & 305, relating to the Open Meetings and Records Law, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **HCS HBs 256, 33 & 305** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Cookson	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 003

Colona	Ellington	Gardner
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PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Conway 104	Cornejo	May	Neely
Pierson	Roorda	Smith 85	Smith 120	White

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Ellington	Gardner
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PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Conway 104	Cornejo	May	Pierson
Roorda	Smith 85	Smith 120	White	

VACANCIES: 002

HCS HBs 48 & 216, relating to photo identification to vote, was taken up by Representative Dugger.

Representative Dugger offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 48 & 216, Page 2, Section 115.427, Line 52, by deleting the date, "January 1, 1941" and inserting in lieu thereof the following:

"[January 1, 1941] **January 1, 1948**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Perfecting Amendment No. 1** was adopted.

Representative Cox assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Burlison	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake

Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown	Conway 104	Cornejo	May
Pierson	Roorda	Smith 85	Smith 120	White

VACANCIES: 002

Speaker Jones resumed the Chair.

On motion of Representative Dugger, **HCS HBs 48 & 216, as amended**, was read the third time and passed by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Conway 104	May	Pierson	Roorda
Smith 85	Smith 120	White		

VACANCIES: 002

Speaker Jones declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 13 - Health Care Policy
HCR 14 - Health Care Policy
HCR 15 - Health Care Policy
HCR 16 - Veterans
HCR 19 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 3 - Ways and Means
HJR 6 - Special Standing Committee on Emerging Issues in Health Care
HJR 18 - Elections
HJR 25 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 52 - Insurance Policy
HB 53 - Insurance Policy
HB 54 - Elections
HB 68 - Children, Families, and Persons with Disabilities

HB 74 - Local Government
HB 90 - Insurance Policy
HB 100 - Health Care Policy
HB 101 - Children, Families, and Persons with Disabilities
HB 102 - Judiciary
HB 107 - Children, Families, and Persons with Disabilities
HB 159 - Veterans
HB 185 - Health Care Policy
HB 188 - Elections
HB 208 - Ways and Means
HB 219 - Elementary and Secondary Education
HB 230 - Crime Prevention and Public Safety
HB 231 - Transportation
HB 253 - International Trade
HB 261 - Elementary and Secondary Education
HB 262 - Health Care Policy
HB 263 - Health Care Policy
HB 290 - Professional Registration and Licensing
HB 292 - Elementary and Secondary Education
HB 295 - Elementary and Secondary Education
HB 324 - Judiciary
HB 330 - General Laws
HB 333 - Workforce Development and Workplace Safety
HB 336 - Elections
HB 338 - Insurance Policy
HB 343 - Children, Families, and Persons with Disabilities
HB 344 - Health Insurance
HB 346 - Health Insurance
HB 351 - Professional Registration and Licensing
HB 356 - General Laws
HB 380 - Economic Development
HB 382 - Crime Prevention and Public Safety
HB 384 - Professional Registration and Licensing
HB 387 - Professional Registration and Licensing
HB 402 - Children, Families, and Persons with Disabilities
HB 404 - Workforce Development and Workplace Safety
HB 406 - Downsizing State Government
HB 407 - Local Government
HB 419 - Special Standing Committee on Urban Issues
HB 422 - Ways and Means
HB 425 - Crime Prevention and Public Safety
HB 433 - Agri-Business
HB 443 - Special Standing Committee on Urban Issues
HB 445 - Transportation
HB 446 - Financial Institutions
HB 447 - Judiciary
HB 450 - Veterans

- HB 455** - Downsizing State Government
- HB 457** - Health Care Policy
- HB 460** - Special Standing Committee on Corrections
- HB 462** - Crime Prevention and Public Safety
- HB 464** - General Laws
- HB 470** - Elementary and Secondary Education
- HB 472** - Transportation
- HB 478** - Financial Institutions
- HB 479** - Financial Institutions
- HB 480** - Judiciary
- HB 487** - Emerging Issues in Agriculture
- HB 495** - Special Standing Committee on Small Business
- HB 496** - Special Standing Committee on Small Business
- HB 503** - Downsizing State Government
- HB 505** - Judiciary
- HB 513** - Children, Families, and Persons with Disabilities
- HB 515** - Children, Families, and Persons with Disabilities
- HB 521** - Ways and Means
- HB 526** - Emerging Issues in Agriculture

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SBs 10 & 25 - General Laws

COMMITTEE REPORTS

Committee on Budget, Chairman Stream reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 158**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 198**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 11 & 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 388**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 26, introduced by Representatives Richardson, Jones (50), Rhoads, Diehl, Elmer and Bahr, relating to parental rights.

HJR 27, introduced by Representatives Hicks, Reiboldt, McGaugh, Lant, Schieffer, Rowden, Fitzwater, Ross, Miller, Rhoads, Wilson, Love, Remole, Muntzel, Hurst, Morris, Korman, McKenna, Pogue and Cornejo, relating to the right to hunt and fish.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 1, introduced by Representative Stream, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 2, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 3, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 4, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 5, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 6, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014.

HB 7, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 8, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 9, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

HB 10, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 11, introduced by Representative Stream, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

HB 12, introduced by Representative Stream, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

HB 13, introduced by Representative Stream, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 596, introduced by Representatives Wright, Lair, Thomson, McNeil and Montecillo, relating to prekindergarten programs.

HB 597, introduced by Representative Spencer, relating to protective headgear for operation of motorcycles and motortricycles.

HB 598, introduced by Representative Guernsey, relating to chiropractic services.

HB 599, introduced by Representatives Berry, Runions, Torpey, Molendorp, Shull, Solon, Swearingen, LaFaver, Rizzo, Schieffer, Cross, Davis, Brown, Hansen, Neely, Spencer, Higdon, Curtman, Kolkmeier, Pike, Lynch, Pfautsch, Guernsey, Reiboldt, Brattin, Carpenter, Mayfield, Anders, Mims, Ellington, Morgan, Dunn, McCann Beatty, McManus, Lauer, Schieber, Rowland, Houghton, Frederick, Scharnhorst, Bahr, Hoskins, Jones (50), Conway (104), Cierpiot, Kelley (127), Richardson and Wood, relating to donations by motor vehicle registration applicants.

HB 600, introduced by Representatives Kelly (45), Jones (110), Jones (50), Webber, Wright and Rowden, relating to public records and meetings.

HB 601, introduced by Representatives Richardson, Cierpiot and Jones (50), relating to broadband and communications deployment.

HB 602, introduced by Representatives Dohrman, Hoskins, Cox, Pike, McGaugh, Neely, Kolkmeier, Muntzel, Brown, Pfautsch, Swan, Miller, Lair, Walker, Hansen, Anderson and Wood, relating to property tax collections.

HB 603, introduced by Representatives Jones (110), Cookson, Barnes, Cierpiot, Koenig, Burlison, Scharnhorst, Funderburk, Hubbard, Parkinson, Swan, Hicks, Spencer, Diehl, Bahr and Haahr, relating to intervention options for struggling schools.

HB 604, introduced by Representative Phillips, relating to natural resources.

HB 605, introduced by Representatives McGaugh, Spencer, Kolkmeier, Pike, Dohrman, Remole, Dugger, Neely, Cox and Entlicher, relating to voter registration.

HB 606, introduced by Representatives Rowden, Wood, Fitzpatrick, Jones (50), Sommer, Richardson, Lynch, Hansen, Muntzel, Guernsey, Curtis, Rhoads and McKenna, relating to low-profit limited liability companies.

HB 607, introduced by Representatives Curtman, Schieber, Fitzpatrick, Brattin, Koenig, Bahr, Berry, Lynch, Cox, Fowler and White, relating to income tax.

HB 608, introduced by Representatives Frederick, Houghton, Neely, White, Franklin, Cierpiot, Lichtenegger, Flanigan, Schatz, Berry, Conway (104), Stream, Allen, Scharnhorst, Koenig and Kelly (45), relating to a MO HealthNet benefits pilot project.

HB 609, introduced by Representatives Miller, Jones (50), Rhoads, Hinson, Kolkmeier, Lynch and Johnson, relating to driver's license qualifications.

HB 610, introduced by Representatives Gosen, Gatschenberger, Hansen and Wieland, relating to captive insurance companies.

HB 611, introduced by Representative Lant, relating to unemployment compensation.

HB 612, introduced by Representatives Lichtenegger and Walker, relating to natural disaster ordinances.

HB 613, introduced by Representatives Lichtenegger, Kirkton and Walker, relating to the Missouri oral health program.

HB 614, introduced by Representatives Webber, Jones (50), Rowden, Elmer, Barnes, Kelly (45), Richardson, Lant, Roorda, Kratky, Colona, McManus, Montecillo, Webb, Wright, Cornejo, Funderburk, Nichols, Zerr, Hinson, Torpey, Black, Fitzpatrick, Molendorp and Haefner, relating to workers' compensation.

HB 615, introduced by Representatives Webber, Torpey, Engler, Zerr, Solon, May, Carpenter, Pace, Walton Gray, Swearingen, Morgan, Wright, Anders, Kratky, Englund, Kirkton, Meredith, Butler, Mims, Dunn, LaFaver, English, Webb, Montecillo, Schupp, Hodges, Burns, Runions, McManus, Colona, McDonald, Nichols, Norr, Conway (10), Mitten, McNeil, Rizzo, Otto, Schieffer, Kelly (45), Walker, Ellinger, Smith (85), McCann Beatty, Ellington, Hummel, Pierson, Curtis and Gardner, relating to discrimination based on sexual orientation or gender identity.

HB 616, introduced by Representatives Bahr, Jones (110), Koenig, Funderburk, Spencer, Lant, Scharnhorst, Curtman, Brattin, Parkinson, Fraker, Marshall, Crawford, Fitzwater, Jones (50) and Diehl, relating to the Common Core Standards Initiative.

HB 617, introduced by Representatives Parkinson and Webb, relating to the sale of cottage foods.

HB 618, introduced by Representatives Fraker and Redmon, relating to the state parks.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 SCS SB 1**, entitled:

An act to repeal sections 287.020, 287.067, 287.120, 287.140, 287.200, 287.210, 287.220, 287.610, 287.690, 287.715, and 287.745, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation, with an existing penalty provision and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 12**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to civil liability immunity for court appointed attorneys, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 17**, entitled:

An act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 28**, entitled:

An act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 42**, entitled:

An act to repeal sections 221.070, 313.321, 488.5028, and 571.104, RSMo, and to enact in lieu thereof five new sections relating to delinquent debts for the cost of imprisonment in a county jail.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 43**, entitled:

An act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to compliance with federal law regarding the weight allowance for idle reduction technology.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 51**, entitled:

An act to repeal sections 301.301 and 307.400, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor vehicles, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 86**, entitled:

An act to repeal section 105.684, RSMo, and to enact in lieu thereof one new section relating to the retirement plan funded ratio needed for adjustments in benefits, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 106**, entitled:

An act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 110**, entitled:

An act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 117**, entitled:

An act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof three new sections relating to military affairs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 139**, entitled:

An act to repeal sections 610.010, 610.015, 610.020, 610.021, 610.022, 610.023, and 610.027, RSMo, and to enact in lieu thereof seven new sections relating to public records and meetings, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 197**, entitled:

An act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and 199.270, RSMo, and to enact in lieu thereof twelve new sections relating to tuberculosis testing, with penalty provisions.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENTS

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Gina Mitten and Representative Mike Colona to serve on the Joint Committee on Administrative Rules.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Jeremy LaFaver to serve on the Joint Committee on Capital Improvements and Leases Oversight.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Brandon Ellington and Representative Penny Hubbard to serve on the Joint Committee on Corrections.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Mike Colona to serve on the Joint Legislative Committee on Court Automation.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Keith English to serve on the Joint Committee on Gaming and Wagering.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative John Mayfield and Representative Rochelle Walton Gray to serve on the Joint Committee on Government Accountability.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Tommie Pierson, Representative Kimberly Gardner and Representative Tom McDonald to serve on the Joint Committee on Legislative Research.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Charlie Norr and Representative John Wright to serve on the Joint Committee on Missouri's Promise.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

February 14, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint Representative Joe Runions to serve on the Joint Committee on Public Employee Retirement.

If you have any questions, please do not hesitate to contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

WITHDRAWAL OF HOUSE BILL

February 12, 2013

The Honorable Tim Jones
Speaker of the House
State Capitol
201 West Capitol Avenue
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to withdraw **House Bill No. 245**, genetically modified food and food products – LR#0458L.01I.

Gratefully,

/s/ Brandon Ellington
Missouri State Representative
District 22

The following member's presence was noted: Roorda.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Friday, February 15, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, February 19, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 56

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on HB 6

APPROPRIATIONS - EDUCATION

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Friday, February 15, 2013, 10:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Completion of DSS budget presentation, if necessary

CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 19, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 402, HB 513, HB 343

Executive session will be held: HB 288, HB 252

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 18, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 247, HB 425

Executive session will be held: HB 35, HB 307, HB 335, HB 362, HJR 16

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 221, HB 389

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 19, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 113, HB 235

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 446, HB 479

Executive session will be held: HB 446

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HIGHER EDUCATION

Tuesday, February 19, 2013, 8:30 AM House Hearing Room 6.

Executive session will be held: HB 168, HB 312

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 18, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 53, HB 58, HB 90

Executive session will be held: HB 322, HB 339

Executive session may be held on any matter referred to the committee.

AMENDED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

LOCAL GOVERNMENT

Monday, February 18, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 28, HB 138, HB 45, HB 66, HB 234, HB 74, HB 60

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2013, Noon or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 290, HB 384

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 18, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCS HB 158, HJR 4, HCS HB 198, HB 133, HJR 8, HB 163,

HCS HB 128, HB 329, HB 85, HCS HB 176, HB 212

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 20, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 18, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 224, HB 285, HB 443

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Monday, February 18, 2013, 6:00 PM or Upon Adjournment
Committee dinner, 2125 Missouri Blvd., Jefferson City, MO

TRANSPORTATION

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 7.
Public hearing will be held: HJR 23
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 159, HB 450, HCR 16
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SECOND DAY, FRIDAY, FEBRUARY 15, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 26 and HJR 27

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1 through HB 13

HOUSE BILLS FOR SECOND READING

HB 596 through HB 618

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 11 & 7 - Reiboldt

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HB 55 - Flanigan
- 3 HCS HB 388 - Swan

SENATE BILLS FOR SECOND READING

- 1 SS#2 SCS SB 1
- 2 SB 12
- 3 SCS SB 17
- 4 SS SB 28
- 5 SCS SB 42
- 6 SB 43
- 7 SB 51
- 8 SCS SB 86
- 9 SCS SB 106
- 10 SB 110
- 11 SCS SB 117
- 12 SB 139
- 13 SB 197

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-SECOND DAY, FRIDAY, FEBRUARY 15, 2013

The House met pursuant to adjournment.

Representative Barnes in the Chair.

Prayer by Representative Kelly (45).

Lord of our Fathers,

Your wisdom is manifest in the designation of pride as a deadly sin.

When, as yesterday, we fail – as I did – to restrain our rhetoric, we fail in our obligations to You and to the Body.

We are grateful to You for Your love and forgiveness, even in the face of our weakness. Amen.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 26 and **HJR 27** were read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1 through **HB 13** were read the second time.

SECOND READING OF HOUSE BILLS

HB 596 through **HB 618** were read the second time.

SECOND READING OF SENATE BILLS

SS#2 SCS SB 1, SB 12, SCS SB 17, SS SB 28, SCS SB 42, SB 43, SB 51, SCS SB 86, SCS SB 106, SB 110, SCS SB 117, SB 139 and SB 197 were read the second time.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 1 - Budget
HB 2 - Budget
HB 3 - Budget
HB 4 - Budget
HB 5 - Budget
HB 6 - Budget
HB 7 - Budget
HB 8 - Budget
HB 9 - Budget
HB 10 - Budget
HB 11 - Budget
HB 12 - Budget
HB 13 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 565 - Professional Registration and Licensing
HB 611 - Workforce Development and Workplace Safety

COMMITTEE REPORT

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 619, introduced by Representatives Ellinger, Walton Gray, Swearingen and Rizzo, relating to first degree murder.

HB 620, introduced by Representative Barnes, relating to tax credits.

HB 621, introduced by Representatives McCaherty, Wieland, Gannon and Cross, relating to port facilities.

HB 622, introduced by Representatives McCaherty, Cross and Wieland, relating to the manufacturing jobs act.

COMMUNICATION

February 15, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

Pursuant to Rule 25(1)(e), your Committee on Administration and Accounts approved the following Issue Development Standing Committees on February 14, 2013:

- 1) Leadership for Missouri Issue Development Standing Committee
- 2) Oral Health Issue Development Standing Committee
- 3) Wetlands Management Issue Development Standing Committee

Please publish this letter in the Journal of the House, along with the attached roster of appointed members.

Sincerely,

/s/ Dwight Scharnhorst
Administration and Accounts, Chair
District 98

COMMITTEE APPOINTMENTS

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT STANDING COMMITTEE

Mike Bernskoetter, Chair
Mike Cierpiot, Vice-Chair
Sandy Crawford
John Diehl
Timothy W. Jones
Shelley Keeney
Jeanie Riddle
Dwight Scharnhorst
Jason Smith
Rick Stream

ORAL HEALTH ISSUE DEVELOPMENT STANDING COMMITTEE

Donna Lichtenegger, Chair
Jeanne Kirkton, Co-Chair
Sonya Anderson
Mike Bernskoetter
TJ Berry
Eric Burlison

Mike Cierpiot
Kathie Conway
Stan Cox
Gary Cross
Sue Entlicher
Scott Fitzpatrick
Dennis Fowler
Lyndall Fraker
Kent Hampton
Elijah Haahr
Marsha Haefner
Denny Hoskins
Thomas Hurst
Delus Johnson
Jeff Justus
Chris Kelly
Bart Korman
Warren Love
John McCaherty
Jeffrey Messenger
Chris Molendorp
Don Phillips
Holly Rehder
Bill Reiboldt
Lyle Rowland
Jill Schupp
Lindell Shumake
Nate Walker
Paul Wieland
Ken Wilson

WETLANDS MANAGEMENT ISSUE DEVELOPMENT STANDING COMMITTEE

Kevin Elmer, Chair
Lincoln Hough, Vice-Chair
Kevin Austin
Kevin Engler
Elijah Haahr
Dave Hinson
Denny Hoskins
Bart Korman
Clem Smith

The following members' presence was noted: Berry, Black, Frame, Gatschenberger, Houghton, Kelley (127), Lair, Mayfield and Muntzel.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, February 18, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, February 19, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 56

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on HB 6

APPROPRIATIONS - EDUCATION

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 19, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup and reporting of House Bills 1, 5, 12, and 13

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup and reporting of House Bills 1, 5, 12, and 13 (if needed)

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

Hearing may be cancelled if business is completed on Tuesday, February 19.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 19, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 402, HB 513, HB 343

Executive session will be held: HB 288, HB 252

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 18, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 247, HB 425

Executive session will be held: HB 35, HB 307, HB 335, HB 362, HJR 16

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 221, HB 389

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

The committee will conduct an executive session.

ELECTIONS

Tuesday, February 19, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 113, HB 235

Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 446, HB 479

Executive session will be held: HB 446

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 257, HB 274, HCR 17

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 315, HB 344, HB 346

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 19, 2013, 8:30 AM House Hearing Room 6.

Executive session will be held: HB 168, HB 312

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, February 18, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 53, HB 58, HB 90

Executive session will be held: HB 322, HB 339

Executive session may be held on any matter referred to the committee.

AMENDED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

LOCAL GOVERNMENT

Monday, February 18, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 28, HB 138, HB 45, HB 66, HB 234, HB 74, HB 60

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2013, Noon or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 290, HB 384

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 18, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCS HB 158, HJR 4, HCS HB 198, HB 133, HJR 8, HB 163,

HCS HB 128, HB 329, HB 85, HCS HB 176, HB 212

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 20, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 18, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 224, HB 285, HB 443

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Monday, February 18, 2013, 6:00 PM or Upon Adjournment.

Committee dinner, 2125 Missouri Blvd., Jefferson City, MO

TRANSPORTATION

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HJR 23

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 159, HB 450, HCR 16

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Monday, February 18, 2013, 1:00 PM House Hearing Room 1.

Public hearing will be held: HB 453

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 611

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-THIRD DAY, MONDAY, FEBRUARY 18, 2013

HOUSE BILLS FOR SECOND READING

HB 619 through HB 622

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 11 & 7 - Reiboldt

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HB 55 - Flanigan
- 3 HCS HB 388 - Swan

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-THIRD DAY, MONDAY, FEBRUARY 18, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Pastor Paul Meinsen.

The heavens will praise Your wonders, O LORD; Your faithfulness also in the assembly of the holy ones. For who in the skies is comparable to the LORD? Who among the sons of the mighty is like the LORD, a God greatly feared in the council of the holy ones, and awesome above all those who are around Him? O LORD God of hosts, who is like You, O mighty LORD? (Psalm 89:5-8a)

We give you much thanks, Father, for another day in which to be of service to You; another day to bring glory to Your Holy Name.

I pray this afternoon on behalf of these men and women before me asking You to grant them the wisdom they need to lead and serve the people of this great state.

Your servant, King Solomon, needed to know how to lead the kingdom You had given to him. And things have not changed in the past 3000 years. All who are in positions of leadership and authority, Father, are still in need of wisdom from You—wisdom to govern, lead and serve so great a people.

I pray today then that You will give freely and generously that which is needed. Let each one know what is right, according to the Scripture You have given us.

Let each one have the fortitude to do that which is right and to do so with a spirit of humility and grace. May we all set aside personal agendas and honor for the good of those we have been called to serve. May we all learn to fear You and You alone. Please, draw each one unto Yourself.

We call upon You in this prayer. Please answer and glorify Yourself. To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Macey Hurst, Hayden Hurst and Emma Hurst.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo

Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Grisamore	Hodges	May	McManus
Molendorp	Schatz	Smith 120		

VACANCIES: 002

The Journal of the twenty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 436 through House Resolution No. 446

SECOND READING OF HOUSE BILLS

HB 619 through **HB 622** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 20 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 15 - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 70 - General Laws
HB 92 - General Laws
HB 187 - General Laws
HB 209 - General Laws
HB 276 - General Laws
HB 350 - General Laws
HB 379 - General Laws
HB 390 - General Laws
HB 392 - General Laws
HB 420 - General Laws
HB 431 - General Laws
HB 436 - General Laws
HB 485 - General Laws
HB 494 - General Laws
HB 533 - General Laws
HB 545 - General Laws
HB 579 - General Laws
HB 591 - Special Standing Committee on Urban Issues
HB 603 - Elementary and Secondary Education

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 324 - Health Care Policy

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 335**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 148**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 178**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 158**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 198**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 623, introduced by Representatives Sommer, Gatschenberger, Reiboldt and McDonald, relating to the brain injury fund.

HB 624, introduced by Representatives Ellinger, English, Walton Gray, Smith (85), Schieffer, Kelly (45) and Burns, relating to sexual offender registration.

HB 625, introduced by Representative Burlison, relating to collaborative practice arrangements.

HB 626, introduced by Representatives McNeil, Morgan, English, Schupp, Ellinger, Smith (85) and Kirkton, relating to school district accreditation.

HB 627, introduced by Representatives Hummel, Kirkton, McCann Beatty, Rizzo, Webb, Burns, Butler, McKenna, Schieffer, Schupp, Mayfield, Roorda, English, Mitten, LaFaver, McNeil, McManus, Ellington, Montecillo, Morgan, Kelly (45), Conway (10), Gardner, Englund, Kratky, Dunn, Newman, Pierson, Wright, Ellinger, Webber, Smith (85), Runions, Mims, Pace, Hubbard, Carpenter, Walton Gray, Curtis, Colona, Meredith, Nichols, Swearingen, Hodges, Harris, Norr, Otto and Frame, relating to the MO HealthNet program.

HB 628, introduced by Representatives McNeil, Wright, English, Morgan, Schupp and Kelly (45), relating to an income tax deduction for certain tuition costs.

HB 629, introduced by Representatives Kelly (45), Webber, Mayfield, Pace, Torpey, Barnes, Runions, Morgan, Swearingen and Ellinger, relating to the University of Missouri board of curators.

HB 630, introduced by Representatives McCaherty, Cross and Wieland, relating to the manufacturing jobs act.

HB 631, introduced by Representatives Elmer, Jones (110), Cookson, Barnes and Jones (50), relating to educator quality.

HB 632, introduced by Representatives Dunn, Pierson, English, Mims, Curtis, Hicks, Butler, Otto, Mitten, Mayfield, McCann Beatty, Hummel, Montecillo, Webb, Pace and Smith (85), relating to the designation of Alpha Phi Alpha day.

HB 633, introduced by Representative Leara, relating to restrictive legislation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 58**, entitled:

An act to amend chapter 77, RSMo, by adding thereto one new section relating to the passage of ordinances in the city of Farmington.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 77**, entitled:

An act to repeal section 210.278, RSMo, and to enact in lieu thereof one new section relating to neighborhood youth development programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 80**, entitled:

An act to repeal section 344.040, RSMo, and to enact in lieu thereof one new section relating to the notification of license renewal for nursing home administrators.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 18, 2013

The Honorable Tim Jones
Speaker of the House
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Jones:

Due to a technical error, I respectfully request that **House Bill No. 622** be withdrawn from consideration.

Sincerely,

/s/ Rep. John C. McCaherty
District 97

The following members' presence was noted: Black, Grisamore, Hodges, McManus, Molendorp and Schatz.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, February 19, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, February 19, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 56

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Markup on HB 6

APPROPRIATIONS - EDUCATION

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, February 19, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup and reporting of House Bills 1, 5, 12, and 13.

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup and reporting of House Bills 1, 5, 12, and 13, (if needed)

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

Hearing may be cancelled if business is completed on Tuesday, February 19.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Committee discussion and work session

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, February 19, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Hear reports from sub-committees

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 19, 2013, 12:00 PM or upon adjournment House Hearing Room 1.

Public hearing will be held: HB 402, HB 513, HB 343

Executive session will be held: HB 288, HB 252

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, February 19, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 221, HB 389

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

The committee will conduct an executive session.

ELECTIONS

Tuesday, February 19, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 113, HB 235

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 179, HB 458

Executive session may be held on any matter referred to the committee.

8:00-8:30 AM Presentation on Virtual Schools

8:30-9:10 AM HB 179

9:10-9:50 AM HB 458*** may reconvene at 5:00 PM or Upon Evening Adjournment in House Hearing Room 6

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 103

Executive session may be held on any matter referred to the committee.

The members of the Agri-Business Committee are invited to attend this committee meeting.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 446, HB 479

Executive session will be held: HB 446

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, February 20, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 21, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HCR 19, HB 162, HB 170

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 257, HB 274, HCR 17

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 315, HB 344, HB 346

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, February 19, 2013, 8:30 AM House Hearing Room 6.

Executive session will be held: HB 168, HB 312

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 20, 2013, 5:00 pm or Upon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253

Executive session will be held: HB 79

Executive session may be held on any matter referred to the committee.

JUDICIARY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 144, HB 186, HB 280, HB 287, HB 373, HB 374, HB 434, HB 435

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2013, Noon or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 290, HB 384

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 20, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 391, HB 496, HB 495

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 19, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HJR 23

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 473, HB 142, HB 119

Executive session will be held: HB 345

Executive session may be held on any matter referred to the committee.

We are hearing additional testimony on HB 473 from last week.

VETERANS

Tuesday, February 19, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 159, HB 450, HCR 16

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, February 19, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HJR 3, HB 422, HB 521

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 611

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2013

HOUSE BILLS FOR SECOND READING

HB 623 through HB 633

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 11 & 7 - Reiboldt

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HB 55 - Flanigan
- 3 HCS HB 388 - Swan
- 4 HCS HB 202 - Reiboldt
- 5 HCS HB 158 - Flanigan
- 6 HCS HB 169 - Leara
- 7 HB 34 - Guernsey

SENATE BILLS FOR SECOND READING

- 1 SB 58
- 2 SB 77
- 3 SB 80

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, TUESDAY, FEBRUARY 19, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Behold, the Lord our God has shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that God does talk with man and that he lives. (Deuteronomy 5:24)

O Living God, we thank You for the gift of a new Missouri day fresh from Your hand. Help us to use these hours to live cleanly, to labor industriously, to love wisely, and to keep our spirits elevated to positive levels of thought. May we have the strength to overcome our difficulties and the courage to carry our responsibilities with honor and with uplifted hearts.

Sustain us in every effort to make a better state and to bring good will to all. In the midst of this day's work assure us of Your presence and let the light of Your wisdom fall upon our paths.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as corrected by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel

Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 008

Curtman	Grisamore	Hicks	Jones 50	Love
May	Smith 85	Smith 120		

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 447 through House Resolution No. 471

SECOND READING OF HOUSE BILLS

HB 623 through **HB 633** were read the second time.

SECOND READING OF SENATE BILLS

SB 58, **SB 77** and **SB 80** were read the second time.

PERFECTION OF HOUSE BILL

HB 55, relating to a tax amnesty program, was taken up by Representative Flanigan.

Representative Messenger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 55, Page 2, Section 32.383, Line 28, by inserting after all of said line the following:

"5. If a taxpayer is granted amnesty under this section, such taxpayer shall not be eligible to participate in any future amnesty for the same tax."; and

Further amend said bill, page, section, Lines 29-49, by renumbering subsections **"5-9"** as **"6-10"**; and

Further amend said bill, page, section, Line 49, by inserting after all of said line, the following:

“11. If any provision of this section or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Messenger, **House Amendment No. 1** was adopted.

Representative Korman offered **House Amendment No. 2**.

House Amendment No. 2 was withdrawn.

On motion of Representative Flanigan, **HB 55, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 312**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 349**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 634, introduced by Representative Elmer, relating to the designation of Turner Syndrome awareness month.

HB 635, introduced by Representatives Fitzwater, Fraker, Redmon, Rhoads, Hicks, Black and Conway (104), relating to correctional treatment programs for first offenders.

HB 636, introduced by Representatives Fitzwater, Fraker and Black, relating to state employee salary increases.

HB 637, introduced by Representatives Fitzwater, Fraker and Black, relating to minimum pay for certain corrections employees.

HB 638, introduced by Representatives Rhoads, Fowler, Higdon, Hinson, Phillips and Wilson, relating to the endangerment of emergency workers.

HB 639, introduced by Representative Brown, relating to privacy concerning firearms.

HB 640, introduced by Representatives Parkinson, Diehl, Bahr, Fitzpatrick, Flanigan, Leara, Brown, Kelley (127), Curtman, Davis, Remole, Spencer, Conway (104), Ross, Fraker, Walker, Funderburk and Brattin, relating to the purchase of firearms.

HB 641, introduced by Representatives Korman, Cornejo, Wieland, Hinson, Miller, McKenna and Schatz, relating to retainage requirements on construction of public works projects.

HB 642, introduced by Representatives Elmer, Fraker and Jones (50), relating to construction management services for the state and political subdivisions.

HB 643, introduced by Representatives Muntzel and Jones (50), relating to a county hospital sales tax.

HB 644, introduced by Representatives Wieland, Berry, Kelly (45), McGaugh, Lant, Stream, Hurst, Messenger, McCann Beatty, Pace, Walton Gray, Carpenter, Swearingen, Webber, Rizzo, Meredith, Norr, Morgan, Schupp, LaFaver, Ellinger, McNeil, Hummel, Smith (85), Swan, Webb, English, Hubbard, Kirkton, Montecillo, Mitten, Burns, May, Hodges, McDonald, Dunn, Pierson, Rowden, Englund, Ellington and Gardner, relating to repealing the death penalty.

HB 645, introduced by Representatives Schieffer, Roorda, Rizzo, English, Hummel and Norr, relating to preferences to military veterans for state employment.

HB 646, introduced by Representatives Schieffer, Mitten, Roorda, Hummel and Norr, relating to telephone calls.

HB 647, introduced by Representatives Schieffer, Roorda and Norr, relating to the reporting of missing and dead children.

HB 648, introduced by Representatives Schieffer, Roorda, Ellinger, Kirkton, Walton Gray and Norr, relating to the sale of energy drinks to minors.

HB 649, introduced by Representative Wieland, relating to automobile insurance for volunteer drivers.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 9**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to University of Missouri extension districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 121**, entitled:

An act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to liquor control, with existing penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 182**, entitled:

An act to repeal sections 32.087 and 144.757, RSMo, and to enact in lieu thereof three new sections relating to local taxes on motor vehicle sales, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Curtman, Hicks and Smith (85).

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:45 a.m., Wednesday, February 20, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-third Day, Monday, February 18, 2013, Page 388, Line 21, by deleting the words "restrictive legislation.", and inserting in lieu thereof the words "the right to bear arms.".

COMMITTEE HEARINGS

APPROPRIATIONS - EDUCATION

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup, continued

CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, February 20, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup and reporting of House Bills 1, 5, 12, and 13

Hearing will last until 2:00 PM. If business is unfinished, committee will reconvene at 5:00 PM.

CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Committee discussion and work session

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

CORRECTED

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Work session

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Committee appropriation markups

CANCELLED

APPROPRIATIONS - REVENUE, TRANSPORTATION, AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2013, 2:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Markup for House Bill 4 and House Bill 7

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, February 20, 2013, Upon Evening Adjournment South Gallery.

Executive session will be held.

DOWNSIZING STATE GOVERNMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 297, HB 406, HB 451, HB 503, HB 455
Executive session will be held: HB 383, HB 57
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
The committee will conduct an executive session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 179, HB 458
Executive session may be held on any matter referred to the committee.
8:00-8:30 AM Presentation on Virtual Schools
8:30-9:10 AM HB 179
9:10-9:50 AM HB 458*** may reconvene at 5:00 PM or Upon Evening Adjournment in House Hearing Room 6

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 103
Executive session may be held on any matter referred to the committee.
The members of the Agri-Business Committee are invited to attend this committee meeting.
CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 446, HB 479
Executive session will be held: HB 446
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, February 20, 2013, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
CANCELLED

FISCAL REVIEW

Thursday, February 21, 2013, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 257, HB 274, HCR 17
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 20, 2013, 5:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253

Executive session will be held: HB 79

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 21, 2013, 8:00 AM House Hearing Room 1.

Quarterly business meeting - organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021

CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 26, 2013, 8:00 AM House Hearing Room 7.

Quarterly business meeting - organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

JUDICIARY

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 144, HB 186, HB 280, HB 287, HB 373, HB 374, HB 434, HB 435

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 20, 2013, Noon or Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 290, HB 384

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 20, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 20, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 391, HB 496, HB 495

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 25, 2013, 5:00 PM or Upon Afternoon Adjournment (if after 5:00 PM) House Hearing Room 5.

Public hearing will be held: HB 419, HB 443, HB 591

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 473, HB 142

Executive session may be held on any matter referred to the committee.

We will not be hearing HB 119 or having an executive session on HB 345.

There will be additional testimony on HB 473 from last week's hearing.

AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 20, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 611

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2013

HOUSE BILLS FOR SECOND READING

HB 634 through HB 649

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 11 & 7 - Reiboldt

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HB 388 - Swan
- 3 HCS HB 202 - Reiboldt
- 4 HCS HB 158 - Flanigan
- 5 HCS HB 169 - Diehl
- 6 HB 34 - Guernsey

HOUSE BILLS FOR THIRD READING

HB 55, E.C. - Flanigan

SENATE BILLS FOR SECOND READING

- 1 SCS SB 9
- 2 SS SCS SB 121
- 3 SCS SB 182

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, WEDNESDAY, FEBRUARY 20, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Marilyn Seaton, Office of the Assistant Chief Clerk.

Let us pray.

Heavenly Father, we pray for a time when we will not say, "What is mine is mine and I will keep it." Nor will we say, "What is yours is mine and I will take it." We pray for a time when we will say, "What is mine is yours and I will share it." Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Ong, Seamus Hellings, Brendan Keifer, Ryan Swope, Brendan Safley, Kelsey Knutson and Emily Blackburn.

The Journal of the twenty-fourth day was approved as printed.

SPECIAL RECOGNITION

The Honorable Roy Blunt, United States Senator, was introduced by Speaker Jones and addressed the House.

Representative Cox assumed the Chair.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 476.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 472 through House Resolution No. 475

House Resolution No. 477 through House Resolution No. 483

HOUSE CONCURRENT RESOLUTIONS

Representative Hoskins, et al., offered House Concurrent Resolution No. 24.

Representative Allen offered House Concurrent Resolution No. 25.

SECOND READING OF HOUSE BILLS

HB 634 through **HB 649** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 9, **SS SCS SB 121** and **SCS SB 182** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 202, relating to University of Missouri extension districts, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HCS HB 202** was adopted.

On motion of Representative Reiboldt, **HCS HB 202** was ordered perfected and printed.

HCS HB 158, relating to tax increment financing, was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 158, Page 15, Section 99.845, Line 307, by inserting after all of said line the following:

"State revenues made available to a redevelopment project pursuant to subsections 15 to 25 of this section may only be applied to reimburse redevelopment project costs that are incurred with respect to that portion of a disaster area that was directly and negatively affected by the cause for the declaration by the President of the disaster area and that directly relate to the acquisition, restoration or construction of similar or like infrastructure, structures and other improvements as were damaged or destroyed by the cause for the declaration by the President of the disaster area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative Flanigan, **HCS HB 158, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 158, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HB 55, relating to a tax amnesty program, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 55** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Guernsey

PRESENT: 000

ABSENT WITH LEAVE: 007

Cornejo	Frederick	Haahr	Hodges	May
McManus	Smith 120			

VACANCIES: 002

Representative Cox declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Gardner	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 009

Curtman	Frederick	Haahr	Hodges	Love
May	McManus	Smith 120	Thomson	

VACANCIES: 002

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 21** - Emerging Issues in Agriculture
- HCR 23** - Downsizing State Government

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 2** - Elections
- HJR 22** - Elementary and Secondary Education
- HJR 26** - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 31** - Children, Families, and Persons with Disabilities
- HB 62** - Transportation
- HB 123** - Local Government
- HB 236** - Special Standing Committee on Urban Issues
- HB 284** - Local Government
- HB 325** - Judiciary
- HB 340** - Emerging Issues in Agriculture
- HB 376** - Judiciary
- HB 416** - Local Government
- HB 439** - Special Standing Committee on Urban Issues
- HB 463** - Special Standing Committee on Corrections
- HB 465** - General Laws
- HB 468** - Crime Prevention and Public Safety
- HB 481** - Insurance Policy
- HB 510** - Special Standing Committee on Small Business
- HB 522** - Insurance Policy
- HB 525** - Special Standing Committee on Corrections
- HB 536** - Ways and Means
- HB 541** - Judiciary
- HB 542** - Agriculture Policy
- HB 544** - Downsizing State Government
- HB 555** - General Laws
- HB 566** - Judiciary
- HB 567** - Judiciary
- HB 574** - General Laws
- HB 575** - Crime Prevention and Public Safety
- HB 577** - Crime Prevention and Public Safety
- HB 578** - Ways and Means

HB 586 - Agriculture Policy
HB 587 - Elections
HB 590 - Downsizing State Government
HB 600 - General Laws
HB 601 - Utilities
HB 604 - Tourism and Natural Resources
HB 616 - Downsizing State Government
HB 627 - Government Oversight and Accountability
HB 630 - International Trade
HB 631 - Elementary and Secondary Education
HB 641 - General Laws

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 579 - Ways and Means

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SS SCS SBs 20, 15 & 19**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 362**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 124**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 227**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 134**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 320**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 28, introduced by Representatives Marshall and Wilson, relating to the right to work.

HJR 29, introduced by Representatives Houghton, Jones (110), Hampton, Reiboldt, Hansen, Riddle, Redmon, Dugger, Korman, Remole, Guernsey, Shumake and Torpey, relating to the secretary of agriculture.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 650, introduced by Representatives Ross, Miller and Korman, relating to land survey program headquarters.

HB 651, introduced by Representatives Ross, Korman and Miller, relating to the department of natural resources.

HB 652, introduced by Representatives Korman, Ross and Miller, relating to land surveyors.

HB 653, introduced by Representatives Lauer, McGaugh, Hansen, Korman, Mayfield, Pike, Roorda, Conway (10), Cross, Kolkmeyer, McNeil, McDonald, Diehl, Higdon, Rizzo and Fitzwater, relating to emergency communications service.

HB 654, introduced by Representatives Hansen, Gosen, Walker, Richardson, Wieland, Muntzel, McGaugh, Pike, Otto, Houghton, Neely, Lynch, Lauer and Dohrman, relating to limited lines travel insurance producer licensing.

HB 655, introduced by Representatives Hurst and Wood, relating to temporary motorcycle instruction permits.

HB 656, introduced by Representatives May, Jones (110), Hummel, Riddle, Jones (50), Webb, Webber, Rizzo, Richardson, Roorda, Wright, Colona, Montecillo, Newman and Diehl, relating to powers of the supervisor of parking meters in certain cities.

HB 657, introduced by Representatives English, Gatschenberger, Cornejo, Colona, Burns, Webb, Pace and Wood, relating to unique driver identification numbers.

HB 658, introduced by Representatives English, Gatschenberger, Walton Gray, Colona, Burns, McNeil, Webb, Pace and Hubbard, relating to right-of-way and easement maintenance fees.

HB 659, introduced by Representatives Marshall, Curtman, Kelley (127), Wilson, Remole, Brattin, Koenig, Schieber and Parkinson, relating to licensure requirements for certain professions.

HB 660, introduced by Representatives Marshall, Wilson, Brattin, Koenig and Schieber, relating to secure and fair elections.

HB 661, introduced by Representatives Marshall, Bahr, Wilson and Koenig, relating to public elections.

HB 662, introduced by Representative Marshall, relating to entrances to certain state offices.

HB 663, introduced by Representatives Marshall, Kelley (127), White, Wilson and Remole, relating to liability for driving while intoxicated.

HB 664, introduced by Representatives Marshall, Wilson, Koenig and Brattin, relating to blighted areas.

HB 665, introduced by Representatives Marshall, Kelley (127), Wilson and Schieber, relating to motor vehicle valuation.

HB 666, introduced by Representative Marshall, relating to nonprofit corporations.

HB 667, introduced by Representatives Houghton, Jones (110), Hampton, Reiboldt, Hansen, Riddle, Redmon, Korman, Dugger, Remole, Guernsey, Shumake and Torpey, relating to the office of agriculture.

HB 668, introduced by Representatives Torpey, McManus, Solon, Grisamore, Koenig, Montecillo, Cross, Brattin, Lauer, Berry and Haefner, relating to the safe place for newborns act.

HB 669, introduced by Representatives Parkinson, Kelley (127) and Berry, relating to teacher contracts.

HB 670, introduced by Representatives Parkinson and Roorda, relating to the crime of armed criminal action.

HB 671, introduced by Representatives Parkinson, Curtman, Bahr and Koenig, relating to taxation.

HB 672, introduced by Representatives Korman, Brattin, Houghton and Wood, relating to bicycle operation on state roadways.

HB 673, introduced by Representative Schatz, relating to the renaming of Linn State Technical College.

HB 674, introduced by Representatives Hicks, Walker, Miller, Swan, Rhoads, English, Wood, Mayfield, Muntzel, Remole, Love, Spencer, Bahr, Justus, Dohrman and McGaugh, relating to fines for failing to yield the right-of-way.

HB 675, introduced by Representatives Grisamore, Barnes, Funderburk, Bahr, Zerr, Burlison, Leara and Koenig, relating to the management of diabetes in elementary and secondary schools.

HB 676, introduced by Representatives Nichols, Roorda, Black, Rhoads and Wilson, relating to jewelry.

HB 677, introduced by Representatives Roorda, Burns, Hummel and Colona, relating to an individual's right to bargain collectively.

HB 678, introduced by Representatives Fraker, Redmon and Fitzwater, relating to fee office collections.

HB 679, introduced by Representatives Torpey and Haefner, relating to school statewide assessment scores.

HB 680, introduced by Representative Torpey, relating to conflicts of interest for legislators.

HB 681, introduced by Representative Torpey, relating to compulsory school attendance.

HB 682, introduced by Representatives Newman, Ellinger, LaFaver, Butler, Dunn and Conway (10), relating to elections.

HB 683, introduced by Representatives Berry, Schupp, Pace and Mitten, relating to senior citizen homestead deferral of taxes.

HB 684, introduced by Representatives Schieffer, Norr, Cornejo, McCaherty, Hurst, Swearingen, Sommer, Gatschenberger and Jones (50), relating to temporary motorcycle permits.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 2**.

SENATE CONCURRENT RESOLUTION NO. 2

WHEREAS, the State of Missouri has a rich and complex history; and

WHEREAS, the lives of Missourians are enriched by a broad and deep understanding of that history; and

WHEREAS, the State of Missouri was formally admitted into the Union of the United States of America on August 10, 1821; and

WHEREAS, the year 2021 marks the bicentennial of the State of Missouri's admission into the Union; and

WHEREAS, commemorative events drawing attention to the passage of historical milestones offer significant opportunities for generating interest in documenting and celebrating the exceptionalism of a state's history; and

WHEREAS, the Missouri General Assembly by statute (Chapter 183) authorized the State Historical Society of Missouri to act as a "trustee" of the state's history; and

WHEREAS, the State Historical Society of Missouri is responsible for collecting, preserving, and sharing the materials for the study of the history of Missouri and the heritage of Missourians; and

WHEREAS, since its creation in 1898, the State Historical Society of Missouri has become the premier institution for the study and celebration of Missouri state and local history and aspires to build the Center for Missouri Studies; and

WHEREAS, statewide commemorations require significant preparation and planning over multiple years:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby direct the State Historical Society of Missouri to develop plans, ideas, and proposals to commemorate and celebrate the State of Missouri's bicentennial; and

BE IT FURTHER RESOLVED that the State Historical Society of Missouri ready itself to provide guidance and direction to a statewide effort to promote and celebrate the State of Missouri's rich and complex history through and beyond a bicentennial celebration in the year 2021; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the director of the State Historical Society of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 24**, entitled:

An act to repeal sections 64.170 and 64.205, RSMo, and to enact in lieu thereof one new section relating to county building codes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 34**, entitled:

An act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 69**, entitled:

An act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 89**, entitled:

An act to repeal sections 198.310 and 198.345, RSMo, and to enact in lieu thereof two new sections relating to the establishment and administration of senior housing in nursing home districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 101**, entitled:

An act to amend chapter 407, RSMo, by adding thereto one new section relating to florists.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Haahr, Hodges and McManus.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, February 25, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, February 21, 2013, 9:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

CANCELLED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Monday, February 25, 2013, 12:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

Markup of HB 10 and HB 11

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Work session

BUDGET

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from appropriation committees

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 26, 2013, 12:00 PM or upon adjournment House Hearing Room 3.

Public hearing will be held: HB 101, HB 107, HB 68, HB 31

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Monday, February 25, 2013, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 108, HB 462, HB 577

Executive session will be held: HB 247

Executive session may be held on any matter referred to the committee.

CORRECTED

DOWNSIZING STATE GOVERNMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 297, HB 406, HB 451, HB 503, HB 455

Executive session will be held: HB 383, HB 57

Executive session may be held on any matter referred to the committee.

CANCELLED

ECONOMIC DEVELOPMENT

Thursday, February 21, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

The committee will conduct an Executive session.

CANCELLED

ELECTIONS

Tuesday, February 26, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 54, HB 348

Executive session may be held on any matter referred to the committee.

We will reconsider HB 199 using new substitute.

FISCAL REVIEW

Thursday, February 21, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CANCELLED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, February 25, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HCR 9, HB 627

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Thursday, February 21, 2013, 8:00 AM House Hearing Room 1.

Quarterly business meeting - Organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021.

CANCELLED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 26, 2013, 8:00 AM House Hearing Room 7.

Quarterly business meeting - Organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

LOCAL GOVERNMENT

Monday, February 25, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 407, HB 123, HB 416, HB 60

Executive session may be held on any matter referred to the committee.

RULES

Monday, February 25, 2013, Upon Afternoon Adjournment House Hearing Room 3.

Executive session will be held: HB 85, HCS HB 128, HB 133, HB 163, HCS HB 176, HB 212, HB 329, HCS HB 349, HJR 4, HCS HB 46, HCS HB 14, HB 148, HJR 16, HCS HB 117, HCS SS SCS SBs 20, 15 & 19, HCS HB 320

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354, HB 460

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 27, 2013, 4:00 PM House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, February 25, 2013, 5:00 PM or Upon Afternoon Adjournment (if after 5:00 PM) House Hearing Room 5.

Public hearing will be held: HB 419, HB 443, HB 591

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 26, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 231, HB 445, HB 472, HB 62

Executive session will be held: HJR 23, HB 428, HB 429, HB 438

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 25, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 28 and HJR 29

HOUSE BILLS FOR SECOND READING

HB 650 through HB 684

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 11 & 7 - Reiboldt
- 2 HJR 8 - Solon

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HB 388 - Swan
- 3 HCS HB 169 - Diehl
- 4 HB 34 - Guernsey

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 202 - Reiboldt
- 2 HCS HB 158, E.C. - Flanigan

SENATE BILLS FOR SECOND READING

- 1 SB 24
- 2 SS SB 34
- 3 SCS SB 69
- 4 SCS SB 89
- 5 SCS SB 101

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 25, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative John McCaherty.

In 1 Kings 3, Solomon is praying to God, who has just asked him what he should give him. Solomon's answer is as relevant today as it was thousands of years ago. He said:

You have shown great mercy to Your servant David my father, because he walked before You in truth, in righteousness, and in uprightness of heart with You; You have continued this great kindness for him, and You have given him a son to sit on his throne, as it is this day. Now, O Lord my God, You have made Your servant king instead of my father David, but I am a little child; I do not know how to go out or come in. And Your servant is in the midst of Your people whom You have chosen, a great people, too numerous to be numbered or counted. Therefore give to Your servant an understanding heart to judge Your people, that I may discern between good and evil...

Father, today, like Solomon so many years before, we also look for wisdom! We seek Your face, Your desire in our lives and the lives of the great people of Missouri.

We acknowledge our own shortsightedness, our sinfulness, and our own lack of understanding. We know that there is no one person here today that has all the answers, yet working together - and with Your guidance - we can and will accomplish great things. Give us the patience, the work ethic, and the wisdom we need to work together, to work for the people and not for our own reward. Help us to accomplish this not because of self, but for Your glory and honor, that Your name would be praised throughout the generations. In the name of Your Son, we pray.

And the House says "Amen."

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-fifth day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough

Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Entlicher	Franklin	Funderburk	Jones 50
May	Molendorp	Schatz		

VACANCIES: 002

HOUSE RESOLUTIONS

Representative Allen offered House Resolution No. 486.
Representative Korman, et al., offered House Resolution No. 508.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 484 and House Resolution No. 485
House Resolution No. 487 through House Resolution No. 507

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 28 and **HJR 29** were read the second time.

SECOND READING OF HOUSE BILLS

HB 650 through **HB 684** were read the second time.

SECOND READING OF SENATE BILLS

SB 24, **SS SB 34**, **SCS SB 69**, **SCS SB 89** and **SCS SB 101** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 158 - Fiscal Review

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 446** and **HB 211**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 116**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 85**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 128**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 133**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 148**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 163**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 176**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 212**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 329**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 349**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 20, 15 & 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 685, introduced by Representative Burlison, relating to emergency prescription refills.

HB 686, introduced by Representatives Colona, Hummel, Mayfield, Walton Gray, Kratky, Mitten, Ellinger and Smith (85), relating to election procedures.

HB 687, introduced by Representatives Colona, Mayfield, Hubbard, Butler, Walton Gray, Kratky, Mitten, Frame, Hummel, Ellinger, English and Smith (85), relating to workers' compensation.

HB 688, introduced by Representatives Colona, Hubbard, Kelly (45) and Smith (85), relating to the use for marijuana for medicinal purposes.

HB 689, introduced by Representatives Bernskoetter, Davis, Solon, Houghton, Hough, Cierpiot, Hoskins, Justus, Barnes, Dugger and Curtman, relating to special license plates for veterans.

HB 690, introduced by Representatives Korman, Gatschenberger, Bahr, Schatz, Houghton, Hinson, Schieffer and McDonald, relating to alternative fuel decal fees.

HB 691, introduced by Representative Korman, relating to public water supply districts.

HB 692, introduced by Representatives Fitzpatrick, Lant, Burlison, Anderson, Justus, Wilson, Love, Miller, Rehder, Morris, Reiboldt, Walker, Kolkmeier, McGaugh, Pike, Lynch, Hoskins, Flanigan, Diehl, Jones (110), Rhoads, Haahr, Ross, Remole, Messenger, Austin, Kelley (127), Lichtenegger and Muntzel, relating to prevailing wages.

HB 693, introduced by Representatives Hough, Hoskins, Lant and Korman, relating to emergency vehicles.

HB 694, introduced by Representatives Kratky, Gatschenberger, Frame, Webber, Colona, Hummel, Torpey, McCaherty, Higdon, Neth and Hinson, relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers.

HB 695, introduced by Representative Scharnhorst, relating to emerging issues in cancer medications.

HB 696, introduced by Representatives Cornejo, Parkinson, Hicks and Sommer, relating to the offense of impersonation of an actual person by electronic means.

HB 697, introduced by Representatives Cornejo, Parkinson, Hicks, Sommer, Conway (104) and Zerr, relating to public and business records.

HB 698, introduced by Representative Zerr, relating to tax incentives.

The following members' presence was noted: Entlicher, Franklin and Schatz.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, February 26, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, February 26, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 412, HB 542, HB 586

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

Work session

BUDGET

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Recommendations from appropriation committees

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, February 26, 2013, 12:00 PM or Upon Adjournment House Hearing Room 3.

Public hearing will be held: HB 101, HB 107, HB 68, HB 31

Executive session may be held on any matter referred to the committee.

AMENDED

ECONOMIC DEVELOPMENT

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 7.

Public hearing will be held: HB 201

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, February 26, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 54, HB 348

Executive session may be held on any matter referred to the committee.

We will reconsider HB 199 using new substitute.

CANCELLED

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 76, HB 631

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 340, HB 526

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, February 26, 2013, Upon Morning Recess South Gallery.

Executive session may be held on any matter referred to the committee.

Members should be prepared for executive session on HCS HB 158 upon morning recess or morning adjournment.

FISCAL REVIEW

Wednesday, February 27, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 28, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, February 26, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 356, HB 372, HB 600, HB 641

Executive session will be held: HB 162, HB 170

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, February 26, 2013, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

HB 29 will not be heard.

AMENDED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253, HB 630

Executive session will be held: HB 79

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, February 26, 2013, 8:00 AM House Hearing Room 7.

Quarterly business meeting - Organizational meeting; some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

JUDICIARY

Wednesday, February 27, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 371, HB 210

Executive session will be held: HB 144, HB 213, HB 214, HB 215, HB 218

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 387

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, 6:30 PM 409 W Miller St, Jefferson City, MO.

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354, HB 460

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 27, 2013, 4:00 PM House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 27, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 510, HB 495

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, February 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 604

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, February 26, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 231, HB 445, HB 472, HB 62

Executive session will be held: HJR 23, HB 428, HB 429, HB 438

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, February 26, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 149, HB 578, HB 579

Executive session will be held: HB 578, HB 579, HB 521

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 409

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 26, 2013

HOUSE BILLS FOR SECOND READING

HB 685 through HB 698

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 11 & 7 - Reiboldt
- 2 HJR 8 - Solon
- 3 HJR 4 - Neth
- 4 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Stream

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HB 388 - Swan
- 3 HCS HB 169 - Diehl
- 4 HB 34 - Guernsey
- 5 HCS HB 320 - Elmer

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 202 - Reiboldt
- 2 HCS HB 158, (Fiscal Review 2-25-13), E.C. - Flanigan

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 26, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Marilyn Seaton, Office of the Assistant Chief Clerk.

Let us pray.

It is God to Whom and with Whom we travel, and while He is the End of our journey, He is also at every stopping place.

And the House says "Amen."

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-sixth day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake

Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Austin	Black	Brattin	Diehl	Fitzwater
Hubbard	Jones 50	May	Muntzel	Rowden

VACANCIES: 002

HOUSE RESOLUTION

Representative Bahr offered House Resolution No. 520.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 509 through House Resolution No. 519
House Resolution No. 521 through House Resolution No. 557

HOUSE CONCURRENT RESOLUTION

Representative Kirkton offered House Concurrent Resolution No. 26.

SECOND READING OF HOUSE BILLS

HB 685 through **HB 698** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 8, relating to a veterans lottery ticket, was taken up by Representative Solon.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 8, Page 2, Section 39(b), Line 17, by striking "2014" and inserting in lieu thereof "2015"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Leara assumed the Chair.

On motion of Representative Solon, **HJR 8, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 202, relating to University of Missouri extension districts, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HCS HB 202** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowland	Runions	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 018

Anderson	Bahr	Burlison	Conway 104	Curtis
Curtman	Ellington	Fitzpatrick	Gardner	Guernsey
Haahr	Johnson	Koenig	Marshall	Mayfield
Parkinson	Schieber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 010

Black	Brattin	Franklin	Frederick	Hubbard
Jones 50	May	Muntzel	Rowden	Scharnhorst

VACANCIES: 002

Representative Leara declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 388, relating to the Parent and Community School Information Act, was taken up by Representative Swan.

HCS HB 388 was laid over.

Speaker Jones resumed the Chair.

On motion of Representative Diehl, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILLS

HCS HB 388, relating to the Parent and Community School Information Act, was again taken up by Representative Swan.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 388, Section 171.415, Page 1, Lines 7 to 17, and Page 2, Lines 18 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"required by section 160.522."; and

Further amend said bill and section, Page 2, by renumbering subsections 4 to 7 as 3 to 6; and

Further amend said bill, section, and page, Line 39, by inserting immediately after all of said line the following:

"7. In order to implement the provisions of this section, the department of elementary and secondary education shall promulgate rules establishing a report card that is easy for the general public to understand and contains information from the school accreditation program that accurately and completely reflects the performance level of individual attendance centers.

8. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to

delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 388, Page 1, Lines 14 and 15 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

"public to understand and contains information from the school improvement program that accurately reflects the performance level of individual attendance centers by indicating the standards applicable to each attendance center, overall score for the standard and the corresponding letter grade for each applicable standard and, where applicable, the scores on the components and the corresponding letter grade for each applicable component that comprise the standard in a format that does not exceed an eight and one-half by eleven inch one-sided sheet."; and

Further amend said amendment, Page 1, Line 22, by inserting immediately after said line the following:

‘Further amend said bill, Page 2, Line 39, by deleting the words "**letter grade**" and inserting the word "**scores**"; and’;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 118

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Montecillo	Morris	Neely	Neth	Nichols
Otto	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer

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Spencer	Stream	Swan	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 037

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Gardner
Harris	Hodges	Hummel	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Morgan
Newman	Norr	Pace	Pierson	Pogue
Rizzo	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Keeney assumed the Chair.

On motion of Representative Hinson, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McDonald	McGaugh	McKenna	McManus	Messenger
Miller	Molendorp	Montecillo	Morris	Neely
Neth	Nichols	Otto	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream

Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 022

Butler	Curtis	Dunn	Ellinger	Gardner
Hodges	LaFaver	McCann Beatty	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Norr
Pace	Pierson	Pogue	Rizzo	Runions
Schupp	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Ellington offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 388, Page 2, Section 171.415, Line 39, by inserting after all of said line the following:

"8. Any attendance center or charter school that scores less than seventy percent overall shall be required to submit an action plan to the department of elementary and secondary education for its approval, describing the steps the attendance center or charter school will take to improve its grade during the next academic year after the grade is assigned."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellington, **House Amendment No. 2** was adopted by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger

Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 006

Hampton	Miller	Neely	Pogue	Rowland
Thomson				

PRESENT: 001

Fitzpatrick

ABSENT WITH LEAVE: 006

Brattin	Hubbard	Jones 50	May	Muntzel
Wright				

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Neely
Neth	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake

Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Hubbard	Jones 50	May	Muntzel
Parkinson	Wright			

VACANCIES: 002

On motion of Representative Swan, **HCS HB 388, as amended**, was adopted.

On motion of Representative Swan, **HCS HB 388, as amended**, was ordered perfected and printed by the following vote:

AYES: 129

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Montecillo
Morris	Neely	Neth	Nichols	Otto
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon

Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webb	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 025

Anders	Butler	Carpenter	Curtis	Dunn
Ellinger	Hodges	Hummel	Mayfield	McCann Beatty
McDonald	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Norr	Pace	Pogue
Schupp	Smith 85	Swearingen	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Hubbard	Jones 50	May	Muntzel
Parkinson	Wright			

VACANCIES: 002

HB 34, relating to the School Construction Act, was taken up by Representative Guernsey.

Representative Fraker offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 34, Page 1, In the Title, Line 2, by inserting immediately after the word "to" the following **"maintenance, and"**; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"290.210. As used in sections 290.210 to 290.340, unless the context indicates otherwise:

(1) "Construction" includes construction, reconstruction, [improvement,] enlargement, [alteration,] painting and decorating **done as part of any of the foregoing**[, or major repair]. **Construction does not include maintenance work.**

(2) "Department" means the department of labor and industrial relations.

(3) "Locality" means the county where the physical work upon public works is performed, except that if there is not available in the county a sufficient number of competent skilled workmen to construct the public works efficiently and properly, "locality" may include two or more counties adjacent to the one in which the work or construction is to be performed and from which such workers may be obtained in sufficient numbers to perform the work, and that, with respect to contracts with the state highways and transportation commission, "locality" may be construed to include two or more adjacent counties from which workmen may be accessible for work on such construction.

(4) "Maintenance work" means the repair, but not the replacement, of existing facilities **and shall include repairs that restore existing facilities to a previous state or condition or improve the utility or enhance the appearance of existing facilities provided that** [when] the size, type or extent of the existing facilities is not thereby changed or increased. **Maintenance work shall not include major repairs which shall be defined as any work that exceeds the replacement cost of existing facilities.**

(5) "Prevailing hourly rate of wages" means the wages paid generally, in the locality in which the public works is being performed, to workmen engaged in work of a similar character including the basic hourly rate of pay and the amount of the rate of contributions irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan or program, and the amount of the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness

insurance, accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal or state law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the department, insofar as sections 290.210 to 290.340 are concerned, may be discharged by the making of payments in cash, by the making of irrevocable contributions to trustees or third persons as provided herein, by the assumption of an enforceable commitment to bear the costs of a plan or program as provided herein, or any combination thereof, where the aggregate of such payments, contributions and costs is not less than the rate of pay plus the other amounts as provided herein.

(6) "Public body" means the state of Missouri or any officer, official, authority, board or commission of the state, or other political subdivision thereof, or any institution supported in whole or in part by public funds.

(7) "Public works" means all fixed works constructed for public use or benefit or paid for wholly or in part out of public funds. It also includes any work done directly by any public utility company when performed by it pursuant to the order of the public service commission or other public authority whether or not it be done under public supervision or direction or paid for wholly or in part out of public funds when let to contract by said utility. It does not include any work done for or by any drainage or levee district.

(8) "Workmen" means laborers, workmen and mechanics."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Crawford assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald

McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Gatschenberger	Hubbard	Jones 50	May
Rowland	Swearingen	Wright		

VACANCIES: 002

On motion of Representative Fraker, **House Amendment No. 1** was adopted by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 059

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Engler	English	Englund	Frame
Gannon	Gardner	Harris	Higdon	Hodges
Hummel	Kelly 45	Kirkton	Korman	Kratky
LaFaver	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Solon	Torpey	Walton Gray
Webb	Webber	Wieland	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Funderburk	Gatschenberger	Hubbard	Jones 50
May	Rowland	Swearingen	Wright	

VACANCIES: 002

HB 34, as amended, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HJR 8 - Fiscal Review

HB 698 - Economic Development

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 334**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 152**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 158**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 30**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 346**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 699, introduced by Representative Grisamore, relating to youth with disabilities.

HB 700, introduced by Representative Barnes, relating to the Show-Me transformation act.

HB 701, introduced by Representative Molendorp, relating to the health insurance marketplace innovation act.

HB 702, introduced by Representatives Englund, Davis, Conway (10), Roorda, Hicks, Ross, McKenna, Butler, Frame, Swearingen, Webber, Gosen, Hinson, Carpenter, Gannon, Wood, Hurst, Solon, Dohrman, Pike, Lynch, Otto, Burns, Walton Gray, Neth, Colona, Hansen, Neely, McCaherty, Rizzo, Hummel, Bahr and Shumake, relating to the sale of unclaimed military medals.

HB 703, introduced by Representatives Conway (104), Haefner, Hinson, Marshall, Phillips, Otto, Mitten, Wilson, Rhoads, Allen, Lichtenegger and Solon, relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

HB 704, introduced by Representatives McKenna, Davis, Sommer, Spencer, Rizzo, Walton Gray, Carpenter, Dunn, Otto, Gannon, Lynch, Pike, Solon, Dohrman, Burns, McCaherty, Hansen, Neth, Neely, Shumake, Bahr, Conway (10), Roorda and Butler, relating to the display of the Honor and Remember flag at state buildings and state parks.

HB 705, introduced by Representative Kelly (45), relating to the meningococcal conjugate vaccine.

HB 706, introduced by Representative Funderburk, relating to employee password protection.

HB 707, introduced by Representative Grisamore, relating to the crime of causing injury to or the death of a service dog.

HB 708, introduced by Representative Grisamore, relating to the mental health employee disqualification list.

HB 709, introduced by Representative Grisamore, relating to state procurement.

HB 710, introduced by Representative Grisamore, relating to voter accessibility.

HB 711, introduced by Representative Grisamore, relating to lift accessible parking.

HB 712, introduced by Representative Grisamore, relating to MO HealthNet benefits.

HB 713, introduced by Representative Grisamore, relating to MO HealthNet benefits.

HB 714, introduced by Representative Grisamore, relating to the definition of employment pursuant to employment security law.

HB 715, introduced by Representative McCaherty, relating to motorcycle brake lights.

HB 716, introduced by Representative Grisamore, relating to the show-me healthy babies program.

HB 717, introduced by Representative Grisamore, relating to reentry into the custody of the children's division.

HB 718, introduced by Representative Grisamore, relating to extension of foster care.

HB 719, introduced by Representative Grisamore, relating to relocation of a child.

HB 720, introduced by Representative Grisamore, relating to Missouri dependency exemptions.

HB 721, introduced by Representative Grisamore, relating to foster children.

HB 722, introduced by Representatives Leara and Colona, relating to police retirement.

HB 723, introduced by Representative Grisamore, relating to the brain injury fund.

HB 724, introduced by Representative Kirkton, relating to mental health facility safety provisions.

HB 725, introduced by Representatives Phillips, Higdon, Roorda, Hinson and Wilson, relating to train conductors.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 16**, entitled:

An act to amend chapter 262, RSMo, by adding thereto one new section relating to children performing agriculture work.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 45**, entitled:

An act to repeal sections 487.020 and 488.426, RSMo, and to enact in lieu thereof two new sections relating to reimbursement for family court commissioners.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 59**, entitled:

An act to repeal sections 375.772, 375.775, 375.776, and 376.717, RSMo, and to enact in lieu thereof four new sections relating to the regulation of insurance guaranty associations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 75**, entitled:

An act to amend chapters 170 and 171, RSMo, by adding thereto two new sections relating to safety in public elementary and secondary schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 88**, entitled:

An act to repeal section 191.227, RSMo, and to enact in lieu thereof one new section relating to medical records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 100**, entitled:

An act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of a person's interest in inherited retirement accounts and health savings plans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 138**, entitled:

An act to repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 176 & 192**, entitled:

An act to repeal section 227.303, RSMo, and to enact in lieu thereof two new sections relating to the designation of highway infrastructure, with a contingent effective date for a certain section.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, February 27, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Thursday, February 28, 2013, Upon Morning Adjournment House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from appropriation committees

DOWNSIZING STATE GOVERNMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 297, HB 455, HB 406, HB 503, HB 451, HB 590
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 385, HB 698
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 76, HB 631
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 340, HB 526

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, February 27, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, February 28, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, February 27, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 177, HB 298

Executive session may be held on any matter referred to the committee.

We will not be hearing HB 400.

AMENDED

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

INTERNATIONAL TRADE

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 242, HB 253, HB 630

Executive session will be held: HB 79

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

JUDICIARY

Wednesday, February 27, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)
House Hearing Room 1.

Public hearing will be held: HB 371, HB 210

Executive session will be held: HB 144, HB 213, HB 214, HB 215, HB 218

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 387, HB 565

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, February 27, 2013, 6:30 PM 409 W Miller St, Jefferson City, MO.

Executive session may be held on any matter referred to the committee.

Committee dinner

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, February 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 326, HB 354, HB 460

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, February 27, 2013, 4:00 PM House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session will be held: HB 112

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, February 27, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 510, HB 495

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, February 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 604

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, February 27, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 409

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2013

HOUSE BILLS FOR SECOND READING

HB 699 through HB 725

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 11 & 7 - Reiboldt
- 2 HJR 4 - Neth
- 3 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 14 - Stream

HOUSE BILLS FOR PERFECTION

- 1 HB 44 - Korman
- 2 HCS HB 169 - Diehl
- 3 HB 34, as amended - Guernsey
- 4 HCS HB 320 - Elmer

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE BILLS FOR THIRD READING

HCS HB 158, E.C. - Flanigan

SENATE BILLS FOR SECOND READING

- | | |
|---|-------------------|
| 1 | SB 16 |
| 2 | SCS SB 45 |
| 3 | SB 59 |
| 4 | SB 75 |
| 5 | SCS SB 88 |
| 6 | SB 100 |
| 7 | SB 138 |
| 8 | SCS SBs 176 & 192 |

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let love be genuine; hate what is evil, hold fast to what is good. (Romans 12:9)

Eternal God, we pray that in this sacred minute of prayer we may receive guidance for the day, wisdom for each hour, and good will for every moment. Help us to think more and talk less; to pray more and procrastinate less; to live more by high principles and less by low prejudices.

We pray this morning that You will renew a right spirit within us and send us out into this day with gracious thoughts, good words, and a great spirit.

We also pray for former Representative Jerry King who passed away this week. He served here from 1998 through 2004.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 558 through House Resolution No. 599

HOUSE CONCURRENT RESOLUTION

Representative Schupp, et al., offered House Concurrent Resolution No. 27.

SECOND READING OF HOUSE BILLS

HB 699 through **HB 725** were read the second time.

SECOND READING OF SENATE BILLS

SB 16, **SCS SB 45**, **SB 59**, **SB 75**, **SCS SB 88**, **SB 100**, **SB 138** and **SCS SBs 176 & 192** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 11 & 7, relating to the right to farm, was taken up by Representative Reiboldt.

Representative Reiboldt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution Nos. 11 & 7, Page 1, Section 35, Line 4, by inserting the word **"state"** immediately following the word **"No"**; and

Further amend said bill, page and section, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"technology and modern and traditional livestock production and ranching practices, unless enacted by the General Assembly."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 1** was adopted.

Representative Wright offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Joint Resolution Nos. 11 & 7, Page 1, Section 35, Line 6, by inserting after the word **"practices."** the following:

"In addition, as used in this section, the term "farmers and ranchers" shall not be construed to include breeders of pets, exotic animals, or horses for slaughter for human consumption. Nor shall the term "livestock" be construed as to include pets, exotic animals, or horses for slaughter for human consumption."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wright moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Anders	Berry	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schupp	Smith 85	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wright
Zerr				

NOES: 105

Anderson	Austin	Bahr	Barnes	Bernskoetter
Black	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Allen	Brattin	Jones 50	May	Mitten
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VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Smith 120	Solon

Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brattin	Franklin	Hubbard	Jones 50
May	Mitten	Morris	Schatz	

VACANCIES: 002

On motion of Representative Reiboldt, **HCS HJR 11 & 7, as amended**, was adopted.

On motion of Representative Reiboldt, **HCS HJR 11 & 7, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 14, relating to appropriations, was taken up by Representative Stream.

Representative Hough offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 14, Page 5, Section 14.125, Line 9, by inserting immediately thereafter the following:

"Section 14.130. To the Department of Public Safety	
For the State Highway Patrol	
For Vehicle and Driver Safety	
Personal Service.	\$125,000
Expense and Equipment.. . . .	<u>629,703</u>
From Highway Patrol Inspection Fund.	\$754,703"

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Hough, **House Amendment No. 1** was adopted.

On motion of Representative Stream, **HCS HB 14, as amended**, was adopted.

On motion of Representative Stream, **HCS HB 14, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 158, relating to tax increment financing, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 158** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Brattin	Jones 50	May	McCaherty
Mitten	Scharnhorst	Schatz		

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Elmer	Jones 50	May	Mitten
Scharnhorst				

VACANCIES: 002

PERFECTION OF HOUSE BILL

HB 44, relating to a renewable energy standard, was taken up by Representative Korman.

Representative Funderburk offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 44, Page 1, Section A, Line 2, by inserting after all of said section the following:

"393.1000. As used in sections 393.1000 to 393.1006, the following terms mean:

(1) "Appropriate pretax revenues", the revenues necessary to produce net operating income equal to:

(a) The water corporation's **or sewer corporation's** weighted cost of capital multiplied by the net original cost of eligible infrastructure system replacements, including recognition of accumulated deferred income taxes and accumulated depreciation associated with eligible infrastructure system replacements which are included in a currently effective ISRS; and

(b) Recover state, federal, and local income or excise taxes applicable to such income; and

(c) Recover all other ISRS costs;

(2) "Commission", the Missouri public service commission;

(3) "Eligible infrastructure system replacements"[,] :

(a) Water **or sewer** utility plant projects that:

[(a)] **a.** Replace or extend the useful life of existing infrastructure;

[(b)] **b.** Are in service and used and useful;

[(c)] **c.** Do not increase revenues by directly connecting the infrastructure replacement to new customers; and

[(d)] **d.** Were not included in the water corporation's **or sewer corporation's** rate base in its most recent general rate case; **and**

(b) **Energy efficiency projects that:**

a. Are in service and used and useful;

b. Do not increase revenues by directly connecting the infrastructure replacements to new customers;
and

c. Were not included in the water corporation's or sewer corporation's rate base in its most recent general rate case;

(4) **"Energy efficiency", measures that reduce the amount of energy required to achieve a given end result;**

(5) **"ISRS", infrastructure system replacement surcharge;**

[(5)] (6) **"ISRS costs", depreciation expenses and property taxes that will be due within twelve months of the ISRS filing; depreciation expense on eligible infrastructure system capital investments shall not begin to be recorded on a utility's books until it is included in ISRS revenues or base revenues;**

[(6)] (7) **"ISRS revenues", revenues produced through an ISRS, exclusive of revenues from all other rates and charges;**

(8) **"Base revenues", revenues produced through a general rate case proceeding;**

[(7)] (9) **"Water corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any plant or property, dam or water supply, canal, or power station, distributing or selling for distribution, or selling or supplying for gain any water [to more than ten thousand customers];**

[(8)] (10) **"Sewer corporation", every corporation, company, association, joint stock company or association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, controlling, or managing any sewer system, plant, or property, for the collection, carriage, treatment, or disposal of sewage anywhere within the state for gain;**

(11) **"Water or sewer utility plant projects" may consist only of the following:**

(a) Mains, [and associated] valves [and] , hydrants, **service lines, and meters, collecting sewers (including force lines, gravity sewers, interceptors, laterals, trunk sewers, manholes, lampholes, and necessary appurtenances, including service wyes), lift stations, and pressure pumps** installed as replacements for existing facilities that have worn out or are in deteriorated condition **or replaced as part of a commission order, or the replacement of any of the forms of plant utility named above with improved technology;**

(b) Main **and sewer** cleaning and relining projects; [and]

(c) Facilities relocations required due to construction or improvement of a highway, road, street, public way, or other public work by or on behalf of the United States, this state, a political subdivision of this state, or another entity having the power of eminent domain provided that the costs related to such projects have not been reimbursed to the water corporation **or sewer corporation**; and

(d) **Energy efficiency projects.**

393.1003. 1. Notwithstanding any provisions of chapter 386, RSMo, and this chapter to the contrary, as of August 28, [2003] **2014**, a water corporation **or sewer corporation** [providing water service in a county with a charter form of government and with more than one million inhabitants] may file a petition and proposed rate schedules with the commission to establish or change ISRS rate schedules that will allow for the adjustment of the water corporation's **or sewer corporation's** rates and charges to provide for the recovery of costs for eligible infrastructure system replacements [made in such county with a charter form of government and with more than one million inhabitants]; , provided that an ISRS, on an annualized basis, must produce ISRS revenues of at least one million dollars **for a water corporation or sewer corporation, or ten thousand dollars for a small sewer corporation or small water corporation as defined in section 393.146**, but not in excess of ten percent of the water corporation's **or sewer corporation's** base revenue level approved by the commission in the water corporation's most recent general rate proceeding. An ISRS and any future changes thereto shall be calculated and implemented in accordance with the provisions of sections 393.1000 to 393.1006. ISRS revenues shall be subject to refund based upon a finding and order of the commission, to the extent provided in subsections 5 and 8 of section 393.1006.

2. The commission shall not approve an ISRS for a water corporation **or sewer corporation** [in a county with a charter form of government and with more than one million inhabitants] that has not had a general rate proceeding decided or dismissed by issuance of a commission order within the past three years, unless the water corporation **or sewer corporation** has filed for or is the subject of a new general rate proceeding.

3. In no event shall a water corporation **or sewer corporation** collect an ISRS for a period exceeding three years unless the water corporation **or sewer corporation** has filed for or is the subject of a new general rate proceeding; provided that the ISRS may be collected until the effective date of new rate schedules established as a result of the new general rate proceeding, or until the subject general rate proceeding is otherwise decided or dismissed by issuance of a commission order without new rates being established."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Smith assumed the Chair.

On motion of Representative Funderburk, **House Amendment No. 1** was adopted.

Representative Berry offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 44, Page 1, Section 393.1025, Line 15, by inserting after all of said section and line, the following:

"393.1032 1. Notwithstanding any other provision of law, all hydroelectric generation facilities located in Missouri, hydroelectric generation facilities that are owned by a Missouri utility, or under a purchased power agreement with a Missouri utility that is required to comply with energy standards under sections 393.1020 to 393.1045, will be classified as a certified renewable energy resource effective January 1, 2018. Beginning January 1, 2021, all hydroelectric generation, will be classified as a certified renewable energy resource. Such certification as a renewable energy resource will become effective immediately upon the occurrence of the delayed effective dates in this section, and will not require any additional certification from the division of energy of the Missouri department of natural resources or an equivalent agency.

2. Prior to August 28, 2013, existing hydroelectric generation facilities that have met the definition of a renewable energy resource and have been certified as such by the division of energy of the Missouri department of natural resources or an equivalent agency, shall be considered to be renewable energy resources under sections 393.1020 to 393.1045."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Berry, **House Amendment No. 2** was adopted.

HB 44, as amended, was laid over.

On motion of Representative Diehl, the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILLS

HCS HB 320, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative Cornejo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 320, Page 2, Section 213.010, Lines 44 and 45, by deleting all of said lines and inserting in lieu thereof the following:

"political or civil subdivision thereof, or [any person employing six or more persons within the state, and] any person directly acting in the interest of an employer, but does not include"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 1** was adopted.

Representative Cornejo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 320, Page 5, Section 213.111, Lines 26 to 31, by deleting all of said lines and inserting in lieu thereof the following:

"3. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, [and may award to the plaintiff actual and punitive damages,] and may award court costs and reasonable attorney fees to the prevailing party, other than a state agency or commission or a local commission; except that, a prevailing respondent may be awarded court costs and reasonable attorney fees only upon a showing that the case is without foundation."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 2** was adopted.

Representative Cox assumed the Chair.

On motion of Representative Elmer, **HCS HB 320, as amended**, was adopted.

On motion of Representative Elmer, **HCS HB 320, as amended**, was ordered perfected and printed.

HB 44, as amended, relating to a renewable energy standard, was again taken up by Representative Korman.

Representative Korman offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 44, Page 1, Section 393.1025, Line 8, by inserting after the phrase "dedicated crops" the following:

"or algae"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 1 to House Bill No. 44, Page 1, Line 4, by inserting after said line the following:

‘Further amend said bill, Page 1, Line 3 of the title, by deleting the words "renewable energy definitions" and inserting in lieu thereof the words "regulation of water resources"; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Korman, **House Amendment No. 3, as amended**, was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen

Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Smith 120	Solon
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Brattin	Hubbard	Jones 50	May
Mims	Mitten	Morris	Pike	Roorda
Schatz	Sommer			

VACANCIES: 002

On motion of Representative Korman, **HB 44, as amended**, was ordered perfected and printed.

HB 34, as amended, relating to the School Construction Act, was taken up by Representative Guernsey.

Representative Hinson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 34, Page 1, Section 290.344, Line 10, by inserting after all of said line the following:

"3. An independent contractor conducting work under this section shall, upon the request of the school district, show proof of workers' compensation coverage."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McGaugh	Messenger	Miller	Molendorp
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Gatschenberger	Hubbard	Jones 50
May	McCaherty	Mitten	Morris	Pike
Roorda	Schatz	Sommer		

VACANCIES: 002

On motion of Representative Guernsey, **HB 34, as amended**, was ordered perfected and printed by the following vote:

AYES: 089

Allen	Anderson	Austin	Bahr	Bernskoetter
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Spencer	Stream	Swan	Thomson	Walker
White	Wilson	Wood	Mr Speaker	

NOES: 059

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Gannon	Gardner	Harris	Hodges
Hummel	Kelly 45	Kirkton	Korman	Kratky
LaFaver	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Solon	Swearingen	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Brown	Funderburk	Gatschenberger
Hubbard	Jones 50	May	Mitten	Morris
Pike	Roorda	Sommer		

VACANCIES: 002

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 4, relating to general assembly term limits, was taken up by Representative Neth.

Representative Neth offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 4, Page 1, Section 8, Line 3, by inserting after the phrase: "General Assembly." on said line the following:

"No person shall run for office for either house of the General Assembly if such person is prohibited from completing a full term in office as a representative or senator by the time limitations of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 1** was adopted.

HJR 4, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 10 - Tourism and Natural Resources
HCR 11 - Tourism and Natural Resources
HCR 12 - Tourism and Natural Resources
HCR 25 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 11 & 7 - Fiscal Review
HJR 24 - General Laws
HJR 27 - Agriculture Policy
HJR 29 - Agriculture Policy

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 44 - Fiscal Review
HCS HB 320 - Fiscal Review
HB 164 - Workforce Development and Workplace Safety
HB 180 - General Laws
HB 183 - Budget
HB 206 - Agriculture Policy

- HB 243** - Special Standing Committee on Small Business
- HB 251** - Children, Families, and Persons with Disabilities
- HB 258** - Tourism and Natural Resources
- HB 259** - Workforce Development and Workplace Safety
- HB 296** - Crime Prevention and Public Safety
- HB 306** - Tourism and Natural Resources
- HB 331** - Utilities
- HB 337** - Professional Registration and Licensing
- HB 341** - General Laws
- HB 353** - Retirement
- HB 377** - General Laws
- HB 378** - Health Care Policy
- HB 396** - Elementary and Secondary Education
- HB 414** - Budget
- HB 437** - Utilities
- HB 440** - Professional Registration and Licensing
- HB 441** - Special Standing Committee on Urban Issues
- HB 442** - Crime Prevention and Public Safety
- HB 448** - Professional Registration and Licensing
- HB 471** - Tourism and Natural Resources
- HB 484** - Economic Development
- HB 488** - Professional Registration and Licensing
- HB 493** - Children, Families, and Persons with Disabilities
- HB 499** - Health Insurance
- HB 535** - Children, Families, and Persons with Disabilities
- HB 543** - General Laws
- HB 549** - Health Care Policy
- HB 564** - Agri-Business
- HB 568** - Local Government
- HB 570** - Tourism and Natural Resources
- HB 581** - Transportation
- HB 585** - Tourism and Natural Resources
- HB 588** - Elections
- HB 594** - Judiciary
- HB 597** - General Laws
- HB 599** - Veterans
- HB 607** - Ways and Means
- HB 609** - General Laws
- HB 621** - International Trade
- HB 625** - Professional Registration and Licensing
- HB 632** - Special Standing Committee on Urban Issues
- HB 634** - Tourism and Natural Resources
- HB 638** - Crime Prevention and Public Safety
- HB 639** - General Laws
- HB 640** - General Laws
- HB 643** - Local Government
- HB 650** - Tourism and Natural Resources

HB 653 - Crime Prevention and Public Safety
HB 656 - Special Standing Committee on Urban Issues
HB 658 - Local Government
HB 667 - Agriculture Policy
HB 668 - Children, Families, and Persons with Disabilities
HB 669 - General Laws
HB 673 - Higher Education

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 351 - Health Care Policy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS#2 SCS SB 1 - Workforce Development and Workplace Safety
SB 75 - General Laws
SCS SB 182 - Special Standing Committee on Small Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 542**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 586**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 191** and **HB 182**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 201**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 221**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 222**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Special Standing Committee on Emerging Issues in Health Care, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **HB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 443**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 432**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 64**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 409**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 726, introduced by Representatives Pierson, Montecillo, Pace, Webb, Gardner, Walton Gray, Smith (85), Burns, Norr, Morgan, Runions, Mims, Butler, Dunn, English, Ellington, Nichols, Cookson, Jones (110), Lair, Phillips, Shull, Richardson, McCann Beatty, McCaherty and Hodges, relating to the Missouri juneteenth heritage and jazz festival and memorial.

HB 727, introduced by Representative Grisamore, relating to services provided to individuals with disabilities.

HB 728, introduced by Representatives Rizzo, Webb, LaFaver, Mims, Dunn, Mayfield and McManus, relating to impoundment of a motor vehicle used to patronize prostitution.

HB 729, introduced by Representatives Rizzo, Torpey, Webb and Cierpiot, relating to scrap metal.

HB 730, introduced by Representatives Rowden, Englund, McKenna, Webber, Fitzpatrick, Muntzel, Franklin, Haahr, Rhoads and Wright, relating to notice requirements for lost or unclaimed property.

HB 731, introduced by Representative Grisamore, relating to MO HealthNet benefit eligibility.

HB 732, introduced by Representatives Hicks, Rhoads, Spencer, Reiboldt, Ross, Hurst, Leara, Miller, Walker, Remole, Bahr, Morris, Fitzwater, Guernsey, Wilson, Franklin, Smith (120), Rehder, Fitzpatrick, Love, Cornejo, Pike, Dohrman, Kolkmeyer, McGaugh, Austin, Sommer, Higdon, Cookson, Parkinson, Wood and Fowler, relating to firearms ownership and medical records.

HB 733, introduced by Representatives Berry, Cross, Lauer, Solon, Cierpiot, Rizzo, McCann Beatty, LaFaver, Swearingen, Mayfield, Mims, Runions, Anders and McManus, relating to port improvement districts..

HB 734, introduced by Representative Torpey, relating to the assignment of property tax liens.

HB 735, introduced by Representative Gosen, relating to the regulation of insurance business.

HB 736, introduced by Representative Scharnhorst, relating to an income tax deduction for educational expenses.

HB 737, introduced by Representative Leara, relating to the public school retirement system of the city of St. Louis.

HB 738, introduced by Representatives Lauer, Rowland, Hinson, Anders, Gatschenberger, Thomson, Higdon and Phillips, relating to school safety.

HB 739, introduced by Representative Korman, relating to clean water fees.

HB 740, introduced by Representative Korman, relating to hazardous waste fees.

HB 741, introduced by Representative Korman, relating to surface mining fees.

HB 742, introduced by Representatives Ellington, Mims, Curtis, Smith (85), Montecillo, Gardner, Morgan, Ellinger, Otto, Pace, Walton Gray, Meredith, Mitten and Rizzo, relating to improving the ability of inmates to obtain employment upon release from incarceration.

HB 743, introduced by Representatives Ellington, Hough, Solon, Conway (104), Montecillo, Gardner, Molendorp, Burlison, Cierpiot, Neth, Rowland, Mims, Morgan, Englund, Otto, Carpenter, Pace, English, Walton Gray, Colona, Smith (85), Curtis, Meredith and McCann Beatty, relating to the A+ schools program.

HB 744, introduced by Representatives Ellington, Colona, Meredith, Rizzo and McCann Beatty, relating to eyewitness identification procedures.

HB 745, introduced by Representatives Thomson, Frederick, Lichtenegger and Dohrman, relating to higher education scholarship programs.

HB 746, introduced by Representatives Cross, Cierpiot, McCaherty, Johnson, Hoskins, Torpey, Solon, Lauer, Diehl, Mayfield, McDonald and Grisamore, relating to the innovation education campus fund.

HB 747, introduced by Representative Scharnhorst, relating to financial transactions of gaming establishments.

HB 748, introduced by Representatives Crawford and Dugger, relating to open-end credit fees and to depository institution open-end credit advance fees applicable to transaction account cash advances.

HB 749, introduced by Representatives Cross, Lauer, Lynch, Brown, McCaherty, Fitzwater, Gatschenberger, Davis, Reiboldt and Lant, relating to landlord-tenant actions.

HB 750, introduced by Representative Molendorp, relating to insurance coverage for optometric services.

HB 751, introduced by Representative Molendorp, relating to tobacco-derived products.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, February 28, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Thursday, February 28, 2013, Upon Morning Adjournment House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Possible executive session

DOWNSIZING STATE GOVERNMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 297, HB 455, HB 406, HB 503, HB 451, HB 590
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, February 28, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 385, HB 698

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 5, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 336, HB 348, HB 587, HJR 20, HB 54

Executive session will be held: HJR 20, HB 54

Executive session may be held on any matter referred to the committee.

Committee may reconsider HB 199 using new substitute.

FISCAL REVIEW

Thursday, February 28, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 4, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 52, HB 481, HB 522

Executive session will be held: HB 53, HB 58

Executive session may be held on any matter referred to the committee.

Consent requested on HB 53 and HB 58

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 625

Executive session will be held: HB 625, HB 384, HB 387

Executive session may be held on any matter referred to the committee.

RULES

Thursday, February 28, 2013, 1:00 PM House Hearing Room 7.

Executive session will be held: HCS HB 335, HB 134, HB 307, HB 227, HB 184, HB 152, HCR 5, HCR 9, HB 542, HB 412, HB 443, HB 591

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, February 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 604

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2013

HOUSE BILLS FOR SECOND READING

HB 726 through HB 751

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 4, as amended - Neth

2 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION

HCS HB 169 - Diehl

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

1 HB 85 - Kelley (127)

2 HCS HB 128 - Sommer

3 HB 133 - Gosen

- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HJR 8 - Solon
- 2 HCS HJRs 11 & 7 , (Fiscal Review 2-27-13) - Reiboldt

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 14 - Stream

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 388 - Swan
- 2 HCS HB 320, (Fiscal Review 2-27-13) - Elmer
- 3 HB 44, (Fiscal Review 2-27-13) - Korman
- 4 HB 34 - Guernsey

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I sought the Lord, and He heard me and delivered me from all my fears. (Psalm 34:4)

Our Eternal God, Whose creative spirit summons us to walk in the way of justice and peace and good will, in all reverence of mind and heart we bow before You at the altar of prayer. If we should lose our way in these trying times we would turn from the noise of the seen world to the quiet of the unseen world in Your presence where we can be still and know that You are God.

In the wilderness of our human relationships reveal to us Your will. In the darkness of our day let Your light shine upon our path. In the confusion of conflicting counsels give us wisdom to see clearly the signs of the times and the courage to walk worthily in the way of Your Word to us.

This day may we depart from evil and do good; may we seek peace and pursue it; may we do justly, love mercy, and walk humbly with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Dylan O'Brien.

The Journal of the twenty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 600 through House Resolution No. 632

SECOND READING OF HOUSE BILLS

HB 726 through **HB 751** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 11 & 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 44**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 388, relating to the Parent and Community School Information Act, was taken up by Representative Swan.

On motion of Representative Swan, **HCS HB 388** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Molendorp
Montecillo	Muntzel	Neely	Neth	Nichols
Otto	Parkinson	Pfautsch	Phillips	Pierson
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 023

Burns	Butler	Carpenter	Dunn	Ellinger
Hummel	Mayfield	McCann Beatty	McDonald	McNeil
Mims	Mitten	Morgan	Newman	Norr
Pace	Pogue	Runions	Schupp	Smith 85
Swearingen	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brattin	Curtis	Hinson	Jones 50
May	Morris	Pike	Roorda	Webb

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 44, relating to a renewable energy standard, was taken up by Representative Korman.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Berry
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten

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Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Bernskoetter	Brattin	Curtis	Flanigan
Franklin	Grisamore	Hinson	Hubbard	Jones 50
May	McCaherty	Morris	Pike	Roorda
Webb				

VACANCIES: 002

On motion of Representative Korman, **HB 44** was read the third time and passed by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Berry
Brown	Burlison	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Muntzel	Neth	Parkinson	Pfautsch
Phillips	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Conway 10	Dunn	Ellinger	Ellington	English
Englund	Frame	Gardner	Harris	Hodges
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Torpey	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Bernskoetter	Brattin	Curtis	Franklin
Grisamore	Hinson	Hough	Hubbard	Jones 50
Lichtenegger	May	McCaherty	Morris	Neely
Pike	Roorda	Swan	Webb	Mr Speaker

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 34, relating to the School Construction Act, was taken up by Representative Guernsey.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Muntzel	Neely	Neth
Pfautsch	Phillips	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wright		

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PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Brattin	Funderburk	Gatschenberger	Hicks
Hinson	Hubbard	Jones 50	Marshall	May
Morris	Parkinson	Pike	Rehder	Roorda
Scharnhorst	Webb	Zerr		

VACANCIES: 002

On motion of Representative Guernsey, **HB 34** was read the third time and passed by the following vote:

AYES: 089

Allen	Anderson	Austin	Bahr	Bernskoetter
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wilson	Wood	Mr Speaker	

NOES: 059

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Gannon	Gardner	Harris	Hodges
Hummel	Kelly 45	Kirkton	Korman	Kratky
LaFaver	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Runions	Schieffer	Schupp
Smith 85	Solon	Swearingen	Torpey	Walton Gray
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Funderburk	Gatschenberger	Hicks
Hinson	Hubbard	Jones 50	May	Morris
Pike	Roorda	Webb		

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 320, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative Leara assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Higdon
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schieffer	Schupp	Smith 85	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Brattin	Gatschenberger	Hicks	Hinson
Hubbard	Jones 50	May	Morris	Pike
Roorda	Ross	Swearingen	Webb	Mr Speaker

VACANCIES: 002

On motion of Representative Elmer, **HCS HB 320** was read the third time and passed by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Bernskoetter
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McGaugh	Messenger
Miller	Molendorp	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Smith 120	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 055

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Haahr	Harris	Hodges	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Neth	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schieber	Schieffer	Schupp	Smith 85
Solon	Torpey	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Brattin	Hinson	Hubbard	Jones 50
May	Morris	Pike	Roorda	Ross
Swearingen	Webb			

VACANCIES: 002

Representative Leara declared the bill passed.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 14 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 14** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 002

Ellington	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Brattin	Hinson	Hubbard	Jones 50
May	Morris	Pike	Roorda	Ross
Swearingen	Webb			

VACANCIES: 002

Representative Leara declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HCS HJR 11 & 7, relating to the right to farm, was taken up by Representative Reiboldt.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Muntzel	Neely	Neth	Pfautsch	Phillips
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Zerr	Mr Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols

Norr	Otto	Pace	Pierson	Rizzo
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Brattin	Hinson	Hubbard	Jones 50
Marshall	May	Morris	Parkinson	Pike
Roorda	Stream	Webb	Wood	Wright

VACANCIES: 002

On motion of Representative Reiboldt, **HCS HJR 11 & 7** was read the third time and passed by the following vote:

AYES: 110

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Molendorp	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pierson	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 041

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brattin	Hinson	Hubbard	Jones 50
May	Morris	Pike	Roorda	Webb

VACANCIES: 002

Representative Leara declared the bill passed.

HJR 8, relating to a veterans lottery ticket, was taken up by Representative Solon.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	McManus	Messenger
Miller	Molendorp	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Rizzo	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brattin	Hinson	Hubbard	Jones 50
Kelly 45	May	Morris	Pierson	Pike
Roorda	Scharnhorst	Webb		

VACANCIES: 002

On motion of Representative Solon, **HJR 8** was read the third time and passed by the following vote:

AYES: 137

Anders	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Mims	Molendorp
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 013

Ellington	Gardner	Kirkton	Meredith	Mitten
Montecillo	Morgan	Newman	Pierson	Pogue
Smith 85	Swearingen	Wright		

PRESENT: 001

LaFaver

ABSENT WITH LEAVE: 010

Allen	Barnes	Brattin	Hinson	Hubbard
Jones 50	May	Morris	Pike	Roorda

VACANCIES: 002

Representative Leara declared the bill passed.

Speaker Jones resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 427 - General Laws
HB 589 - Crime Prevention and Public Safety
HB 695 - Special Standing Committee on Emerging Issues in Health Care
HB 748 - Financial Institutions

COMMITTEE REPORTS

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 168**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 301**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HJR 23**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 521** and **HB 579**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 134**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 184**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 227**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 307**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 412**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 443**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 542**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 591**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 30, introduced by Representatives Solon, Korman, Schieber, Curtman, Rhoads, Hurst, Ross, Parkinson and Berry, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 752, introduced by Representative Ellinger, relating to minimum sentencing for certain felony offenders.

HB 753, introduced by Representative Ellinger, relating to minimum sentencing for certain felony offenders.

HB 754, introduced by Representatives Sommer, Hicks, Spencer, Brown and Parkinson, relating to the carrying of concealed firearms.

HB 755, introduced by Representatives Lynch, Pike, Walker, Thomson, Allen, Kratky, Nichols, Webber, Hough, Zerr, Korman, Richardson, Gatschenberger, Miller, Funderburk and Redmon, relating to the licensing of home inspectors.

HB 756, introduced by Representatives Hubbard, Jones (110), Diehl, Webb, Ellington, Smith (85), McCaherty, Gardner, Mims and Kelly (45), relating to prisoner re-entry services.

HB 757, introduced by Representatives Bahr, Spencer and Curtman, relating to the laws of other countries.

HB 758, introduced by Representatives Schieber, Higdon, Wilson, Marshall and Phillips, relating to domestic animals in state parks.

HB 759, introduced by Representatives Jones (50), Diehl, Richardson, Hummel and Webber, relating to alcohol franchise.

HB 760, introduced by Representatives Walton Gray, Curtis, Runions, McKenna, Schieffer, Meredith, Dunn, Conway (10), Pace and Mims, relating to prohibiting publishing of the name of lottery winners.

HB 761, introduced by Representative Walton Gray, relating to false alarm fees in certain cities.

HB 762, introduced by Representatives Gatschenberger, Redmon, Fitzwater, Hampton, Hicks, Fraker, Cornejo and Scharnhorst, relating to the powers and duties of the Missouri electrical industry licensing board.

HB 763, introduced by Representative McGaugh, relating to the political accountability in campaigning act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 23**, entitled:

An act to repeal section 67.1010, RSMo, and to enact in lieu thereof one new section relating to the Pettis county transient guest tax.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 60**, entitled:

An act to repeal section 375.246, RSMo, and to enact in lieu thereof one new section relating to reinsurance, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 120**, entitled:

An act to repeal sections 135.305, 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and to enact in lieu thereof nineteen new sections relating to tax incentives, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, March 4, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 433, HB 564

Executive session may be held on any matter referred to the committee.

The Committee on Agri-Business will also hold a discussion on the Department of Natural Resources.

AGRICULTURE POLICY

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 83, HJR 27, HJR 29, HB 667

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Possible executive session

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 5, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 515, HB 251, HB 493, HB 535, HB 668

Executive session will be held: HB 513

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 5, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 336, HB 348, HB 587, HJR 20, HB 54

Executive session will be held: HJR 20, HB 54

Executive session may be held on any matter referred to the committee.

Committee may reconsider HB 199 using new substitute.

ETHICS

Monday, March 4, 2013, 6:00 PM House Hearing Room 4.

Closed meeting pursuant to the Ethics Committee Rules of Procedure

HEALTH CARE POLICY

Wednesday, March 6, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 457, HCR 13, HB 386

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, March 4, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 52, HB 481, HB 522

Executive session will be held: HB 53, HB 58

Executive session may be held on any matter referred to the committee.

Consent requested on HB 53 & HB 58

INSURANCE POLICY

Monday, March 4, 2013, 12:30 PM 4700 S Providence Road, Columbia, MO.

Executive session may be held on any matter referred to the committee.

Informational meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

LOCAL GOVERNMENT

Monday, March 4, 2013, 1:00 PM House Hearing Room 5.

Public hearing will be held: HB 568, HB 658, HB 643, HB 364, HB 284

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 625

Executive session will be held: HB 625, HB 384, HB 387

Executive session may be held on any matter referred to the committee.

RULES

Monday, March 4, 2013, Upon Afternoon Adjournment House Hearing Room 3.

Executive session will be held: HCS HB 168, HCS HB 178, HCS HB 312, HB 116, HB 428, HB 429, HCR 7, HB 64, HB 409, HB 142, HB 432, HB 112, HCS HB 473, HCS HB 222, HCS HBs 191 & 182, HB 201, HB 423, HB 301, HCS HB 401, HCS HB 215, HB 578, HCS HBs 521 & 579, HCS HB 586, HB 196

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 6, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 293, HB 463, HB 525

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, March 6, 2013, 4:00 PM or Upon Adjournment House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 6, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 182, HB 510, HB 496, HB 495, HB 243

Executive session will be held: SCS SB 182, HB 391

Executive session may be held on any matter referred to the committee.

CORRECTED

TRANSPORTATION

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 130, HB 581

Executive session will be held: HB 445, HB 472, HB 303, HB 304, HB 438

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 599

Executive session may be held on any matter referred to the committee.

Executive session will follow.

CORRECTED

WAYS AND MEANS

Tuesday, March 5, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 536, HB 607, HJR 25

Executive session will be held: HJR 3, HB 149

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTIETH DAY, MONDAY, MARCH 4, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 30

HOUSE BILLS FOR SECOND READING

HB 752 through HB 763

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 4, as amended - Neth
- 2 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HCS HB 117 - Dugger
- 3 HB 227 - Zerr
- 4 HB 152 - Solon

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

SENATE BILLS FOR SECOND READING

- 1 SB 23
- 2 SB 60
- 3 SS SCS SB 120

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 5 - Phillips
- 2 HCR 9 - Curtman

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTIETH DAY, MONDAY, MARCH 4, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Charles Davis.

Our Heavenly Father, we come to You today in our weakness because You are strength. In the book of Isaiah we are told: He giveth power to the faint; and to them that have no might He increaseth strength. Even the youths shall faint and be weary, and the young men shall utterly fall: But they that wait upon the LORD shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; and they shall walk, and not faint.

Give us all strength throughout the week that we might serve the people that elected us to serve, and to serve the One who holds the keys to life and death. For You are a merciful God, full of love, mercy, goodness, kindness and compassion.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-ninth day was approved as printed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch

Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 006

Brown	Butler	Hubbard	McDonald	McGaugh
Schatz				

VACANCIES: 002

HOUSE RESOLUTION

Representative Davis offered House Resolution No. 640.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 633 through House Resolution No. 639
House Resolution No. 641 through House Resolution No. 650

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 30 was read the second time.

SECOND READING OF HOUSE BILLS

HB 752 through **HB 763** were read the second time.

SECOND READING OF SENATE BILLS

SB 23, **SB 60** and **SS SCS SB 120** were read the second time.

COMMITTEE REPORTS

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 60**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 64**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 191 & 182**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 196**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 201**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 222**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 301**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 312**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 401**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 409**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 423**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 432**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 586**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 31, introduced by Representatives Marshall and Schieber, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 764, introduced by Representatives Mims, Ellington, Swearingen, Dunn, Mayfield, Rizzo, LaFaver, McCann Beatty, Runions, Colona, Hubbard, Walton Gray, Morgan, Smith (85) and Gardner, relating to court costs for certain municipal ordinance violations.

HB 765, introduced by Representative Brown, relating to public assistance for illegal aliens.

HB 766, introduced by Representatives Schupp, English, Pace, Burns, Ellinger, Norr, Morgan and Meredith, relating to medical malpractice insurance.

HB 767, introduced by Representatives Jones (50), Funderburk, Molendorp, Neth, Hough, Cierpiot, Hicks, Webber, Zerr, Hampton, Hodges, McGaugh, Hoskins, Korman, Richardson, Colona, Dugger, Elmer and Grisamore, relating to the Manufacturing and Utility Infrastructure Jobs Act.

HB 768, introduced by Representatives English, LaFaver, Hicks, Mayfield, Burns, Kratky, Walton Gray, Fitzwater, Mims, Dunn, Runions, Colona, Norr, Montecillo, Pace, Frame, Hummel, Webb and Schieffer, relating to visually impaired voters.

HB 769, introduced by Representatives Englund, Rowden, Webber, Mims, Mitten and Swearingen, relating to the sale of unclaimed property.

HB 770, introduced by Representative Higdon, relating to the registration of radiology technicians.

HB 771, introduced by Representative Schatz, relating to commercial drivers' licenses.

WITHDRAWAL OF HOUSE BILL

March 4, 2013

Representative Timothy Jones, Speaker
Missouri House of Representatives
State Capitol, Room 308
Jefferson City, MO 65101

Dear Speaker Jones:

I request that **House Bill No. 265** be withdrawn.

Respectfully,

/s/ Rochelle Walton Gray
State Representative
District 75

The following members' presence was noted: Brown, McDonald and Schatz.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, March 5, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 433, HB 564

Executive session may be held on any matter referred to the committee.

The Committee on Agri-Business will also hold a discussion on the Department of Natural Resources.

AGRICULTURE POLICY

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 83, HJR 27, HJR 29, HB 667

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Possible executive session

BUDGET

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HCR 4, HCR 3, HJR 17, HB 183, HB 414

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 5, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 515, HB 251, HB 493, HB 535, HB 668

Executive session will be held: HB 513

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 6, 2013, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 442, HB 653, HB 638, HB 468

Executive session will be held: HB 108, HB 462, HB 577

Executive session may be held on any matter referred to the committee.

AMENDED

ECONOMIC DEVELOPMENT

Tuesday, March 5, 2013, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 484

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 5, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 336, HB 348, HB 587, HJR 20, HB 54

Executive session will be held: HJR 20, HB 54

Executive session may be held on any matter referred to the committee.

Committee may reconsider HB 199 using new substitute.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 470

Executive session will be held: HB 179, HB 76

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 487, HCR 21

Executive session may be held on any matter referred to the committee.

AMENDED

FINANCIAL INSTITUTIONS

Tuesday, March 5, 2013, 6:30 PM 2125 Missouri Blvd, Jefferson City, MO.

FINANCIAL INSTITUTIONS

Wednesday, March 6, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 478, HB 748

Executive session will be held: HB 748

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 356, HB 372, HB 600, HB 641, SCS SBs 10 & 25, HB 533

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 6, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 457, HCR 13, HB 386

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

CANCELLED

INTERNATIONAL TRADE

Wednesday, March 6, 2013, 5:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: HB 621

Executive session will be held: HB 181, HB 253, HB 621

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Tuesday, March 5, 2013, 8:30 AM Senate Lounge.

Committee organizational meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 6, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)
House Hearing Room 1.

Public hearing will be held: HB 102, HB 204, HB 370, HB 375, HB 447, HB 505, HB 566, HB 210

Executive session will be held: HB 371

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 625

Executive session will be held: HB 625, HB 384, HB 387

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 6, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 293, HB 463, HB 525

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, March 6, 2013, 4:00 PM or Upon Adjournment House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 6, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 182, HB 510, HB 496, HB 495, HB 243

Executive session will be held: SCS SB 182, HB 391

Executive session may be held on any matter referred to the committee.

CORRECTED

TRANSPORTATION

Tuesday, March 5, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 130, HB 581

Executive session will be held: HB 445, HB 472, HB 303, HB 304, HB 438

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398, HB 119, HB 601, HB 331

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, March 5, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 599

Executive session may be held on any matter referred to the committee.

CORRECTED

WAYS AND MEANS

Tuesday, March 5, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 536, HB 607, HJR 25

Executive session will be held: HJR 3, HB 149

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS#2 SCS SB 1, HB 164

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIRST DAY, TUESDAY, MARCH 5, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 31

HOUSE BILLS FOR SECOND READING

HB 764 through HB 771

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 4, as amended - Neth

2 HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION

1 HCS HB 169 - Diehl

2 HCS HB 117 - Dugger

3 HB 227 - Zerr

4 HB 152 - Solon

5 HB 64 - Burlison

6 HCS HBs 191 & 182 - Torpey

7 HB 201 - Torpey

8 HCS HB 222 - Austin

9 HB 409 - Love

10 HB 423 - Zerr

11 HCS HB 473 - Funderburk

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 5 - Phillips
- 2 HCR 9 - Curtman

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-FIRST DAY, TUESDAY, MARCH 5, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In Thee, O Lord, do I put my trust: let me never be put to confusion. (Psalm 71:1)

Lord of our lives, we know of no finer way to begin this day than by pausing before You in prayer - and in praying - renew our faith, restore our spirits, and rededicate our lives to You and to the welfare of our beloved state. In these days that call for wisdom, understanding, and good will, may we possess Your spirit or better still - may Your spirit possess us that we may plan with faith, work with courage, and live with love in our hearts.

Grant us and all our people the grace to fearlessly contend against evil, to make no peace with oppression, to be on guard against violence, and may we use our freedom to maintain justice and good will between men and women to the glory of Your Holy Name.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Cadie Buschjost, Kylie Bernskoetter, Aly Alexander, Nita Jones, Jovana Cervantes, Katherine Thompson and Shania Francka.

The Journal of the thirtieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 651 through House Resolution No. 680

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 31 was read the second time.

SECOND READING OF HOUSE BILLS

HB 764 through **HB 771** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 117, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 117** was adopted by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 008

Barnes	Carpenter	Curtis	Ellington	Gardner
May	Mitten	Smith 85		

PRESENT: 000

ABSENT WITH LEAVE: 003

Engler	Grisamore	Hubbard
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VACANCIES: 002

On motion of Representative Dugger, **HCS HB 117** was ordered perfected and printed.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 4, as amended, relating to general assembly term limits, was taken up by Representative Neth.

Representative Neth offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Joint Resolution No. 4, Page 1, Section 8, Line 7, by inserting after said line the following:

‘Section B. The official ballot title for section A of this act shall read as follows:

"Shall the Missouri Constitution be amended to allow a member of the General Assembly to serve the sixteen year maximum in any proportion in either chamber as long as he or she serves no more than sixteen years total?" ’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 2** was adopted.

On motion of Representative Neth, **HJR 4, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 4 - Fiscal Review

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 203**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 47**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 53**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 58**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 175**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 234**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 303** and **HB 304**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 438**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 445**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 345**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 159**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 772, introduced by Representative Haahr, relating to retirement benefits.

HB 773, introduced by Representative Entlicher, relating to elections.

HB 774, introduced by Representatives Redmon, Hampton and Curtman, for the sole purpose of repealing expired, ineffective, and obsolete statutory provisions.

HB 775, introduced by Representatives Hampton, Redmon and Curtman, for the sole purpose of repealing multiple versions of statutes.

HB 776, introduced by Representatives Pace, Hummel, Butler, Schupp, McCann Beatty, English, Otto, Pierson, Black, Montecillo, Swearingen, Nichols, Anders, Hinson, Higdon, Mims, LaFaver, Torpey, McManus and Smith (85), relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties.

HB 777, introduced by Representatives Swearingen, Jones (50), Neth, Berry, Carpenter and Shull, relating to an election for a charter hospital to be governed by Missouri's nonprofit corporation law.

HB 778, introduced by Representatives Kelley (127) and Mims, relating to advertising on state internet web pages.

HB 779, introduced by Representatives McNeil, Pierson, Morgan, Otto, Newman, Nichols and English, relating to the Missouri energy efficiency performance standard.

HB 780, introduced by Representatives Schieffer and Gatschenberger, relating to interest rates on student loans.

HB 781, introduced by Representatives Hough, Kirkton, Barnes, Haahr, Rhoads, LaFaver, Elmer, Lichtenegger, Muntzel, Fitzpatrick, Messenger, Fowler, Jones (50), Richardson, Love, Justus, Lant, Anderson and Ellinger, relating to MO HealthNet-funded home- and community-based care.

HB 782, introduced by Representatives Spencer and Bahr, relating to education system employees.

HB 783, introduced by Representative Diehl, relating to school facilities and equipment.

HB 784, introduced by Representatives Diehl, Jones (110) and Stream, relating to the Missouri Senior Services Protection Fund.

HB 785, introduced by Representatives Anderson, Smith (120), Entlicher, Hurst, Kelley (127), Bahr, Remole, Guernsey, Crawford, Dugger, Lant, Reiboldt, Neely, Rehder, Love, Rowland, Messenger, Fitzpatrick, Ross, Phillips, Brown, Funderburk, Pogue, Walker, Lynch, Houghton, Cox, Franklin, Fitzwater, Redmon and Lichtenegger, relating to confiscated animals.

HB 786, introduced by Representative McDonald, relating to penalties for violations of city ordinances.

WITHDRAWAL OF HOUSE BILL

March 4, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Missouri State Capitol
201 W. Capitol Ave.
Jefferson City, MO 65101

Dear Chief Clerk,

I respectfully request withdrawal of **House Bill No. 583**, which creates the School Safety Trust Fund Act.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

/s/ Jeff Roorda
State Representative
District 113

The following members' presence was noted: Engler and Grisamore.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 11:00 a.m., Wednesday, March 6, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 7, 2013, Upon Morning Adjournment South Gallery.
Issue development committee

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 3.
Executive session will be held: HJR 14
Executive session may be held on any matter referred to the committee.

BUDGET

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HCR 4, HCR 3, HJR 17, HB 183, HB 414
Executive session may be held on any matter referred to the committee.

BUDGET

Thursday, March 7, 2013, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13
Executive session may be held on any matter referred to the committee.
Review of House Committee Substitutes for House Bills 1 through 13

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 6, 2013, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 442, HB 653, HB 638, HB 468
Executive session will be held: HB 108, HB 462, HB 577
Executive session may be held on any matter referred to the committee.
AMENDED

DOWNSIZING STATE GOVERNMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 4.
Public hearing will be held: HCR 23, HB 544, HB 616
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
The committee will conduct an executive session.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 458, HB 470
Executive session will be held: HB 179, HB 76
Executive session may be held on any matter referred to the committee.
AMENDED

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 487, HCR 21

Executive session may be held on any matter referred to the committee.

AMENDED

FINANCIAL INSTITUTIONS

Wednesday, March 6, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 478, HB 748

Executive session will be held: HB 748

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, March 6, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 7, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Wednesday, March 6, 2013, 5:00 PM House Hearing Room 4.

Public hearing will be held: HB 436

Executive session will be held: HB 372, HB 641, HB 533, HB 356

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 6, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 457, HCR 13, HB 386

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Thursday, March 7, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 315, HB 344

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, March 6, 2013, 5:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: HB 621

Executive session will be held: HB 181, HB 253, HB 621

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 6, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 102, HB 204, HB 370, HB 375, HB 447, HB 505, HB 566, HB 210

Executive session will be held: HB 371

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, March 7, 2013, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 74, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 6, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 625, HB 440, HB 448

Executive session will be held: HB 387, HB 290

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 6, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 293, HB 463, HB 525

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, March 6, 2013, 4:00 PM or Upon Adjournment House Hearing Room 3.

Public hearing will be held: HJR 6

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 6, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 182, HB 510, HB 496, HB 495, HB 243

Executive session will be held: SCS SB 182, HB 391

Executive session may be held on any matter referred to the committee.

CORRECTED

TOURISM AND NATURAL RESOURCES

Thursday, March 7, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 585, HB 634, HB 471, HCR 10, HCR 12, HCR 11, HB 570, HB 258, HB 650, HB 306

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 398, HB 119, HB 601, HB 331

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 6, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS#2 SCS SB 1, HB 164

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SECOND DAY, WEDNESDAY, MARCH 6, 2013

HOUSE BILLS FOR SECOND READING

HB 772 through HB 786

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 16 - McCaherty

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 64 - Burlison
- 5 HCS HBs 191 & 182 - Torpey
- 6 HB 201 - Torpey
- 7 HCS HB 222 - Austin
- 8 HB 409 - Love
- 9 HB 423 - Zerr
- 10 HCS HB 473 - Funderburk

HOUSE BILLS FOR PERFECTION - CONSENT

(2/27/2013)

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

(3/6/2013)

- 1 HB 184 - Cox
- 2 HB 196 - Lauer
- 3 HB 301 - Engler
- 4 HB 307 - Riddle
- 5 HCS HB 312 - Thomson
- 6 HCS HB 401 - Shumake
- 7 HB 412 - Reiboldt
- 8 HB 432 - Webb
- 9 HB 542 - Love
- 10 HCS HB 586 - Schieffer
- 11 HB 591 - Hubbard

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 5 - Phillips
- 2 HCR 9 - Curtman

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-SECOND DAY, WEDNESDAY, MARCH 6, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

For you were called to freedom. Brethren; only do not use your freedom as an opportunity for the flesh, but through love be servants of one another. (Galatians 5:13)

Almighty and Everlasting God, in our hearts we bow before You in all reverence and humility, confessing our need of Your forgiving grace and our desire for Your directing guidance. Help us to lift our spirits to You in prayer and praise and give us grace to dedicate our lives anew to You, to our state, and to the welfare of our Missouri citizens.

We pray for the captive peoples of the world - for the oppressed, the downtrodden, the persecuted - those who live in the darkness of fear and death. Grant that they may keep aglow in their hearts the desire for freedom. May they have the courage to endure their trials with faith, the strength to resist temptation with honor, and the spirit that continues to dream of a day when justice and mercy shall rule the hearts of all.

During these days that test our patience may the awareness of Your presence give us steady faith and steadfast love enabling us to assist those in need.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-first day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 681 through House Resolution No. 716

SECOND READING OF HOUSE BILLS

HB 772 through **HB 786** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 16, relating to admissibility of evidence, was taken up by Representative McCaherty.

Representative McCaherty offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Joint Resolution No. 16, Page 1, Section 18(c), Line 8, by inserting after all of said section and line, the following:

‘Section B. The official ballot title for section A of this act shall read as follows:

“Shall the Missouri Constitution be amended so that it will be permissible to allow relevant evidence of prior criminal acts to be admissible in prosecutions for crimes of a sexual nature involving a victim under eighteen years of age?” ’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 1** was adopted.

Representative Colona offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Joint Resolution No. 16, Page 1, Section 18(c), Line 3, by deleting the word "**eighteen**" and inserting in lieu thereof the word "**sixteen**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

On motion of Representative Colona, **House Amendment No. 2** was adopted.

On motion of Representative McCaherty, **HJR 16, as amended**, was ordered perfected and printed.

On motion of Representative Diehl, the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

Representative Leara resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HBs 191 & 182, relating to investment incentives, was taken up by Representative Torpey.

Representative Cierpiot offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 191 & 182, Page 7, Section 348.273, Line 205, by inserting after all of said line the following:

"(6) Before accepting a qualified security a qualified Missouri business shall convey to the department of economic development a two percent equity interest in the business. The department shall refrain from exercising any voting rights in the business while it holds the equity interest.

(7) The department may sell the equity interest at a time it believes is in the economic best interest of the state, but shall not hold the equity interest for more than one year after this section expires.

(8) Any proceeds from the sale of the equity interest shall be used by the department to further the goals of this program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson

Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter	Cornejo	Funderburk	Hubbard	Korman
Reiboldt				

VACANCIES: 002

On motion of Representative Torpey, **HCS HBs 191 & 182, as amended**, was adopted.

On motion of Representative Torpey, **HCS HBs 191 & 182, as amended**, was ordered perfected and printed.

HB 201, relating to a tax credit for a freight line company, was taken up by Representative Torpey.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 201, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"135.1550. 1. Sections 135.1550 to 135.1575 shall be known and may be cited as the "Missouri Export Incentive Act".

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for those in sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) "Airport", any international airport located within the state;

(3) "Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) "Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) "Department", the Missouri department of economic development;

(6) "Direct international aircraft flight", a single aircraft transoceanic flight that operates to an international destination in accordance with the operators bilateral route authority;

(7) "Freight forwarder", a person who assumes responsibility in the ordinary course of business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) "Qualifying outbound flight", a direct international aircraft flight that carries either all cargo or a mix of passengers and cargo from the airport to an international destination.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. If the fiscal year cap on the issuance of air export tax credits provided under section 135.1565 is met in a given fiscal year, then the amount of such tax credits that have been authorized, but remain unissued, shall be carried forward and issued in the subsequent fiscal year.

3. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013, unless authorized by the department. Any amount issued exceeding seven million five hundred thousand dollars in a fiscal year shall be reduced first from the authorized amount for the fiscal year ending June 30, 2021, and then the preceding fiscal years, until all such authorized credits have been issued.

135.1570. If the amount of any tax credit authorized under sections 135.1550 to 135.1575 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except those in sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1550 to 135.1575 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Frame raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Leara requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Hoskins assumed the Chair.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Bernskoetter	Diehl	Hodges	Hubbard	Korman
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VACANCIES: 002

On motion of Representative Torpey, **HB 201, as amended**, was ordered perfected and printed.

HCS HB 222, relating to data storage centers, was taken up by Representative Austin.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Barnes	Bernskoetter	Diehl	Funderburk
Grisamore	Hodges	Hubbard	Korman	Swearingen
Torpey	Mr Speaker			

VACANCIES: 002

On motion of Representative Austin, **HCS HB 222** was adopted.

On motion of Representative Austin, **HCS HB 222** was ordered perfected and printed.

HB 423, relating to the Distressed Areas Land Assemblage Tax Credit Act, was taken up by Representative Zerr.

HB 423 was laid over.

HCS HB 473, relating to gas corporation regulations, was taken up by Representative Funderburk.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 473, Pages 1-2, Section 393.150, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

On motion of Representative Funderburk, **HCS HB 473, as amended**, was adopted.

On motion of Representative Funderburk, **HCS HB 473, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 16 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 191 & 182 - Fiscal Review

HB 201 - Fiscal Review

HCS HB 222 - Fiscal Review

HCS HB 473 - Fiscal Review

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 134**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 179**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 748**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 170**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SBs 10 & 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 457**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 373** and **HB 435**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 374** and **HB 434**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 290**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

ADVANCEMENT OF CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 85**, **HCS HB 128**, **HB 133**, **HB 163**, **HB 212**, **HCS HB 233**, **HB 329** and **HCS HB 349**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 787, introduced by Representatives Richardson, Jones (110), Smith (120), Jones (50), Riddle, Korman, Cox, Guernsey, Curtman, Barnes, Hinson, Ross, Lichtenegger, Conway (104), McCaherty, Fitzwater, Wilson, Hough, Fowler, Fraker, Hansen, Walker, White, Rowden, Rehder, Frederick, Allen, Flanigan, Shumake, Phillips, Solon, Brown, Sommer, McGaugh, Remole, Haefner, Hampton and Kelley (127), relating to the copying and retention of source documents used to obtain driver's licenses and nondriver's licenses.

HB 788, introduced by Representative Funderburk, relating to approval by the public service commission for the sale or transfer of a water or sewer utility.

HB 789, introduced by Representative Funderburk, relating to the public service commission assessment of water and sewer corporations.

HB 790, introduced by Representatives Spencer and Kelley (127), relating to school annexation.

HB 791, introduced by Representative LaFaver, relating to per-pupil costs for educational services for certain school children.

HB 792, introduced by Representatives Schupp, Kirkton, English, Ellinger, Englund, Morgan, Mitten, Hodges, Pace and Burns, relating to mandatory influenza vaccinations, with penalty provisions.

HB 793, introduced by Representatives Rizzo, McManus, Runions, Mims, Ellington and McCann Beatty, relating to political subdivisions.

HB 794, introduced by Representatives Kolkmeier, Dohrman, Shull, Austin, Hansen, Lauer, Gannon, Cross, Spencer, Neely, McGaugh, Entlicher, Anderson, Wilson, Love, Pfautsch, Rowden, Cornejo, Dunn, Curtis, Mayfield, Butler, Hicks, Pike and Lynch, relating to the Amber alert and Silver alert system, with an existing penalty provision.

HB 795, introduced by Representative Kolkmeier, relating to alternative fuel.

HB 796, introduced by Representatives McCann Beatty, Redmon, Nichols, Dunn and Ellinger, relating to real estate appraisers.

HB 797, introduced by Representatives Curtis, Hicks, Mims, Kolkmeier, Mayfield, Pace, Morgan, McNeil, Newman, Pierson, Otto, Butler, Justus, English, Smith (85) and Walton Gray, relating to community children's services funds.

COMMITTEE CHANGE

March 5, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the approval for the request by Rep. Jason Smith, to be removed from the Leadership for Missouri Issue Development Standing Committee.

Please take note of the updated committee member roster.

Sincerely,

/s/ Dwight Scharnhorst
Administration and Accounts, Chair
District 98

The following member's presence was noted: Korman.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, March 7, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-first Day, Tuesday, March 5, 2013, Page 508, Lines 32-33, by deleting the words “with House Committee Substitute”.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, March 7, 2013, Upon Morning Adjournment South Gallery.
Issue development committee

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 3.
Executive session will be held: HJR 14
Executive session may be held on any matter referred to the committee.

BUDGET

Thursday, March 7, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 1 through 13

BUDGET

Monday, March 11, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 1 through 13

BUDGET

Wednesday, March 13, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session may be held on any matter referred to the committee.

Bills to be considered: House Committee Substitutes for House Bills 1 through 13

DOWNSIZING STATE GOVERNMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HCR 23, HB 544, HB 616

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

The committee will conduct an Executive session.

FISCAL REVIEW

Thursday, March 7, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HCS HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HEALTH INSURANCE

Thursday, March 7, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 315, HB 344

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 7, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

CANCELLED

LOCAL GOVERNMENT

Thursday, March 7, 2013, 9:00 AM House Hearing Room 5.

Executive session will be held: HB 74, HB 161

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Monday, March 11, 2013, Upon Evening Adjournment House Hearing Room 3.

Executive session will be held: HB 440, HB 448, HB 625

Executive session may be held on any matter referred to the committee.

RULES

Thursday, March 7, 2013, Upon Morning Adjournment House Hearing Room 7.

Executive session will be held: HCS HB 178, HB 116, HB 346, HCS HB 30, HB 142, HB 112,

HCS HB 215, HB 578, HCS HBs 521 & 579, HCS HB 168, HB 316, HCS HB 79, HB 60,

HCS HB 345, HCS HB 159, HCR 16, HB 53, HCS HB 28, HCS HB 175, HCS HB 58,

HCS HB 203, HB 68, HCS HB 252, HCS HB 235, HCS HB 199, SCS SBs 10 & 25, HCS HB 170

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 7, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 585, HB 634, HB 471, HCR 10, HCR 12, HCR 11, HB 650, HB 306

Executive session may be held on any matter referred to the committee.

AMENDED

HOUSE CALENDAR

THIRTY-THIRD DAY, THURSDAY, MARCH 7, 2013

HOUSE BILLS FOR SECOND READING

HB 787 through HB 797

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 64 - Burlison
- 5 HB 409 - Love
- 6 HB 423 - Zerr

HOUSE BILLS FOR PERFECTION - CONSENT

(3/6/2013)

- 1 HB 184 - Cox
- 2 HB 196 - Lauer
- 3 HB 301 - Engler
- 4 HB 307 - Riddle
- 5 HCS HB 312 - Thomson
- 6 HCS HB 401 - Shumake
- 7 HB 412 - Reiboldt
- 8 HB 432 - Webb
- 9 HB 542 - Love
- 10 HCS HB 586 - Schieffer
- 11 HB 591 - Hubbard

HOUSE JOINT RESOLUTIONS FOR THIRD READING

- 1 HJR 4 - Neth
- 2 HJR 16, (Fiscal Review 3-6-13) - McCaherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HB 117 - Dugger
- 2 HCS HBs 191 & 182, (Fiscal Review 3-6-13) - Torpey
- 3 HB 201, (Fiscal Review 3-6-13) - Torpey
- 4 HCS HB 222, (Fiscal Review 3-6-13) - Austin
- 5 HCS HB 473, (Fiscal Review 3-6-13), E.C. - Funderburk

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 5 - Phillips
- 2 HCR 9 - Curtman

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-THIRD DAY, THURSDAY, MARCH 7, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Finally, my brethren, be strong in the Lord, and in the power of His might. (Ephesians 5:10)

O Lord, Whose spirit is truth and Whose heart is love, we would bring our littleness to Your greatness, our weakness to Your strength, and our bad attitude to Your never-failing good will. As flowers open to the sun, as children turn to their parents in moments of need, so we come lifting our seeking souls to You, praying that we may feel about us the power of Your life and the peace of Your love.

We pray for our Speaker and all the Members of this House. With pressures which tax their resources to the utmost, with duties which demand their attention and absorb their time, with criticisms which come from minds that do not understand, may our people begin to think of these men and women more and more with sympathetic hearts, understanding minds, and supporting spirits.

With this hope, we, the leaders of our people, bow before the altar of Your presence and pray for a greatness of spirit, a purity of heart, and a will to serve You and Missouri with all our being.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 717 through House Resolution No. 733

HOUSE CONCURRENT RESOLUTION

Representative Lynch, et al., offered House Concurrent Resolution No. 28.

SECOND READING OF HOUSE BILLS

HB 787 through **HB 797** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 191 & 182**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 201**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 222**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 473**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HJR 16, relating to admissibility of evidence, was taken up by Representative McCaherty.

Representative Funderburk assumed the Chair.

On motion of Representative McCaherty, **HJR 16** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle

Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Swan	Thomson	Walker	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 023

Colona	Dunn	Ellinger	Ellington	Gardner
Haahr	Kelly 45	Kirkton	May	McCann Beatty
Meredith	Mitten	Montecillo	Morgan	Pace
Pierson	Schupp	Smith 85	Spencer	Swearingen
Walton Gray	Webb	White		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Butler	Hubbard	Korman	Leara
McNeil	Stream	Torpey		

VACANCIES: 002

Representative Funderburk declared the bill passed.

HJR 4, relating to general assembly term limits, was taken up by Representative Neth.

On motion of Representative Neth, **HJR 4** was read the third time and passed by the following vote:

AYES: 121

Allen	Anders	Anderson	Austin	Bahr
Black	Brown	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cornejo	Cox
Crawford	Cross	Curtman	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Lynch	May	McCaherty	McCann Beatty
McDonald	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neth	Newman	Nichols
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Smith 85	Sommer	Spencer

Swan	Swearingen	Thomson	Walker	Walton Gray
Webb	Webber	Wood	Wright	Zerr
Mr Speaker				

NOES: 031

Barnes	Berry	Brattin	Burlison	Carpenter
Cookson	Curtis	Davis	Frame	Frederick
Guernsey	Harris	Hummel	Hurst	Johnson
Marshall	Mayfield	McGaugh	McKenna	Mitten
Neely	Norr	Otto	Roorda	Ross
Schieber	Shumake	Solon	White	Wieland
Wilson				

PRESENT: 000

ABSENT WITH LEAVE: 009

Bernskoetter	Hubbard	Korman	Leara	Love
Shull	Smith 120	Stream	Torpey	

VACANCIES: 002

Representative Funderburk declared the bill passed.

Representative Diehl assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 473, relating to gas corporation regulations, was taken up by Representative Funderburk.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland

Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter	Hubbard	Korman	Leara	Molendorp
Torpey				

VACANCIES: 002

On motion of Representative Funderburk, **HCS HB 473** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeyer	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Montecillo	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 85

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Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Walker	Walton Gray
Webb	Webber	White	Wieland	Wood
Wright	Zerr	Mr Speaker		

NOES: 013

Ellinger	Ellington	Englund	Gardner	Guernsey
Kirkton	Marshall	May	Mitten	Morgan
Newman	Schupp	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Conway 10	Hubbard	Korman	Leara
McNeil	Molendorp	Morris	Scharnhorst	Torpey

VACANCIES: 002

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Allen	Anders	Anderson	Austin	Barnes
Berry	Black	Brown	Burlison	Burns
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kolkmeyer	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna
Meredith	Messenger	Miller	Molendorp	Montecillo
Muntzel	Neely	Nichols	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieffer	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Walker	Webb	Webber	White	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 034

Bahr	Brattin	Butler	Carpenter	Curtman
Dunn	Ellinger	Ellington	Englund	Fitzpatrick
Gardner	Guernsey	Haahr	Hummel	Kirkton
Koenig	Kratky	Marshall	May	McCann Beatty

McDonald	McManus	McNeil	Mims	Mitten
Morgan	Newman	Norr	Otto	Remole
Schieber	Schupp	Walton Gray	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Hubbard	Korman	Leara	Morris
Neth	Scharnhorst	Torpey		

VACANCIES: 002

Speaker Jones resumed the Chair.

HCS HB 117, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 117** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 003

Carpenter Otto Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 007

Bernskoetter Hubbard Jones 50 Korman Leara
May Torpey

VACANCIES: 002

Speaker Jones declared the bill passed.

HOUSE CONCURRENT RESOLUTION**HCR 5**, relating to the designation of Missouri as a purple heart state, was taken up by Representative Phillips.On motion of Representative Phillips, **HCR 5** was adopted by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson

Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bernskoetter	Hubbard	Korman	Leara	Torpey
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VACANCIES: 002

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 30 - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 36 - Crime Prevention and Public Safety
HB 38 - Crime Prevention and Public Safety
HB 59 - Professional Registration and Licensing
HB 71 - Special Standing Committee on Small Business
HB 89 - General Laws
HB 106 - Crime Prevention and Public Safety
HB 109 - Special Standing Committee on Small Business
HB 131 - Health Insurance
HB 132 - Health Insurance
HB 145 - General Laws
HB 156 - Children, Families, and Persons with Disabilities
HB 220 - Judiciary
HB 238 - Judiciary
HB 241 - Special Standing Committee on Corrections
HB 248 - Children, Families, and Persons with Disabilities
HB 264 - Special Standing Committee on Urban Issues
HB 279 - Children, Families, and Persons with Disabilities
HB 283 - Elementary and Secondary Education
HB 308 - Health Insurance
HB 328 - Tourism and Natural Resources
HB 342 - Emerging Issues in Agriculture
HB 393 - Special Standing Committee on Small Business
HB 394 - General Laws
HB 403 - Financial Institutions
HB 421 - Ways and Means

- HB 424** - General Laws
- HB 430** - Workforce Development and Workplace Safety
- HB 449** - Judiciary
- HB 467** - Tourism and Natural Resources
- HB 469** - Judiciary
- HB 486** - Local Government
- HB 498** - Financial Institutions
- HB 500** - Ways and Means
- HB 501** - Utilities
- HB 502** - Utilities
- HB 507** - Downsizing State Government
- HB 508** - Downsizing State Government
- HB 511** - Judiciary
- HB 524** - General Laws
- HB 527** - Downsizing State Government
- HB 551** - Ways and Means
- HB 552** - Judiciary
- HB 556** - Judiciary
- HB 557** - Children, Families, and Persons with Disabilities
- HB 596** - Elementary and Secondary Education
- HB 598** - Health Insurance
- HB 602** - Local Government
- HB 608** - Health Care Policy
- HB 610** - Insurance Policy
- HB 617** - Downsizing State Government
- HB 623** - Judiciary
- HB 626** - Elementary and Secondary Education
- HB 628** - Ways and Means
- HB 635** - Special Standing Committee on Corrections
- HB 642** - Special Standing Committee on Small Business
- HB 651** - Tourism and Natural Resources
- HB 652** - Professional Registration and Licensing
- HB 654** - Insurance Policy
- HB 655** - Transportation
- HB 671** - Economic Development
- HB 674** - General Laws
- HB 679** - Elementary and Secondary Education
- HB 681** - Elementary and Secondary Education
- HB 685** - Professional Registration and Licensing
- HB 689** - Transportation
- HB 690** - Ways and Means
- HB 691** - Elections
- HB 692** - Workforce Development and Workplace Safety
- HB 697** - Judiciary
- HB 699** - Children, Families, and Persons with Disabilities
- HB 701** - Health Insurance
- HB 702** - Veterans

- HB 703** - Crime Prevention and Public Safety
- HB 707** - Children, Families, and Persons with Disabilities
- HB 708** - Children, Families, and Persons with Disabilities
- HB 709** - Children, Families, and Persons with Disabilities
- HB 710** - Children, Families, and Persons with Disabilities
- HB 711** - Children, Families, and Persons with Disabilities
- HB 712** - Children, Families, and Persons with Disabilities
- HB 713** - Children, Families, and Persons with Disabilities
- HB 714** - Children, Families, and Persons with Disabilities
- HB 715** - Transportation
- HB 716** - Children, Families, and Persons with Disabilities
- HB 717** - Children, Families, and Persons with Disabilities
- HB 718** - Children, Families, and Persons with Disabilities
- HB 719** - Children, Families, and Persons with Disabilities
- HB 720** - Children, Families, and Persons with Disabilities
- HB 721** - Children, Families, and Persons with Disabilities
- HB 722** - Retirement
- HB 723** - Children, Families, and Persons with Disabilities
- HB 727** - Children, Families, and Persons with Disabilities
- HB 733** - International Trade
- HB 734** - Financial Institutions
- HB 737** - Retirement
- HB 739** - Tourism and Natural Resources
- HB 740** - Tourism and Natural Resources
- HB 741** - Tourism and Natural Resources
- HB 747** - General Laws
- HB 749** - Judiciary
- HB 751** - Insurance Policy
- HB 754** - General Laws
- HB 756** - Special Standing Committee on Urban Issues
- HB 759** - General Laws
- HB 760** - Local Government
- HB 770** - Professional Registration and Licensing
- HB 771** - Transportation
- HB 774** - Downsizing State Government
- HB 775** - Downsizing State Government
- HB 776** - Crime Prevention and Public Safety
- HB 782** - Retirement
- HB 787** - Government Oversight and Accountability

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 385**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 389**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 253**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 326**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 68**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 142**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 159**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 168**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 178**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 178**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 203**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 203**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 346**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 457**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 521 & 579**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 578**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 10 & 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SBs 10 & 25 - Fiscal Review
HCS SS SCS SBs 20, 15 & 19 - Fiscal Review
SCS SB 89 - General Laws

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 32, introduced by Representative Neth, relating to redistricting of state senatorial and representative districts.

HJR 33, introduced by Representative Ross, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 798, introduced by Representative Walton Gray, relating to liquor control.

HB 799, introduced by Representatives Conway (104), Reiboldt and Fitzwater, relating to sexual exploitation by a clergyperson.

HB 800, introduced by Representatives Pace, Pierson, McNeil, English, Ellinger, Kirkton, Hummel, Walton Gray, Curtis and Zerr, relating to real estate foreclosure.

HB 801, introduced by Representative Barnes, relating to MO HealthNet benefit requirements.

HB 802, introduced by Representatives Jones (50), Kelley (127), Hampton, Brown, Cookson, Lichtenegger, Rowland, Pike, Houghton, Conway (10), Walker, Redmon, Love, Lant, Muntzel, Smith (120), Rowden, Dohrman, Phillips, Wood, Hansen, Diehl, English, Roorda, Fitzpatrick, Lair, Hodges, Black, Thomson, Wilson, Crawford, Miller, Molendorp, Elmer and Hurst, relating to county law enforcement funds.

HB 803, introduced by Representatives Brown, Richardson, Gatschenberger, Barnes, Koenig and Hinson, relating to notification of fines imposed on state departments by the federal government.

HB 804, introduced by Representatives Redmon, Hampton, Fitzwater, Dugger, Houghton, Thomson, Smith (120), Ross and Hansen, relating to the highways and transportation commission.

HB 805, introduced by Representatives Walton Gray, Schieffer, Conway (10), Meredith, Dunn, Runions, Curtis, Pace, McKenna and Mims, relating to prohibiting publishing of the name of lottery winners.

HB 806, introduced by Representative Bahr, relating to the use of radio frequency identification technology in schools.

HB 807, introduced by Representatives Lair, Walker, English, Pike, LaFaver, Kirkton, Kelly (45), Grisamore, Ellinger and Pace, relating to early parole of geriatric inmates.

HB 808, introduced by Representatives Funderburk, Jones (110) and Cookson, relating to teaching certificates.

HB 809, introduced by Representatives Rowden, Remole, Cornejo, Jones (50), Swan, Kelly (45), Wright and Fitzpatrick, relating to tax information.

HB 810, introduced by Representative Butler, relating to the economic-education partnership program.

HB 811, introduced by Representatives Cross, Davis, Lauer, Houghton, Redmon, Fitzwater, Cierpiot, Grisamore, McCaherty, Reiboldt, White, Hicks, Gatschenberger, Pike, Lynch, Phillips, Solon and Fraker, relating to service-disabled veteran business contracts.

HB 812, introduced by Representative Rhoads, relating to synthetic cannabinoids.

HB 813, introduced by Representatives Torpey, Hicks, Zerr, Diehl, Haefner, Swan, Redmon, Cross, Fraker, Kratky, Lauer, Curtis, English, Muntzel, Remole, Wilson and Love, relating to early stage business development corporations.

HB 814, introduced by Representatives Fraker, Redmon, Fitzwater, Dugger, Houghton, Ross, Thomson, Cookson, Swan, Keeney, Muntzel, Remole, Koenig, Richardson, Jones (50), Neely, Messenger, Lant, Franklin, Wood, Morris, Rhoads, Grisamore, Stream, Scharnhorst, Anderson, Hurst, Davis, Reiboldt, Love, Justus, Fitzpatrick, Haahr, Fowler, Cox, Molendorp, Diehl, Cornejo, Cierpiot, Haefner, Elmer, Riddle, Solon, Frederick, Lauer, Berry, Higdon, Austin, Brown, Rowden, Cross, Neth, Phillips, Shull, Walker, Lair, Pike, Lynch, Kolkmeyer, Dohrman, Conway (104), Entlicher, Johnson, Shumake, Rowland, Schieber, Hough, Hinson, Kelley (127), Hampton, Sommer, Spencer, McGaugh, Gannon, Pfautsch, Funderburk, Hicks and Miller, relating to publication of the state manual.

HB 815, introduced by Representative Smith (85), relating to automated speed enforcement systems.

HB 816, introduced by Representatives Smith (85), Pace and Gardner, relating to members of the Missouri house of representatives.

HB 817, introduced by Representatives Ross, Rhoads, Miller, Korman, Dugger, Houghton, Fitzwater, Smith (120), Hough, Anderson, Redmon, Richardson, Fraker, Jones (50), Hampton, Pogue, Curtman, Keeney, Kelley (127), Hicks, Rehder, Parkinson and Kelly (45), relating to information technology services.

HB 818, introduced by Representatives Ross, Smith (120), Rhoads, Dugger, Redmon, Richardson, Barnes, Funderburk, Fraker, Jones (50), Houghton, Hampton, Fitzwater, Pogue, Keeney, Curtman, Brattin, Kelley (127), Anderson, Hicks, Rehder, Miller, Parkinson, Conway (104) and Riddle, relating to a database of firearms and ammunition.

HB 819, introduced by Representative Ross, relating to natural resources.

HB 820, introduced by Representatives Koenig, Lichtenegger and Curtman, relating to a defined contribution plan for elected officials.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 18**, entitled:

An act to repeal sections 33.300, 37.850, and 164.151, RSMo, and to enact in lieu thereof five new sections relating to the transparency and accountability of public funds, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 41**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 73**, entitled:

An act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 102**, entitled:

An act to repeal section 407.300, RSMo, and to enact in lieu thereof one new section relating to scrap metal, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 114**, entitled:

An act to repeal sections 311.055, 311.071, 311.091, 311.200, 311.290, and 316.150, RSMo, and to enact in lieu thereof eight new sections relating to intoxicating liquor, with existing penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 127**, entitled:

An act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet dental benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 129**, entitled:

An act to amend chapter 191, RSMo, by adding thereto six new sections relating to volunteer health services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 164**, entitled:

An act to amend chapter 285, RSMo, by adding thereto one new section relating to employee password protection.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 193**, entitled:

An act to amend chapter 161, RSMo, by adding thereto two new sections relating to the education of gifted and talented children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 199**, entitled:

An act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 208**, entitled:

An act to repeal section 211.036, RSMo, and to enact in lieu thereof one new section relating to reentry into the custody of the children's division.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 240**, entitled:

An act to repeal sections 393.150 and 393.1012, RSMo, and to enact in lieu thereof two new sections relating to ratemaking for gas corporations, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

March 7, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

Pursuant to Rule 25(1)(e), your Committee on Administration and Accounts approved the following Issue Development Standing Committees on March 7, 2013:

- 1) Missouri Sportsmen Issue Development Standing Committee
- 2) Issue Development Standing Committee on Missouri Ports
- 3) Issue Development Standing Committee on Workers' Freedom

Please publish this letter in the Journal of the House, along with the attached roster of appointed members.

Sincerely,

/s/ Dwight Scharnhorst
Administration and Accounts, Chair
District 98

COMMITTEE APPOINTMENTS

MISSOURI SPORTSMEN ISSUE DEVELOPMENT STANDING COMMITTEE

Eric Burlison, Chair
Linda Black, Vice-Chair
Nate Walker
Tim Remole
Mike Lair
Jim Neely
Kenneth Wilson
Nick Marshall
John Mayfield
Jeremy LaFaver
Mike Cierpiot
Gary Cross
Joe Don McGaugh
Jim Hansen
Ed Schieffer
Bart Korman
Jay Houghton
Caleb Rowden
Dave Muntzel
Jeanie Riddle
Rick Brattin
Wanda Brown
David Wood
Tom Hurst
Bryan Spencer
Robert Cornejo
Bill Otto
Mary Nichols
Michele Kratky
Vicki Englund
John McCaherty
Doug Funderburk
Mark Parkinson
Chrissy Sommer
Ron Hicks
Tim Jones
Paul Wieland
TJ McKenna
Ben Harris
Jason Smith
Diane Franklin
Rocky Miller
Randy Pike
Mike Kelley
Sue Entlicher
Sandy Crawford
Jeffrey Messenger
Sonya Anderson
Elijah Haahr
Kevin Austin
Don Phillips
Lynn Morris
Robert Ross

Jeff Pogue
Paul Fitzwater
Shelley Keeney
Donna Lichtenegger
Kathryn Swan
Holly Rehder
Dennis Fowler
Shawn Rhoads
Lyle Rowland
Jeff Justus
Scott Fitzpatrick
Bill White

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI PORTS

Paul Wieland, Chair
John McCaherty, Vice-Chair
T.J. Berry
Lindell Shumake
Jeanie Lauer
Delus Johnson
Kent Hampton
Elaine Gannon
Pat Conway
John Mayfield
Gary Cross
Bonnaye Mims
Joe Runions
Holly Rehder
Randy Dunn

ISSUE DEVELOPMENT STANDING COMMITTEE ON WORKERS' FREEDOM

Holly Rehder, Chair
Donna Lichtenegger, Vice-Chair
Tim Jones
Dave Muntzel
Rocky Miller
Elijah Haahr
Tim Remole
Ron Hicks
Eric Burlison
Kathy Swan
Ron Schieber
Ken Wilson
Rick Brattin
Scott Fitzpatrick
Warren Love
Randy Pike
Kurt Bahr
Shawn Rhoads
Kevin Elmer
Nate Walker
Kevin Austin
Sonya Anderson
Steven Lynch
Jim Hansen
Mike Thomson

Caleb Jones
Casey Guernsey
Andrew Koenig
Joe Don McGaugh
Glen Kolkmeyer
Bill White
Lynn Morris
Todd Richardson
Charlie Davis
Jeff Messenger
Robert Ross
David Wood
Shelley Keeney
Bill Reiboldt
Jay Houghton

COMMITTEE CHANGE

March 7, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the approval for the request by Rep. Mike Bernskoetter, to be removed from the Leadership for Missouri Issue Development Standing Committee.

Please take note of the updated committee member roster.

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts, Chair
District 98

WITHDRAWAL OF HOUSE BILL

March 7, 2013

TO: Speaker Tim Jones
FROM: Representative Diane Franklin
SUBJECT: Request to withdraw **House Bill No. 157**

I respectfully request permission to withdraw **House Bill No. 157**.

If you have any questions or wish to discuss this request further, please feel free to give me a call.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Friday, March 8, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Executive session and informational meeting

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 3.

Executive session will be held: HJR 14

Executive session may be held on any matter referred to the committee.

BUDGET

Monday, March 11, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 1 through 13

BUDGET

Wednesday, March 13, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session may be held on any matter referred to the committee.

Bills to be considered: House Committee Substitutes for House Bills 1 through 13

ELECTIONS

Tuesday, March 12, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 188, HB 588

Executive session will be held: HB 336

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, March 12, 2013, 8:30 AM South Gallery.

Executive session will be held: SCS SBs 10 & 25, HCS SS SCS SBs 20, 15 & 19

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HCS HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

INSURANCE POLICY

Monday, March 11, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 610, HB 654

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 210

Executive session will be held: HB 371, HB 505

Executive session may be held on any matter referred to the committee.

Public testimony to be heard on HB 210

PROFESSIONAL REGISTRATION AND LICENSING

Monday, March 11, 2013, Upon Evening Adjournment House Hearing Room 3.

Executive session will be held: HB 440, HB 448, HB 625

Executive session may be held on any matter referred to the committee.

RULES

Monday, March 11, 2013, Upon Afternoon Adjournment North Gallery.

Executive session will be held: HB 53, HCS HB 58, HB 112, HB 116, HCS HB 134, HCS HB 137, HCS HB 175, HCS HB 199, HB 217, HCS HB 221, HCS HB 235, HCS HB 252, HB 326, HB 362, HCS HBs 373 & 435, HCS HBs 374 & 434, HB 385, HCS HB 446 & HB 211, HB 460

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Monday, March 11, 2013, Upon Evening Adjournment South Gallery.

Executive session will be held: SCS SB 182

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, March 11, 2013, 5:00 PM or Upon Afternoon Adjournment (if after 5:00 PM) House Hearing Room 5.

Public hearing will be held: HB 439, HB 656, HB 756

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Monday, March 11, 2013, 1:30 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 655, HB 689, HB 715, HB 771

Executive session will be held: HB 581, HB 130

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FOURTH DAY, FRIDAY, MARCH 8, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 32 and HJR 33

HOUSE BILLS FOR SECOND READING

HB 798 through HB 820

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 64 - Burlison
- 5 HB 409 - Love
- 6 HB 423 - Zerr
- 7 HCS HB 457 - Jones (110)
- 8 HCS HBs 521 & 579 - Koenig
- 9 HB 578 - Funderburk

HOUSE BILLS FOR PERFECTION - CONSENT

(3/6/2013)

- 1 HB 184 - Cox
- 2 HB 196 - Lauer
- 3 HB 301 - Engler
- 4 HB 307 - Riddle
- 5 HCS HB 312 - Thomson
- 6 HCS HB 401 - Shumake
- 7 HB 412 - Reiboldt
- 8 HB 432 - Webb
- 9 HB 542 - Love

- 10 HCS HB 586 - Schieffer
- 11 HB 591 - Hubbard

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

SENATE BILLS FOR SECOND READING

- 1 SB 18
- 2 SB 41
- 3 SB 73
- 4 SB 102
- 5 SS SCS SB 114
- 6 SB 127
- 7 SS SCS SB 129
- 8 SCS SB 164
- 9 SB 193
- 10 SB 199
- 11 SB 208
- 12 SCS SB 240

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9 - Curtman
- 2 HCR 7 - Pfautsch

SENATE BILLS FOR THIRD READING

- 1 SCS SBs 10 & 25, (Fiscal Review 3-7-13) - Burlison
- 2 HCS SS SCS SBs 20, 15 19, (Fiscal Review 3-7-13), E.C. - Burlison

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, FRIDAY, MARCH 8, 2013

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 32 and **HJR 33** were read the second time.

SECOND READING OF HOUSE BILLS

HB 798 through **HB 820** were read the second time.

SECOND READING OF SENATE BILLS

SB 18, SB 41, SB 73, SB 102, SS SCS SB 114, SB 127, SS SCS SB 129, SCS SB 164, SB 193, SB 199, SB 208 and **SCS SB 240** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 821, introduced by Representatives Montecillo, Hinson, Rowland, Webb, Fitzwater, McCann Beatty, Hummel, Rizzo, Kelly (45), McCaherty, Barnes, Lair, Cierpiot, Redmon, Stream and Thomson, relating to elementary and secondary education.

HB 822, introduced by Representatives Kirkton, English, Morgan, Pace and Newman, relating to the Missouri universal health assurance program.

HB 823, introduced by Representatives Kirkton and McNeil, relating to deductions for federal income tax liability.

The following members' presence was noted: Elmer, Frame, Gatschenberger, Kelley (127), Mayfield, Montecillo and Wood.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, March 11, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

The Committee on Agri-Business will continue discussions on Department of Natural Resources.

AGRICULTURE POLICY

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Executive session and informational meeting

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 3.

Executive session will be held: HJR 14

Executive session may be held on any matter referred to the committee.

BUDGET

Monday, March 11, 2013, 12:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review of House Committee Substitutes for House Bills 1 through 13

BUDGET

Wednesday, March 13, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 12, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 156, HB 279, HB 557, HB 248, HB 699, HB 723, HB 727

Executive session will be held: HB 31, HB 101, HB 107, HB 251, HB 343, HB 402, HB 493, HB 515, HB 535, HB 668

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 12, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 188, HB 588

Executive session will be held: HB 336

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, March 12, 2013, 8:30 AM South Gallery.

Executive session will be held: SCS SBs 10 & 25, HCS SS SCS SBs 20, 15 & 19

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 11, 2013, 12:00 PM House Hearing Room 1.

Public hearing will be held: HB 787

Executive session may be held on any matter referred to the committee.

A portion of this hearing will include public testimony regarding the Department of Revenue's document retention policy on driver's licenses and CCW permits.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 47, HB 72, HCS HB 257, HB 274

Executive session may be held on any matter referred to the committee.

CANCELLED

HIGHER EDUCATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 673

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, March 11, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: HB 610, HB 654

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 210

Executive session will be held: HB 371, HB 505

Executive session may be held on any matter referred to the committee.

Public testimony to be heard on HB 210

PROFESSIONAL REGISTRATION AND LICENSING

Monday, March 11, 2013, Upon Evening Adjournment House Hearing Room 3.

Executive session will be held: HB 440, HB 448, HB 625

Executive session may be held on any matter referred to the committee.

RULES

Monday, March 11, 2013, Upon Afternoon Adjournment North Gallery.

Executive session will be held: HB 53, HCS HB 58, HB 112, HB 116, HCS HB 134, HCS HB 137, HCS HB 175, HCS HB 199, HB 217, HCS HB 221, HCS HB 235, HCS HB 252, HB 326, HB 362, HCS HBs 373 & 435, HCS HBs 374 & 434, HB 385, HCS HB 446 & HB 211, HB 460

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Monday, March 11, 2013, Upon Evening Adjournment South Gallery.

Executive session will be held: SCS SB 182

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, March 11, 2013, 5:00 PM or Upon Afternoon Adjournment (if after 5:00 PM) House Hearing Room 5.

Public hearing will be held: HB 439, HB 656, HB 756

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Monday, March 11, 2013, 1:30 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 655, HB 689, HB 715, HB 771

Executive session will be held: HB 581, HB 130

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIFTH DAY, MONDAY, MARCH 11, 2013

HOUSE BILLS FOR SECOND READING

HB 821 through HB 823

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 64 - Burlison
- 5 HB 409 - Love
- 6 HB 423 - Zerr
- 7 HCS HB 457 - Jones (110)
- 8 HCS HBs 521 & 579 - Koenig
- 9 HB 578 - Funderburk

HOUSE BILLS FOR PERFECTION - CONSENT

(3/6/2013)

- 1 HB 184 - Cox
- 2 HB 196 - Lauer
- 3 HB 301 - Engler
- 4 HB 307 - Riddle
- 5 HCS HB 312 - Thomson
- 6 HCS HB 401 - Shumake
- 7 HB 412 - Reiboldt
- 8 HB 432 - Webb
- 9 HB 542 - Love
- 10 HCS HB 586 - Schieffer
- 11 HB 591 - Hubbard

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9 - Curtman
- 2 HCR 7 - Pfautsch

SENATE BILLS FOR THIRD READING

- 1 SCS SBs 10 & 25, (Fiscal Review 3-7-13) - Burlison
- 2 HCS SS SCS SBs 20, 15 & 19, (Fiscal Review 3-7-13), E.C. - Burlison

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, MONDAY, MARCH 11, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Linda Black.

Dear Heavenly Father, as we come before You today in this, the House of the people, I ask, Lord, that You remind us that Your Holy Spirit is not confined by the walls of our place of worship, but that Your Spirit is welcome and dwells here in this place to guide our way.

I pray, Father, that Your will, and not our own, will direct our paths and our decisions. That You will remind us daily that it is to further Your kingdom that You have chosen us to lead. You have brought us here from many regions, cities, and the countryside to serve. Let the service of our fellow man be our burning desire; let that service be in the name of the one who sits at the right hand of God.

Remind us, O Lord, that You have resolved us to love one another as Christ also loved us and that Lord, there is only but one Judge who will see that our works are worthy of Your redeeming blood. It is Your name, the Great I AM, who wears the title of Judge of man and we, Lord, are called only to serve.

You are spoken of by many names but to me You are "My Lord." You are the Word, the Rose of Sharon, the Bright and Morning Star, the Lion of the Tribe of Judah and the Cleft of the Rock. Let us all now call You Lord of this place so that we may bring comfort to Your people, that through Your master plan we will bring them hope.

Guide us in wisdom, clear our minds of all unrighteousness, fill us with Your love and grant us Your mercy that we may be worthy of the place that You have called us to serve.

I ask You these things through Christ Jesus' name.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ava Mundy and Isabella Mundy.

The Journal of the thirty-third day was approved as printed.

The Journal of the thirty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 734 through House Resolution No. 760

HOUSE CONCURRENT RESOLUTION

Representative Gannon, et al., offered House Concurrent Resolution No. 29.

SECOND READING OF HOUSE BILLS

HB 821 through **HB 823** were read the second time.

Representative Keeney assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 457, relating to the conscience rights of medical workers, was taken up by Representative Jones (110).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan

Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 001

Smith 120

VACANCIES: 002

On motion of Representative Jones (110), **HCS HB 457** was adopted by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 042

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 001

Smith 120

VACANCIES: 002

Representative Hummel requested a verification of the roll call on the motion to adopt **HCS HB 457**.

On motion of Representative Jones (110), **HCS HB 457** was ordered perfected and printed by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 042

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 001

Smith 120

VACANCIES: 002

Speaker Jones resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 745 - Higher Education

HB 813 - Special Standing Committee on Small Business

COMMITTEE REPORTS

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 322**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 194**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 824, introduced by Representative Guernsey, relating to local hospitals.

HB 825, introduced by Representative Morgan, relating to motor vehicle driver responsibility.

HB 826, introduced by Representatives Wood, Rhoads, Houghton, Miller, Bernskoetter and Korman, relating to the sale of drug substitutes.

HB 827, introduced by Representatives Redmon, Hinson, Hicks and Fitzwater, relating to tax exemptions.

HB 828, introduced by Representative Korman, relating to modular unit installers.

HB 829, introduced by Representative Smith (85), relating to the institutional title of institutions of higher education.

HB 830, introduced by Representatives Jones (50), Fitzwater, Haahr and Solon, relating to criminal offenders participating in certain programs provided by the department of corrections.

HB 831, introduced by Representatives Jones (50), Schatz, Leara, Elmer, Houghton, Gosen, Barnes, Jones (110), Cornejo and Richardson, relating to abuse of a child.

HB 832, introduced by Representatives Korman, Jones (110), Smith (120), Torpey, Hoskins, Spencer, Love, Riddle, Wood, Brown and Neely, relating to a sales tax holiday.

HB 833, introduced by Representatives Rowden, Torpey, Remole, Jones (50), Swan, Kelly (45), Fitzpatrick and Curtis, relating to the MissouriLink Network Coalition.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 36**, entitled:

An act to repeal sections 211.071 and 211.073, RSMo, and to enact in lieu thereof three new sections relating to juvenile criminal offenders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 90**, entitled:

An act to repeal section 77.030, RSMo, and to enact in lieu thereof one new section relating to terms for councilmen in third class cities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 148**, entitled:

An act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of salvage certificate of titles or junking certificates to insurance companies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 157**, entitled:

An act to repeal sections 407.300, 407.302, and 407.303, RSMo, and to enact in lieu thereof three new sections relating to scrap metal, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 218**, entitled:

An act to repeal sections 8.012 and 253.048, RSMo, and to enact in lieu thereof two new sections relating to the display of the Honor and Remember flag at state buildings and state parks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 234**, entitled:

An act to repeal section 337.715, RSMo, and to enact in lieu thereof one new section relating to marital and family therapists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 236**, entitled:

An act to repeal section 43.265, RSMo, and to enact in lieu thereof one new section relating to the highway patrol's motor vehicle, aircraft, and watercraft revolving fund.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, March 12, 2013.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jeff Grisamore, District 34, hereby state and affirm that my vote to approve the Journal of the House for the twenty-third day, Monday, February 18, 2013 as recorded in the Journal of the House for the twenty-fourth, Tuesday, February 19, 2013 was incorrectly recorded as Absent with Leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as yes.

DOWNSIZING STATE GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 775, HB 774, HB 617, HB 527, HB 508, HB 507

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 12, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 188, HB 588

Executive session will be held: HB 336

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 50, HJR 22

Executive session will be held: HB 458, HB 470

Executive session may be held on any matter referred to the committee.

Executive session will conclude at 8:30 AM.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 342

Executive session will be held: HB 487

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 498

Executive session will be held: HB 478

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, March 12, 2013, 8:30 AM South Gallery.

Executive session will be held: SCS SBs 10 & 25, HCS SS SCS SBs 20, 15 & 19

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, March 13, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 14, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HCR 25, HB 759, HB 555, HB 341, HB 597, HB 424

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HJR 19, HB 400, HB 351, HB 324

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 131, HB 132, HB 701

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, March 12, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 673

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, March 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 733

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)
House Hearing Room 1.

Public hearing will be held: HB 210

Executive session will be held: HB 371, HB 505

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 643, HB 486, HB 602, HB 254, HB 760

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 14, 2013, 9:00 AM House Hearing Room 1.
Public hearing will be held: HB 129, HB 418, HB 313, HB 353, HB 722
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 13, 2013, 8:45 AM North Gallery.
Executive session will be held: HB 354, HB 525
CORRECTED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Tuesday, March 12, 2013, 9:30 AM South Gallery.
Executive session will be held: SCS SB 182
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 3.
Annual Joint Meeting of House Tourism and Natural Resources Committee and Senate Jobs,
Economic Development and Local Government Committee.
Presentation by the Division of Tourism

TRANSPORTATION

Tuesday, March 12, 2013, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 655, HB 689, HB 715, HB 771
Executive session will be held: HB 581, HB 130
Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 7.
Executive session will be held: HB 331, HB 398, HB 601
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, March 12, 2013, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 208
Executive session will be held: HB 149, HB 255, HB 536, HJR 3, HJR 25
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 13, 2013, 7:30 AM House Hearing Room 5.
Public hearing will be held: HB 164, HB 404
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2013

HOUSE BILLS FOR SECOND READING

HB 824 through HB 833

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 64 - Burlison
- 5 HB 409 - Love
- 6 HB 423 - Zerr
- 7 HCS HBs 521 & 579 - Koenig
- 8 HB 578 - Funderburk

HOUSE BILLS FOR PERFECTION - CONSENT

(3/6/2013)

- 1 HB 184 - Cox
- 2 HB 196 - Lauer
- 3 HB 301 - Engler
- 4 HB 307 - Riddle
- 5 HCS HB 312 - Thomson
- 6 HCS HB 401 - Shumake
- 7 HB 412 - Reiboldt
- 8 HB 432 - Webb
- 9 HB 542 - Love
- 10 HCS HB 586 - Schieffer
- 11 HB 591 - Hubbard

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin
- 4 HCS HB 457 - Jones (110)

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown

SENATE BILLS FOR SECOND READING

- 1 SCS SB 36
- 2 SB 90
- 3 SB 148
- 4 SCS SB 157
- 5 SB 218
- 6 SB 234
- 7 SB 236

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 9 - Curtman
- 2 HCR 7 - Pfautsch

SENATE BILLS FOR THIRD READING

- 1 SCS SBs 10 & 25, (Fiscal Review 3-7-13) - Burlison
- 2 HCS SS SCS SBs 20, 15 & 19, (Fiscal Review 3-7-13), E.C. - Burlison

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 12, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Therefore I tell you, whatever you ask in prayer, believe that you receive it, and you will. (Mark 11:24)

Eternal God, we pause in Your presence this moment praying that Your spirit may come anew into our hearts and into the hearts of all our people. May we not only hear the cry of humanity for justice and freedom, but may we heed it. May violence cease, may understanding between the peoples increase, may intelligent good will prevail and may the needs of the poor be met, that there be no cause for bitterness and hatred.

We pray that everyone may have a chance to grow, to work and to live, that our state may be in deed and in truth the home of the brave, the land of the free, with liberty and justice for all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hayden Altena, Page Bedsworth, Perry Brummett, Matthew Caszett, Nathan Drywater, Ashlee Geisler, Mikayla Glass, Daniel Kang, Madisyn Logan, Claire Reisner, Christina Sherman, Anna Tharakan, Kylie Swearingen and Laura Crossno.

The Journal of the thirty-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 761 through House Resolution No. 771

HOUSE CONCURRENT RESOLUTION

Representative Dunn, et al., offered House Concurrent Resolution No. 30.

SECOND READING OF HOUSE BILLS

HB 824 through **HB 833** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 36, SB 90, SB 148, SCS SB 157, SB 218, SB 234 and SB 236 were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 9, relating to a Federal Reserve Bank audit, was taken up by Representative Curtman.

On motion of Representative Curtman, **HCR 9** was adopted by the following vote:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 036

Burns	Butler	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Gardner	Hubbard
Hummel	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 003

Newman Smith 120 Wood

VACANCIES: 002

HCR 7, relating to the State Historical Society of Missouri, was taken up by Representative Pfautsch.

Representative Neth assumed the Chair.

On motion of Representative Pfautsch, **HCR 7** was adopted.

THIRD READING OF HOUSE BILL

HCS HB 457, relating to the conscience rights of medical workers, was taken up by Representative Jones (110).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty

McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Dunn	Grisamore	Newman	Smith 120	Wood
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VACANCIES: 002

On motion of Representative Jones (110), **HCS HB 457** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 041

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore Newman Smith 120 Wood

VACANCIES: 002

Representative Neth declared the bill passed.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

Representative Diehl suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 101

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Burlison	Butler	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Funderburk	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	McCaherty	McKenna	Messenger	Miller
Mims	Morris	Muntzel	Neth	Norr
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Rowden	Rowland
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Stream	Swan
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 001

Smith 85

PRESENT: 047

Anders	Bahr	Black	Brown	Burns
Carpenter	Colona	Conway 10	Ellington	English
Englund	Frederick	Gardner	Gatschenberger	Hansen
Harris	Higdon	Hubbard	Hummel	Kelly 45
Kirkton	LaFaver	Leara	Marshall	May

Mayfield	McCann Beatty	McDonald	McGaugh	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Nichols	Otto	Pace	Pierson	Roorda
Runions	Spencer	Swearingen	Walton Gray	Webb
Webber	Wright			

ABSENT WITH LEAVE: 012

Crawford	Hodges	Koenig	Molendorp	Neely
Newman	Ross	Scharnhorst	Smith 120	Thomson
Torpey	Wood			

VACANCIES: 002

PERFECTION OF HOUSE BILLS

HB 64, relating to a deduction for political donations, was taken up by Representative Burlison.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 64, Section 130.028, Page 3, Line 30, by deleting said line and inserting in lieu thereof the following:

"4. A labor organization, directly or through another person or through an employer, may"; and

Further amend said section and page, Lines 38-40, by deleting all of said lines and inserting in lieu thereof the following:

"to the contribution in writing annually. Nothing in this subsection shall be"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 64, Page 1, Lines 7-10, by deleting all of said lines and inserting in lieu thereof the following:

‘Further amend said section and page, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"covered under subdivision (3) of section 192.800, unless an employee is required to be a member or pay dues, fees, assessments, or any other similar charges however denominated, to that association. Nothing in this subsection shall be"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rowden
Rowland	Scharnhorst	Schatz	Shull	Shumake
Solon	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Zerr
Mr Speaker				

NOES: 055

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Higdon	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Sommer	Swearingen
Walton Gray	Webb	Webber	Wieland	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 10	Cornejo	Engler	Gatschenberger	Hodges
Newman	Ross	Schieber	Smith 120	Wood

VACANCIES: 002

Representative Barnes assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Rehmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Sommer		

VACANCIES: 002

On motion of Representative Brattin, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 086

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Lair	Lant	Leara	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Spencer	Stream	Swan
Thomson	Walker	White	Wilson	Wood
Mr Speaker				

NOES: 067

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Cross
Curtis	Dunn	Ellinger	Ellington	English
Englund	Frame	Gannon	Gardner	Harris
Higdon	Hinson	Hubbard	Hummel	Kelly 45
Kirkton	Korman	Kratky	LaFaver	Lauer
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Nichols	Norr	Otto	Pace	Pfautsch
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Solon	Sommer	Swearingen
Torpey	Walton Gray	Webb	Webber	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Engler	Funderburk	Gatschenberger	Hodges
Newman	Rowden	Smith 120		

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Cornejo	Cox	Frame	Funderburk	Gannon
Gatschenberger	Hodges	Kolkmeier	Newman	Smith 120
Stream				

VACANCIES: 002

On motion of Representative Burlison, **HB 64, as amended**, was ordered perfected and printed by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Shull	Shumake	Spencer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 062

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gannon	Gardner	Harris	Higdon	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieber	Schieffer
Schupp	Smith 85	Solon	Sommer	Swearingen
Torpey	Walton Gray	Webb	Webber	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 006

Cornejo	Gatschenberger	Hodges	Korman	Newman
Smith 120				

VACANCIES: 002

HB 409, relating to prevailing wages, was taken up by Representative Love.

Representative Stream offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 409, In the Title, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof "relating to prevailing wages."; and

Further amend said bill, Section 290.210, Page 1, Lines 1-14, by deleting all of said lines and inserting in lieu thereof the following:

"290.210. As used in sections 290.210 to 290.340, unless the context indicates otherwise:

(1) "Construction" includes construction, reconstruction, [improvement,] enlargement, [alteration,] **and** painting and decorating **done as part of any of the foregoing**, or major repair]. **Construction does not include maintenance work.**

(2) "Department" means the department of labor and industrial relations.

(3) "Locality" means the county where the physical work upon public works is performed, except that if there is not available in the county a sufficient number of competent skilled workmen to construct the public works efficiently and properly, "locality" may include two or more counties adjacent to the one in which the work or construction is to be performed and from which such workers may be obtained in sufficient numbers to perform the work, and that, with respect to contracts with the state highways and transportation commission, "locality" may be construed to include two or more adjacent counties from which workmen may be accessible for work on such construction.

(4) "Maintenance work" means the repair, but not the replacement, of existing facilities **and shall include repairs that restore existing facilities to a previous state or condition or improve the utility or enhance the appearance of existing facilities provided** that [when] the size, type or extent of the existing facilities is not thereby changed or increased. **Maintenance work shall not include major repairs which shall be defined as any work that exceeds the replacement cost of existing facilities.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Engler assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt

Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kirkton	Kratky
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cornejo	Gatschenberger	Hodges	Kelly 45	LaFaver
Newman	Riddle	Smith 120	Spencer	Wood

VACANCIES: 002

On motion of Representative Stream, **House Amendment No. 1** was adopted.

Representative Fraker offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 409, Section 290.210, Pages 1-2, Lines 15-46, by deleting all of said lines and inserting in lieu thereof the following:

"(5) "Prevailing hourly rate of wages" means the wages paid generally, in the locality in which the public works is being performed[, to workmen engaged in work of a similar character including the basic hourly rate of pay and the amount of the rate of contributions irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan or program, and the amount of the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen affected, for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal or state law to provide any of the benefits; provided, that the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations of the department, insofar as sections 290.210 to 290.340 are concerned, may be discharged by the making of payments in cash, by the making of irrevocable contributions to trustees or third persons as provided herein, by the assumption of an enforceable commitment to bear the costs of a plan or program as provided herein, or any combination thereof, where the aggregate of such payments, contributions and costs is not less than the rate of pay plus the other amounts as provided herein]. **The prevailing hourly rate of wages for all counties except for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants,**

any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county shall be deemed:

(a) The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

(b) If no such rate can be determined under paragraph (a) of this subdivision, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;"; and

Further amend said bill, Section 290.262, Page 3, Lines 1-10, by deleting all of said lines and inserting in lieu thereof the following:

"290.262. 1. (1)(a) Except as otherwise provided in section 290.260, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall annually investigate and determine the prevailing hourly rate of wages in each locality for each separate occupational title.

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section.

(c) In determining prevailing rates, for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, the applicable wage rates paid by members of a trade organization designated with a 501(c)(6) tax exempt status by the United States Internal Revenue Service, and the rates that are paid generally within [the locality] any county

of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality[.] ;

(d) For the purposes of this chapter, the wage rates paid by members of a trade organization may be submitted by such trade organization and shall be considered in the aggregate. Any subsequent challenge to the wage rate as determined by the department based upon such data shall not require any member of such trade organization to appear or participate in any administrative action related thereto;

(2) (a) Except as otherwise provided in section 290.260, the prevailing hourly rate of wages for all other counties shall be deemed:

a. The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

b. If no such rate can be determined under subparagraph a of paragraph (a) of subdivision (2) of this subsection, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section;

(c) In determining prevailing rates, the department shall consider the applicable wage rates that are paid generally within the locality, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality"; and

Further amend said section, Page 4, Lines 44-45, by deleting said lines and inserting in lieu thereof the following:

"Any annual wage order made for a particular occupational title in a locality"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Bill No. 409, Page 2, Lines 4-12, by deleting all of said lines and inserting in lieu thereof the following:

"seven hundred thousand inhabitants, and any city not within a county, shall be the state average weekly wage as determined by the department of labor and industrial relations."; and

Further amend said amendment, Pages 3-4, Lines 35-41, and 1-2, by deleting all of said lines and inserting in lieu thereof the following:

"for all other counties shall be the state average weekly wage as determined by the department of labor and industrial relations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 089

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Sommer	Stream	Swan	Thomson	Walker
White	Wilson	Wood	Mr Speaker	

NOES: 059

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Engler	English	Englund	Frame	Gannon
Gardner	Harris	Higdon	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Molendorp	Montecillo	Morgan	Neth	Nichols
Norr	Otto	Pace	Pfautsch	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Solon	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Berry	Conway 10	Cornejo	Funderburk
Gatschenberger	Hodges	Jones 50	Newman	Rowden
Smith 120	Spencer	Swearingen		

VACANCIES: 002

Speaker Jones resumed the Chair.

On motion of Representative Fraker, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 088

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Parkinson	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Sommer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 064

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Engler	English
Englund	Frame	Gannon	Gardner	Harris
Higdon	Hinson	Hubbard	Hummel	Kelly 45
Kirkton	Korman	Kratky	LaFaver	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Molendorp	Montecillo	Morgan	Neth	Nichols
Norr	Otto	Pace	Pfautsch	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Solon	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Spencer	Swearingen	

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Solon	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 044

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	English
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Mayfield
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Carpenter	Cornejo	Ellington	Elmer
Funderburk	Gatschenberger	Higdon	Hodges	Hubbard
Marshall	May	McCann Beatty	Newman	Pace
Shumake	Smith 120	Sommer	Spencer	

VACANCIES: 002

On motion of Representative Love, **HB 409, as amended**, was ordered perfected and printed by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Mr Speaker

NOES: 062

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Gannon	Gardner	Harris	Higdon
Hubbard	Hummel	Kelly 45	Kirkton	Korman
Kratky	LaFaver	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Molendorp	Montecillo
Morgan	Neth	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Funderburk	Gatschenberger	Hodges	Newman
Rowden	Smith 120	Sommer	Spencer	

VACANCIES: 002

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 28 - Veterans

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 651 - Downsizing State Government

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 433**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HB 81**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SBs 10 & 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SBs 20, 15 & 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Higher Education, Chairman Thomson:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 440**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 625**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Small Business, Chairman Torpey reporting:

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **HB 391**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **HB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **SCS SB 182**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 756**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 306**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 471**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 585**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 650**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 581**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 715**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 184, HB 196, HB 301, HB 307, HCS HB 312, HCS HB 401, HB 412, HB 432, HB 542, HCS HB 586 and HB 591.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 834, introduced by Representative Sommer, relating to service dogs.

HB 835, introduced by Representative Sommer, relating to the designation of animal rescue and adoption week.

HB 836, introduced by Representative Guernsey, relating to produce grown at a correctional facility.

HB 837, introduced by Representatives Fraker, Dugger, Redmon, Rowland, Lichtenegger, Burlison, Webb and Messenger, relating to food prepared for fundraising events.

HB 838, introduced by Representatives Wieland, Berry, Barnes, Hummel, Kelly (45) and Roorda, relating to eligibility for supplemental nutrition assistance program benefits.

HB 839, introduced by Representatives McManus, Barnes, Kelly (45), Rizzo and Webber, relating to the Missouri false claims and fraud prevention act.

HB 840, introduced by Representatives Brown, Jones (110), Cox, Gatschenberger, Barnes, Kelley (127), Walker, Smith (120), Kolkmeier, Rehder, Conway (104), Hicks, Redmon, Anderson, Guernsey, Fraker, Koenig, Rhoads, Rowland, Cornejo, Ross, Funderburk, Rowden, Lant, Houghton, Hinson, Cookson, Spencer, Muntzel, Remole, Riddle, Elmer, Keeney, Fitzpatrick, Fitzwater, Hampton, Flanigan, Schieber, Wood, Phillips, McCaherty, Scharnhorst, Frederick, Grisamore, Berry, Curtman, Lauer, Reiboldt, Crawford, Wilson, Schatz, Dugger, Diehl, Burlison, Bahr, Dohrman, Justus, Davis, Lichtenegger, Haefner, Hoskins, Neely and Pike, relating to local department of revenue fee offices.

HB 841, introduced by Representatives Ross, Dugger, Fraker and Reiboldt, relating to tax credits for milk producers.

HB 842, introduced by Representatives Kelley (127), Spencer and Pace, relating to providing cystic fibrosis information to marriage license applicants.

HB 843, introduced by Representatives Kirkton, McDonald, Pace, Ellinger, Hummel, McCann Beatty, Pierson, Walton Gray, Mims, Morgan, LaFaver, Ellington, Dunn and Curtis, relating to individual income tax.

HB 844, introduced by Representatives McNeil, Berry, English, Otto and Carpenter, relating to combined heat and power systems.

HB 845, introduced by Representatives Cornejo, English and Hicks, relating to property exempt from attachment.

HB 846, introduced by Representatives Pfautsch and Gatschenberger, relating to political subdivisions.

HB 847, introduced by Representatives Gardner, Webb, Smith (85), Hough, Dunn, Ellington, Morgan, Mims, Walton Gray, Curtis and Otto, relating to civil contempt for failure to appear for debt collection.

HB 848, introduced by Representative Neth, relating to elections.

HB 849, introduced by Representatives Lant, Cox, Diehl, Phillips and Barnes, relating to model jury instructions.

HB 850, introduced by Representatives McCaherty, May, Otto, Mayfield, Nichols, Hinson, Cross, Fraker, Remole, Montecillo, Redmon, Cierpiot, Berry and Torpey, relating to the bring jobs home act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 5**.

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 5

WHEREAS, under federal Medicaid law, states are required to make disproportionate share hospital (DSH) payments to hospitals for providing health care to a vast number of low-income patients in an attempt to make up for financial losses by hospitals that do not receive payment for services rendered to uninsured patients and because Medicaid provider payment rates are far lower than those payments received by private insurance; and

WHEREAS, also under federal Medicaid law, the federal government reimburses states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage and each state receives an annual DSH allotment; and

WHEREAS, Missouri hospitals reported providing \$1.1 billion in uncompensated care to Missourians in 2011; and

WHEREAS, under the Affordable Care Act (ACA) of 2010, states are mandated to expand Medicaid eligibility for persons with incomes up to 133% of the federal poverty level; however, in June 2012, the United States Supreme Court found such mandate impermissible and now allows each state to decide whether to implement such a Medicaid expansion; and

WHEREAS, under the ACA, under the assumption at the time the law passed that all states were to implement the Medicaid expansion, the federal government is required to reduce more than \$22 billion in DSH payments from 2014 to 2022; and

WHEREAS, it is estimated that Missouri will suffer cuts to both Medicaid and Medicare hospital payments in the amount of \$3.3 billion from 2013 to 2020 with DSH cuts in the amount generally of \$704 million from 2013 to 2019; and

WHEREAS, the federal cuts to DSH hospital payments are set to occur regardless of whether a state has elected to implement the Medicaid expansion under the ACA - a decision the United States Supreme Court found each state has a right to pursue; and

WHEREAS, Missouri hospitals have reported that it will be an "unsustainable situation for hospitals" to absorb more than \$1 billion annually in uncompensated care while facing \$3.3 billion in cuts:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-seventh General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the federal government to continue to reimburse states for a portion of the state's Medicaid DSH expenditures based on each state's federal medical assistance percentage for those states that have chosen not to implement the Medicaid expansion; and

BE IT FURTHER RESOLVED that Governor Nixon work with the federal government to ensure that the reduction to such DSH payments do not occur; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the federal Department of Health and Human Services, each member of the Missouri Congressional delegation, and Governor Jay Nixon.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 26, 11 & 31**, entitled:

An act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 144.010, 144.014, 144.020, 144.021, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.440, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof eighty new sections relating to taxation, with penalty provisions and effective dates for certain sections.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

March 12, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

I would like to notify you of the approval for the request by Rep. Mark Parkinson to be named the Chair of the Leadership for Missouri Issue Development Standing Committee.

Please take note of the updated committee member roster.

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts, Chair

COMMUNICATION

March 12, 2013

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is the Missouri Director of Agriculture; and some of the legislation and amendments that I will be voting on could have a direct impact on our family.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Linda Black
State Representative
District 117

The following member's presence was noted: Newman.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Wednesday, March 13, 2013.

COMMITTEE HEARINGS

BUDGET

Wednesday, March 13, 2013, Upon Morning Adjournment House Hearing Room 3.

Executive session will be held: HB 1, HB 2, HB 3, HB 4, HB 5, HB 6, HB 7, HB 8, HB 9, HB 10, HB 11, HB 12, HB 13

Executive session may be held on any matter referred to the committee.

Bills to be considered: House Committee Substitutes for House Bills 1 through 13

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 589

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 775, HB 774, HB 617, HB 527, HB 508, HB 507

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 50, HJR 22

Executive session will be held: HB 458, HB 470

Executive session may be held on any matter referred to the committee.

Executive session will conclude at 8:30 AM.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 342

Executive session will be held: HB 487

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: HB 498

Executive session will be held: HB 478

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, March 13, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 14, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, March 13, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HJR 19, HB 400, HB 351, HB 324

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, March 14, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 701

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, March 13, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 733

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

1st quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier)
House Hearing Room 1.

Public hearing will be held: HB 210

Executive session will be held: HB 371, HB 505

Executive session may be held on any matter referred to the committee.

Public testimony to be heard on HB 210

LOCAL GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 643, HB 486, HB 602, HB 254, HB 760

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 14, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 129, HB 418, HB 313, HB 353, HB 722

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 13, 2013, 8:45 AM North Gallery.

Executive session will be held: HB 354, HB 525

CORRECTED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 13, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 71, HB 813, HB 393

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 7.

Public hearing will be held: HB 632, HB 264

Executive session will be held: HB 285, HB 656

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 3.

Annual Joint Meeting of House Tourism and Natural Resources Committee and Senate Jobs, Economic Development and Local Government Committee.

Presentation by the Division of Tourism

UTILITIES

Wednesday, March 13, 2013, 8:00 AM House Hearing Room 7.

Executive session will be held: HB 331, HB 398, HB 601

Executive session may be held on any matter referred to the committee.

VETERANS

Wednesday, March 13, 2013, 2:00 PM House Hearing Room 1.

Public hearing will be held: HB 702

Executive session will be held: HB 702

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 13, 2013, 7:30 AM House Hearing Room 5.

Public hearing will be held: HB 164, HB 404

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2013

HOUSE BILLS FOR SECOND READING

HB 834 through HB 850

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HCS HBs 521 & 579 - Koenig
- 6 HB 578 - Funderburk
- 7 HB 316 - Phillips

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- 1 HB 68 - Kelley (127)
- 2 HB 142 - Dugger
- 3 HCS HB 159 - Guernsey
- 4 HB 346 - Molendorp

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin
- 4 HB 64 - Burlison
- 5 HB 409 - Love

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown
- 9 HB 184 - Cox
- 10 HB 196 - Lauer

- 11 HB 301 - Engler
- 12 HB 307 - Riddle
- 13 HCS HB 312 - Thomson
- 14 HCS HB 401 - Shumake
- 15 HB 412 - Reiboldt
- 16 HB 432 - Webb
- 17 HB 542 - Love
- 18 HCS HB 586 - Schieffer
- 19 HB 591 - Hubbard

SENATE BILLS FOR SECOND READING

SS#2 SCS SBs 26, 11 & 31

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 16 - Walton Gray
- 2 HCR 19 - Rowden

SENATE BILLS FOR THIRD READING

- 1 SCS SBs 10 & 25 - Burlison
- 2 HCS SS SCS SBs 20, 15 & 19, E.C. - Burlison

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 13, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Prove all things; hold fast that which is good. (Thessalonians 5:21)

Our Eternal God, our refuge in ages past, our strength for the present hour and our hope for future days, we come to You, conscious of our own failures and faults, but with faith and fortitude, because our trust is in You.

Deliver us from following and walking the weary ways of a worried world. Remove from us all bitterness which blights our lives, all resentment which ruins our dispositions, all pride which makes us intolerant and closes the door to the needs of others.

Grant that in the adventure of building a better state, we may saturate our good ideas with great idealism; we may combine common sense with an uncommon spirit, and we may be confident that light will triumph over darkness, right will win over wrong, and love will outlast hatred. To this end keep us devoted to the light, to the right and to love.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Sierra Casagrand.

The Journal of the thirty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 772 through House Resolution No. 806

SECOND READING OF HOUSE BILLS

HB 834 through **HB 850** were read the second time.

SECOND READING OF SENATE BILL

SS#2 SCS SBs 26, 11 & 31 was read the second time.

THIRD READING OF HOUSE BILL

HB 409, relating to the prevailing hourly rate of wages, was taken up by Representative Love.

Representative Cox assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Bernskoetter	Cornejo	Newman	Parkinson	Smith 120
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VACANCIES: 002

On motion of Representative Love, **HB 409** was read the third time and passed by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Spencer	Stream	Swan
Thomson	Walker	White	Wilson	Wood
Mr Speaker				

NOES: 065

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Gannon	Gardner	Harris	Higdon
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Korman	Kratky	LaFaver	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Neth	Nichols	Norr
Otto	Pace	Pfautsch	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Solon	Sommer	Swearingen	Torpey	Walton Gray
Webb	Webber	Wieland	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 005

Cornejo	Funderburk	Gatschenberger	Newman	Smith 120
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VACANCIES: 002

Representative Cox declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS SCS SBs 20, 15 & 19, relating to certain benevolent tax credits, was taken up by Representative Burlison.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Cornejo Korman Newman Smith 120

VACANCIES: 002

Representative Hummel requested a verification of the roll call on the motion to move the previous question.

On motion of Representative Burlison, **HCS SS SCS SBs 20, 15 & 19** was adopted.

On motion of Representative Burlison, **HCS SS SCS SBs 20, 15 & 19** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Morgan

PRESENT: 000

ABSENT WITH LEAVE: 003

Newman

Smith 120

Torpey

VACANCIES: 002

Representative Cox declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 005

Colona

Gardner

Marshall

May

Morgan

PRESENT: 000

ABSENT WITH LEAVE: 002

Newman Smith 120

VACANCIES: 002

Speaker Jones resumed the Chair.

THIRD READING OF HOUSE BILL

HB 64, relating to a deduction for political donations, was taken up by Representative Burlison.

Representative Barnes assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Nichols

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Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Cornejo	Gatschenberger	McCaherty	Mitten
Newman	Smith 120	Swearingen		

VACANCIES: 002

On motion of Representative Burlison, **HB 64** was read the third time and passed by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Spencer	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Mr Speaker

NOES: 065

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Funderburk	Gannon	Gardner	Harris	Higdon
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Korman	Kratky	LaFaver	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Neth	Nichols	Norr
Otto	Pace	Pfautsch	Pierson	Rizzo
Roorda	Runions	Schieber	Schieffer	Schupp
Smith 85	Solon	Sommer	Torpey	Walton Gray
Webb	Webber	Wieland	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Cornejo	Gatschenberger	Newman	Smith 120
Swearingen				

VACANCIES: 002

Representative Barnes declared the bill passed.

Speaker Jones resumed the Chair.

THIRD READING OF SENATE BILL

SCS SBs 10 & 25, relating to incentives for sporting events, was taken up by Representative Burlison.

On motion of Representative Burlison, **SCS SBs 10 & 25** was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Anderson	Austin	Bernskoetter	Berry
Black	Brown	Burlison	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Jones 50	Justus	Kelley 127	Kelly 45	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Rowden
Runions	Scharnhorst	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Zerr	Mr Speaker			

NOES: 029

Bahr	Barnes	Conway 104	Cookson	Curtman
Dugger	Entlicher	Fitzpatrick	Guernsey	Hinson
Hodges	Johnson	Keeney	Kirkton	Koenig

Marshall	Miller	Montecillo	Parkinson	Pogue
Rehder	Ross	Rowland	Schatz	Schieber
White	Wilson	Wood	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Anders	Brattin	Molendorp	Newman	Smith 120
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VACANCIES: 002

Speaker Jones declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 29 - Tourism and Natural Resources

HCR 30 - Tourism and Natural Resources

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 28 - Workforce Development and Workplace Safety

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 561 - Health Insurance

HB 571 - Children, Families, and Persons with Disabilities

HB 593 - Special Standing Committee on Emerging Issues in Health Care

HB 675 - Elementary and Secondary Education

HB 700 - Government Oversight and Accountability

HB 724 - Health Care Policy

HB 726 - Special Standing Committee on Urban Issues

HB 732 - General Laws

HB 735 - Insurance Policy

HB 736 - Ways and Means

HB 738 - Elementary and Secondary Education

HB 746 - Higher Education

HB 755 - Professional Registration and Licensing

HB 757 - Judiciary

HB 758 - Tourism and Natural Resources

HB 773 - Elections

HB 783 - General Laws

HB 785 - Agriculture Policy

HB 788 - Utilities
HB 789 - Utilities
HB 804 - Government Oversight and Accountability
HB 805 - Local Government
HB 806 - Downsizing State Government
HB 808 - Elementary and Secondary Education
HB 809 - Government Oversight and Accountability
HB 818 - Downsizing State Government
HB 828 - Utilities
HB 831 - Judiciary
HB 833 - Economic Development
HB 850 - International Trade

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 749 - General Laws

COMMITTEE REPORTS

Committee on Budget, Chairman Stream reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 278**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 451**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 470**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 478**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 479**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 498**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 274**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 351**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 400**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 632**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 331**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 702**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 851, introduced by Representative Parkinson, relating to contingency fee limits for contracts between the state and private attorneys.

HB 852, introduced by Representatives Hinson and Walker, relating to ignition interlock device requirements.

HB 853, introduced by Representative Cox, relating to consumer litigation loan transactions.

HB 854, introduced by Representative Burlison, relating to dental assistants.

HB 855, introduced by Representative Gatschenberger, relating to licensing of individuals.

HB 856, introduced by Representatives Morgan, Mims, Runions, Pace, English, McNeil, Curtis and Gardner, relating to a patient protection and hospital worker injury prevention plan.

HB 857, introduced by Representatives Davis, Grisamore, Kelly (45), Lynch, Fitzwater, Solon, Conway (104), Gannon, Anderson, Entlicher, Lichtenegger, Haefner, Hoskins, Fowler, Flanigan, Hough, Elmer and White, relating to the Show Me Heroes Education Fund.

HB 858, introduced by Representatives English, Hicks, Schieffer, Black, Pierson, Kolkmeyer and Pike, relating to the observance of a moment of silence in schools.

HB 859, introduced by Representatives Brattin, McCaherty, Burlison, Bahr, Ross, Rhoads, Haahr, Kelley (127), Anderson, Houghton, Frederick, Solon, Guernsey and Hicks, relating to concealed carry permits.

HB 860, introduced by Representatives Wood, Hurst, Miller, Hicks, Gannon and Pfautsch, relating to the sale or provision of certain commodities to seven director school districts.

HB 861, introduced by Representative Neth, relating to the public school retirement system of Kansas City.

HB 862, introduced by Representatives Hubbard, Jones (110), Diehl, Webb, Gardner, Smith (85), Ellington, May, English, Mims, Pace, Curtis and Walton Gray, relating to the removal of civil court records from automated case management systems.

HB 863, introduced by Representatives Allen, Diehl, Jones (50), Lichtenegger, Zerr, Haefner, Flanigan and Marshall, relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies.

HB 864, introduced by Representatives Carpenter, Hummel, Dunn, Otto, LaFaver, Mayfield, Butler, Swearingen, Kirkton, McNeil, Curtis, Pace, Walton Gray, Mitten, Smith (85), Schupp, Rizzo, Meredith, Ellinger, Morgan and McCann Beatty, relating to taxation.

HB 865, introduced by Representatives Neely, Spencer, Dugger, McGaugh, Entlicher, Frederick and Hansen, relating to removal of deceased voters from voter registration records.

HB 866, introduced by Representative Hinson, relating to legal processes.

HB 867, introduced by Representative Jones (50), relating to prior authorization for providers of medical assistance benefits.

HB 868, introduced by Representative Pfautsch, relating to a plan of maintenance of a private road.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, March 14, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on concurrent resolution in conjunction with HJR 14

DOWNSIZING STATE GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 775, HB 774, HB 617, HB 527, HB 508, HB 507

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, March 14, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, March 14, 2013, Upon Morning Adjournment House Hearing Room 5.

Public hearing will be held: HB 701

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

LOCAL GOVERNMENT

Thursday, March 14, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 643, HB 486, HB 602, HB 254, HB 760

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, March 14, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 129, HB 418, HB 313, HB 353, HB 722

Executive session may be held on any matter referred to the committee.

RULES

Thursday, March 14, 2013, Upon Morning Adjournment House Hearing Room 1.

Executive session will be held: HCS HJR 23, HB 47, HCS HB 58, HCS HB 79, HB 112, HB 116, HCS HB 134, HCS HB 137, HCS HB 161, HB 217, HCS HB 221, HCS HB 235, HB 253, HCS HBs 303 & 304, HCS HB 315, HB 334, HCS HB 343, HB 362, HB 428, HB 429, HB 433, HCS HB 438, HCS HB 440, HCS HB 446 & HB 211, HB 445, HB 448, HB 450, HB 460, HB 510, HB 715, HCS SCS SB 182

Executive session may be held on any matter referred to the committee.

Please be prepared for an executive session on House Appropriation Bills 1-13

VETERANS

Thursday, March 14, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HCR 28

Executive session will be held: HCR 28

Executive session may be held on any matter referred to the committee.

WETLANDS MANAGEMENT ISSUE DEVELOPMENT

Monday, March 25, 2013, 5:30 PM House Hearing Room 2.

Hearing regarding the Missouri Department of Conservation's regulation of bait sales.

Public testimony will be taken.

HOUSE CALENDAR

THIRTY-EIGHTH DAY, THURSDAY, MARCH 14, 2013

HOUSE BILLS FOR SECOND READING

HB 851 through HB 868

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HCS HBs 521 & 579 - Koenig
- 6 HB 578 - Funderburk
- 7 HB 316 - Phillips

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- 1 HB 68 - Kelley (127)
- 2 HB 142 - Dugger
- 3 HCS HB 159 - Guernsey
- 4 HB 346 - Molendorp

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 85 - Kelley (127)
- 2 HCS HB 128 - Sommer
- 3 HB 133 - Gosen
- 4 HB 163 - Fitzpatrick
- 5 HB 212 - Cox
- 6 HCS HB 233 - Leara
- 7 HB 329 - Dugger
- 8 HCS HB 349 - Brown
- 9 HB 184 - Cox
- 10 HB 196 - Lauer
- 11 HB 301 - Engler
- 12 HB 307 - Riddle
- 13 HCS HB 312 - Thomson
- 14 HCS HB 401 - Shumake
- 15 HB 412 - Reiboldt
- 16 HB 432 - Webb
- 17 HB 542 - Love
- 18 HCS HB 586 - Schieffer
- 19 HB 591 - Hubbard

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 16 - Walton Gray
- 2 HCR 19 - Rowden

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, THURSDAY, MARCH 14, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

“Obey My voice,” saith the Lord, “and I will be your God and you shall be My people; and walk in all the ways that I command you, that it may be well with you.” (Jeremiah 7:23)

O Loving God, Who is the spirit of truth and the life of love, as we set out upon another day of work, may Your presence within give us courage and strength and fidelity. Cleansed by Your forgiving grace, we would make our bodies temples of Your spirit, our hearts the dwelling place of Your love, and our minds the center of Your wisdom.

We bring to this altar of prayer ourselves, cluttered up with a lot of little things, and confused at times about what is right and wrong. May the splendor of Your spirit and the glory of Your greatness shame our little thoughts, our petty prejudices, and our unworthy ways. May the vision of what we ought to be, and by Your grace can be, spur us on to do our best for Missouri and for the citizens we represent.

Grant unto each of us an inner greatness of spirit, an inner purity of heart, and an inner nobility of mind. Finally, bless us and keep us safe on spring break!

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kalli Burton, Emily Burton, Olyvia Rowland and Samuel Hodges.

The Journal of the thirty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Courtesy Resolution No. 807 through House Resolution No. 819

SECOND READING OF HOUSE BILLS

HB 851 through **HB 868** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 16, relating to women veterans, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 16** was adopted.

HCR 19, relating to oil development and delivery, was taken up by Representative Rowden.

On motion of Representative Rowden, **HCR 19** was adopted by the following vote:

AYES: 127

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McDonald	McGaugh
McKenna	McManus	Messenger	Miller	Mims
Molendorp	Morris	Muntzel	Neely	Neth
Nichols	Norr	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 023

Burns	Butler	Curtis	Dunn	Ellinger
Ellington	Gardner	Kirkton	LaFaver	May
McCann Beatty	McNeil	Meredith	Mitten	Montecillo
Morgan	Pace	Pierson	Schupp	Smith 85
Swearingen	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brattin	Carpenter	Diehl	Funderburk
Hummel	Jones 50	Kelly 45	Newman	Otto
Zerr				

VACANCIES: 002

Representative Molendorp requested a verification of the roll call on the motion to adopt **HCR 19**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 20, 15 & 19** and has taken up and passed **HCS SS SCS SBs 20, 15 & 19**.

Emergency clause adopted.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SS SCS SBs 20, 15 & 19** and **SS SBs 10 & 25** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS - CONSENT

HB 85, relating to emergency utility response permits, was taken up by Representative Kelley (127).

Representative Hoskins assumed the Chair.

On motion of Representative Kelley (127), **HB 85** was read the third time and passed by the following vote:

AYES: 150

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier

Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brattin	Diehl	Funderburk	Hummel
Jones 50	Kelly 45	Morris	Newman	Zerr
Mr Speaker				

VACANCIES: 002

Representative Hoskins declared the bill passed.

HCS HB 233, relating to state employee benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 233** was read the third time and passed by the following vote:

AYES: 152

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus

McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brattin	Diehl	Funderburk	Hummel
Kelly 45	Newman	Zerr	Mr Speaker	

VACANCIES: 002

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 784 - Ways and Means
HB 794 - Crime Prevention and Public Safety
HB 795 - General Laws
HB 836 - Agriculture Policy
HB 857 - Veterans

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 63**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HB 103**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 132**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 701**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 242**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 621**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 733**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 505**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 178**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 255**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 3**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 4**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 5**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 6**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 7**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 8**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 10**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 11**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 13**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of six hours total debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 47**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 53**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 58**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 60**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 79**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 81**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 116**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 134**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 137**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 199**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 217**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 221**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 235**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 253**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 278**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 303 & 304**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 306**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 315**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 331**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 334**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 362**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 400**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 406**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 428**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 429**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 433**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 438**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 440**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 442**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 445**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 446 & 211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 450**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 451**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 460**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 471**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 478**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 498**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 525**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 568**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 581**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 585**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 625**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 632**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 634**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 650**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 656**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 673**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 702**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 715**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 182**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 869, introduced by Representatives Crawford and Franklin, relating to the designation of a memorial bridge.

HB 870, introduced by Representative Cornejo, relating to the motorcycle safety trust fund.

HB 871, introduced by Representatives Rehder, Lichtenegger, Solon, Miller, Swan, Walker and Hansen, relating to the official state anthem.

HB 872, introduced by Representatives Schatz, Kolkmeier, Korman, Houghton, Frederick, Allen, Muntzel, Brown, Leara, Davis, Bernskoetter, Haefner, Phillips, Flanigan, Ross, Hinson, Elmer, White, Engler, Thomson, Rowden, Fraker, Haahr, Fitzpatrick, Swan, Morris, Rehder, Bahr, Parkinson, Miller, Hicks, Berry, Hansen, Higdon, Curtman, McGaugh, Franklin, Gannon, Pike, Lynch, Walker, Burlison, Keeney, Hurst, Schieber, Gosen and Kelley (127), relating to removal of the renewal requirement for concealed carry endorsements.

HB 873, introduced by Representatives Dunn, Curtis, Mims, Ellinger, Gardner, Morgan, Montecillo, Butler, McNeil, Carpenter, Schupp, McCann Beatty, McManus, Webb, Kirkton, Nichols, Meredith, Smith (85), Pierson, Walton Gray, Runions and Rizzo, relating to higher education tuition policy.

HB 874, introduced by Representatives Richardson, Torpey, Barnes, Houghton, Elmer, Curtman, Schieber, Riddle, Guernsey, Cierpiot, Redmon, Haahr, Cornejo, Ross, Franklin, Hampton, Smith (120), Cookson, Miller, Austin, Fowler, Fraker, Messenger, Berry, Hinson, Korman and Schatz, relating to the Olympic Dream Tax Freedom Act.

HB 875, introduced by Representatives Wieland and Gannon, relating to county public health center sales taxes.

HB 876, introduced by Representative Wieland, relating to first aid training in schools.

HB 877, introduced by Representatives Marshall and Parkinson, relating to veterinary medicine.

HB 878, introduced by Representatives Koenig, Bahr and Wilson, relating to state employee retirement systems.

HB 879, introduced by Representatives Smith (85), Gardner, Ellington, Curtis and Mims, relating to the transfer of college credits.

HB 880, introduced by Representative Guernsey, relating to the department of natural resources.

HB 881, introduced by Representative Guernsey, relating to the department of natural resources.

HB 882, introduced by Representatives McCann Beatty, Mims, Ellington, Schupp, Dunn, Meredith and Morgan, relating to foreclosure notice to tenants.

HB 883, introduced by Representatives McCann Beatty, Mims, Ellington, Schupp, Dunn and Morgan, relating to nonjudicial foreclosure proceedings.

HB 884, introduced by Representatives McCann Beatty, Meredith and Morgan, relating to security deposits.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 14**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

March 14, 2013

The Honorable Tim Jones
Room 308 State Capitol
Jefferson City, MO 65101

Dear Speaker Jones:

I respectfully request that **House Bill No. 595** be withdrawn.

Thank you.

Sincerely,

/s/ Jeanne Kirkton
State Representative
District 91

The following member's presence was noted: Brattin.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Friday, March 15, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Committee meeting between the House Agri-Business Committee and the House Agriculture Policy Committee with a discussion of the Department of Agriculture's Agriculture Tracking Program and Advisory Committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on concurrent resolution in conjunction with HJR 14

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 26, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 571

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 26, 2013, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 588, HB 691, HB 773
Executive session may be held on any matter referred to the committee.
Committee members should be prepared to work on an omnibus bill.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 25, 2013, 9:30 AM House Hearing Room 7.
Public hearing will be held: HB 700
Executive session may be held on any matter referred to the committee.
Committee will recess upon session and will reconvene upon afternoon adjournment.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Tuesday, March 26, 2013, 5:00 PM House Hearing Room 5.
Public hearing will be held: HB 700
Executive session will be held: HB 787
Executive session may be held on any matter referred to the committee.
Further testimony on HB 700 as needed and executive session on HB 787

HIGHER EDUCATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 746, HB 745
Executive session may be held on any matter referred to the committee.
8:00 - 8:20 AM Beth Tankersley-Bankhead, Executive Director of the Missouri College Advising Corps (MCAC) will give the committee an update.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.
First quarter meeting
Please note date change.
CANCELLED

TOURISM AND NATURAL RESOURCES

Monday, March 25, 2013, 1:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
This is meeting is to be a work session for HB 604.

TRANSPORTATION

Tuesday, March 26, 2013, 12:00 PM House Hearing Room 7.
Executive session will be held: HB 771
Executive session may be held on any matter referred to the committee.

WETLANDS MANAGEMENT ISSUE DEVELOPMENT

Monday, March 25, 2013, 5:30 PM House Hearing Room 6.

Hearing regarding the Missouri Department of Conservation's regulation of bait sales.

Public testimony will be taken.

CORRECTED

HOUSE CALENDAR

THIRTY-NINTH DAY, FRIDAY, MARCH 15, 2013

HOUSE BILLS FOR SECOND READING

HB 869 through HB 884

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- | | | |
|----|-----------|---|
| 1 | HCS HB 1 | (Six hours total debate on Perfection) - Stream |
| 2 | HCS HB 2 | (Six hours total debate on Perfection) - Stream |
| 3 | HCS HB 3 | (Six hours total debate on Perfection) - Stream |
| 4 | HCS HB 4 | (Six hours total debate on Perfection) - Stream |
| 5 | HCS HB 5 | (Six hours total debate on Perfection) - Stream |
| 6 | HCS HB 6 | (Six hours total debate on Perfection) - Stream |
| 7 | HCS HB 7 | (Six hours total debate on Perfection) - Stream |
| 8 | HCS HB 8 | (Six hours total debate on Perfection) - Stream |
| 9 | HCS HB 9 | (Six hours total debate on Perfection) - Stream |
| 10 | HCS HB 10 | (Six hours total debate on Perfection) - Stream |
| 11 | HCS HB 11 | (Six hours total debate on Perfection) - Stream |
| 12 | HCS HB 12 | (Six hours total debate on Perfection) - Stream |
| 13 | HCS HB 13 | (Six hours total debate on Perfection) - Stream |

HOUSE BILLS FOR PERFECTION

- | | |
|---|----------------------------|
| 1 | HCS HB 169 - Diehl |
| 2 | HB 227 - Zerr |
| 3 | HB 152 - Solon |
| 4 | HB 423 - Zerr |
| 5 | HCS HBs 521 & 579 - Koenig |
| 6 | HB 578 - Funderburk |
| 7 | HB 316 - Phillips |

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- 1 HB 68 - Kelley (127)
- 2 HB 142 - Dugger
- 3 HCS HB 159 - Guernsey
- 4 HB 346 - Molendorp

(3/15/2013)

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58 - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger
- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin
- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger
- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438 - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer

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- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 128 - Sommer
- 2 HB 133 - Gosen
- 3 HB 163 - Fitzpatrick
- 4 HB 212 - Cox
- 5 HB 329 - Dugger
- 6 HCS HB 349 - Brown
- 7 HB 184 - Cox
- 8 HB 196 - Lauer
- 9 HB 301 - Engler
- 10 HB 307 - Riddle
- 11 HCS HB 312 - Thomson
- 12 HCS HB 401 - Shumake
- 13 HB 412 - Reiboldt
- 14 HB 432 - Webb
- 15 HB 542 - Love
- 16 HCS HB 586 - Schieffer
- 17 HB 591 - Hubbard

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 14 - Stream

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

THIRTY-NINTH DAY, FRIDAY, MARCH 15, 2013

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 820 and House Resolution No. 821

SECOND READING OF HOUSE BILLS

HB 869 through **HB 884** were read the second time.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 885, introduced by Representatives Franklin, Crawford, Walker and Remole, relating to driveaway license plates for salvage dealers.

The following members' presence was noted: Barnes, Butler, Fitzwater, Frame, Hodges, Koenig, Mitten, Montecillo, Muntzel, Pike, Riddle, Rowland, Schieffer, Swearingen and Wood.

ADJOURNMENT

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, March 25, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-eighth Day, Thursday, March 14, 2013, Page 632, Line 5, by inserting immediately after said line the following:

“**Committee on Utilities**, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 601**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.”.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Committee meeting between the House Agri-Business Committee and the House Agriculture Policy Committee with a discussion of the Department of Agriculture’s Agriculture Tracking Program and Advisory Committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on concurrent resolution in conjunction with HJR 14

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 26, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 571

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 26, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 588, HB 691, HB 773

Executive session may be held on any matter referred to the committee.

Committee members should be prepared to work on an omnibus bill.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, March 25, 2013, 9:30 AM House Hearing Room 7.

Public hearing will be held: HB 700

Executive session may be held on any matter referred to the committee.

Committee will recess upon session and will reconvene upon afternoon adjournment.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Tuesday, March 26, 2013, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 700

Executive session will be held: HB 787

Executive session may be held on any matter referred to the committee.

Further testimony on HB 700, as needed, and executive session on HB 787.

HIGHER EDUCATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 746, HB 745

Executive session may be held on any matter referred to the committee.

8:00 - 8:20 AM Beth Tankersley-Bankhead, Executive Director of the Missouri College Advising Corps (MCAC) will give the committee an update.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

RULES

Monday, March 25, 2013, Upon Afternoon Adjournment South Gallery.

Executive session may be held on any matter referred to the committee.

Be prepared for anything referred to the committee.

TOURISM AND NATURAL RESOURCES

Monday, March 25, 2013, 1:00 PM House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

This meeting is to be a work session for HB 604.

TRANSPORTATION

Tuesday, March 26, 2013, 12:00 PM House Hearing Room 7.

Executive session will be held: HB 771

Executive session may be held on any matter referred to the committee.

WETLANDS MANAGEMENT ISSUE DEVELOPMENT

Monday, March 25, 2013, 5:30 PM House Hearing Room 6.

Hearing regarding the Missouri Department of Conservation's regulation of bait sales.

Public testimony will be taken.

CORRECTED

HOUSE CALENDAR

FORTIETH DAY, MONDAY, MARCH 25, 2013

HOUSE BILLS FOR SECOND READING

HB 885

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- | | | |
|----|-----------|---|
| 1 | HCS HB 1 | (Six hours total debate on Perfection) - Stream |
| 2 | HCS HB 2 | (Six hours total debate on Perfection) - Stream |
| 3 | HCS HB 3 | (Six hours total debate on Perfection) - Stream |
| 4 | HCS HB 4 | (Six hours total debate on Perfection) - Stream |
| 5 | HCS HB 5 | (Six hours total debate on Perfection) - Stream |
| 6 | HCS HB 6 | (Six hours total debate on Perfection) - Stream |
| 7 | HCS HB 7 | (Six hours total debate on Perfection) - Stream |
| 8 | HCS HB 8 | (Six hours total debate on Perfection) - Stream |
| 9 | HCS HB 9 | (Six hours total debate on Perfection) - Stream |
| 10 | HCS HB 10 | (Six hours total debate on Perfection) - Stream |
| 11 | HCS HB 11 | (Six hours total debate on Perfection) - Stream |
| 12 | HCS HB 12 | (Six hours total debate on Perfection) - Stream |
| 13 | HCS HB 13 | (Six hours total debate on Perfection) - Stream |

HOUSE BILLS FOR PERFECTION

- | | |
|---|----------------------------|
| 1 | HCS HB 169 - Diehl |
| 2 | HB 227 - Zerr |
| 3 | HB 152 - Solon |
| 4 | HB 423 - Zerr |
| 5 | HCS HBs 521 & 579 - Koenig |
| 6 | HB 578 - Funderburk |
| 7 | HB 316 - Phillips |

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- | | |
|---|-----------------------|
| 1 | HB 68 - Kelley (127) |
| 2 | HB 142 - Dugger |
| 3 | HCS HB 159 - Guernsey |
| 4 | HB 346 - Molendorp |

(3/15/2013)

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58 - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger
- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin
- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger
- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438 - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer
- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 128 - Sommer
- 2 HB 133 - Gosen
- 3 HB 163 - Fitzpatrick
- 4 HB 212 - Cox
- 5 HB 329 - Dugger
- 6 HCS HB 349 - Brown
- 7 HB 184 - Cox
- 8 HB 196 - Lauer
- 9 HB 301 - Engler
- 10 HB 307 - Riddle
- 11 HCS HB 312 - Thomson
- 12 HCS HB 401 - Shumake
- 13 HB 412 - Reiboldt
- 14 HB 432 - Webb
- 15 HB 542 - Love
- 16 HCS HB 586 - Schieffer
- 17 HB 591 - Hubbard

HOUSE BILLS WITH SENATE AMENDMENTS

- SCS HCS HB 14 - Stream

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTIETH DAY, MONDAY, MARCH 25, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Reverend Ronald L. Cain, Bible Way Church, Eldon, Missouri.

Dear Lord, thank You for this land we live in; keep Your hedge of protection around it, and let us remember the men and women in our armed and civil services. Protect and bless them for what they have given, that we can freely assemble here today without fear.

And God, we ask Your blessing upon this great state and upon those gathered here today. Lord, watch over them, and their families this day, and the days to come. Father, keep, lead, guide, and direct them in their important decisions, that the days to come would be even greater than those past, that in the heart of this great nation, all would see Your great hand at work.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-eighth day was approved as corrected by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neth	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon

Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 001

Curtis

ABSENT WITH LEAVE: 011

Ellington	Frame	Gatschenberger	Grisamore	Hough
Hubbard	Kirkton	Neely	Newman	Smith 85
Sommer				

VACANCIES: 002

The Journal of the thirty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 822 through House Resolution No. 945

SECOND READING OF HOUSE BILL

HB 885 was read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1 was taken up by Representative Stream.

HCS HB 1 was laid over.

HCS HB 2 was taken up by Representative Stream.

HCS HB 2 was laid over.

HCS HB 3 was taken up by Representative Stream.

HCS HB 3 was laid over.

HCS HB 4 was taken up by Representative Stream.

HCS HB 4 was laid over.

HCS HB 5 was taken up by Representative Stream.

HCS HB 5 was laid over.

HCS HB 6 was taken up by Representative Stream.

HCS HB 6 was laid over.

HCS HB 7 was taken up by Representative Stream.

HCS HB 7 was laid over.

HCS HB 8 was taken up by Representative Stream.

HCS HB 8 was laid over.

HCS HB 9 was taken up by Representative Stream.

HCS HB 9 was laid over.

HCS HB 10 was taken up by Representative Stream.

HCS HB 10 was laid over.

HCS HB 11 was taken up by Representative Stream.

HCS HB 11 was laid over.

HCS HB 12 was taken up by Representative Stream.

HCS HB 12 was laid over.

HCS HB 13 was taken up by Representative Stream.

HCS HB 13 was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 614 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 418**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 722**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 103**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 178**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 197**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 322**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 336**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 385**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 470**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 505**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 701**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 886, introduced by Representative Bahr, relating to removal of department directors.

HB 887, introduced by Representatives Kelly (45), Barnes, Jones (50) and Scharnhorst, relating to the sale or disclosure of driver record information.

HB 888, introduced by Representative Rowland, relating to the designation of a memorial bridge.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SJR 16**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(d) of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to a temporary tax to improve the state highway system, city streets, county roads and the state transportation system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 29**, entitled:

An act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 125**, entitled:

An act to repeal sections 161.092, 168.221 and 168.291, RSMo, and to enact in lieu thereof two new sections relating to duties of boards of education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 137**, entitled:

An act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for counties to decrease their budgets.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 191**, entitled:

An act to repeal sections 386.170 and 386.180, RSMo, and to enact in lieu thereof two new sections relating to the forms of publication issued by the public service commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 216**, entitled:

An act to repeal section 84.830, RSMo, and to enact in lieu thereof two new sections relating to first responder political activity.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 224**, entitled:

An act to repeal sections 84.480, 84.490, and 84.510, RSMo, and to enact in lieu thereof three new sections relating to the Kansas City police department.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 237**, entitled:

An act to repeal section 392.420, RSMo, and to enact in lieu thereof one new section relating to telecommunications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 241**, entitled:

An act to repeal sections 67.1830, 67.1836, 67.1838, and 67.1842, RSMo, and to enact in lieu thereof nineteen new sections relating to infrastructure facilities deployment.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 294**, entitled:

An act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to public service commission intervention in certain legal proceedings.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

March 25, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the approval for the request by Rep. Bart Korman, to be added to the Missouri Ports Issue Development Standing Committee.

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts Chair
District 98

The following members' presence was noted: Frame, Gatschenberger, Hough, Smith (85) and Sommer.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, March 26, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Committee meeting between the House Agri-Business Committee and the House Agriculture Policy Committee with a discussion of the Department of Agriculture's Agriculture Tracking Program and Advisory Committee.

AGRICULTURE POLICY

Tuesday, March 26, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 836, HB 785

Executive session may be held on any matter referred to the committee.

A presentation will be given by FCS Financial.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on concurrent resolution in conjunction with HJR 14

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 3, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Working meeting - agenda TBA

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, March 26, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: HB 571, HB 716, HB 708

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 26, 2013, 12:32 PM South Gallery.

Executive session will be held: HB 589

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 27, 2013, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 230, HB 703, HB 776, HB 794

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, March 26, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HB 588, HB 691, HB 773

Executive session may be held on any matter referred to the committee.

Committee members should be prepared to work on an omnibus bill.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 808, HJR 22

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 27, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 342

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, March 26, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: SCS SB 89, HB 464, HB 543, HB 747

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Tuesday, March 26, 2013, 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 700

Executive session will be held: HB 787

Executive session may be held on any matter referred to the committee.

Further testimony on HB 700, as needed, and executive session on HB 787

HIGHER EDUCATION

Tuesday, March 26, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 746, HB 745

Executive session may be held on any matter referred to the committee.

8:00 - 8:20 AM Beth Tankersley-Bankhead, Executive Director of the Missouri College Advising Corps (MCAC) will give the committee an update.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 27, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 318, HB 469, HB 480, HB 541, HB 567, HB 594, HB 697

Executive session will be held: HB 371, HB 210

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 241, HB 635

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 593, HB 695

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 258, HB 758, HB 570, HCR 29, HCR 30, HB 739, HB 740, HB 741

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, March 26, 2013, 12:00 PM House Hearing Room 7.

Executive session will be held: HB 771

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, March 27, 2013, 9:00 AM House Hearing Room 7.

Public hearing will be held: HB 788, HB 789, HB 828

Executive session may be held on any matter referred to the committee.

Note the start time will be 9:00 AM instead of 8:00 AM

VETERANS

Tuesday, March 26, 2013, 8:45 AM House Hearing Room 1.

Public hearing will be held: HB 857

Executive session will be held: HB 857

Executive session may be held on any matter referred to the committee.

Breakfast will be provided.

WAYS AND MEANS

Tuesday, March 26, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 690, HB 421

Executive session will be held: HB 607

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 27, 2013, 7:30 AM House Hearing Room 5.

Public hearing will be held: HB 692, HB 614

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FIRST DAY, TUESDAY, MARCH 26, 2013

HOUSE BILLS FOR SECOND READING

HB 886 through HB 888

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1, (Six hours total debate on Perfection) - Stream
- 2 HCS HB 2, (Six hours total debate on Perfection) - Stream
- 3 HCS HB 3, (Six hours total debate on Perfection) - Stream
- 4 HCS HB 4, (Six hours total debate on Perfection) - Stream
- 5 HCS HB 5, (Six hours total debate on Perfection) - Stream
- 6 HCS HB 6, (Six hours total debate on Perfection) - Stream
- 7 HCS HB 7, (Six hours total debate on Perfection) - Stream
- 8 HCS HB 8, (Six hours total debate on Perfection) - Stream
- 9 HCS HB 9, (Six hours total debate on Perfection) - Stream
- 10 HCS HB 10, (Six hours total debate on Perfection) - Stream
- 11 HCS HB 11, (Six hours total debate on Perfection) - Stream
- 12 HCS HB 12, (Six hours total debate on Perfection) - Stream
- 13 HCS HB 13, (Six hours total debate on Perfection) - Stream

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HCS HBs 521 & 579 - Koenig
- 6 HB 578 - Funderburk
- 7 HB 316 - Phillips
- 8 HCS HB 30 - Scharnhorst
- 9 HCS HB 46 - Guernsey
- 10 HB 47 - Cross
- 11 HB 112 - Burlison
- 12 HCS HB 134 - Allen
- 13 HCS HB 137 - Hinson
- 14 HCS HB 168 - Davis
- 15 HB 217 - Cox
- 16 HCS HB 221 - Leara
- 17 HB 253 - Berry
- 18 HCS HB 315 - Rowland
- 19 HB 400 - Riddle
- 20 HB 443 - Hubbard

HOUSE BILLS FOR PERFECTION - CONSENT

(3/13/2013)

- 1 HB 68 - Kelley (127)
- 2 HB 142 - Dugger
- 3 HCS HB 159 - Guernsey
- 4 HB 346 - Molendorp

(3/15/2013)

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58 - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger
- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin
- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger

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- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438 - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer
- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 128 - Sommer
- 2 HB 133 - Gosen
- 3 HB 163 - Fitzpatrick
- 4 HB 212 - Cox
- 5 HB 329 - Dugger
- 6 HCS HB 349 - Brown
- 7 HB 184 - Cox
- 8 HB 196 - Lauer
- 9 HB 301 - Engler
- 10 HB 307 - Riddle
- 11 HCS HB 312 - Thomson
- 12 HCS HB 401 - Shumake

- 13 HB 412 - Reiboldt
- 14 HB 432 - Webb
- 15 HB 542 - Love
- 16 HCS HB 586 - Schieffer
- 17 HB 591 - Hubbard

SENATE JOINT RESOLUTIONS FOR SECOND READING

SS#2 SCS SJR 16

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 29
- 2 SS SCS SB 125
- 3 SB 137
- 4 SCS SB 191
- 5 SB 216
- 6 SCS SB 224
- 7 SB 237
- 8 SS SCS SB 241
- 9 SB 294

SENATE BILLS FOR THIRD READING

HCS SCS SB 182, E.C. - Hough

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 14 - Stream

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-FIRST DAY, TUESDAY, MARCH 26, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be strong and of a good courage; be not afraid, neither be thou dismayed: for the Lord thy God is with thee whithersoever thou goest. (Joshua 1:9)

Our God, in a changing world filled with fear and terror we turn to You in Whose unchanging presence is hope, strength and peace. In this quiet moment of morning prayer may we be lifted above our lower selves into a higher realm where Your spirit is real and we can receive anew the ministry of Your grace.

Forgive our surrender to unworthy compromises and our succumbing to unwarranted concessions. Deliver us from majoring in foolishness and flirting with trivia at this time. May we give our highest thought and best efforts to what is truly important—that out of our creative endeavors may come that which is worthwhile for all the people of Missouri as we debate the budget.

Give to these wonderful Representatives the will to work together for the well-being of our state. Amid the persistent pressures of daily duty may they hear Your voice speaking to them and, responding, to be given the faith to trust You for guidance in the decisions which have to be made and in the work which must be done.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kathy Embry, Lainny Embry, Nick Potter, Mike Potter and Josh Johnson.

The Journal of the fortieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 946 through House Resolution No. 978

SECOND READING OF HOUSE BILLS

HB 886 through **HB 888** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SS#2 SCS SJR 16 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 29, SS SCS SB 125, SB 137, SCS SB 191, SB 216, SCS SB 224, SB 237, SS SCS SB 241 and SB 294 were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1 was taken up by Representative Stream.

Representative Stream moved for the adoption of **HCS HB 1**.

Representative Roorda made a substitute motion that **HCS HB 1** be recommitted to the committee of origin pursuant to Rule 78.

Which motion was defeated by the following vote:

AYES: 047

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

NOES: 110

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Montecillo	Morris	Muntzel	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland

Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Carpenter	Hodges	Neely	Webb
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VACANCIES: 002

HCS HB 1 was laid over.

HCS HB 2 was taken up by Representative Stream.

Representative McNeil offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2, Page 7, Section 2.120, Line 3, by deleting said line in its entirety; and

Further amend said bill, said page, said section, Line 4, by deleting said line in its entirety; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Elmer assumed the Chair.

Representative McNeil moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	

NOES: 111

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Butler	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler

Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McCann Beatty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 006

Haahr	Hodges	Neely	Remole	Runions
Webb				

VACANCIES: 002

Representative Bahr offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2, Page 1, Title Clause, Line 8, by inserting immediately after the word "General" the following:

"and further provided that no funds shall be expended for membership or support of the Smarter Balanced Assessment Consortium, the Partnership for Assessment of Readiness for College and Careers, or any multi-state standard and assessment consortium"; and

Further amend said bill by adjusting section and bill totals accordingly.

Speaker Jones resumed the Chair.

Representative Bahr moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anderson	Bahr	Brattin	Burlison	Cierpiot
Conway 104	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Engler	Entlicher
Fitzpatrick	Fitzwater	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hicks	Jones 50	Justus	Keeney
Koenig	Kolkmeyer	Korman	Lant	Leara
Lichtenegger	Love	Marshall	McCaherty	McGaugh

Morris	Muntzel	Neely	Parkinson	Pogue
Rehder	Richardson	Riddle	Ross	Schieber
Shull	Smith 120	Sommer	Spencer	Swan
Wilson	Zerr	Mr Speaker		

NOES: 097

Allen	Anders	Austin	Barnes	Bernskoetter
Black	Brown	Burns	Butler	Carpenter
Colona	Conway 10	Cookson	Cross	Curtis
Dugger	Dunn	Ellinger	Ellington	Elmer
English	Englund	Flanigan	Fowler	Fraker
Frame	Gannon	Gardner	Grisamore	Hansen
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Kelley 127	Kelly 45	Kirkton	Kratky	LaFaver
Lair	Lauer	Lynch	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Neth	Newman	Nichols
Norr	Otto	Pace	Pfautsch	Phillips
Pierson	Pike	Redmon	Reiboldt	Rhoads
Rizzo	Roorda	Rowden	Rowland	Runions
Schatz	Schieffer	Schupp	Shumake	Smith 85
Solon	Stream	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wood	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Berry	Hodges	Molendorp	Remole	Scharnhorst
Webb				

VACANCIES: 002

Representative Spencer offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2, Page 1, Section 2.005, Line 3, by deleting "1,799,153" and inserting "1,714,153"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Spencer, **House Amendment No. 3** was adopted.

Representative Spencer offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 32, by inserting immediately after said section the following new section:

"2.016. To the Department of Elementary and Secondary Education
For Agricultural Business Education
From General Revenue Fund. \$85,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Spencer, **House Amendment No. 4** was adopted.

HCS HB 2, as amended, was laid over.

HCS HB 3 was taken up by Representative Stream.

HCS HB 3 was laid over.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

MOTION

Speaker Jones moved for unanimous consent that Vice-Chairman Flanigan temporarily handle appropriation bills and amendments on behalf of Budget Chairman Stream in his absence.

Which motion was adopted.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 4 was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 4, Page 3, Section 4.030, Line 4, by deleting "ten" and inserting "twenty-five"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

HCS HB 4, as amended, was laid over.

HCS HB 5 was taken up by Representative Flanigan.

Representative Richardson offered **House Amendment No 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.020, Line 9, by inserting after the word "Constitution" the following:

" , provided that no funds shall be expended for the scanning and retention of source documents in the course of issuing driver licenses and other non-driver identification documents, and further provided that no funds shall be expended for the purchase or use of any photo validation system"; and

Further amend said bill, said section, Line 11, by inserting immediately after the word "Equipment" the following:

" , provided that no funds shall be expended for the scanning and retention of source documents in the course of issuing driver licenses and other non-driver identification documents, and further provided that no funds shall be expended for the purchase or use of any photo validation system"; and

Further amend said bill, said section, Line 14, by inserting immediately after the word "billings" the following:

" , provided that no funds shall be expended for the scanning and retention of source documents in the course of issuing driver licenses and other non-driver identification documents, and further provided that no funds shall be expended for the purchase or use of any photo validation system"; and

Further amend said bill, said section, Line 10, by deleting "42,382,173" and inserting "42,225,637"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.020, Line 15, by inserting immediately thereafter the following:

"For the scanning and retention of source documents in the course of issuing driver licenses and other non-driver identification documents
From General Revenue Fund. 1

For the purchase or use of any photo validation system
From General Revenue Fund.. . . . 1"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Roorda raised a point of order that **House Amendment No. 2** is out of order pursuant to Rule 46.

The Chair ruled the point of order not well taken.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Grisamore offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 5, Page 9, Section 5.160, Line 5, by inserting immediately after the word “awareness”, the word “public”.

On motion of Representative Grisamore, **House Amendment No. 3** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 6 was taken up by Representative Flanigan.

Representative Ross offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 6, Page 10, Section 6.230, Line 9, by deleting "31,027,925" and inserting "30,527,925"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Ross, **House Amendment No. 1** was adopted by the following vote:

AYES: 120

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCahterty	McGaugh	McKenna
Messenger	Miller	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 036

Anders	Black	Burns	Butler	Carpenter
Curtis	Dunn	Ellinger	Ellington	English
Frame	Gardner	Harris	Hubbard	Hummel
LaFaver	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Colona	Hodges	Remole	Stream	Webb
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VACANCIES: 002

Representative Ross offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Line 38, by deleting "975,000" and inserting "1,475,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Ross, **House Amendment No. 2** was adopted.

Representative Schupp offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Line 36, by deleting "1,481,887" and inserting "1,231,887"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Schupp moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Miller offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 6, Page 14, Section 6.295, Line 5, by deleting "800,000" and inserting "720,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Miller, **House Amendment No. 4** was adopted.

HCS HB 6, as amended, was laid over.

HCS HB 7 was taken up by Representative Flanigan.

Representative Miller offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 7, Page 9, Section 7.145, Line 10, by deleting "17,983,346" and inserting "18,063,346"; and

Further amend said bill, said page, Section 7.150, Line 4, by deleting "18,960,573" and inserting "19,040,573"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Miller, **House Amendment No. 1** was adopted.

HCS HB 7, as amended, was laid over.

HCS HB 6, as amended, was again taken up by Representative Flanigan.

HCS HB 6, as amended, was laid over.

HCS HB 7, as amended, was again taken up by Representative Flanigan.

Representative Englund offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 7, Page 8, Section 7.120, Line 4, by deleting "15,802,235" and inserting "15,748,085"; and

Further amend said bill, said page, Section 7.125, Line 4, by deleting "15,259,257" and inserting "15,205,107"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Englund, **House Amendment No. 2** was adopted by the following vote:

AYES: 129

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Davis
Diehl	Dunn	Ellinger	Ellington	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks

Higdon	Hinson	Hoskins	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Morgan	Morris	Muntzel	Neth	Newman
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Reiboldt	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Smith 85	Smith 120
Solon	Sommer	Swan	Thomson	Torpey
Walker	Walton Gray	Webber	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 022

Bahr	Brattin	Brown	Burlison	Cox
Curtman	Dohrman	Dugger	Engler	Fowler
Frame	Haahr	Hough	Koenig	Leara
Montecillo	Parkinson	Rehder	Richardson	Rowland
Spencer	White			

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 10	Franklin	Hodges	Neely	Remole
Scharnhorst	Shumake	Stream	Swearingen	Webb

VACANCIES: 002

Representative Englund offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 7, Page 3, Section 7.015, Line 53, by inserting immediately thereafter the following:

"Section 7.017. To the Department of Economic Development
 For the Small Business Regulatory Fairness Board
 Personal Service. \$48,612
 Expense and Equipment.. . . . 5,538
 From General Revenue Fund (Not to exceed 1.50 F.T.E.).. . . . \$54,150"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Englund moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Fitzpatrick
Frame	Frederick	Funderburk	Gardner	Grisamore
Harris	Hicks	Hinson	Hoskins	Houghton
Hubbard	Hummel	Justus	Kelly 45	Kirkton
Korman	Kratky	LaFaver	Lair	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Neth	Newman	Nichols	Norr	Otto
Pace	Pfausch	Phillips	Pierson	Redmon
Rizzo	Roorda	Runions	Schieffer	Schupp
Shull	Smith 85	Swearingen	Torpey	Walton Gray
Webber	Wright			

NOES: 083

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Higdon	Hough	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Koenig
Kolkmeyer	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Muntzel
Neely	Parkinson	Pike	Pogue	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges	Morris	Remole	Shumake	Stream
Webb				

VACANCIES: 002

HCS HB 7, as amended, was laid over.

HCS HB 8 was taken up by Representative Flanigan.

Representative Korman offered **House Amendment No 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 8, Page 7, Section 8.090, Line 16, by deleting "6,283,085" and inserting "5,833,085"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Korman moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Allen	Anderson	Bahr	Barnes	Berry
Brattin	Burlison	Cierpiot	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Entlicher	Fitzpatrick	Flanigan	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Guernsey
Haahr	Higdon	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Korman	Lant	Leara	Lichtenegger	Marshall
McGaugh	Miller	Morris	Muntzel	Neely
Parkinson	Pogue	Rehder	Reiboldt	Richardson
Riddle	Ross	Rowden	Scharnhorst	Schatz
Schieber	Smith 120	Spencer	Swan	White
Wilson	Mr Speaker			

NOES: 093

Anders	Austin	Bernskoetter	Black	Brown
Burns	Butler	Carpenter	Colona	Conway 10
Conway 104	Cookson	Cross	Curtis	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Fitzwater	Fowler	Fraker	Frame
Gannon	Gardner	Grisamore	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hoskins
Hough	Hubbard	Hummel	Kelly 45	Kirkton
Kolkmeyer	Kratky	LaFaver	Lair	Lauer
Love	Lynch	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Molendorp	Montecillo
Morgan	Neth	Newman	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Rhoads	Rizzo	Roorda
Rowland	Runions	Schieffer	Schupp	Shull
Smith 85	Solon	Sommer	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	Wieland
Wood	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges
Webb

McCaherty

Remole

Shumake

Stream

VACANCIES: 002

HCS HB 8 was laid over.

HCS HB 9 was taken up by Representative Flanigan.

HCS HB 9 was laid over.

HCS HB 10 was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 10, Page 40, Section 10.715, Line 24, by deleting "457.28 F.T.E." and inserting "460.96 F.T.E."; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

Representative Haefner offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 10, Page 7, Section 10.110, Lines 11 and 12, by deleting said lines and inserting in lieu thereof the following:

"For the purpose of reducing recidivism among offenders with serious substance use disorders who are returning to the St. Louis area from Maryville Treatment Center, Ozark Correctional Center, and Northeast Correctional Center. The department shall select a qualified not-for-profit service provider in accordance with state purchasing rules. The provider must have experience serving this population in a correctional setting as well as in the community. The provider shall design and implement an evidence-based program that includes a continuum of services from prison to community, including medication assisted treatment that is initiated prior to release, when appropriate. The program must include an evaluation component to determine its effectiveness relative to other options, with a report to the general assembly after one year of operation. The program shall serve at least 200 offenders in the first year".

On motion of Representative Haefner, **House Amendment No. 2** was adopted.

Representative Hummel offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 10, Page 5, Section 10.070, Line 4, by deleting "1,550,000" and inserting "5,528,792"; and

Further amend said bill, Page 7, Section 10.110, Line 16, by deleting "58,690,788" and inserting "87,007,732"; and

Further amend said bill, Page 10, Section 10.210, Line 16, by deleting "192,721,321" and inserting "212,887,246"; and

Further amend said bill, Page 37, Section 10.695, Line 26, by deleting "431,494,827" and inserting "432,799,602"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Hummel moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Molendorp	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

NOES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber

Shull	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges	Remole	Roorda	Shumake	Stream
Webb				

VACANCIES: 002

HCS HB 10, as amended, was laid over.

HCS HB 11 was taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 11, Page 24, Section 11.440, Line 18, by deleting “62,235,344” and inserting “62,156,654”; and

Further amend said bill, said page, said section, Line 19, by deleting “604,156,232” and inserting “604,028,576”; and

Further amend said bill, Page 25, Section 11.460, Line 15, by deleting “213,548,804” and inserting “213,325,793”; and

Further amend said bill, said page, said section, Line 16, by deleting “453,847,464” and inserting “453,485,682”; and

Further amend said bill, Page 26, Section 11.465, Line 16, by deleting “5,472,706” and inserting “5,462,417”; and

Further amend said bill, said page, said section, Line 17, by deleting “10,510,913” and inserting “10,494,221”; and

Further amend said bill, Page 27, Section 11.475, Line 27, by deleting “2,311,666” and inserting “2,310,746”; and

Further amend said bill, said page, said section, Line 28, by deleting “4,008,566” and inserting “4,007,073”; and

Further amend said bill, Page 28, Section 11.490, Line 15, by deleting “85,910,280” and inserting “85,885,759”; and

Further amend said bill, said page, said section, Line 16, by deleting “161,955,148” and inserting “161,915,368”; and

Further amend said bill, said page, said section, Line 23, by deleting “13,351,094” and inserting “13,349,524”; and

Further amend said bill, said page, said section, Line 24, by deleting “21,671,423” and inserting “21,668,876”; and

Further amend said bill, Page 29, Section 11.505, Line 16, by deleting “327,516,298” and inserting “326,911,299”; and

Further amend said bill, said page, said section, Line 17, by deleting “754,735,021” and inserting “753,753,556”; and

Further amend said bill, Page 30, Section 11.510, Line 12, by deleting “30,493,934” and inserting “30,437,934”; and

Further amend said bill, said page, said section, Line 13, by deleting "514,164,418" and inserting "514,073,571"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 10, as amended, was again taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 10, Page 21, Section 10.410, Line 38, by deleting "6,524,901" and inserting "7,524,901"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 4** was adopted.

HCS HB 10, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Flanigan.

Representative Kelly (45) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 11, Page 29, Section 11.505, Line 16, by deleting "327,516,298" and inserting "325,016,298"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (45), **House Amendment No. 2** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 5, as amended, was again taken up by Representative Flanigan.

Representative Kelly (45) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 5, Page 2, Section 5.020, Line 10, by deleting "42,382,173" and inserting "44,882,173"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (45), **House Amendment No. 4** was adopted.

HCS HB 5, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 11, Page 29, Section 11.505, Line 16, by deleting "327,516,298" and inserting "327,506,298"; and

Further amend said bill, said page, said section, Line 17, by deleting "754,735,021" and inserting "754,718,798"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 3** was adopted.

HCS HB 11, as amended, was laid over.

HCS HB 2, as amended, was again taken up by Representative Flanigan.

Representative Flanigan offered **House Amendment No 5**.

House Amendment 5

AMEND House Committee Substitute for House Bill No. 2, Page 7, Section 2.135, Line 3, by inserting immediately after said section the following new section:

"Section 2.136. To the Department of Elementary and Secondary Education
For character education initiatives
From General Revenue Fund. \$10,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 5** was adopted.

HCS HB 2, as amended, was laid over.

HCS HB 11, as amended, was again taken up by Representative Flanigan.

Representative Hummel offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 11, Page 33, Section 11.555, Line 33, by inserting immediately thereafter the following:

"Section 11.560. To the Department of Social Services
For the MO HealthNet Division
For Medicaid services for low-income adults
From Federal Funds. \$890,474,624"; and

Further amend said bill by adjusting section and bill totals accordingly.

Speaker Pro Tem Smith assumed the Chair.

Speaker Jones resumed the Chair.

Representative Hummel moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Molendorp	Montecillo	Morgan
Newman	Nichols	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

NOES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull

Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Hodges	Marshall	Norr	Scharnhorst	Shumake
Stream	Webb			

VACANCIES: 002

Representative LaFaver offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 11, Page 33, Section 11.555, Line 33, by inserting immediately thereafter the following new section:

"Section 11.556. To the Department of Social Services
For the MO HealthNet Division
For the purpose of funding Transitional Medicaid Services for disabled adults, up to 138 percent of
the federal poverty level
From Federal Funds. \$642,387,543"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative LaFaver moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Newman
Nichols	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webber	Wright	

NOES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson

Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Hodges	Hubbard	Justus	Norr	Scharnhorst
Shumake	Stream	Webb		

VACANCIES: 002

HCS HB 11, as amended, was laid over.

HCS HB 12 was taken up by Representative Flanigan.

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 12, Page 4 , Section 12.115 , Line 5, by deleting "2,750,000" and inserting "4,125,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Webber, **House Amendment No. 1** was adopted.

HCS HB 12, as amended, was laid over.

HCS HB 13 was taken up by Representative Flanigan.

HCS HB 13 was laid over.

HCS HB 1 was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 1** was adopted.

On motion of Representative Flanigan, **HCS HB 1** was ordered perfected and printed.

HCS HB 2, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 2, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 2, as amended**, was ordered perfected and printed.

HCS HB 3 was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 3** was adopted.

On motion of Representative Flanigan, **HCS HB 3** was ordered perfected and printed.

HCS HB 4, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 4, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 4, as amended**, was ordered perfected and printed.

HCS HB 5, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 5, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 5, as amended**, was ordered perfected and printed.

HCS HB 6, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 6, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 6, as amended**, was ordered perfected and printed.

HCS HB 7, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 7, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 7, as amended**, was ordered perfected and printed.

HCS HB 8 was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 8** was adopted.

On motion of Representative Flanigan, **HCS HB 8** was ordered perfected and printed.

HCS HB 9 was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 9** was adopted.

On motion of Representative Flanigan, **HCS HB 9** was ordered perfected and printed.

HCS HB 10, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 10, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 10, as amended**, was ordered perfected and printed.

HCS HB 11, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 11, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 11, as amended**, was ordered perfected and printed.

HCS HB 12, as amended, was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 12, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 12, as amended**, was ordered perfected and printed.

HCS HB 13 was again taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 13** was adopted.

On motion of Representative Flanigan, **HCS HB 13** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HBs 521 & 579, relating to taxation, was taken up by Representative Koenig.

HCS HBs 521 & 579 was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 859 - Downsizing State Government

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 589**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 533**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 747**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 89**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 62**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 771**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 335**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 448**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 68**, **HB 142**, **HCS HB 159** and **HB 346**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 34, introduced by Representatives Butler, Entlicher, Runions, Burns, Swearingen, Pierson, Nichols, England, Kirkton, LaFaver and Ellinger, relating to the term limit reform act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 889, introduced by Representatives Newman, Kirkton, Butler, Dunn, LaFaver, Meredith, McNeil, Morgan, Mims and Schupp, relating to increasing preventative health services in the state through the prevention first act.

HB 890, introduced by Representative Sommer, relating to animal abuse.

HB 891, introduced by Representative Redmon, relating to liquefied petroleum gas.

HB 892, introduced by Representatives Hicks, Rehder, Rhoads, Ross, Miller, Parkinson, Swan and Wilson, relating to sale of land by land reutilization authorities.

HB 893, introduced by Representative Franklin, relating to violent video games.

HB 894, introduced by Representative LaFaver, relating to senior citizens property tax relief.

HB 895, introduced by Representative LaFaver, relating solely to the creation of an earned income tax credit.

HB 896, introduced by Representative LaFaver, relating to MO HealthNet services.

HB 897, introduced by Representatives Leara and Colona, relating to police retirement.

HB 898, introduced by Representatives Berry and McNeil, relating to an income tax deduction for energy efficiency projects.

HB 899, introduced by Representatives Kirkton, Gardner, English and Engler, relating to malpractice insurance.

HB 900, introduced by Representative Meredith, relating to the MO HealthNet program.

HB 901, introduced by Representative Funderburk, relating to utilities.

HB 902, introduced by Representatives Dunn, Carpenter, Runions and Schieffer, relating to urban agricultural zones.

HB 903, introduced by Representatives Mayfield and Curtis, relating to marriage licenses.

HB 904, introduced by Representatives Butler and Ellinger, relating to the Missouri parent/teacher involvement act.

HB 905, introduced by Representatives Butler, Dunn, Mayfield, Runions, Burns, Swearingen, Pierson, Nichols, Englund, LaFaver and Ellinger, relating to the youth sports program fund.

HB 906, introduced by Representatives Butler, English, Ellinger and Harris, relating to the MO HealthNet program.

HB 907, introduced by Representatives Butler, English, Mayfield, Webb, Runions, Burns, Swearingen, Pierson, Nichols, McKenna, Meredith, LaFaver and Ellinger, relating to tax credits for contributions to public school foundations.

HB 908, introduced by Representatives Pace, Otto, Runions, Hubbard, Anders, Englund, Dunn, Curtis, Ellinger, Rizzo, McCann Beatty, Schieffer, McDonald, McNeil, Morgan, Gardner, LaFaver, Kirkton, Newman, Montecillo, McKenna, Carpenter, English, Ellington, Smith (85), Mayfield, Walton Gray, Burns, Meredith, May, Colona, Frame, Roorda, Wright, McManus, Schupp, Mims and Butler, relating to the MO HealthNet program.

HB 909, introduced by Representatives Pfautsch, Miller, Justus, McGaugh, Rowden and Grisamore, relating to transportation development districts.

HB 910, introduced by Representatives Butler and Carpenter, relating to the sale of intoxicating liquor.

HB 911, introduced by Representative Brown, relating to food stamps assistance.

HB 912, introduced by Representative Brown, relating to weapons.

HB 913, introduced by Representative Brown, relating to child day care services.

HB 914, introduced by Representative Bahr, relating to the real property tax increment allocation redevelopment act.

HB 915, introduced by Representative Bahr, relating to the employee reclassification act.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 72**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of motorcycle awareness month.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Hodges.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, March 27, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on resolution in conjunction with HJR 14

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 3, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Working meeting - agenda to be announced

BUDGET

Wednesday, March 27, 2013, Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HJR 14

Executive session will be held: HJR 14, HCR 4, HCR 3, HJR 17, HB 414, HB 183

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, March 27, 2013, 2:00 PM House Hearing Room 6.

Public hearing will be held: HB 230, HB 703, HB 776, HB 794

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 2, 2013, 7:00 PM 516 S Country Club Drive, Jefferson City.

DOWNSIZING STATE GOVERNMENT

Thursday, March 28, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 651, HB 818, HB 806, HB 859

Executive session may be held on any matter referred to the committee.

ELECTIONS

Thursday, March 28, 2013, 8:00 AM House Hearing Room 2.

Executive session may be held on any matter referred to the committee.

Committee members should be prepared to work on an omnibus bill.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 808, HJR 22

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Wednesday, March 27, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HB 342

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Thursday, March 28, 2013, 8:15 AM House Hearing Room 1.

Public hearing will be held: HJR 26, HB 795, HB 609

Executive session will be held: HB 424, HB 543

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 3, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 99, HB 185, HCR 15, HB 262

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, March 27, 2013, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 7.

Public hearing will be held: HB 850

Executive session will be held: HB 630, HB 275, HB 850

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

First quarter meeting

Please note date change.

CANCELLED

JUDICIARY

Wednesday, March 27, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 318, HB 480, HB 541, HB 567, HB 594, HB 697

Executive session will be held: HB 371, HB 210

Executive session may be held on any matter referred to the committee.

AMENDED

LOCAL GOVERNMENT

Thursday, March 28, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 84, HB 805, HB 311

Executive session may be held on any matter referred to the committee.

AMENDED

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, March 27, 2013, Upon Morning Recess House Hearing Room 5.

Public hearing will be held: HB 337, HB 488, HB 685

Executive session will be held: HB 314

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 241, HB 635

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, March 27, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 593, HB 695

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, March 27, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 642

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, March 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 258, HB 758, HB 570, HCR 29, HCR 30, HB 739, HB 740, HB 741

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, March 27, 2013, 9:00 AM House Hearing Room 7.

Public hearing will be held: HB 788, HB 789, HB 828

Executive session may be held on any matter referred to the committee.

Note the start time will be 9:00 AM instead of 8:00 AM

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 27, 2013, 7:30 AM House Hearing Room 5.

Public hearing will be held: HB 692, HB 614

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SECOND DAY, WEDNESDAY, MARCH 27, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 34

HOUSE BILLS FOR SECOND READING

HB 889 through HB 915

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HCS HBs 521 & 579 - Koenig
- 6 HB 578 - Funderburk
- 7 HB 316 - Phillips
- 8 HCS HB 30 - Scharnhorst
- 9 HCS HB 46 - Guernsey
- 10 HB 47 - Cross
- 11 HB 112 - Burlison
- 12 HCS HB 134 - Allen
- 13 HCS HB 137 - Hinson
- 14 HCS HB 168 - Davis
- 15 HB 217 - Cox
- 16 HCS HB 221 - Leara
- 17 HB 253 - Berry
- 18 HCS HB 315 - Rowland
- 19 HB 400 - Riddle
- 20 HB 443 - Hubbard
- 21 HCS HB 343 - Guernsey

HOUSE BILLS FOR PERFECTION - CONSENT

(3/15/2013)

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58 - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger

- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin
- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger
- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438 - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer
- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

HOUSE BILLS FOR THIRD READING

- 1 HCS HBs 191 & 182 - Torpey
- 2 HB 201 - Torpey
- 3 HCS HB 222 - Austin

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HCS HB 128 - Sommer
- 2 HB 133 - Gosen
- 3 HB 163 - Fitzpatrick
- 4 HB 212 - Cox
- 5 HB 329 - Dugger
- 6 HCS HB 349 - Brown
- 7 HB 184 - Cox
- 8 HB 196 - Lauer
- 9 HB 301 - Engler
- 10 HB 307 - Riddle
- 11 HCS HB 312 - Thomson
- 12 HCS HB 401 - Shumake
- 13 HB 412 - Reiboldt
- 14 HB 432 - Webb
- 15 HB 542 - Love
- 16 HCS HB 586 - Schieffer
- 17 HB 591 - Hubbard
- 18 HB 68 - Kelley (127)
- 19 HB 142 - Dugger
- 20 HCS HB 159 - Guernsey
- 21 HB 346 - Molendorp

SENATE BILLS FOR SECOND READING

SB 72

SENATE BILLS FOR THIRD READING

HCS SCS SB 182, E.C. - Hough

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 14 - Stream

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-SECOND DAY, WEDNESDAY, MARCH 27, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let us not be weary in well doing: for in due season we shall reap, if we faint not. (Ephesians 6:9)

Almighty and everlasting God, we commend unto Your gracious care the citizens of Missouri. Especially do we pray for our wonderful people - that health and strength and wisdom may be theirs as they endeavor to live in these trying economic times.

Upon our Speaker may there rest the rich blessing of Your grace and the wise guidance of Your spirit. To all these Representatives, their staffs, and co-workers, may there come a new realization of Your presence as they bow at the altar of prayer and dedicate themselves to You and to the welfare of our people, our highest law! Increase their faith, deepen their devotion, and enlarge their vision that they may continue to labor for the greater good of our beloved state as we discuss the budget. May they never grow weary of doing well.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Gabrielle (Gigi) Mahley, Danyelle Driver, Katherine Jones, Abigail Jones, Allie Beros and Michael Beros.

The Journal of the forty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 979 through House Resolution No. 1010

HOUSE CONCURRENT RESOLUTIONS

Representative Ellinger offered House Concurrent Resolution No. 31.

Representative Schatz, et al., offered House Concurrent Resolution No. 32

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 34 was read the second time.

SECOND READING OF HOUSE BILLS

HB 889 through **HB 915** were read the second time.

SECOND READING OF SENATE BILL

SB 72 was read the second time.

THIRD READING OF HOUSE BILLS

HCS HBs 191 & 182, relating to the Angel Investment Incentive Act, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 191 & 182** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Austin	Bernskoetter	Berry
Black	Brown	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Flanigan	Fraker	Frame	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Kelley 127
Kelly 45	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Pike	Redmon	Reiboldt
Remole	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wood	Zerr
Mr Speaker				

NOES: 026

Anderson	Bahr	Barnes	Brattin	Burlison
Curtman	Dugger	Fitzpatrick	Fitzwater	Fowler
Haahr	Hampton	Keeney	Kirkton	Koenig
Love	Marshall	Miller	Parkinson	Pogue
Rehder	Rhoads	Ross	Schieber	Wilson
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Franklin	Hodges	Jones 50	Justus
McCaherty	Newman	Smith 120	Stream	

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 222, relating to data storage centers, was taken up by Representative Austin.

On motion of Representative Austin, **HCS HB 222** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Frame	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Kelley 127	Kelly 45	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Meredith	Messenger	Mims	Mitten
Molendorp	Montecillo	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 025

Bahr	Brattin	Burlison	Conway 104	Curtman
Dugger	Fowler	Frederick	Guernsey	Haahr
Hampton	Keeney	Kirkton	Koenig	Marshall
Miller	Muntzel	Parkinson	Pogue	Rehder
Remole	Rhoads	Ross	Schieber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Franklin	Hodges	Jones 50	Justus	McCaherty
McNeil	Morgan	Stream		

VACANCIES: 002

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HBs 521 & 579, relating to taxation, was taken up by Representative Koenig.

Representative Koenig offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 521 & 579, Page 115, Section 144.010, Lines 778-796, by deleting all of said lines; and

Further amend said bill, Page 116, Section 144.014, Lines 18-37, by deleting all of said lines; and

Further amend said bill, Page 128, Section 144.040, Line 70, by inserting after the word, "**section**" the following words, "**or transactions regulated under sections 407.660 to 407.665**"; and

Further amend said bill, Pages 135-136, Section 144.054, Lines 1-47, by deleting all of section 144.054 and inserting in lieu thereof the following:

"144.054. 1. As used in this section, the following terms mean:

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, **section 238.235, and the local sales tax law as described in section 32.085**, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, **section 238.235, and the local sales tax law as described in section 32.085**, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. The exemptions granted in this subsection shall not apply to local sales **or use** taxes as defined in section 32.085 **levied on electricity, piped natural or artificial gas, or other fuels delivered by the seller** and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and

tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669."; and

Further amend said bill, Page 147, Section 144.140, Lines 1-9, by deleting all of said lines and inserting in lieu thereof the following:

"144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1
to
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 521 & 579, Page 1, Line 4, by inserting after all of said line the following:

'Further amend said bill, Page 121, Section 144.030, Line 124, by inserting after the word, "disabilities" the words, ", **all sales of kidney dialysis equipment and enteral feeding systems**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Koenig, **House Amendment No. 1, as amended**, was adopted.

Representative Curtman offered **House Amendment No. 2.***House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 521 & 579, Page 91, Section 142.815, Line 111, by inserting after all of said section, the following:

"143.011. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:

Not over \$1,000.00
 Over \$1,000 but not over \$2,000
 over \$1,000 Over \$2,000 but not over \$3,000
 over \$2,000 Over \$3,000 but not over \$4,000
 over \$3,000 Over \$4,000 but not over \$5,000
 over \$4,000 Over \$5,000 but not over \$6,000
 over \$5,000 Over \$6,000 but not over \$7,000
 over \$6,000 Over \$7,000 but not over \$8,000
 over \$7,000 Over \$8,000 but not over \$9,000
 over \$8,000 Over \$9,000

The tax is:

1 1/2% of the Missouri taxable income
 \$15 plus 2% of excess
 \$35 plus 2 1/2% of excess
 \$60 plus 3% of excess
 \$90 plus 3 1/2% of excess
 \$125 plus 4% of excess
 \$165 plus 4 1/2% of excess
 \$210 plus 5% of excess
 \$260 plus 5 1/2% of excess
 \$315 plus 6% of excess over \$9,000

For the tax year beginning on or after January 1, 2013, the rates shall be adjusted annually for the increase in the cost of living as measured by the Consumer Price Index for All Urban Consumers for the United States.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 2** was adopted.

Representative Korman offered **House Amendment No. 3.***House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 521 & 579, Page 87, Section 94.705, Line 69, by inserting after all of said section and line the following:

"142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) "Alternative fuel", electricity, liquefied petroleum gas (LPG or LP gas), **hydrogen**, compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) "Blend stock", any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

(5) "Blended fuel", a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a

highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

(6) "Blender", any person that produces blended motor fuel outside the bulk transfer/terminal system;

(7) "Blending", the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

(8) "Bulk plant", a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

(9) "Bulk transfer", any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

(10) "Bulk transfer/terminal system", the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

(11) "Consumer", the user of the motor fuel;

(12) "Delivery", the placing of motor fuel or any liquid into the fuel tank of a motor vehicle or bulk storage facility;

(13) "Department", the department of revenue;

(14) "Destination state", the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

(15) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

(16) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

(17) "Director", the director of revenue;

(18) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) "Eligible purchaser", a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) "Export", to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) "Exporter", any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) "Farm tractor", all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) "Fuel transportation vehicle", any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

(26) "Gasoline", all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) "Gross gallons", the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) "Import", to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) "Import verification number", the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

(31) "Importer" includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) "Interstate motor fuel user", any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) "Invoiced gallons", the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) "Kerosene", the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

(36) "Liquid", any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

(37) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;

(38) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

(39) "Net gallons", the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

(40) "Permissive supplier", an out-of-state supplier that elects, but is not required, to have a supplier's license pursuant to this chapter;

(41) "Person", natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

(42) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(43) "Propel", the operation of a motor vehicle, whether it is in motion or at rest;

(44) "Public highway", every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

(45) "Qualified terminal", a terminal which has been assigned a terminal control number ("tcn") by the Internal Revenue Service;

(46) "Rack", a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

(47) "Refiner", any person that owns, operates, or otherwise controls a refinery;

(48) "Refinery", a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

- (49) "Removal", any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;
- (50) "Retailer", a person that engages in the business of selling or dispensing to the consumer within this state;
- (51) "Supplier", a person that is:
 - (a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and
 - (b) One or more of the following:
 - a. The position holder in a terminal or refinery in this state;
 - b. Imports motor fuel into this state from a foreign country;
 - c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or
 - d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;
- (52) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;
- (53) "Terminal", a bulk storage and distribution facility which includes:
 - (a) For the purposes of motor fuel, is a qualified terminal;
 - (b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;
- (54) "Terminal bulk transfers" include but are not limited to the following:
 - (a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;
 - (b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;
 - (c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and
 - (d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;
- (55) "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;
- (56) "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;
- (57) "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;
- (58) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;
- (59) "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:
 - (a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and
 - (b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;
- (60) "Ultimate vendor", a person that sells motor fuel to the consumer;
- (61) "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and
- (62) "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle."; and

Further amend said bill, Page 91, Section 142.815, Line 111, by inserting after all of said section and line the following:

"142.869. 1. (1) The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for

which a valid **alternative fuel** decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows:

(a) [seventy-five] **One hundred forty** dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less;

(b) One hundred **eighty-five** dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F";

(c) [one] **Two** hundred [fifty] **eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063;

(d) [two] **Four** hundred [fifty] **seventy** dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; [and]

(e) One thousand **four hundred** dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds **but less than forty-eight thousand pounds; and**

(f) **One thousand eight hundred dollars on each motor vehicle with a licensed gross vehicle weight in excess of forty-eight thousand pounds.**

(2) Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of [eight] **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such **temporary** decal and fee shall not be transferable. [All proceeds from such decal fees shall be deposited as specified in section 142.345.] Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be **created and** supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

10. All proceeds from the decal fees imposed and collected under this section shall be credited to the state highways and transportation department fund created in section 226.200.

11. For all new alternative fuel-powered vehicles assembled in Missouri, the first year's decal fee shall be one-half of the fees as listed in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Englund offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 521 & 579, Page 8, Section 32.087, Line 142, by inserting after all of said line the following:

"32.385. 1. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

2. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri, and the state will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt owed to the federal government.

3. Under the agreement, the director of revenue may:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled;
and

(3) Provide for the payment of the amount withheld to the state.

4. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

5. Under the offset agreement, a federal official may:
 - (1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;
 - (2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;
 - (3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:
 - (a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and
 - (b) Provide for the payment of the amount withheld to the state;
 - (4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.
6. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:
 - (1) The full name of the person and any other names known to be used by the person;
 - (2) The Social Security number or federal tax identification number;
 - (3) The amount of the nontax liability; and
 - (4) A statement that the debt is past due and legally enforceable in the amount certified.
7. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:
 - (1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;
 - (2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;
 - (3) Pay to the federal official the lesser of:
 - (a) The entire refund or vendor payment; or
 - (b) The amount certified; and
 - (4) Pay any refund or vendor payment in excess of the certified amount to the person.
8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Englund, **House Amendment No. 4** was adopted.

On motion of Representative Koenig, **HCS HBs 521 & 579, as amended**, was adopted.

On motion of Representative Koenig, **HCS HBs 521 & 579, as amended**, was ordered perfected and printed.

HB 112, relating to statutory cause of action claims, was taken up by Representative Burlison.

HB 112 was laid over.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 128, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, **HCS HB 128** was read the third time and passed by the following vote:

AYES: 129

Anders	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Ellington	Elmer	English	Englund
Entlicher	Fitzwater	Fowler	Fraker	Frame
Frederick	Funderburk	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Miller
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Scharnhorst
Schieber	Schieffer	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Wieland	Wilson	Wood	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Allen	Barnes	Carpenter	Colona	Curtis
Dunn	Engler	Fitzpatrick	Flanigan	Franklin
Gannon	Guernsey	Hodges	Hummel	Justus
Korman	Lichtenegger	May	McNeil	Messenger
Mitten	Pierson	Reiboldt	Roorda	Schatz
Schupp	Smith 120	Stream	Webber	White
Wright	Zerr			

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 133, relating to reinsurance, was taken up by Representative Gosen.

On motion of Representative Gosen, **HB 133** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 015

Curtis	Fitzpatrick	Franklin	Grisamore	Guernsey
Hodges	Justus	Lichtenegger	May	Mitten
Pierson	Schieffer	Smith 120	Stream	Webber

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 212, relating to secured transactions under the Uniform Commercial Code, was taken up by Representative Cox.

On motion of Representative Cox, **HB 212** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 011

Franklin	Grisamore	Hodges	Justus	Lichtenegger
Morris	Pierson	Remole	Scharnhorst	Stream
Webber				

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 329, relating to real estate loan violation reporting, was taken up by Representative Dugger.

Representative Elmer assumed the Chair.

On motion of Representative Dugger, **HB 329** was read the third time and passed by the following vote:

AYES: 145

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Flanigan
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Ellington	Gardner
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PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Curtis	Diehl	Ellinger	Fitzwater
Franklin	Grisamore	Hodges	Justus	Lichtenegger
McDonald	Pierson	Stream	Swan	

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 163, relating to third class city primary elections, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, **HB 163** was read the third time and passed by the following vote:

AYES: 147

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 003

Ellington	Frame	May
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PRESENT: 000

ABSENT WITH LEAVE: 011

Anders	Cornejo	Franklin	Hodges	Justus
Lichtenegger	Miller	Mitten	Newman	Stream
Swearingen				

VACANCIES: 002

Representative Elmer declared the bill passed.

HCS HB 349, relating to motor vehicle license plates, was taken up by Representative Brown.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr		

NOES: 050

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Anders	Fitzpatrick	Franklin	Hodges	Justus
Lichtenegger	Stream	Mr Speaker		

VACANCIES: 002

On motion of Representative Brown, **HCS HB 349** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	May
Mayfield	McCaherty	McDonald	McGaugh	McKenna
Meredith	Messenger	Miller	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Pace	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 022

Burns	Curtis	Dunn	Frame	Gardner
Hummel	LaFaver	McCann Beatty	McManus	McNeil
Mims	Mitten	Morgan	Newman	Norr
Otto	Pierson	Rizzo	Roorda	Runions
Schupp	Swearingen			

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Fitzpatrick	Franklin	Hansen	Hodges
Justus	Lichtenegger	Stream		

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 184, relating to a transient guest tax in Pettis County, was taken up by Representative Cox.

On motion of Representative Cox, **HB 184** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Jones 50	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 010

Curtis	Ellington	Guernsey	Johnson	Marshall
Mims	Pierson	Schieber	Smith 85	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 009

Diehl	Flanigan	Franklin	Haefner	Justus
Lichtenegger	Scharnhorst	Stream	Wood	

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 196, relating to the Missouri Works Training Program, was taken up by Representative Lauer.

On motion of Representative Lauer, **HB 196** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 013

Bahr	Brattin	Burlison	Curtman	Haahr
Koenig	Marshall	Parkinson	Pogue	Rehder
Remole	Smith 120	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 008

Franklin	Funderburk	Grisamore	Haefner	Justus
Lichtenegger	Scharnhorst	Stream		

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 301, relating to sexually violent predators, was taken up by Representative Engler.

On motion of Representative Engler, **HB 301** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Franklin	Haefner	Justus	Lichtenegger
Scharnhorst	Stream			

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 307, relating to fire protection district boards, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 307** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Norr	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 008

Carpenter	Curtis	Leara	Nichols	Otto
Pace	Smith 85	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 006

Fitzpatrick	Franklin	Haefner	Justus	Lichtenegger
Stream				

VACANCIES: 002

Representative Elmer declared the bill passed.

HCS HB 312, relating to university police officers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 312** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lauer	Leara	Love	Lynch
May	Mayfield	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 008

Burlison	Carpenter	Ellington	Frame	Haahr
Marshall	Roorda	Spencer		

PRESENT: 000

ABSENT WITH LEAVE: 012

Fitzpatrick	Franklin	Haefner	Hodges	Justus
Lant	Lichtenegger	McCaherty	Riddle	Scharnhorst
Smith 85	Stream			

VACANCIES: 002

Representative Elmer declared the bill passed.

HCS HB 401, relating to the Missouri Advisory Boards and Commission Association, was taken up by Representative Shumake.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtman	Fitzpatrick	Franklin	Haefner	Hodges
Jones 50	Justus	Lichtenegger	Mims	Scharnhorst
Smith 85	Stream			

VACANCIES: 002

On motion of Representative Shumake, **HCS HB 401** was read the third time and passed by the following vote:

AYES: 090

Allen	Anderson	Austin	Barnes	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hubbard
Hurst	Johnson	Keeney	Kelley 127	Kelly 45
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lynch	McCaherty	Messenger	Miller
Montecillo	Morris	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shumake
Smith 120	Solon	Sommer	Swan	Thomson
Walker	Webb	Wood	Zerr	Mr Speaker

NOES: 059

Anders	Bernskoetter	Black	Burns	Butler
Carpenter	Colona	Curtis	Curtman	Dunn
Ellington	English	Englund	Gardner	Haahr
Harris	Hoskins	Hummel	Kirkton	Koenig
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Morgan	Neely	Newman	Nichols	Norr
Otto	Pace	Phillips	Pierson	Roorda
Runions	Schieber	Schieffer	Schupp	Shull
Spencer	Swearingen	Torpey	Walton Gray	Webber
White	Wieland	Wilson	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Fitzpatrick	Haefner	Hodges	Jones 50
Justus	Lichtenegger	Love	Muntzel	Remole
Smith 85	Stream			

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 412, relating to livestock feed and crop loans, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HB 412** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Pfausch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 005

Bahr	Ellington	Haahr	Koenig	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 011

Fitzpatrick	Haefner	Hodges	Jones 50	Justus
Lichtenegger	Parkinson	Rowden	Smith 85	Stream
Webber				

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 432, relating to the Missouri Public Service Commission, was taken up by Representative Webb.

On motion of Representative Webb, **HB 432** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Muntzel	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 005

Curtis	McGaugh	Neely	Spencer	Wieland
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 008

Fitzpatrick	Hodges	Justus	Lichtenegger	Morris
Smith 85	Stream	Webber		

VACANCIES: 002

Representative Elmer declared the bill passed.

HB 542, relating to the regulation of eggs, was taken up by Representative Love.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr			

NOES: 047

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Cross	Fitzpatrick	Hodges	Justus
Lichtenegger	Riddle	Smith 85	Stream	Webb
Webber	Mr Speaker			

VACANCIES: 002

On motion of Representative Love, **HB 542** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Higdon	Hinson	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 022

Anderson	Bahr	Brattin	Burlison	Colona
Cox	Curtman	Dugger	English	Gosen
Haahr	Hicks	Hoskins	Koenig	Marshall
Mayfield	Molendorp	Neth	Parkinson	Pogue
Schieber	White			

PRESENT: 000

ABSENT WITH LEAVE: 006

Fitzpatrick	Hodges	Justus	Lichtenegger	Smith 85
Stream				

VACANCIES: 002

Representative Elmer declared the bill passed.

HCS HB 586, relating to rodeos, was taken up by Representative Schieffer.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Swan	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Cross	Fitzpatrick	Flanigan	Hodges	Jones 50
Justus	Lichtenegger	Smith 85	Stream	Thomson

VACANCIES: 002

On motion of Representative Schieffer, **HCS HB 586** was read the third time and passed by the following vote:

AYES: 151

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Ellington

PRESENT: 001

Carpenter

ABSENT WITH LEAVE: 008

Allen	Fitzpatrick	Hodges	Justus	Lichtenegger
Reiboldt	Smith 85	Stream		

VACANCIES: 002

Representative Elmer declared the bill passed.

Speaker Jones resumed the Chair.

HB 591, relating to the "Congressman William Clay Bridge", was taken up by Representative Hubbard.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 014

Conway 104	Fitzpatrick	Frame	Hodges	Justus
Kratky	Leara	Lichtenegger	Mitten	Rhoads
Scharnhorst	Schupp	Smith 85	Stream	

VACANCIES: 002

On motion of Representative Hubbard, **HB 591** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Love	Lynch	May	McCaherty
McCann Beatty	McDonald	McGaugh	McManus	McNeil
Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 008

Brattin	Curtman	Guernsey	Haahr	Kelly 45
Marshall	Schieber	White		

PRESENT: 003

Hummel	Mayfield	McKenna
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ABSENT WITH LEAVE: 015

Fitzpatrick	Frame	Hodges	Justus	Kratky
LaFaver	Leara	Lichtenegger	Mitten	Rhoads
Scharnhorst	Schatz	Schupp	Smith 85	Stream

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 68, relating to Pancreatic Cancer Awareness Month, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **HB 68** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Morgan	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Fitzpatrick	Hodges	Justus	LaFaver	Lichtenegger
Mitten	Morris	Rhoads	Scharnhorst	Schupp
Smith 85	Stream			

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 142, relating to the Energy Efficiency Investment Act, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 142** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfausch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 002

Korman	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 011

Engler	Fitzpatrick	Hodges	Justus	Lichtenegger
Rhoads	Scharnhorst	Schupp	Smith 85	Stream
Swearingen				

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 159, relating to proof of school district residency, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HCS HB 159** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Fitzpatrick	Funderburk	Hodges	Justus	Lichtenegger
Rhoads	Scharnhorst	Schupp	Smith 85	Stream

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 346, relating to non-covered health service fees, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 346** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Kelly 45	Kirkton	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 009

Burlison	Curtman	Fitzpatrick	Haahr	Koenig
Marshall	Parkinson	Pogue	Smith 120	

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Hodges	Justus	Lichtenegger	Morris
Rhoads	Scharnhorst	Schupp	Smith 85	Stream

VACANCIES: 002

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILL

HB 112, relating to statutory cause of action claims, was again taken up by Representative Burlison.

Representative Hoskins assumed the Chair.

Speaker Jones resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

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ABSENT WITH LEAVE: 008

Cierpiot	Hodges	Justus	Lichtenegger	Schupp
Smith 85	Stream	Zerr		

VACANCIES: 002

On motion of Representative Burlison, **HB 112** was ordered perfected and printed by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
McGaugh	Messenger	Miller	Molendorp	Morris
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Shull	Shumake	Smith 120
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wood	Zerr
Mr Speaker				

NOES: 063

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Cornejo	Curtis
Dunn	Ellinger	Ellington	English	Englund
Fowler	Frame	Gardner	Grisamore	Haahr
Harris	Hubbard	Hummel	Jones 50	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Muntzel	Newman	Nichols
Norr	Otto	Pace	Pierson	Remole
Rizzo	Roorda	Rowden	Runions	Schieber
Schieffer	Solon	Swearingen	Walton Gray	Webb
Webber	Wilson	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Hodges	Justus	Lichtenegger	Schupp
Smith 85	Stream			

VACANCIES: 002

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HBs 521 & 579 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 7 - Elementary and Secondary Education
SCS SB 9 - Agri-Business
SB 16 - Agriculture Policy
SCS SB 17 - Higher Education
SB 18 - Downsizing State Government
SB 23 - General Laws
SB 24 - General Laws
SS#2 SCS SBs 26, 11 & 31 - Ways and Means
SS SB 28 - Workforce Development and Workplace Safety
SS SCS SB 29 - Workforce Development and Workplace Safety
SCS SB 33 - Children, Families, and Persons with Disabilities
SS SB 34 - Workforce Development and Workplace Safety
SB 41 - Judiciary
SCS SB 42 - General Laws
SB 43 - Transportation
SCS SB 45 - Judiciary
SCS SB 47 - Children, Families, and Persons with Disabilities
SB 51 - Agri-Business
SB 58 - Local Government
SB 77 - Children, Families, and Persons with Disabilities
SB 80 - Professional Registration and Licensing
SCS SB 86 - Retirement
SCS SB 88 - Health Care Policy
SB 90 - Elections
SCS SB 101 - Professional Registration and Licensing
SB 102 - General Laws
SCS SB 106 - Veterans
SB 110 - Judiciary
SS SCS SB 114 - General Laws
SCS SB 117 - Veterans
SS SCS SB 120 - Economic Development
SS SCS SB 121 - General Laws
SS SCS SB 125 - Elementary and Secondary Education
SB 127 - Health Care Policy
SS SCS SB 129 - Health Care Policy
SB 137 - Downsizing State Government
SB 138 - Local Government

SB 139 - General Laws
SB 148 - Transportation
SCS SB 157 - General Laws
SCS SB 191 - Utilities
SB 197 - Health Care Policy
SB 216 - Crime Prevention and Public Safety
SB 234 - Professional Registration and Licensing
SB 237 - Utilities

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 635**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS#2 SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 35, introduced by Representatives Jones (50) and Jones (110), relating to the right of Missouri citizens to keep and bear arms.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 916, introduced by Representatives Schupp and Hummel, relating to business fees.

HB 917, introduced by Representative Burlison, relating to Missouri adjusted gross income.

HB 918, introduced by Representatives Roorda, Kratky, Swearingen, Harris, Otto, Schieffer, English, Conway (10), Rizzo, Hummel, Higdon, McKenna, LaFaver, Ellinger, Meredith, Burns, Mayfield, Anders, Butler, Carpenter, Runions, Walton Gray, Mims, Englund, Kelley (127), Hurst, Gardner, Nichols, Curtis, Webber, Davis, McCann Beatty and McManus, relating to business fees.

HB 919, introduced by Representatives Mayfield, Hummel, McCann Beatty, Dunn, Burns, Butler, English, Mitten, Rizzo, Otto, Carpenter, Runions, Mims, Walton Gray, McManus and Smith (85), relating to government meetings and records.

HB 920, introduced by Representatives Dunn, Mims, Otto, Ellington, Mayfield, Runions and English, relating to early childhood education.

HB 921, introduced by Representatives Berry and Rizzo, relating to the Missouri Quality Jobs Act.

HB 922, introduced by Representative Nichols, relating to the licensing of clinical laboratory science personnel.

HB 923, introduced by Representative Richardson, relating to contracts for public works.

HB 924, introduced by Representative Johnson, relating to the Missouri Business Recruiters Act.

HB 925, introduced by Representatives Allen, Flanigan, Diehl, Torpey, Zerr, Kelly (45), Gosen, Haefner, Conway (104), Lichtenegger, Richardson and Jones (50), relating to medical assistance.

HB 926, introduced by Representatives Allen, Flanigan, Diehl, Torpey, Zerr, Kelly (45), Gosen, Haefner, Conway (104), Lichtenegger, Molendorp, Richardson and Jones (50), relating to medical assistance.

HB 927, introduced by Representative Reiboldt, relating to agriculture.

HB 928, introduced by Representatives Burlison, Jones (110), Funderburk, Cookson, Spencer, Scharnhorst, Rowland, Cierpiot, Diehl and Lair, relating to the education compact.

HB 929, introduced by Representatives Cornejo, Jones (50) and Rowden, relating to mental health services.

HB 930, introduced by Representatives Flanigan, Davis, White, Lant and Reiboldt, relating to rebuilding damaged infrastructure.

HB 931, introduced by Representative Jones (50), relating to alcohol-related traffic offenses.

HB 932, introduced by Representatives Funderburk and Parkinson, relating to local health departments.

HB 933, introduced by Representatives Jones (50) and Bahr, relating to travel hardships of public school pupils.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Thursday, March 28, 2013.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jeff Grisamore, District 34, hereby state and affirm that my vote to approve the Journal of the House for the thirty-ninth day as recorded on page 651 of the Journal of the House for the fortieth day, Monday, March 25, 2013 was incorrectly recorded as Absent With Leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 27th day of March, 2013.

/s/ Jeff Grisamore
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 27th day of March in the year 2013.

/s/ Leticia Long
Notary Public

COMMITTEE HEARINGS

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on resolution in conjunction with HJR 14

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 3, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Working meeting - agenda to be announced

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 2, 2013, 7:00 PM 516 S Country Club Drive, Jefferson City.

DOWNSIZING STATE GOVERNMENT

Thursday, March 28, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 651, HB 818, HB 806, HB 859

Executive session may be held on any matter referred to the committee.

ELECTIONS

Thursday, March 28, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Committee members should be prepared to work on an omnibus bill.

CORRECTED

FISCAL REVIEW

Thursday, March 28, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Thursday, March 28, 2013, 8:15 AM House Hearing Room 1.

Public hearing will be held: HJR 26, HB 795, HB 609

Executive session will be held: HB 424, HB 543

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 3, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 99, HB 185, HCR 15, HB 262

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, March 28, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 84, HB 805, HB 311

Executive session may be held on any matter referred to the committee.

AMENDED

RETIREMENT

Thursday, April 4, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 86, HB 737, HB 782

Executive session may be held on any matter referred to the committee.

RULES

Thursday, March 28, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HCS HB 28, HB 62, HCS HB 114, HB 162, HCS HB 170, HCS#2 HB 178, HCS HB 194, HB 218, HCS HB 234, HB 242, HB 255, HCS HB 257, HB 274, HCS HB 290, HCS HB 345, HCS HB 351, HCS HBs 373 & 435, HCS HBs 374 & 434, HCS HB 389, HCS HB 418, HB 503, HB 526, HB 533, HCS HB 631, HCS HB 722, HB 733, HCR 10

Executive session may be held on any matter referred to the committee.

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, March 28, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 258, HB 758, HB 570, HCR 29, HCR 30, HB 739, HB 740, HB 741

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-THIRD DAY, THURSDAY, MARCH 28, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 35

HOUSE BILLS FOR SECOND READING

HB 916 through HB 933

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HB 578 - Funderburk
- 6 HB 316 - Phillips
- 7 HCS HB 30 - Scharnhorst
- 8 HCS HB 46 - Guernsey
- 9 HB 47 - Cross
- 10 HCS HB 134 - Allen
- 11 HCS HB 137 - Hinson
- 12 HCS HB 168 - Davis
- 13 HB 217 - Cox
- 14 HCS HB 221 - Leara
- 15 HB 253 - Berry
- 16 HCS HB 315 - Rowland
- 17 HB 400 - Riddle
- 18 HB 443 - Hubbard
- 19 HCS HB 343 - Guernsey

HOUSE BILLS FOR PERFECTION - CONSENT

(3/15/2013)

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58 - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger
- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin

- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger
- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438 - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer
- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 1 - Stream
- 2 HCS HB 2 - Stream
- 3 HCS HB 3 - Stream
- 4 HCS HB 4 - Stream
- 5 HCS HB 5 - Stream
- 6 HCS HB 6 - Stream
- 7 HCS HB 7 - Stream
- 8 HCS HB 8 - Stream
- 9 HCS HB 9 - Stream
- 10 HCS HB 10 - Stream
- 11 HCS HB 11 - Stream
- 12 HCS HB 12 - Stream
- 13 HCS HB 13 - Stream

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 112 - Burlison

SENATE BILLS FOR THIRD READING

HCS SCS SB 182, E.C. - Hough

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 14 - Stream

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-THIRD DAY, THURSDAY, MARCH 28, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Pat Conway.

Almighty Father, we ask this day that You bestow a special blessing upon those who have served us in the military. We devoutly pray, in recognition of those who are to be honored this Saturday, on Missouri's first Vietnam Veterans Day. May their sacrifices never be forgotten! Let us ask Your blessing on those over 58,000 men and women, over 1,400 from Missouri alone, who gave their lives on behalf of their country. Pray too for their families, those parents who lost a child, those brothers and sisters that grew up without their loved ones and especially for those children whose fathers were not there for their birthdays, graduations and weddings.

For those who are living who have faced their challenges and their demons we ask a special prayer. Give them peace in their days and new hope in this Easter season.

Let us please remember as Legislators, much like lawmakers in those chaotic days of Vietnam, that in each of our decisions we must ask for Your guidance, that even the simplest choice can have unimagined repercussions.

As my fellow Vietnam veteran Representative Shumake leads us in the Pledge of Allegiance, let us all stand a little taller, let us speak a little louder, and may we reflect a little deeper, O Lord, on the multitude of blessings You have bestowed upon our nation.

May this Saturday give comfort to all who have served during the Vietnam conflict and bless those who have served these United States and this Great State of Missouri...

And the House says "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mrs. Evrard's and Mrs. Legters's 4th Grade Classes, Mason Murphy, Zach Leader, Braxton Hardy and Brooklyn Jones.

The Journal of the forty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1011 through House Resolution No. 1033

HOUSE CONCURRENT RESOLUTIONS

Representative Swan, et al., offered House Concurrent Resolution No. 33.
 Representative Houghton, et al., offered House Concurrent Resolution No. 34.
 Representative Jones (110), et al., offered House Concurrent Resolution No. 35.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 35 was read the second time.

SECOND READING OF HOUSE BILLS

HB 916 through **HB 933** were read the second time.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 14, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **SCS HCS HB 14** was adopted by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gardner	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Pfautsch	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 017

Carpenter	Cross	Ellington	Funderburk	Gannon
Gatschenberger	Haahr	Jones 50	Kelley 127	Lichtenegger
Love	Mims	Molendorp	Parkinson	Phillips
Swearingen	Wright			

VACANCIES: 002

On motion of Representative Stream, **SCS HCS HB 14** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 002

Ellington Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Carpenter	Cierpiot	Cross	Funderburk	Gatschenberger
Haahr	Kelley 127	Lichtenegger	Molendorp	Neely
Swearingen				

VACANCIES: 002

Speaker Jones declared the bill passed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SCS HCS HB 14** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HCS HB 14** was delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF HOUSE BILL

HB 112, relating to statutory cause of action claims, was taken up by Representative Burlison.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 005

Bahr	Cierpiot	Lichtenegger	Torpey	Zerr
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VACANCIES: 002

On motion of Representative Burlison, **HB 112** was read the third time and passed by the following vote:

AYES: 093

Allen	Anderson	Austin	Bernskoetter	Berry
Brattin	Brown	Burlison	Conway 104	Cookson
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowland	Scharnhorst	Schatz	Shull	Shumake
Smith 120	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 062

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Cornejo	Curtis
Dunn	Ellinger	Ellington	English	Englund
Fowler	Frame	Gardner	Grisamore	Haahr
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May

Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Rowden	Runions	Schieber	Schieffer	Schupp
Smith 85	Solon	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bahr	Cierpiot	Curtman	Jones 50	Lichtenegger
Zerr				

VACANCIES: 002

Speaker Jones declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 1** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp

Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Flanigan	Lichtenegger	Morris	Wilson
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VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 2 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 2** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	McCaherty	McCann Beatty	McDonald
McManus	Messenger	Miller	Mims	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Parkinson	Pfausch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowland	Runions	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 026

Burns	Butler	Colona	Curtis	Ellinger
Ellington	Frame	Gardner	Hummel	Kratky
Marshall	Mayfield	McKenna	McNeil	Meredith
Mitten	Morgan	Newman	Norr	Otto
Pace	Roorda	Schieffer	Schupp	Smith 85
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 003

Lichtenegger	McGaugh	Rowden
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VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 3 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 3** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Leara	Lynch
May	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 026

Burns	Butler	Colona	Curtis	Ellinger
Ellington	Frame	Gardner	Hummel	Kratky
Marshall	Mayfield	McDonald	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Norr
Otto	Pace	Roorda	Schupp	Smith 85
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 002

Lichtenegger Love

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 4 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 4** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Nichols
Norr	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey

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Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 010

Burns	Colona	Ellington	Frame	Gardner
Marshall	McNeil	Newman	Otto	Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Jones 50	Lichtenegger	Pogue	Richardson
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VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 5 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 5** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 010

Frame	Gardner	Marshall	McNeil	Meredith
Mitten	Morgan	Newman	Otto	Parkinson

PRESENT: 000

ABSENT WITH LEAVE: 007

Burns	Funderburk	Gannon	Haahr	Jones 50
Lichtenegger	Love			

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 6 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 6** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	Meredith
Messenger	Miller	Mims	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 011

Ellington	Frame	Gardner	Kratky	Marshall
McNeil	Mitten	Morgan	Newman	Pace
Smith 85				

PRESENT: 000

ABSENT WITH LEAVE: 002

Funderburk	Lichtenegger
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VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 7 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 7** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	Englund	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Love	Lynch	McGaugh
Messenger	Miller	Molendorp	Morris	Neely
Neth	Newman	Nichols	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 041

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellington	English	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	LaFaver
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Norr

Otto	Pace	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 004

Fitzwater	Justus	Lichtenegger	Muntzel
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VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 8 was taken up by Representative Stream.

Representative Keeney assumed the Chair.

On motion of Representative Stream, **HCS HB 8** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 003

Marshall Pierson Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk Lichtenegger Webb

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 9 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 9** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 005

Ellington	Frame	Marshall	Norr	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 003

Lichtenegger	Spencer	Swearingen
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VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 10 was taken up by Representative Stream.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace

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Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Anders	Funderburk	Lichtenegger	McCaherty	Shumake
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VACANCIES: 002

On motion of Representative Stream, **HCS HB 10** was read the third time and passed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Anders Funderburk Lichtenegger

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 11 was taken up by Representative Stream.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 002

Lichtenegger Swearingen

VACANCIES: 002

On motion of Representative Stream, **HCS HB 11** was read the third time and passed by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 001

Lichtenegger

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 12 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 12** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Messenger	Miller	Mims	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 010

Burns	Curtis	Ellington	Frame	Marshall
Meredith	Mitten	Newman	Roorda	Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 003

Hoskins	Lichtenegger	Webb
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VACANCIES: 002

Representative Keeney declared the bill passed.

Speaker Jones resumed the Chair.

HCS HB 13 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 13** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 004

Curtis	Ellington	Marshall	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 003

Hoskins	Lichtenegger	Webb
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VACANCIES: 002

Speaker Jones declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 182, relating to local sales tax on motor vehicles, was taken up by Representative Hough.

HCS SCS SB 182 was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 18 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 32 - Elections

HJR 33 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 411 - General Laws

HB 504 - Professional Registration and Licensing

HB 539 - Judiciary

HB 540 - Special Standing Committee on Urban Issues

HB 580 - Insurance Policy

HB 620 - Government Oversight and Accountability

HB 637 - Special Standing Committee on Corrections

HB 696 - Judiciary

HB 725 - Transportation

HB 729 - General Laws

HB 730 - General Laws

HB 742 - Special Standing Committee on Corrections

HB 743 - Elementary and Secondary Education

HB 744 - Crime Prevention and Public Safety

HB 765 - Downsizing State Government

HB 781 - Government Oversight and Accountability

HB 796 - Professional Registration and Licensing

HB 797 - Children, Families, and Persons with Disabilities

HB 800 - Judiciary

HB 801 - Government Oversight and Accountability

HB 802 - General Laws

HB 803 - Government Oversight and Accountability

HB 810 - Economic Development

HB 812 - Crime Prevention and Public Safety
HB 814 - Special Standing Committee on Corrections
HB 817 - Downsizing State Government
HB 819 - Agri-Business
HB 824 - Ways and Means
HB 827 - Economic Development
HB 829 - Higher Education
HB 830 - Special Standing Committee on Corrections
HB 832 - Ways and Means
HB 837 - Health Care Policy
HB 840 - Government Oversight and Accountability
HB 841 - Agriculture Policy
HB 842 - Children, Families, and Persons with Disabilities
HB 846 - Local Government
HB 847 - Judiciary
HB 848 - Elections
HB 849 - Judiciary
HB 852 - Crime Prevention and Public Safety
HB 853 - Financial Institutions
HB 854 - Professional Registration and Licensing
HB 860 - Elementary and Secondary Education
HB 861 - Retirement
HB 862 - Judiciary
HB 865 - Elections
HB 869 - Transportation
HB 875 - Local Government
HB 876 - Elementary and Secondary Education
HB 879 - Higher Education
HB 880 - Agri-Business
HB 881 - Agri-Business
HB 885 - Transportation
HB 887 - Downsizing State Government
HB 888 - Transportation
HB 909 - Local Government
HB 914 - Economic Development
HB 927 - Agriculture Policy

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 455** and **HB 297**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 348**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 850**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Small Business, Chairman Torpey reporting:

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **HB 78**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Small Business, to which was referred **HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 398**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 404** and **HB 614**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 62**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 162**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 170**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 194**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 242**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 255**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 274**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 290**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 345**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 351**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 373 & 435**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 374 & 434**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 389**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 418**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 503**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 533**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 631**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 631**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 733**, begs leave to report it has examined the same and recommends that it **Do Pass - Not Consent**.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 53, HCS HB 58, HB 60, HCS HB 79, HCS HB 81, HB 116, HCS HB 199, HCS HB 235, HB 278, HCS HBs 303 & 304, HCS HB 306, HB 331, HB 334, HB 406, HB 428, HB 429, HB 433, HCS HB 438, HCS HB 440, HB 442, HB 445, HB 450, HB 451, HB 460, HB 471, HB 478, HB 498, HB 525, HB 568, HB 581, HB 585, HB 625, HB 632, HB 634, HB 650, HCS HB 656, HB 673, HB 702 and HB 715.**

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 36, introduced by Representatives Morgan, McNeil, Dunn, Pierson, Mims, Walton Gray, Nichols, Pace, Runions, Meredith, Mitten, Gardner, Kirkton, LaFaver, Schupp, McCann Beatty, Norr, Carpenter, Ellinger, English, Burns, Butler, Kratky, McDonald, Webb, Roorda, Webber, Swearingen, Smith (85), Rizzo and Newman, relating to ratification of the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 36, introduced by Representatives Jones (50) and Richardson, relating to the department of conservation.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Appropriation Bills were read the first time and copies ordered printed:

HB 17, introduced by Representative Stream, to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

HB 18, introduced by Representative Stream, to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

HB 19, introduced by Representative Stream, to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 934, introduced by Representatives Curtis, Swan, Walton Gray, Kelly (45), Lichtenegger, Schupp, Burns, Zerr, Funderburk, Fraker, Kratky, Cornejo, Hicks, May and Dunn, relating to the Missouri science, technology, engineering and mathematics initiative.

HB 935, introduced by Representatives Mayfield, Mitten, English, Anders, Runions and Carpenter, relating to consumer credit interest rates.

HB 936, introduced by Representatives Swan, Kirkton, English, Keeney, Richardson, Lichtenegger and Gardner, relating to a pilot project to utilization of telehealth by nurses.

HB 937, introduced by Representatives Hummel and Rizzo, relating to the MO HealthNet program.

HB 938, introduced by Representative Schupp, relating to technical codes.

HB 939, introduced by Representatives Fitzpatrick, Haahr, Rowden, Allen and Flanigan, relating to public assistance.

HB 940, introduced by Representative Fitzpatrick, relating to county planning and zoning commissions.

HB 941, introduced by Representative Walton Gray, relating to delegation of child visitation for incarcerated persons.

HB 942, introduced by Representatives Swan, Lichtenegger, Richardson, Haahr, Spencer, Gannon and Pfautsch, relating to virtual education.

HB 943, introduced by Representative Austin, relating to the liability of amusement ride owners or operators.

HB 944, introduced by Representatives Schatz, Korman, Hinson, Miller, Hampton, Brattin, Hansen, Haahr, Redmon, Houghton, Fitzpatrick, Rowden, Dugger, Kolkmeyer, Fraker, Lant and Reiboldt, relating to clean water permits.

HB 945, introduced by Representative Rowland, relating to compensation for damages arising from service of process.

HB 946, introduced by Representatives Schupp, McNeil, English, Webb, Ellinger, Roorda, McDonald, Meredith, LaFaver, Curtis, Kirkton, Gardner, Burns and Norr, relating to domestic violence.

HB 947, introduced by Representatives Dunn, Otto, Ellington, Curtis, Kirkton, Runions, Swearingen, Pace, Englund, Pierson, Nichols, Schupp, Schieffer, Hummel, McNeil, LaFaver, Morgan, Gardner, Mims, Walton Gray, McKenna and English, relating to the MO HealthNet program.

HB 948, introduced by Representatives Burns, Butler, Dunn, Ellington, Meredith, Harris, Walton Gray, Mims, Swearingen, Runions, English, Hubbard, Pace, Otto, Carpenter, Smith (85), May, Kratky, McDonald, Webber, Wright, Colona, Frame and Mayfield, relating to the MO HealthNet program.

HB 949, introduced by Representatives Curtis, Dunn, Otto and LaFaver, relating to the MO HealthNet program.

HB 950, introduced by Representatives McNeil, McKenna, Harris, Ellinger, Norr, Pace, Curtis, Ellington, Schieffer, Dunn, Schupp, Gardner, Otto, English, Mims, May and Pierson, relating to the MO HealthNet program.

HB 951, introduced by Representative Colona, relating to the MO HealthNet program.

HB 952, introduced by Representatives Mayfield, Dunn, Kratky, Runions and Burns, relating to the MO HealthNet program.

HB 953, introduced by Representative Ellinger, relating to the MO HealthNet program.

HB 954, introduced by Representatives Schieffer, Rizzo, Schupp, Hummel, McManus, Swearingen, McCann Beatty, Montecillo, McNeil, Gardner, Otto, Morgan, Englund, Kirkton, Dunn, Pierson, Anders, Carpenter, Walton Gray, Curtis, Burns, Meredith, English and Mayfield, relating to the MO HealthNet program.

HB 955, introduced by Representatives Nichols, Pierson, Schupp, Otto, McKenna, Mims, English and Dunn, relating to the MO HealthNet program.

HB 956, introduced by Representatives Otto, Dunn, Curtis, Hubbard, Pace, Anders, Runions, Pierson, Schupp, Englund, Nichols, Swearingen, McDonald, Conway (10), Hummel, Colona, LaFaver, McKenna, Burns, Mayfield, English, Butler, Mims, Walton Gray, McNeil, Schieffer, Gardner, Newman, Wright, Roorda, Rizzo, Frame, Kratky and Carpenter, relating to the MO HealthNet program.

HB 957, introduced by Representatives Schupp, Dunn, Frame, McManus, McNeil, Morgan, Schieffer, Rizzo, Butler, Roorda, Mayfield, Swearingen, McDonald, Hummel, Englund, Nichols, McKenna, Pierson, English and Kirkton, relating to the MO HealthNet program.

HB 958, introduced by Representatives Mims, Otto, Curtis, Ellinger, Walton Gray, Dunn, Pierson, Anders, McKenna, Runions, English, Schupp, Nichols, Englund, Kirkton, Morgan, McNeil, McDonald, Montecillo and Wright, relating to the MO HealthNet program.

HB 959, introduced by Representatives Morgan, McManus, Rizzo, Hummel, McNeil, Webb, Montecillo, Schieffer, Wright, Ellinger, McDonald, Norr, Newman, May, McKenna, Gardner, Burns, Meredith, Mayfield, Walton Gray, Mims, Runions, Anders, Pace, Otto, Carpenter, Butler, English, Harris, Ellington, Swearingen, Colona, Roorda, LaFaver, McCann Beatty, Schupp, Kirkton, Englund, Nichols, Dunn, Pierson and Curtis, relating to the MO HealthNet program.

HB 960, introduced by Representatives Englund, Pace, Dunn, Otto, Kirkton, Schieffer, Mims, McKenna, LaFaver, Nichols, Pierson, Morgan, McNeil, Norr, Ellinger, Webb, Rizzo, Kelly (45), Wright, McDonald, Newman and May, relating to the MO HealthNet program.

HB 961, introduced by Representatives Walton Gray, Mims, Dunn, Mayfield, English, McKenna, Morgan, Pace, Carpenter, Otto, Harris, Curtis, Pierson, Ellinger and Schupp, relating to the MO HealthNet program.

HB 962, introduced by Representatives Richardson, Jones (50), Hampton, Ross, Cookson and Barnes, relating to the definition of livestock.

HB 963, introduced by Representatives Houghton, Pfautsch, McGaugh, Spencer, Wood, Hurst and Schieffer, relating to crimes committed on agricultural property.

HB 964, introduced by Representatives Houghton, McGaugh, Spencer and Anderson, relating to animal slaughter and processing facilities.

HB 965, introduced by Representatives Houghton, Hansen, Riddle, Phillips, Redmon, Hough, Frederick, Korman, Hicks, Spencer, Wood, Hurst and Schieffer, relating to youth hunting.

HB 966, introduced by Representatives Gardner, Morgan, Pace, Dunn, McNeil, Schieffer, Otto, Montecillo, Rizzo, Swearingen, Ellington, Smith (85), May, LaFaver, McKenna and Newman, relating to the MO HealthNet program.

HB 967, introduced by Representative LaFaver, relating to the MO HealthNet program.

HB 968, introduced by Representatives Grisamore and Kirkton, relating to guardianship subsidies.

HB 969, introduced by Representatives May, Kratky, McDonald, Wright, Webb, Rizzo, Ellinger, Schupp, McNeil, Norr, Pierson, LaFaver, Hubbard, Burns, Harris, Walton Gray, Mims, Nichols, Morgan, Kirkton and Englund, relating to the MO HealthNet program.

HB 970, introduced by Representatives Wieland and Berry, relating to motor vehicle insurance.

HB 971, introduced by Representatives Fitzwater and Redmon, relating to local log trucks.

HB 972, introduced by Representatives Morgan, McNeil, Anders, Dunn, Montecillo, Pace, Pierson, Butler and Newman, relating to higher education tuition policy.

HB 973, introduced by Representative Stream, relating to grandparent visitation.

HB 974, introduced by Representatives Kirkton and Schupp, relating to the MO HealthNet program.

HB 975, introduced by Representative Richardson, relating to damages for certain civil actions.

HB 976, introduced by Representatives Schupp, Roorda, Webber, Ellinger, Stream, Scharnhorst, Phillips, Shull, Grisamore, Lant, Reiboldt, Rowland, Burns, Norr and Guernsey, relating to safety belts.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 35**, entitled:

An act to amend chapter 143, RSMo, by adding thereto one new section relating to the designation of tax refunds to certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 116**, entitled:

An act to repeal sections 115.139, 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, 115.292, 115.425, 115.541, and 115.585, RSMo, and to enact in lieu thereof thirty new sections relating to voting procedures for uniformed services and overseas voters, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 147**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 161**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to an actuarial analysis to study the cost impact of mandating health insurance coverage for eating disorders.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 178**, entitled:

An act to repeal sections 56.700 and 630.175, RSMo, and to enact in lieu thereof two new sections relating to mental health facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 186**, entitled:

An act to repeal sections 194.350 and 194.360, RSMo, and to enact in lieu thereof two new sections relating to unclaimed veterans' remains.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 211**, entitled:

An act to amend chapter 167, RSMo, by adding thereto ten new sections relating to the management of diabetes in elementary and secondary schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 222**, entitled:

An act to repeal sections 455.010, 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, and 527.290, RSMo, and to enact in lieu thereof nineteen new sections relating to domestic violence, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 230**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to newborn screenings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 248**, entitled:

An act to repeal section 67.457, RSMo, and to enact in lieu thereof one new section relating to notice of neighborhood improvement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 262**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to the reimbursement of covered health care services provided through telemedicine, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 287**, entitled:

An act to repeal sections 379.1300, 379.1306, 379.1310, 379.1312, and 379.1326, RSMo, and to enact in lieu thereof six new sections relating to captive insurance companies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 302**, entitled:

An act to amend chapter 338, RSMo, by adding thereto one new section relating to emergency prescription refills.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 305**, entitled:

An act to repeal section 334.040, RSMo, and to enact in lieu thereof one new selection relating to examination requirements for physicians.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 324**, entitled:

An act to amend chapter 375, RSMo, by adding thereto one new section relating to limited lines travel insurance producer licensing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 329**, entitled:

An act to repeal section 196.311, RSMo, and to enact in lieu thereof one new section relating to eggs.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Tuesday, April 2, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 880, HB 881

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Wednesday, April 3, 2013, 12:00 PM House Hearing Room 3.

Public hearing will be held: SB 16, HB 841, HB 927

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on resolution in conjunction with HJR 14

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 3, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Working meeting - agenda to be announced

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Wednesday, April 3, 2013, 12:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 33, SCS SB 47, SB 77, HB 797, HB 842, HB 707, HB 717, HB 718, HB 721

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 2, 2013, 7:00 PM 516 S Country Club Drive, Jefferson City.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 3, 2013, Upon Afternoon Adjournment House Hearing Room 6.

Public hearing will be held: HB 36, HB 38, HB 296, SB 216

Executive session may be held on any matter referred to the committee.

Executive session will follow.

ELEMENTARY AND SECONDARY EDUCATION

Tuesday, April 2, 2013, Upon Evening Adjournment House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Executive session only

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 396, HB 675, HB 626

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 2, 2013, 1:00 PM House Hearing Room 4.

Public hearing will be held: HB 427, HB 465, HB 749, HJR 15

Executive session will be held: HJR 26, HB 372, HB 543, HB 759

Executive session may be held on any matter referred to the committee.

AMENDED

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, April 3, 2013, 4:00 PM House Hearing Room 1.

Public hearing will be held: HB 803

Executive session will be held: HB 700

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 3, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 99, HB 185, HCR 15, HB 262

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, April 3, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 308, HB 598

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Tuesday, April 2, 2013, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: HB 338

Executive session will be held: HB 481, HB 610, HB 654

Executive session may be held on any matter referred to the committee.

HCS for HB 654 is being distributed.

JUDICIARY

Wednesday, April 3, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 281, HB 831

Executive session will be held: HB 210, HB 371

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 4, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 86, HB 737, HB 782, HB 861

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Tuesday, April 2, 2013, Upon Afternoon Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 241, HB 742, HB 814, HB 830
Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 2, 2013, 2:00 PM House Hearing Room 7.
Public hearing will be held: SB 43, SB 148
Executive session will be held: HB 415
Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 191, SB 237
Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 2, 2013, 11:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 106, SCS SB 117
Executive session will be held: SCS SB 106, SCS SB 117
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, April 2, 2013, 12:30 PM House Hearing Room 6.
Public hearing will be held: SS#2 SCS SBs 26, 11 & 31, HB 500, HB 628
Executive session will be held: HB 421
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 5.
Public hearing will be held: SS SCS SB 29, SS SB 34
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FOURTH DAY, TUESDAY, APRIL 2, 2013

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 36

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 36

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 17 through HB 19

HOUSE BILLS FOR SECOND READING

HB 934 through HB 976

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 169 - Diehl
- 2 HB 227 - Zerr
- 3 HB 152 - Solon
- 4 HB 423 - Zerr
- 5 HB 578 - Funderburk
- 6 HB 316 - Phillips
- 7 HCS HB 30 - Scharnhorst
- 8 HCS HB 46 - Guernsey
- 9 HB 47 - Cross
- 10 HCS HB 134 - Allen
- 11 HCS HB 137 - Hinson
- 12 HCS HB 168 - Davis
- 13 HB 217 - Cox
- 14 HCS HB 221 - Leara
- 15 HB 253 - Berry
- 16 HCS HB 315 - Rowland
- 17 HB 400 - Riddle
- 18 HB 443 - Hubbard
- 19 HCS HB 343 - Guernsey
- 20 HCS HBs 446 & 211 - Cox
- 21 HCS HB 470 - Barnes

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 53 - Gatschenberger
- 2 HCS HB 58, E.C. - Molendorp
- 3 HB 60 - Engler
- 4 HCS HB 79 - Johnson
- 5 HCS HB 81 - Johnson
- 6 HB 116 - Dugger
- 7 HCS HB 199 - Dugger
- 8 HCS HB 235 - Crawford
- 9 HB 278 - Brattin
- 10 HCS HBs 303 & 304 - Scharnhorst
- 11 HCS HB 306 - Hoskins
- 12 HB 331 - Miller
- 13 HB 334 - Dugger
- 14 HB 406 - Wieland
- 15 HB 428 - Schatz
- 16 HB 429 - Schatz
- 17 HB 433 - Korman
- 18 HCS HB 438, E.C. - Rowland
- 19 HCS HB 440 - Webb
- 20 HB 442 - Hoskins
- 21 HB 445 - Engler
- 22 HB 450 - Carpenter
- 23 HB 451 - Fraker
- 24 HB 460 - Engler
- 25 HB 471 - Spencer
- 26 HB 478 - Wieland
- 27 HB 498 - Jones (50)
- 28 HB 525 - Franklin
- 29 HB 568 - Lauer
- 30 HB 581 - Roorda
- 31 HB 585 - Schieffer
- 32 HB 625 - Burlison
- 33 HB 632 - Dunn
- 34 HB 634 - Elmer
- 35 HB 650 - Ross
- 36 HCS HB 656 - May
- 37 HB 673 - Schatz
- 38 HB 702 - Englund
- 39 HB 715 - McCaherty

SENATE BILLS FOR SECOND READING

- 1 SB 35
- 2 SS SCS SB 116
- 3 SCS SB 147
- 4 SB 161
- 5 SCS SB 178
- 6 SCS SB 186
- 7 SB 211
- 8 SB 222
- 9 SB 230
- 10 SCS SB 248
- 11 SS SB 262
- 12 SCS SB 287
- 13 SCS SB 302
- 14 SCS SB 305
- 15 SCS SB 324
- 16 SB 329

SENATE BILLS FOR THIRD READING

HCS SCS SB 182, E.C. - Hough

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-FOURTH DAY, TUESDAY, APRIL 2, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative John McCaherty.

Father, this is the day You have made; this is the moment that You have appointed for us to serve the people of this great state. They have trusted us to do what is right, and we know what is right is not always easy. Give us wisdom, courage, and understanding of the issues we face as we seek to serve others and honor You. We pray in Your name...

And the House says "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1034 through House Resolution No. 1157

HOUSE CONCURRENT RESOLUTION

Representative McCann Beatty, et al., offered House Concurrent Resolution No. 37.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 36 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 36 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 17 through **HB 19** were read the second time.

SECOND READING OF HOUSE BILLS

HB 934 through **HB 976** were read the second time.

SECOND READING OF SENATE BILLS

SB 35, SS SCS SB 116, SCS SB 147, SB 161, SCS SB 178, SCS SB 186, SB 211, SB 222, SB 230, SCS SB 248, SS SB 262, SCS SB 287, SCS SB 302, SCS SB 305, SCS SB 324 and **SB 329** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 53, relating to the Missouri Life and Health Insurance Guaranty Association Act, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 53** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 003

Ellington	Gardner	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Conway 104	Curtis	Grisamore	Lichtenegger
Pace	Rowden	Smith 85	Stream	Walton Gray
Webb				

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 58, relating to portable electronics insurance coverage, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 58** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Grisamore	Lichtenegger	Morris	Pace
Redmon	Rowden	Smith 85	Stream	Walton Gray
Webb				

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Black	Brattin	Brown	Burns
Butler	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Otto
Pfautsch	Phillips	Pierson	Pike	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 019

Berry	Burlison	Carpenter	Colona	Curtis
Ellington	Englund	Fitzpatrick	Frame	Gardner
Haahr	Kirkton	Marshall	Mitten	Norr
Parkinson	Pogue	Schieber	Swearingen	

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 008

Grisamore	Lichtenegger	Pace	Redmon	Smith 85
Stream	Walton Gray	Webb		

VACANCIES: 002

HB 60, relating to the removal of weeds and trash, was taken up by Representative Engler.

On motion of Representative Engler, **HB 60** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 009

Burlison	Carpenter	Ellinger	Gardner	Guernsey
Higdon	Marshall	May	Remole	

PRESENT: 000

ABSENT WITH LEAVE: 006

Hansen	Lichtenegger	Pace	Stream	Walton Gray
Webb				

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 79, relating to the creation of the Missouri International Business Advertising Fund, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 79** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFayer	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 014

Bahr	Burlison	Curtman	Dugger	Ellington
Haahr	Keeney	Koenig	Leara	Marshall
May	Pogue	Ross	Schieber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Dunn	Molendorp	Pace	Redmon	Scharnhorst
Stream	Walton Gray	Webb		

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 81, relating to the establishment of the Missouri International Agriculture Exchange website, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 81** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieffer	Shull	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 009

Ellinger	Gardner	Kirkton	Marshall	Mitten
Pogue	Schieber	Schupp	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Colona	Pace	Scharnhorst	Shumake
Stream	Walton Gray	Webb		

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 116, relating to audits of county government accounts, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 116** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Curtis

PRESENT: 000

ABSENT WITH LEAVE: 009

Bernskoetter	Curtman	Funderburk	Morris	Pace
Parkinson	Scharnhorst	Stream	Walton Gray	

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 199, relating to obsolete election statutes, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 199** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 002

Ellington	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 007

Kolkmeyer	Pace	Redmon	Rehder	Schatz
Stream	Walton Gray			

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 235, relating to county treasurer qualifications, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 235** was read the third time and passed by the following vote:

AYES: 152

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfautsch	Phillips	Pierson	Pike	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 003

Ellinger	Ellington	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Colona	Pace	Redmon	Stream
Walton Gray				

VACANCIES: 002

Speaker Jones declared the bill passed.

Representative Funderburk assumed the Chair.

HB 278, relating to federal holidays, was taken up by Representative Brattin.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Diehl	Dugger
Elmer	Engler	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Pfautsch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Davis	Dohrman	Fitzpatrick	Higdon	Leara
Mims	Molendorp	Pace	Parkinson	Redmon
Stream	Walton Gray			

VACANCIES: 002

On motion of Representative Brattin, **HB 278** was read the third time and passed by the following vote:

AYES: 114

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	McManus
Messenger	Miller	Morris	Muntzel	Neely
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Schatz	Schieber	Schieffer	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 032

Anders	Burns	Butler	Carpenter	Curtis
Dunn	Ellinger	English	Gardner	Hummel
Kelly 45	Kirkton	LaFaver	May	McCann Beatty
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pierson	Runions	Schupp	Smith 85	Swearingen
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Colona	Gannon	Higdon	Leara
McDonald	Molendorp	Neth	Pace	Parkinson
Redmon	Scharnhorst	Shull	Stream	Walton Gray

VACANCIES: 002

Representative Funderburk declared the bill passed.

HCS HBs 303 & 304, relating to the designation of the “Stan Musial Memorial Bridge,” was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HBs 303 & 304** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pfausch
Phillips	Pierson	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 002

Ellington	Hummel
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ABSENT WITH LEAVE: 012

Conway 104	Cross	Fraker	Higdon	LaFaver
Leara	Molendorp	Pace	Parkinson	Redmon
Stream	Walton Gray			

VACANCIES: 002

Representative Funderburk declared the bill passed.

HCS HB 306, relating to the designation of the official state historical dog, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 306** was read the third time and passed by the following vote:

AYES: 097

Allen	Anders	Bahr	Barnes	Berry
Black	Brattin	Brown	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Fowler
Frederick	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 50	Justus	Kelley 127	Kirkton
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Mayfield
McCann Beatty	McDonald	McGaugh	McManus	Messenger
Miller	Montecillo	Morris	Muntzel	Neely
Pfausch	Phillips	Pike	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Smith 85	Smith 120	Solon
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wood
Wright	Zerr			

NOES: 050

Anderson	Austin	Burlison	Burns	Butler
Carpenter	Curtman	Dunn	Ellinger	Ellington
Engler	English	Englund	Flanigan	Gannon
Gardner	Gosen	Haahr	Hansen	Harris
Hubbard	Hurst	Kelly 45	Koenig	LaFaver
Leara	Marshall	May	McKenna	McNeil
Meredith	Mims	Mitten	Morgan	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pierson	Pogue	Roorda	Runions	Schieber
Schupp	Sommer	Spencer	Swearingen	Wilson

PRESENT: 001

Frame

ABSENT WITH LEAVE: 013

Bernskoetter	Cox	Curtis	Fraker	Franklin
Keeney	McCaherty	Molendorp	Pace	Redmon
Rowland	Stream	Mr Speaker		

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 331, relating to telecommunication price cap waivers, was taken up by Representative Miller.

On motion of Representative Miller, **HB 331** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wood
Wright	Zerr			

NOES: 008

Butler	Colona	Curtis	Ellington	Frame
Marshall	May	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Bernskoetter	English	Funderburk	Guernsey
Jones 50	Molendorp	Pace	Redmon	Stream
Mr Speaker				

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 334, relating to children working on family farms, was taken up by Representative Dugger.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Anderson	Austin	Bahr	Barnes	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 009

Allen	Bernskoetter	Flanigan	Guernsey	Leara
Molendorp	Pace	Ross	Stream	

VACANCIES: 002

On motion of Representative Dugger, **HB 334** was read the third time and passed by the following vote:

AYES: 112

Anderson	Austin	Bahr	Barnes	Berry
Black	Brattin	Brown	Burlison	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Swan	Thomson	Walker
Webb	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 040

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	English
Englund	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCaherty	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pierson	Runions	Schupp	Smith 85
Swearingen	Torpey	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Bernskoetter	Flanigan	Fraker	Leara
Molendorp	Pace	Phillips	Stream	

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 406, relating to the electronic payment of child support, was taken up by Representative Wieland.

On motion of Representative Wieland, **HB 406** was read the third time and passed by the following vote:

AYES: 143

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pfautsch	Phillips
Pierson	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 011

Bernskoetter	Butler	Fitzpatrick	Haahr	Hubbard
Marshall	Parkinson	Schieber	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Flanigan	Leara	Molendorp	Pace
Redmon	Stream			

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 428, relating to salvage titles, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 428** was read the third time and passed by the following vote:

AYES: 147

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr			

NOES: 005

Colona	Ellington	Marshall	Smith 85	Walton Gray
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PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Bernskoetter	Diehl	Flanigan	Molendorp
Pace	Redmon	Stream	Mr Speaker	

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 429, relating to salvage vehicle titles, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 429** was read the third time and passed by the following vote:

AYES: 147

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfausch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 007

Colona	Ellington	Kratky	Marshall	Mims
Smith 85	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Flanigan	Kolkmeier	Molendorp	Pace
Redmon	Stream			

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 433, relating to meat processor inspections, was taken up by Representative Korman.

On motion of Representative Korman, **HB 433** was read the third time and passed by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	McKenna	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Walker	Wieland
Wilson	Wood	Zerr		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pierson	Rehder	Rizzo	Roorda	Runions
Schupp	Smith 85	Swearingen	Torpey	Walton Gray
Webb	Webber	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brattin	Conway 10	Higdon	Molendorp
Pace	Scharnhorst	Stream	Mr Speaker	

VACANCIES: 002

Representative Funderburk declared the bill passed.

HCS HB 438, relating to college specialty license plates, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCS HB 438** was read the third time and passed by the following vote:

AYES: 134

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Conway 104	Cookson	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Mims	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Norr	Parkinson	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright	Zerr	

NOES: 016

Anders	Austin	Carpenter	Colona	Ellington
Hansen	Kirkton	Marshall	Mayfield	Meredith
Mitten	Nichols	Otto	Pogue	Spencer
White				

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Conway 10	Cornejo	Fitzwater	Hampton
Higdon	Lichtenegger	Molendorp	Pace	Stream
Mr Speaker				

VACANCIES: 002

Representative Funderburk declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 120

Allen	Anderson	Austin	Barnes	Bernskoetter
Black	Brattin	Brown	Burns	Butler
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Rizzo	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Swan	Thomson	Torpey	Walker
Webb	Webber	Wieland	Wood	Wright

NOES: 030

Anders	Bahr	Berry	Burlison	Carpenter
Colona	Conway 104	Curtis	Ellington	Frame
Gardner	Haahr	Kirkton	Marshall	May
Mayfield	Meredith	Mims	Nichols	Norr
Pogue	Remole	Roorda	Runions	Schieber
Spencer	Swearingen	Walton Gray	White	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Conway 10	Cornejo	Hampton	Higdon
Molendorp	Pace	Riddle	Stream	Zerr
Mr Speaker				

VACANCIES: 002

HB 442, relating to professional therapy dogs, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 442** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 001

Burlison

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Grisamore	Hinson	LaFaver	Molendorp
Pace	Scharnhorst	Stream	Zerr	

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 445, relating to the designation of the “Andy Gammon Memorial Highway,” was taken up by Representative Engler.

On motion of Representative Engler, **HB 445** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 006

Diehl	Grisamore	Hinson	Molendorp	Pace
Stream				

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 451, relating to county budgets, was taken up by Representative Fraker.

On motion of Representative Fraker, **HB 451** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Pfausch	Phillips	Pierson
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 009

Guernsey	Hinson	Hubbard	Leara	McCaherty
Molendorp	Pace	Redmon	Stream	

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 498, relating to paid-in surplus distributions, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **HB 498** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 002

Ellington May

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Flanigan	Hinson	Leara	Pace
Redmon	Scharnhorst	Stream		

VACANCIES: 002

Representative Funderburk declared the bill passed.

HB 460, relating to the conveyance of state property, was taken up by Representative Engler.

Representative Jones (50) assumed the Chair.

On motion of Representative Engler, **HB 460** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 004

Butler	Ellington	Marshall	May
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PRESENT: 001

Hubbard

ABSENT WITH LEAVE: 008

Funderburk	Hinson	Leara	Molendorp	Pace
Parkinson	Stream	Torpey		

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 471, relating to the designation of “Engineers Awareness Week,” was taken up by Representative Spencer.

On motion of Representative Spencer, **HB 471** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Norr
Otto	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 006

Bahr	Carpenter	Colona	Marshall	Meredith
Nichols				

PRESENT: 000

ABSENT WITH LEAVE: 008

Funderburk	Higdon	Hinson	Keeney	Leara
Molendorp	Pace	Stream		

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 478, relating to shares in credit unions, was taken up by Representative Wieland.

On motion of Representative Wieland, **HB 478** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Gardner

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Higdon	Hinson	Keeney	Leara
Pace	Stream			

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 525, relating to state purchasing of commodities, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 525** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Cierpiot	Flanigan	Funderburk	Higdon
Hinson	Leara	Morris	Pace	

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 568, relating to the collection of special assessments for Neighborhood Improvement Districts, was taken up by Representative Lauer.

On motion of Representative Lauer, **HB 568** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Fowler
Fraker	Frame	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	

NOES: 016

Bahr	Brattin	Burlison	Curtman	Fitzpatrick
Franklin	Haahr	Koenig	Korman	Marshall
Mitten	Pogue	Rehder	Ross	Smith 85
Smith 120				

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Flanigan	Higdon	Leara	Pace
Mr Speaker				

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 625, relating to collaborative practice arrangements, was taken up by Representative Burlison.

On motion of Representative Burlison, **HB 625** was read the third time and passed by the following vote:

AYES: 150

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Franklin Pogue

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Bernskoetter	Diehl	Flanigan	Funderburk
Higdon	Leara	Pace	Stream	

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 634, relating to the designation of "Turner Syndrome Awareness Month," was taken up by Representative Elmer.

On motion of Representative Elmer, **HB 634** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Flanigan	Funderburk	Higdon	Hubbard
Leara	McKenna	Pace	Stream	Webb

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 650, relating to the designation of the Land Survey Program headquarters, was taken up by Representative Ross.

On motion of Representative Ross, **HB 650** was read the third time and passed by the following vote:

AYES: 147

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Marshall

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Allen	Bernskoetter	Brown	Curtman	Flanigan
Funderburk	Higdon	Leara	Pace	Scharnhorst
Stream	Wilson			

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 673, relating to Linn State Technical College, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 673** was read the third time and passed by the following vote:

AYES: 126

Bahr	Barnes	Berry	Black	Brattin
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dunn
Ellinger	Ellington	Elmer	Engler	Englund
Fitzwater	Fowler	Frame	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Otto	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 019

Anders	Anderson	Austin	Burlison	Colona
Cornejo	Dugger	English	Fitzpatrick	Gardner
Haahr	Kirkton	Mayfield	McDonald	Mims
Molendorp	Norr	Ross	Smith 85	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Bernskoetter	Brown	Dohrman	Entlicher
Flanigan	Fraker	Funderburk	Higdon	Leara
May	Muntzel	Pace	Scharnhorst	Stream
Swearingen				

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 715, relating to motorcycle brake lights, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HB 715** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfausch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Conway 10	Flanigan	Funderburk	Higdon
Leara	Pace	Stream		

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HCS HB 440, relating to the sale of cottage foods, was taken up by Representative Webb.

On motion of Representative Webb, **HCS HB 440** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cornejo	Flanigan	Funderburk	Higdon	Leara
Pace	Scharnhorst	Stream	Webber	Mr Speaker

VACANCIES: 002

Representative Jones (50) declared the bill passed.

HB 702, relating to unclaimed military medals, was taken up by Representative Englund.

On motion of Representative Englund, **HB 702** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Flanigan	Funderburk	Keeney	Leara
Pace	Scharnhorst	Stream		

VACANCIES: 002

Representative Jones (50) declared the bill passed.

Speaker Jones resumed the Chair.

HCS HB 656, relating to the City of St. Louis parking division, was taken up by Representative May.

On motion of Representative May, **HCS HB 656** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cox	Crawford
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 001

Smith 85

PRESENT: 001

Hubbard

ABSENT WITH LEAVE: 015

Brown	Colona	Cornejo	Cross	Flanigan
Frederick	Keeney	Leara	McCaherty	Morris
Pace	Rehder	Scharnhorst	Stream	Wieland

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 632, relating to the designation of "Alpha Phi Alpha Day," was taken up by Representative Dunn.

On motion of Representative Dunn, **HB 632** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Cookson	Cox	Crawford
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Conway 104	Cornejo	Cross	Flanigan
Leara	Pace	Rehder	Riddle	Stream
Zerr				

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 585, relating to the designation of "Stan Musial Day," was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HB 585** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Cookson	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 001

Marshall

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 009

Colona	Conway 104	Cornejo	Flanigan	Leara
Molendorp	Pace	Riddle	Stream	

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 450, relating to military medallions and medals, was taken up by Representative Carpenter.

On motion of Representative Carpenter, **HB 450** was read the third time and passed by the following vote:

AYES: 153

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Allen	Cornejo	Flanigan	Leara	Molendorp
Pace	Stream	Zerr		

VACANCIES: 002

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 152, relating to school officers, was taken up by Representative Solon.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 152, Page 2, Section 162.215, Line 23, by inserting after all of said section and line, the following:

“Section 1. The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald

McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Colona	Ellington	Hoskins	Pace	Stream
Zerr				

VACANCIES: 002

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

Representative Haefner offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 152, Page 2, Section 162.215, Line 23, by inserting after all of said line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;

- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; or
- (25) Stalking under section 565.225;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

- (1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;
- (2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

- (1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and
- (2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or

a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. [The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.]

11. [If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.]

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public

school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22.] In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

"210.115. 1. When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister as provided by section 352.400, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately report [or cause a report to be made] to the division in accordance with the provisions of sections 210.109 to 210.183. **No internal investigation shall be initiated until such a report has been made.** As used in this section, the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. [Whenever such person is required to report pursuant to sections 210.109 to 210.183 in an official capacity as a staff member of a medical institution, school facility, or other agency, whether public or private, the person in charge or a designated agent shall be notified immediately. The person in charge or a designated agent shall then become responsible for immediately making or causing such report to be made to the division. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect] **If two or more members of a medical institution who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a member of that team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter immediately make the report.**

3. **The reporting requirements under this section are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No person making a report under this section shall be subject to any sanction, including any adverse employment action, for making such report.**

4. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

[4.] 5. In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

[5.] 6. Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452 and shall report the findings to the child fatality review panel established pursuant to section 210.192.

[6.] 7. Any person or individual required to report may also report the suspicion of abuse or neglect to any law enforcement agency or juvenile office. Such report shall not, however, take the place of reporting [or causing a report to be made] to the division.

[7.] 8. If an individual required to report suspected instances of abuse or neglect pursuant to this section has reason to believe that the victim of such abuse or neglect is a resident of another state or was injured as a result of an act which occurred in another state, the person required to report such abuse or neglect may, in lieu of reporting to the Missouri division of family services, make such a report to the child protection agency of the other state with the authority to receive such reports pursuant to the laws of such other state. If such agency accepts the report, no report is required to be made, but may be made, to the [Missouri] division [of family services]."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 2** is out of order pursuant to Rule 69.

The Chair ruled the point of order not well taken.

On motion of Representative Haefner, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Franklin	Neth	Pace	Rehder
Stream	Zerr			

VACANCIES: 002

On motion of Representative Solon, **HB 152, as amended**, was ordered perfected and printed.

HB 578, relating to sales and use taxation, was taken up by Representative Funderburk.

Representative Kelly (45) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 578, Page 1, Section A, Line 3, by inserting after all of said line the following:

"32.070. 1. This act shall be known and may be cited as the "Streamlined Sales and Use Tax Agreement Act".

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

4. For the purposes of representing the state as a member of the agreement and, if necessary, amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director's designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

5. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043.**

[13.] 12. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] 13. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and

employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and

"Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town

and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary

change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County AntiDrug Sales Tax Trust Fund". [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of

revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term "funding of museums and festivals" shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county's voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term "museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the

county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? "Museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] **to** 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, [one] **two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO". [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] **to** 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group

A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center,

playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so

long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087**. The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such

county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Prosecuting Attorney's Office Sales Tax Trust Fund" or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087.** The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and

close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County-Municipal Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized

by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, "qualified voters" or "voters" means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
 Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund.] shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission.

67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of

the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seven hundred or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after

payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

- (1) Operations of economic development or community development offices, including the salaries of employees;
- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and
- (8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

- (1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;
- (3) One member shall be appointed by the largest public school district in the city or county;
- (4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;
- (5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a

term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] 10. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087.** If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other

sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
 Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and/or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft,**

or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes. Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to

sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance

or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, made **on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

- (1) The name and residence of each petitioner and the location of the real property owned by the petitioner;
- (2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and
- (3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

- (1) A description of the boundaries of the proposed district;
- (2) The time and place of a hearing to be held to consider establishment of the proposed district;
- (3) The proposed sales tax rate to be voted on within the proposed district; and
- (4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

- (1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;
- (2) Hear all protests and receive evidence for or against the establishment of the proposed district; and
- (3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such

denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the "Exhibition Center and Recreational Facility District Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] **14.** Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] **15.** In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087.** If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money

which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7)] **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court.

Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of (insert rate of percent) percent for [a] capital improvements purposes in the city's center city for a period of (insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for

an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087.** If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired."; and

Further amend said bill, Pages 1 to 5, Section 144.010, by deleting all of said section and inserting in lieu thereof the following:

"144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) **"Advertising and promotional direct mail", printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word "product" means tangible personal property, a product transferred electronically or a service;**

(3) **"Agreement", the streamlined sales and use tax agreement, as amended from time to time;**

(4) **"Air-to-ground radiotelephone service", a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;**

(5) **"Alcoholic beverages", beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;**

(6) **"Ancillary services", services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;**

(7) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers;

(8) "Bottled water", water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

- (a) Antimicrobial agents;
- (b) Fluoride;
- (c) Carbonation;
- (d) Vitamins, minerals, and electrolytes;
- (e) Oxygen;
- (f) Preservatives; and
- (g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) "Bundled transaction":

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term "distinct and identifiable products" shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term "one nonitemized price" shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use of receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. "De minimis" means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction included food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller's purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person "engages in business in this state" or "maintains a place

of business in this state" under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(12) "Call-by-call basis", any method of charging for telecommunications services where the price is measured by individual calls;

(13) "Candy", a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(14) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(15) "Certified automated system" or "CAS", software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;

(16) "Certified service provider" or "CSP", an agent certified under the streamlined sales and use tax agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(17) "Clothing":

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

a. Aprons, household and shop;

b. Athletic supporters;

c. Baby receiving blankets;

d. Bathing suits and caps;

e. Beach capes and coats;

f. Belts and suspenders;

g. Boots;

h. Coats and jackets;

i. Costumes;

j. Diapers, children and adult, including disposable diapers;

k. Ear muffs;

l. Footlets;

m. Formal wear;

n. Garters and garter belts;

o. Girdles;

p. Gloves and mittens for general use;

q. Hats and caps;

r. Hosiery;

s. Insoles for shoes;

t. Lab coats;

u. Neckties;

v. Overshoes;

w. Pantyhose;

x. Rainwear;

y. Rubber pants;

z. Sandals;

aa. Scarves;

bb. Shoes and shoe laces;

cc. Slippers;

- dd. Sneakers;
- ee. Socks and stockings;
- ff. Steel toed shoes;
- gg. Underwear;
- hh. Uniforms, athletic and nonathletic; and
- ii. Wedding apparel;
- (c) Clothing shall not include:
 - a. Belt buckles sold separately;
 - b. Costume masks sold separately;
 - c. Patches and emblems sold separately;
 - d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and
 - e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;
- (18) "Clothing accessories and equipment", incidental items worn on the person or in conjunction with clothing. Clothing accessories or equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;
- (19) "Coin-operated telephone service", a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate;
- (20) "Communications channel", a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;
- (21) "Computer", an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;
- (22) "Computer software", a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;
- (23) "Conference bridging service", an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;
- (24) "Customer", the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area;
- (25) "Customer channel termination point", the location where the customer either inputs or receives the communication;
- (26) "Delivered electronically", delivered to the purchaser by means other than tangible storage media;
- (27) "Delivery charges", charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;
- (28) "Detailed telecommunications billing service", an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement;
- (29) "Dietary supplement", any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;
- (30) "Digital audio works", works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;
- (31) "Digital audio-visual works", a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;
- (32) "Digital books", works that are generally recognized in the ordinary and usual sense as books;

(33) "Direct mail", printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;

(34) "Directory assistance", an ancillary service of providing telephone number information, or address information;

(35) "Drug":

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, and supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) "Durable medical equipment", equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and

b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) "Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) "End user", the person who utilizes the telecommunication service. In case of an entity, "end user" means the individual who utilizes the service on behalf of the entity;

(39) "Energy star qualified product", a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that are authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) "Engages in business activities within this state", includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) "Food and food ingredients", substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) "Food sold through vending machines", food dispensed from a machine or other mechanical device that accepts payment;

(43) "Grooming and hygiene products", soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter-drugs;

[(4)] (44) "Gross receipts"[,] or "sales price":

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] **applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:**

- a.** The seller's cost of the property sold;
- b.** The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;
- c.** Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- d.** Delivery charges; and
- e.** Credit for any trade-in;

(b) Shall not include:

- a.** Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
- b.** Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and

c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(c) Shall include consideration received by the seller from third parties if:

- a.** The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
- b.** The seller has an obligation to pass the price reduction or discount through to the purchaser;
- c.** The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
- d.** One of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or

(iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;

(45) "Home service provider", the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(46) "Lease or rental":

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;

(b) Lease or rental shall not include:

a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;

c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;

(c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;

(47) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) "Light aircraft kit", factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) "Light aircraft parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) "Load and leave", delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) "Maintains a place of business in this state", includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) "Mobile telecommunications service", the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) "Mobility enhancing equipment", equipment, including repair and replacement parts to same, which:

(a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and

(b) Is not generally used by persons with normal mobility; and

(c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) "Model 1 seller", a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(56) "Model 2 seller", a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) "Model 3 seller", a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) "Model 4 seller", a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) "Motor vehicle leasing company" [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) "Other direct mail", any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

- (a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;
- (b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and
- (c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) "Over-the-counter-drug", a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

- (a) A drug facts panel; or
- (b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, or any other legal entity;

[(8)] (63) "Place of primary use", the street address representative of where the customer's use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;

(64) "Post-paid calling service", the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;

(65) "Prepaid calling service", the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(66) "Prepaid wireless calling service", a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(67) "Prepared food", food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;

(68) "Prescription", an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;

(69) "Prewritten computer software", computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there

is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) "Private communication service", a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) "Product-based exemption", an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) "Product which is intended to be sold ultimately for final use or consumption", tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent to these taxes, in this state or any other state;

(73) "Prosthetic device", a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term "prosthetic device" shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) "Protective equipment", items for human wear and designed as protection of the wearer against injury or disease or as protections against damage or injury of other persons or property but not suitable for general use. Protective equipment are mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) "Purchase price", applies to the measure subject to use tax and has the same meaning as sales price;

(77) "Purchaser" [means], a person [who purchases tangible] to whom a sale of personal property is made or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] a service is furnished;

[(9)] (78) "Qualified light aircraft purchaser", a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;

(79) "Receive" or "receipt", taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;

(80) "Registered under the agreement", registration by a seller with the member states under the central registration system provided in Article IV of the agreement;

(81) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

[(10)] "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

[(11)] (82) "Sale at retail" [means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own

use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] or "retail sale", any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. **Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale.** Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

- (a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;
- (b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;
- (c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;
- (d) Sales of service for transmission of messages by telegraph companies;
- (e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;
- (f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(83) "School art supply":

(a) An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Clay and glazes;
- b. Paints, acrylic, tempora, and oil;
- c. Paintbrushes for artwork;
- d. Sketch and drawing pads; and
- e. Watercolors;

(84) "School computer supply":

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

- a. Computer storage media, diskettes, compact disks;
- b. Handheld electronic schedulers, except devices that are cellular phones;
- c. Personal digital assistants, except devices that are cellular phones; and
- d. Computer printers and printer supplies for computers, printer paper, and printer ink;

(85) "School instructional material":

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;
- b. Reference maps and globes;
- c. Textbooks; and
- d. Workbooks;

(86) "School supply":

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;
- b. Book bags;
- c. Calculators;
- d. Cellophane tape;
- e. Blackboard chalk;

- f. Compasses;
- g. Composition books;
- h. Crayons;
- i. Erasers;
- j. Folders, expandable, pocket, plastic, and manila;
- k. Glue, paste, and paste sticks;
- l. Highlighters;
- m. Index cards;
- n. Index card boxes;
- o. Legal pads;
- p. Lunch boxes;
- q. Markers;
- r. Notebooks;
- s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
- t. Pencil boxes and other school supply boxes;
- u. Pencil sharpeners;
- v. Pencils;
- w. Pens;
- x. Protractors;
- y. Rulers;
- z. Scissors; and
- aa. Writing tablets;

[(12)] (87) "Seller" means a person [selling or furnishing tangible] **making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] service;**

(88) **"Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;**

(89) **"Service address":**

(a) **The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;**

(b) **If the location in paragraph (a) of this subdivision is not known, "service address" means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;**

(c) **If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer's place of primary use;**

(90) **"Specified digital products", electronically transferred digital audio-visual works, digital audio works, and digital books;**

(91) **"Sport or recreational equipment", items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;**

(92) **"State", any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;**

(93) **"Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;**

(94) **"Tangible personal property", personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;**

[(13)] The noun] (95) **"Tax" [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;**

(96) **"Taxpayer", any person remitting the tax or who should remit the tax levied by this chapter;**

(97) "Telecommunications nonrecurring charges", an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;

[(14)] **(98) "Telecommunications service"**[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) "Transportation equipment", any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco;

(101) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) "Use-based exemption", an exemption based on a specified use of the product by the purchaser;

(103) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through** vending [machine sales, the term "food"] **machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable."; and

Further amend said bill, Pages 5 to 13, Section 144.030, by deleting all of said section and inserting in lieu thereof the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used

in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, **provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this paragraph shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;**

(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and

accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, **all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment**, and [drugs required by the Food and Drug Administration to meet the] **all sales of** over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] **drugs** as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use [and in any city not within a county, all sales of metered or unmetered water service for domestic use]:

(a) "Domestic use" means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units,

shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, piped natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, piped natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, piped natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handcraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071, 4081, [4091,] 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(44) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district

imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **piped natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser's business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

- (a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and
- (b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

- (a) A direct pay permit;
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or
- (c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations

to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

(2) A purchaser of other direct mail may provide the seller with either:

(a) A direct pay permit; or

(b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

(3) Nothing in this section shall limit any purchaser's:

(a) Obligation for sales or use tax to any state to which the direct mail is delivered;

(b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or

(c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

- (1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction; or
- (2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. **Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunication services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.**

3. **The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:**

(1) **A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;**

(2) **A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:**

- (a) **The seller's telecommunications system; or**
- (b) **Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;**

(3) **A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;**

(4) **A sale of a private communication service is sourced as follows:**

(a) **Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;**

(b) **Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;**

(c) **Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and**

(d) **Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.**

4. **The sale of internet access service is sourced to the customer's place of primary use.**

5. **The sale of an ancillary service is sourced to the customer's place of primary use.**

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[.]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[.]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[.]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] **2.** This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] **3.** This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] **4.** This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

144.054. 1. As used in this section, the following terms mean:

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, **section 238.235, and the local sales tax law as described in section 32.085**, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, **section 238.235, and the local sales tax law as described in section 32.085**, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. The exemptions granted in this subsection shall not apply to local sales **or use** taxes as defined in section 32.085 **levied on electricity, piped natural or artificial gas, or other fuels delivered by the seller** and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and

purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

- (1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;
- (2) Is authorized to do business in Missouri;
- (3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;
- (4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and
- (5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues.

144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration.

Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making "same day" payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

- (1) **The name and address of the retailer;**
- (2) **The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;**
- (3) **The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;**
- (4) **Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;**
- (5) **Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;**
- (6) **Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;**
- (7) **Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and**
- (8) **Such other pertinent information as the director may require.**

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. **The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state.** With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] 5. In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] 6. If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] 7. The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

144.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the

nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. **1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.**

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.

144.210. **1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]**

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this subsection may be applied to the aggregated state and local taxes.**

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] 5. If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the

percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984.

144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. [For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]; and

Further amend said bill, Page 16, Section 144.605, Line 121, by inserting after all of said line the following:

"144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal to two percent thereof.] **Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law.**

184.845. 1. The board of the district may impose a museum district sales tax by resolution on all retail sales made in such museum district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum district sales tax may be imposed for any museum purpose designated by the board of the museum district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to either the legal voters of the district and/or to the owners of real property within the district who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter [following adoption of the tax by the qualified voters] **after the director of revenue receives notification of the adoption of the local sales tax.**

3. In each museum district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.825.

5. All revenue received by a museum district from the tax authorized by this section which has been designated for a certain museum purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the [museum district] **director of revenue** shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the [museum district] **director**.

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 [and] to 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section[, except as modified in this section].

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the museum district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum district shall be deposited by the museum district in a special fund to be expended for the purposes authorized in this section. The museum district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects.

221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of
(insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6)] All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation

development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination

and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] 10. The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] 11. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

[13.] 12. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] 13. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] 14. In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412.

644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.

[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the

county with sufficient information to perform such duties in such form as may be agreed upon by the director and the county at no cost to the county. The county shall be bound by the provisions of section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director's powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

- (1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;
- (2) "Engages in business activities within this state" includes:
 - (a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or
 - (b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or
 - (c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or
 - (d) Soliciting sales or taking orders by sales agents or traveling representatives;
- (3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;
- (4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate,

trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) "Tangible personal property", all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) "Taxpayer", any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745.

A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

- (a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;
- (b) The person maintains no place of business in this state; and
- (c) The person has no selling agents in this state.]

[144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the "Simplified Sales and Use Tax Administration Act".]

[144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

- (1) "Agreement", the streamlined sales and use tax agreement;
- (2) "Certified automated system", software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;
- (3) "Certified service provider", an agent certified jointly by the states that are signatories to the agreement to perform all of the seller's sales tax functions;
- (4) "Person", an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;
- (5) "Sales tax", any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;
- (6) "Seller", any person making sales, leases or rentals of personal property or services;
- (7) "State", any state of the United States and the District of Columbia;
- (8) "Use tax", the use tax levied pursuant to this chapter.]

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

- (1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;
- (2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

(1) The agreement should address the limitation of the number of state rates over time;

(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;

(3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;

(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

(a) Restricting variances between the state and local tax bases;

(b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;

(c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and

(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]

Section B. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Funderburk offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 578, Page 1, Line 15, by inserting after the words, "sellers." the following:

"3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased under section 143.011.

4. The director of the department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states."; and

Further amend said amendment, section, Pages 1-2, by renumbering the remaining subsections in section 32.070; and

Further amend said amendment, Page 120, Line 23, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said section the following:

"143.011. 1. For all tax years beginning before any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, [A] a tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:

Not over \$1,000.00	The tax is:
taxable income Over \$1,000 but not over \$2,000	1 1/2% of the Missouri
over \$1,000 Over \$2,000 but not over \$3,000	\$15 plus 2% of excess
over \$2,000 Over \$3,000 but not over \$4,000	\$35 plus 2 1/2% of excess
over \$3,000 Over \$4,000 but not over \$5,000	\$60 plus 3% of excess
over \$4,000 Over \$5,000 but not over \$6,000	\$90 plus 3 1/2% of excess
over \$5,000 Over \$6,000 but not over \$7,000	\$125 plus 4% of excess
over \$6,000 Over \$7,000 but not over \$8,000	\$165 plus 4 1/2% of excess
over \$7,000 Over \$8,000 but not over \$9,000	\$210 plus 5% of excess
over \$8,000 Over \$9,000	\$260 plus 5 1/2% of excess
	\$315 plus 6% of excess over \$9,000

2. For all tax year beginning January 1, in the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, a tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$3,000	0% of the Missouri taxable income
Over \$3,000 but not over \$4,000	1% of excess over \$3,000
Over \$4,000 but not over \$5,000	\$10 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000	\$45 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000	\$85 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000	\$130 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000	\$180 plus 5 1/2% of excess over \$8,000
Over \$9,000	\$235 plus 6% of excess over \$9,000"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Funderburk offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 578, Page 155, Line 9, by inserting after the word, "disabilities" the words, "**, all sales of kidney dialysis equipment and enteral feeding systems**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Kelly (45), **House Amendment No. 1, as amended**, was adopted.

Representative Riddle offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 578, Page 6, Section 144.030, Line 63, by inserting after the word, "state" the words, "**, including any titled manufacturing or mining equipment,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 2** was adopted.

HB 578, as amended, was laid over.

HCS HB 315, relating to prescription eye drop refills, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCS HB 315** was adopted.

On motion of Representative Rowland, **HCS HB 315** was ordered perfected and printed.

HCS HB 169, relating to prosecuting and circuit attorneys, was taken up by Representative Diehl.

Representative Lair offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 169, Page 1, In the Title, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the words, "relating to court cost funds."; and

Further amend said bill, Page 3, Section 488.026, Line 12, by inserting after all of said line the following:

"488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, [excluding] **including** cases disposed of by a traffic violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; **except that, those charges from cases disposed of by a traffic violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 5 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.**

2. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

3. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

4. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

5. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the Peace Officers Standards and Training Commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lair, **House Amendment No. 1** was adopted.

On motion of Representative Diehl, **HCS HB 169, as amended**, was adopted.

On motion of Representative Diehl, **HCS HB 169, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **HB 275**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 74**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 37, introduced by Representative Cookson, relating to property exempt from taxation.

HJR 38, introduced by Representative Korman, relating to transportation funding.

HJR 39, introduced by Representative Gatschenberger, relating to the city and county of St. Louis.

HJR 40, introduced by Representative Gatschenberger, relating to the city and county of St. Louis.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 977, introduced by Representative Mitten, relating to the MO HealthNet program.

HB 978, introduced by Representative Kelly (45), relating to the tobacco master settlement agreement.

HB 979, introduced by Representatives Hough, LaFaver, Scharnhorst and Hinson, relating to motor vehicle, trailer, and boat dealers.

HB 980, introduced by Representative Fraker, relating to notice of neighborhood improvement districts.

HB 981, introduced by Representative Franklin, relating to the use of fireworks.

HB 982, introduced by Representative Curtis, relating to the designation of youth mentoring day.

HB 983, introduced by Representative McNeil, relating to health insurance premium rate reviews.

HB 984, introduced by Representative McNeil, relating to the homeowners' solar rights act.

HB 985, introduced by Representative Barnes, relating to the ticket to work health assurance program.

HB 986, introduced by Representative Barnes, relating to the MO HealthNet transformation task force.

HB 987, introduced by Representative Barnes, relating to income eligibility for MO HealthNet benefits.

HB 988, introduced by Representative Barnes, relating to medical assistance benefits for foster children.

HB 989, introduced by Representative Torpey, relating to property assessments.

HB 990, introduced by Representative Torpey, relating to alcohol-related traffic offenses.

HB 991, introduced by Representative Schatz, relating to the meth lab elimination act.

HB 992, introduced by Representative Schatz, relating to controlled substances.

HB 993, introduced by Representatives Hurst, Cross and Wood, relating to the garnishment of wages.

HB 994, introduced by Representative Butler, relating to notary public fees.

HB 995, introduced by Representative Frederick, relating to the federal health care reform law.

HB 996, introduced by Representative Cross, relating to license plates and windshield placards for permanently disabled persons.

HB 997, introduced by Representative Colona, relating to courthouse security.

HB 998, introduced by Representatives Frame, Burns, Conway (10), Schupp and Mayfield, relating to the manufacturing incubators act.

HB 999, introduced by Representatives Frame, Burns and Mayfield, relating to property taxation.

HB 1000, introduced by Representatives Frame, English, Swearingen, Roorda and McKenna, relating to a sales tax holiday.

HB 1001, introduced by Representatives Frame, Burns and Conway (10), relating to eminent domain.

HB 1002, introduced by Representatives Frame, Burns, Colona, English, Englund, Swearingen, Kratky, McDonald, Webber, Webb, Butler, Hummel and Schupp, relating to proof of motor vehicle financial responsibility.

HB 1003, introduced by Representatives Frame, Colona, Englund, Webb, Schupp, Montecillo, Roorda, Butler, McKenna and Hummel, relating to the crime of drug-induced murder.

HB 1004, introduced by Representatives Frame, Burns, Colona, English, Englund, McDonald, Swearingen, Kratky, Webber, Webb and Hummel, relating to the sale of cellular phones by secondhand dealers.

HB 1005, introduced by Representative Curtman, relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

HB 1006, introduced by Representatives Jones (50) and Muntzel, relating to electric cooperatives.

HB 1007, introduced by Representatives Hurst and Wood, relating to weight limitations for vehicles hauling livestock and agricultural products.

HB 1008, introduced by Representatives Smith (85), Pace, Nichols, Colona, Englund, Gardner, Butler, Mitten, Dunn, LaFaver, Mims, Otto, Montecillo, Norr and English, relating to instruction in human sexuality and sexually transmitted diseases.

HB 1009, introduced by Representative Schupp, relating to qualified voters of community improvement districts.

HB 1010, introduced by Representatives Morgan, Anders, McNeil, Dunn, Montecillo, Pace, Pierson, Butler, Newman, Gannon and Rowland, relating to professional development for teachers.

HB 1011, introduced by Representative Scharnhorst, relating to school physical fitness challenges.

HB 1012, introduced by Representatives Ellington, Gardner and Pace, relating to the MO HealthNet program.

HB 1013, introduced by Representative Korman, relating to taxes imposed on fuel.

HB 1014, introduced by Representative Korman, relating to license plate and driver's license fees.

HB 1015, introduced by Representatives Cookson and Mims, relating to favoritism in higher education.

HB 1016, introduced by Representatives Cookson and Mims, relating to the school calendar.

HB 1017, introduced by Representatives Love, Miller, Rehder, Franklin, Bernskoetter and Pike, relating to the designation of a highway.

HB 1018, introduced by Representatives Curtman and Koenig, relating to vehicle safety inspections.

HB 1019, introduced by Representatives McCann Beatty, Rizzo, Dunn, Mims, Morgan and Ellinger, relating to public mass transportation sales taxes.

HB 1020, introduced by Representative McCann Beatty, relating to employer's request for account information from a social networking website.

HB 1021, introduced by Representatives Conway (104), Funderburk, Gatschenberger, Hubbard, Bahr, Spencer, Hicks, Sommer and Parkinson, relating to the use of tobacco in a private business.

HB 1022, introduced by Representative Jones (50), relating to liability for prohibiting concealed firearms on business premises.

HB 1023, introduced by Representative Jones (50), relating to possession of child pornography.

HB 1024, introduced by Representative Korman, relating to the Missouri Workforce Investment Board.

HB 1025, introduced by Representative Korman, relating to pole attachments.

HB 1026, introduced by Representative Jones (50), relating to the disposition of seized property.

HB 1027, introduced by Representative Roorda, relating to investigation of third-party involvement in certain juvenile offenses.

HB 1028, introduced by Representatives Webber and Wright, relating to property valuations for wind energy devices.

HB 1029, introduced by Representative Burlison, relating to division of interstate income for corporate income taxation.

HB 1030, introduced by Representatives Burlison, Frederick, Fraker, Neely and Lichtenegger, relating to the Compassionate Care Act.

HB 1031, introduced by Representatives Parkinson, Jones (110), Diehl, Conway (104), Smith (120), Burlison, Bahr, Brattin, Koenig, Sommer, Curtman, Leara, Funderburk, Cornejo, Hicks, Scharnhorst, McCaherty, Gatschenberger and White, relating to corporate income tax.

HB 1032, introduced by Representative Jones (50), relating to state employees.

HB 1033, introduced by Representatives Shull, Walker, Lair, Engler, Phillips, Neth and Remole, relating to tax credits for guaranty fees.

HB 1034, introduced by Representative Jones (50), relating to definitions for insurance.

HB 1035, introduced by Representatives Kelley (127), Conway (10), Hurst, Anderson, Montecillo, Kirkton, Funderburk, Houghton, Frederick, Higdon, Marshall, Bahr, Entlicher, Johnson, Muntzel, Hicks, Remole, Koenig, Kelly (45), Englund, McCaherty, Diehl, Cierpiot, Hummel and Rizzo, relating to amended property tax rate filings with the office of the state auditor.

HB 1036, introduced by Representative Schatz, relating to pure premium rates.

HB 1037, introduced by Representative Englund, relating to security deposits.

HB 1038, introduced by Representatives Burlison and Funderburk, relating to the energy compact.

HB 1039, introduced by Representatives Franklin, Guernsey, Wood, Lynch, Morris, Neely, Davis, Hicks, Flanigan, Miller, Muntzel, Remole, Haefner, Entlicher, McGaugh, Conway (104), Lichtenegger, Dohrman, Pike, Walker, Lair, Phillips and Shull, relating to the Show-Me transformation act.

HB 1040, introduced by Representative Cookson, relating to school age children of welfare recipients.

HB 1041, introduced by Representatives Swan, Hicks, Funderburk, Lichtenegger, Lant, Walker and Richardson, relating to prevailing wages.

HB 1042, introduced by Representative Koenig, relating to the determination of what are business activities within this state.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 66**, entitled:

An act to repeal sections 21.800, 21.830, 21.910, 301.129, 620.602, and 630.461, RSMo, relating to the repeal of certain committees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 188**, entitled:

An act to repeal section 632.498, RSMo, and to enact in lieu thereof one new section relating to petitions for conditional release of sexually violent predators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 235**, entitled:

An act to repeal sections 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof two new sections relating to residential real estate loan reporting.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 289 & 314**, entitled:

An act to repeal section 324.024, RSMo, and to enact in lieu thereof one new section relating to professional applications containing Social Security numbers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 306**, entitled:

An act to repeal section 338.150, RSMo, and to enact in lieu thereof one new section relating to pharmaceutical testing by the board of pharmacy.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 330**, entitled:

An act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to collaborative practice arrangements between a physician and an advanced practice registered nurse.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 350**, entitled:

An act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable persons.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 376**, entitled:

An act to repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the powers of hospital districts.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, April 3, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 880, HB 881

Executive session may be held on any matter referred to the committee.

AGRI-BUSINESS

Thursday, April 4, 2013, Upon Morning Adjournment House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Wednesday, April 3, 2013, 12:00 PM House Hearing Room 3.

Public hearing will be held: SB 16, HB 841, HB 927

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 4, 2013, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Review of Fiscal Year 12 single year audit findings pertaining to the Department of Social Services.
Public comments are welcome.

AMENDED

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on resolution in conjunction with HJR 14

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 3, 2013, 2:00 PM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Working meeting - agenda to be announced

CANCELLED

BUDGET

Wednesday, April 3, 2013, 8:30 AM House Hearing Room 3.

Executive session will be held: HJR 14

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Wednesday, April 3, 2013, 12:00 PM or Upon Adjournment House Hearing Room 7.

Public hearing will be held: SCS SB 33, SCS SB 47, SB 77, HB 797, HB 842, HB 707, HB 717, HB 718, HB 721

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Wednesday, April 3, 2013, Upon Afternoon Recess or Adjournment (whichever is earlier) House Hearing Room 6.

Public hearing will be held: HB 36, HB 38, HB 296, SB 216

Executive session may be held on any matter referred to the committee.

Executive session will follow.

CORRECTED

DOWNSIZING STATE GOVERNMENT

Thursday, April 4, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 887, HB 765, HB 817, SB 18, SB 137

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: HB 396, HB 675, HB 626

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 3, 2013, Upon Morning Recess South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 4, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, April 3, 2013, 4:00 PM House Hearing Room 1.

Public hearing will be held: HB 781

Executive session will be held: HB 700

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, April 3, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: HB 99, HB 185, HCR 15, HB 262

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Wednesday, April 3, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 308, HB 598

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 9, 2013, 8:30 AM House Hearing Room 7.

Quarterly business meeting

Some portions of the meeting may be closed pursuant to Section 610.021

JUDICIARY

Wednesday, April 3, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 281, HB 831

Executive session will be held: HB 210, HB 371

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, April 4, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SB 138, SB 58, HB 909, HB 846

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 4, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 86, HB 737, HB 782, HB 861

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 241, HB 742, HB 814, HB 830

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Thursday, April 4, 2013, 9:00 AM North Gallery.

Executive session will be held: HB 593, HB 695

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, April 8, 2013, 5:00 PM or Upon Afternoon Adjournment if after 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 236, HB 441, HB 726

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 4, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 328, HB 467

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: SCS SB 191, SB 237

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 3, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS SCS SB 29, SS SB 34

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FIFTH DAY, WEDNESDAY, APRIL 3, 2013

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 37 through HJR 40

HOUSE BILLS FOR SECOND READING

HB 977 through HB 1042

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HB 316 - Phillips
- 5 HCS HB 30 - Scharnhorst
- 6 HCS HB 46 - Guernsey
- 7 HB 47 - Cross

- 8 HCS HB 134 - Allen
- 9 HCS HB 137 - Hinson
- 10 HCS HB 168 - Davis
- 11 HB 217 - Cox
- 12 HCS HB 221 - Leara
- 13 HB 253 - Berry
- 14 HB 400 - Riddle
- 15 HB 443 - Hubbard
- 16 HCS HB 343 - Guernsey
- 17 HCS HBs 446 & 211 - Cox
- 18 HCS HB 470 - Barnes

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 152 - Solon
- 4 HCS HB 169 - Diehl

HOUSE BILLS FOR THIRD READING - CONSENT

HB 581 - Roorda

SENATE BILLS FOR SECOND READING

- 1 SB 66
- 2 SB 188
- 3 SB 235
- 4 SCS SBs 289 & 314
- 5 SB 306
- 6 SB 330
- 7 SB 350
- 8 SCS SB 376

SENATE BILLS FOR THIRD READING

HCS SCS SB 182, E.C. - Hough

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-FIFTH DAY, WEDNESDAY, APRIL 3, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, there is much to know, much to learn and there is much to pray for each one of us from the Proverbs of Your servant, King Solomon.

I pray, O Father, that each one will be humble in heart for “It is not good to eat much honey, nor is it glory to search out one’s own glory” (*Proverbs 25:27*).

I pray that each will surround himself or herself with good counselors as “He who walks with wise men will be wise, but the companion of fools will suffer harm” (*Proverbs 13:20*) and “If a ruler listens to falsehood, all his officials will become wicked” (*Proverbs 29:12*).

Lord, may each guard his or her words. May truth be spoken for “Excellent speech is not fitting for a fool, much less are lying lips to a prince” (*Proverbs 17:7*). And may each of us speak with much gentleness, “A gentle answer turns away wrath, but a harsh word stirs up anger. The tongue of the wise makes knowledge acceptable, but the mouth of fools spouts folly” (*Proverbs 15:1-2*).

May we all seek wisdom for You have commanded to “Acquire wisdom! Acquire understanding! Do not forsake her, and she will guard you; love her and she will watch over you” (*Proverbs 4:5a-6*).

I pray that we will all pursue righteousness for “Righteousness exalts a nation...” (*Proverbs 14:34a*) and “It is an abomination for kings to commit wicked acts for a throne is established on righteousness” (*Proverbs 16:12*).

May we fear You and You alone; for “The fear of the LORD is the beginning of knowledge; Fools despise wisdom and instruction” (*Proverbs 1:7*).

Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son’s name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John Kempker, Tucker Bernskoetter, Olivia Montgomery, Ethan Montgomery, Jared Boyer, John Mayorga, Gabe Osborn, Connor McClintock, Hunter McClintock, Logan McClintock, Nate Leesmann, Nick Leesmann, Eurelia Leesmann, Austin Bear, Cameron Wiss and Keegan Wiss.

The Journal of the forty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1158 through House Resolution No. 1208

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 37 through **HJR 40** were read the second time.

SECOND READING OF HOUSE BILLS

HB 977 through **HB 1042** were read the second time.

SECOND READING OF SENATE BILLS

SB 66, SB 188, SB 235, SCS SBs 289 & 314, SB 306, SB 330, SB 350 and **SCS SB 376** were read the second time.

THIRD READING OF SENATE BILL

HCS SCS SB 182, relating to local sales tax on motor vehicles, was taken up by Representative Hough.

Representative Haahr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 182, Page 1, Line 4 of the Title, by striking the word "local"; and

Further amend said bill, Page 6, Section 144.020, Line 4, by deleting the words "**paragraph (9) hereof**" and inserting in lieu thereof the following:

"subdivision (9) of this subsection"; and

Further amend said bill and section, Page 7, Line 10, by deleting the words "**subsection (1) of section 144.020**" and inserting in lieu thereof the following:

"this subsection"; and

Further amend said bill, Page 10, Section 144.450, Line 6, by deleting the number "144.440" and inserting in lieu thereof the following:

"[144.440] 144.020"; and

Further amend said bill, Page 12, Section 144.610, Line 12, by inserting immediately after "**subsection 1**" the following:

"of this section"; and

Further amend said bill, Page 13, Section 1, Line 2, by deleting the words "**and 144.757**" and inserting in lieu thereof the following:

", **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**"; and

Further amend said section and page, Line 4, by deleting the words "**and 144.757**" and inserting in lieu thereof the following:

", **144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haahr, **House Amendment No. 1** was adopted.

On motion of Representative Hough, **HCS SCS SB 182, as amended**, was adopted.

On motion of Representative Hough, **HCS SCS SB 182, as amended**, was read the third time and passed by the following vote:

AYES: 123

Allen	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hansen	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wood	Zerr	Mr Speaker		

NOES: 032

Anders	Anderson	Burlison	Conway 104	Curtis
Curtman	Dunn	Ellinger	Ellington	Fitzpatrick
Frame	Gardner	Guernsey	Hicks	Johnson
Kelly 45	Kirkton	Koenig	Marshall	May

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Mayfield	Morgan	Newman	Parkinson	Pogue
Remole	Ross	Schieber	Schupp	Walton Gray
Wieland	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hampton	McKenna	Otto	Smith 120	Stream
Wright				

VACANCIES: 002

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Burns	Butler	Cierpiot	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hansen	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Jones 50
Justus	Keeney	Kelley 127	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neely	Nichols	Norr	Pace
Pfautsch	Pierson	Pike	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wood	Wright	Zerr	Mr Speaker	

NOES: 039

Anders	Anderson	Bahr	Berry	Brattin
Burlison	Carpenter	Conway 104	Curtis	Curtman
Dunn	Ellinger	Ellington	Fitzpatrick	Frame
Gardner	Haahr	Hicks	Johnson	Kelly 45
Kirkton	Koenig	LaFaver	Marshall	May
Mayfield	McNeil	Mims	Morgan	Newman
Parkinson	Pogue	Remole	Ross	Schieber
Schupp	Walton Gray	Wieland	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 008

Hampton	McKenna	Neth	Otto	Phillips
Smith 85	Smith 120	Stream		

VACANCIES: 002

THIRD READING OF HOUSE BILL

HB 152, relating to school officers, was taken up by Representative Solon.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Pace	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Hicks	Hodges	Kelly 45	McKenna
Otto	Parkinson	Pierson	Rowden	Smith 85
Smith 120	Stream			

VACANCIES: 002

On motion of Representative Solon, **HB 152** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Molendorp
Montecillo	Morris	Muntzel	Neth	Nichols
Norr	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 020

Burns	Curtis	Dunn	Ellinger	Ellington
English	Gardner	Hummel	LaFaver	Marshall
May	McDonald	Mims	Mitten	Morgan
Newman	Roorda	Runions	Schupp	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Hodges	Kolkmeier	McKenna	Neely
Otto	Pierson	Redmon	Rowden	Smith 85
Smith 120	Stream			

VACANCIES: 002

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 30, relating to physical therapy services, was taken up by Representative Scharnhorst.

HCS HB 30 was laid over.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILLS

HB 316, relating to the Division of Tourism Revenue Fund, was taken up by Representative Phillips.

On motion of Representative Phillips, **HB 316** was ordered perfected and printed.

HCS HB 168, relating to higher education residency status, was taken up by Representative Davis.

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 168, Page 2, Section 173.1150, Line 29, by inserting after of said section and line the following:

"Section 1. 1. This section shall be known as "Clark's Law."

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Webber, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HCS HB 168, as amended**, was adopted.

On motion of Representative Davis, **HCS HB 168, as amended**, was ordered perfected and printed.

HCS HB 46, relating to the Preserving Freedom from Unwarranted Surveillance Act, was taken up by Representative Guernsey.

Representative McGaugh offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 46, Page 2, Section 305.637, Line 5, by inserting after the word "**surveillance**" the words "**or observation under the doctrine of open fields**"; and

Further amend said bill and page, Section 305.641, Line 7, by inserting after all of said section and line the following:

"Section B. Because of the need to protect Missourians from invasions of privacy in the state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 1** was adopted.

Representative Pike offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 46, Page 1, Line 2 in the Title, by deleting the word "unmanned"; and

Further amend said bill and page, Section 305.635, Line 12, by inserting after the number "**(3)**" the following:

"**"Manned Aircraft", an aircraft that is operated by a human on board the aircraft. (4)**"; and

Further amend said bill and page, Section 305.637, Line 1, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

Further amend said bill, Page 2, Section 305.637, Line 4, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

Further amend said bill and page, Section 305.639, Line 1, by deleting the words "**drone or other**" and inserting in lieu thereof the words "**manned aircraft, drone, or**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Curtman offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 46, Page 1, Line 16, by inserting after all of said line the following:

‘Further amend said bill, Page 2, Section 305.637, Line 7, by inserting after all of said line, the following:

"3. No person, group of persons, entity, or organization, including, but not limited to, journalists, reporters, or news organizations, shall use a drone or other unmanned aircraft to conduct surveillance of any individual or property owned by an individual or business without the consent of that individual or property owner."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dugger assumed the Chair.

On motion of Representative Curtman, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Pike, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 091

Allen	Anderson	Bahr	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Crawford	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Leara	Lichtenegger	Love	Lynch	McGaugh
Messenger	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Shumake
Solon	Spencer	Stream	Swan	Thomson
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 059

Anders	Austin	Bernskoetter	Black	Burns
Butler	Carpenter	Colona	Conway 10	Cox
Cross	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Higdon	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Lauer	Marshall
May	Mayfield	McCaherty	McDonald	McManus

McNeil	Meredith	Miller	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Pace
Pierson	Rizzo	Roorda	Runions	Schieber
Schupp	Smith 85	Swearingen	Torpey	Walton Gray
Webb	Webber	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Engler	Hampton	Jones 50	McCann Beatty
McKenna	Mims	Molendorp	Otto	Smith 120
Sommer				

VACANCIES: 002

Representative Parkinson offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 46, Page 1, Section 305.635, Line 12, by inserting immediately after the number "(3)" the following:

"“Model aircraft”, an unmanned aircraft that is:

- (a) Capable of sustained flight in the atmosphere;**
 - (b) Flown within visual line of sight of the person remotely operating the aircraft; and**
 - (c) Flown for hobby or recreational purposes.**
- (4)"; and**

Further amend said bill, Page 2, Section 305.639, Line 1, by inserting the number "1." immediately following the number "**305.639.**"; and

Further amend said bill, page and section, Line 9, by inserting after all of said line the following:

"2. This act does not prohibit the use of a model aircraft."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parkinson, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton

Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Solon	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Conway 104	Hampton	Jones 50	McKenna
Molendorp	Otto	Shumake	Smith 120	Sommer
Mr Speaker				

VACANCIES: 002

On motion of Representative Guernsey, **HCS HB 46, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 46, as amended**, was ordered perfected and printed.

HCS HBs 446 & 211, relating to real estate loans, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HBs 446 & 211** was adopted.

On motion of Representative Cox, **HCS HBs 446 & 211** was ordered perfected and printed.

HCS HB 134, relating to bullying in schools, was taken up by Representative Allen.

Representative McNeil offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 134, Page 1, Section 160.775, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"need a safe learning environment. Policies shall treat **all** students equally [and shall not contain specific lists of protected classes of students who are to receive special treatment]. **Bullying that is reasonably perceived as being motivated by actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation and gender identity, intellectual ability, physical appearance, or a mental, physical or sensory disability or disorder, or on the basis of association with others identified by these categories is prohibited.** Policies may"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 134, Page 1, Section 160.775, Lines 14 and 15, by deleting all of said lines and inserting in lieu thereof the following:

"need a safe learning environment. Policies shall treat **all** students equally [and shall not contain specific lists of protected classes of students who are to receive special treatment]. Policies may"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that the distribution of **House Substitute Amendment No. 1 for House Amendment No. 1** was not timely.

Representative Dugger requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch

Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Ellington	Frame	Hampton	Jones 50
Korman	McKenna	Otto	Riddle	Scharnhorst
Smith 85	Smith 120	Sommer	Stream	Zerr
Mr Speaker				

VACANCIES: 002

On motion of Representative Marshall, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo

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Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 005

Carpenter	Ellington	Gardner	Lair	McNeil
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PRESENT: 000

ABSENT WITH LEAVE: 009

Frame	Hampton	Jones 50	McKenna	Otto
Scharnhorst	Smith 85	Smith 120	Sommer	

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schieber	Shull	Shumake	Solon	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Hampton	Jones 50	Kelley 127	McCann Beatty	McKenna
Otto	Redmon	Scharnhorst	Schatz	Smith 85
Smith 120	Sommer			

VACANCIES: 002

On motion of Representative Allen, **HCS HB 134, as amended**, was adopted.

On motion of Representative Allen, **HCS HB 134, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL - CONSENT

HB 581, relating to memorial highways, was taken up by Representative Roorda.

On motion of Representative Roorda, **HB 581** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCahty	McDonald	McGaugh	McManus

McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Pace	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 011

Hampton	Hubbard	Jones 50	McCann Beatty	McKenna
Otto	Parkinson	Scharnhorst	Smith 85	Smith 120
Sommer				

VACANCIES: 002

Representative Dugger declared the bill passed.

THIRD READING OF HOUSE BILL

HCS HB 169, relating to prosecuting and circuit attorneys, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 169** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant

Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Hampton	Jones 50	McKenna	Otto	Pogue
Scharnhorst	Smith 85	Smith 120	Sommer	Webber

VACANCIES: 002

Representative Dugger declared the bill passed.

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Appropriations Bills were referred to the Committee indicated:

HB 17 - Budget
HB 18 - Budget
HB 19 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 168 - Fiscal Review
HB 316 - Fiscal Review
HB 891 - Agriculture Policy
HB 1035 - Ways and Means

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 2 - General Laws
SCS SCR 5 - Health Care Policy

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 12 - Judiciary
SB 35 - General Laws
SCS SB 36 - Judiciary
SB 59 - Health Insurance
SB 60 - Insurance Policy
SB 66 - Downsizing State Government
SCS SB 69 - Judiciary
SB 72 - Tourism and Natural Resources
SB 73 - Judiciary
SS SCS SB 116 - Elections
SCS SB 147 - Health Insurance
SCS SB 178 - Health Care Policy
SCS SB 186 - Veterans
SB 188 - Special Standing Committee on Corrections
SB 193 - Elementary and Secondary Education
SB 208 - Children, Families, and Persons with Disabilities
SB 211 - Elementary and Secondary Education
SB 222 - Judiciary
SCS SB 224 - Crime Prevention and Public Safety
SB 230 - Health Care Policy
SB 235 - Financial Institutions
SB 236 - Crime Prevention and Public Safety
SCS SB 240 - Utilities
SS SCS SB 241 - Utilities
SCS SB 248 - Economic Development
SB 306 - Professional Registration and Licensing
SCS SB 324 - Insurance Policy
SB 329 - Agriculture Policy
SB 350 - Budget
SCS SB 376 - Health Care Policy

COMMITTEE REPORTS

Committee on Budget, Vice-Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 616**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 698**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SB 191**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 106**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 234**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 182, as amended**, and has taken up and passed **HCS SCS SB 182, as amended**.

Emergency clause adopted.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 4, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 4, 2013, Upon Morning Adjournment House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Will be voting on remaining Issue Development Standing Committees

AGRI-BUSINESS

Thursday, April 4, 2013, Upon Morning Adjournment House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 04, 2013, 8:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Review of Fiscal Year 12 single year audit findings pertaining to the Department of Social Services.

Public comments are welcome.

AMENDED

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Thursday, April 4, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Work session on resolution in conjunction with HJR 14.

DOWNSIZING STATE GOVERNMENT

Thursday, April 4, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 887, HB 765, HB 817, SB 18, SB 137

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 4, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 9, 2013, 8:30 AM House Hearing Room 7.

Quarterly business meeting

Some portions of the meeting may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Thursday, April 4, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SB 138, SB 58, HB 909, HB 846

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 4, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 86, HB 737, HB 782, HB 861

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Thursday, April 4, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HCS HB 161, HCS HB 175, HB 326, HCS HB 398, HCS HBs 404 & 614, HCS HBs 455 & 297, HCS HB 458, HCS HB 462, HCS HB 589, HCS HB 621, HB 756, HCS HB 787, HCS HB 850, HCS HJR 14, HCS HB 601, HCS HB 698, HCS HB 813

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Thursday, April 4, 2013, 9:00 AM North Gallery.

Executive session will be held: HB 593, HB 695

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, April 8, 2013, 5:00 PM or Upon Afternoon Adjournment if after 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 236, HB 441, HB 726

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 4, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HB 328, HB 467

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SIXTH DAY, THURSDAY, APRIL 4, 2013

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 30 - Scharnhorst
- 5 HB 47 - Cross
- 6 HCS HB 137 - Hinson
- 7 HB 217 - Cox
- 8 HCS HB 221 - Leara
- 9 HB 253 - Berry
- 10 HB 400 - Riddle
- 11 HB 443 - Hubbard
- 12 HCS HB 343 - Guernsey
- 13 HCS HB 470 - Barnes
- 14 HCS HB 215 - Cox
- 15 HB 42 - Rowland
- 16 HB 103 - Kelley (127)
- 17 HCS#2 HB 178 - Koenig
- 18 HCS HB 197 - Lauer
- 19 HB 322 - Gosen
- 20 HCS HB 468 - Higdon
- 21 HCS HB 505 - Haefner
- 22 HCS HB 701 - Molendorp
- 23 HCS HB 335 - Hinson
- 24 HCS HB 114 - McCaherty
- 25 HCS HB 194 - Diehl
- 26 HB 218 - Cox
- 27 HB 255 - Torpey
- 28 HCS HB 345 - Cierpiot
- 29 HCS HBs 373 & 435 - Elmer
- 30 HCS HBs 374 & 434 - Elmer
- 31 HCS HB 389 - Engler
- 32 HB 526 - Franklin
- 33 HB 533 - Riddle
- 34 HCS HB 722 - Leara
- 35 HB 148 - Davis

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 315 - Rowland
- 4 HB 316, (Fiscal Review 4/3/13) - Phillips
- 5 HCS HB 168, (Fiscal Review 4/3/13) - Davis
- 6 HCS HB 46, E.C. - Guernsey
- 7 HCS HBs 446 & 211 - Cox
- 8 HCS HB 134 - Allen

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 28 - Lynch
- 3 HCR 25 - Allen

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-SIXTH DAY, THURSDAY, APRIL 4, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Do not be overcome by evil, but overcome evil with good. (Romans 12:21)

Our God, open to us the gates of the morning and reveal to us the glory of a new day as we pause a minute at the altar of prayer. We are facing full days and living through interesting times. For this we need courage and strength and an inner stability of spirit. Grant unto us now the grace of a quiet mind, a steady faith, and a strong will, which will make us more than a match for the mood of this moving moment.

Help us to stand up for the rights of all, for obedience to the laws of our state, and for the principles of good government—believing that Your spirit will guide us, Your power will strengthen us, and Your presence will bless us as we do what we firmly believe to be right. We pray also that the people of Missouri may seek to do what is right and good for all and that we may learn to live together in peace.

And the House says, “Amen!”

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Saleny, Breycin Dysart, Dillon Cardwell and Jacob Haley.

The Journal of the forty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1209 through House Resolution No. 1328

COMMITTEE REPORTS

Committee on Fiscal Review, Vice-Chairman Haefner reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 168**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 316**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SCS SB 182** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS

HB 316, relating to the Division of Tourism Revenue Fund, was taken up by Representative Phillips.

On motion of Representative Phillips, **HB 316** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Burlison
Burns	Butler	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Davis	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 004

Bahr	Curtman	Koenig	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Carpenter	Diehl	Hampton	McKenna
Mims	Molendorp	Smith 120		

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HB 168, relating to higher education residency status, was taken up by Representative Davis.

On motion of Representative Davis, **HCS HB 168** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Carpenter	Diehl	Funderburk	Hampton
McKenna	Molendorp	Smith 120	Swearingen	

VACANCIES: 002

Speaker Jones declared the bill passed.

HCS HBs 446 & 211, relating to real estate loans, was taken up by Representative Cox.

Representative Parkinson assumed the Chair.

On motion of Representative Cox, **HCS HBs 446 & 211** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McGaugh
Messenger	Miller	Mims	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 024

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	Gardner	Kirkton	May
McDonald	McNeil	Meredith	Mitten	Montecillo
Newman	Norr	Otto	Pace	Pierson
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Diehl	Hampton	McKenna	McManus
Molendorp	Smith 120			

VACANCIES: 002

Representative Parkinson declared the bill passed.

HCS HB 315, relating to prescription eye drop refills, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCS HB 315** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 104
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfausch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 004

Bahr	Burlison	Koenig	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Diehl	Funderburk	Hampton	McKenna
Molendorp	Redmon	Smith 120		

VACANCIES: 002

Representative Parkinson declared the bill passed.

HCS HB 46, relating to the Preserving Freedom from Unwarranted Surveillance Act, was taken up by Representative Guernsey.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Diehl	Flanigan	Frederick	Funderburk
Grisamore	Hampton	McKenna	Molendorp	Neely
Redmon	Smith 120	Stream		

VACANCIES: 002

On motion of Representative Guernsey, **HCS HB 46** was read the third time and passed by the following vote:

AYES: 087

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Curtman	Davis
Dohrman	Dugger	Ellington	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	McGaugh	Messenger	Morris	Muntzel
Neth	Parkinson	Pfautsch	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 066

Anders	Austin	Black	Burns	Butler
Carpenter	Colona	Conway 10	Cox	Cross
Curtis	Dunn	Ellinger	Engler	English
Englund	Fowler	Frame	Gannon	Gardner
Haahr	Harris	Higdon	Hodges	Hubbard
Hummel	Justus	Kelly 45	Kirkton	Kratky
LaFaver	Lauer	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McManus	McNeil
Meredith	Miller	Mims	Mitten	Montecillo
Morgan	Neely	Newman	Nichols	Norr
Otto	Pace	Phillips	Pierson	Rizzo
Roorda	Rowden	Runions	Schieber	Schupp
Swearingen	Walton Gray	Webb	Webber	White
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Diehl	Grisamore	Hampton	McKenna
Molendorp	Redmon	Smith 120		

VACANCIES: 002

Representative Parkinson declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 000

NOES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

PRESENT: 001

Cox

ABSENT WITH LEAVE: 013

Brown	Diehl	Flanigan	Grisamore	Hampton
Jones 50	McKenna	Molendorp	Redmon	Riddle
Scharnhorst	Smith 120	Torpey		

VACANCIES: 002

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 8** - General Laws
- HCR 32** - Utilities
- HCR 33** - General Laws
- HCR 34** - Emerging Issues in Agriculture
- HCR 35** - Rules

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

- HJR 35** - General Laws

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 140** - Local Government
- HB 461** - Crime Prevention and Public Safety
- HB 606** - Judiciary
- HB 612** - Local Government
- HB 613** - Health Care Policy
- HB 693** - Transportation
- HB 750** - Health Insurance
- HB 762** - Professional Registration and Licensing
- HB 764** - Local Government
- HB 811** - Small Business
- HB 821** - Elementary and Secondary Education
- HB 834** - Children, Families, and Persons with Disabilities
- HB 835** - Tourism and Natural Resources
- HB 844** - Utilities
- HB 856** - Health Care Policy
- HB 863** - Downsizing State Government
- HB 872** - General Laws
- HB 897** - Retirement
- HB 911** - Children, Families, and Persons with Disabilities
- HB 912** - General Laws
- HB 913** - Children, Families, and Persons with Disabilities
- HB 915** - General Laws
- HB 917** - Ways and Means
- HB 921** - Economic Development
- HB 923** - General Laws
- HB 925** - Special Standing Committee on Emerging Issues in Health Care
- HB 926** - Special Standing Committee on Emerging Issues in Health Care

HB 928 - Elementary and Secondary Education
HB 929 - Health Care Policy
HB 930 - Budget
HB 931 - General Laws
HB 932 - Local Government
HB 936 - Special Standing Committee on Emerging Issues in Health Care
HB 942 - Elementary and Secondary Education
HB 944 - Tourism and Natural Resources
HB 962 - Emerging Issues in Agriculture
HB 963 - Agri-Business
HB 964 - Agriculture Policy
HB 968 - Children, Families, and Persons with Disabilities
HB 975 - General Laws
HB 985 - Government Oversight and Accountability
HB 986 - Government Oversight and Accountability
HB 987 - Government Oversight and Accountability
HB 988 - Government Oversight and Accountability
HB 991 - Crime Prevention and Public Safety
HB 992 - Crime Prevention and Public Safety
HB 1017 - Transportation

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 59 - Insurance Policy

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 881**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SB 16**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 859**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 26**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 543**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 795**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 700**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 185**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Emerging Issues in Health Care, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **HB 593** and **HB 695**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Urban Issues, Chairman Hubbard reporting:

Mr. Speaker: Your Special Standing Committee on Urban Issues, to which was referred **HB 285**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 309** and **HB 73**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 175**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 326**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 398**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 404 & 614**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 455 & 297**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 631**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 698**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 698**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 756**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 850**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 14**, entitled:

Joint resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right of Missouri citizens to keep and bear arms.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 2**, entitled:

An act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 83**, entitled:

An act to repeal sections 52.250, 67.457, 67.463, 67.469, 67.1521, 139.160, 139.170, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, 140.665, and 140.730, RSMo, and to enact in lieu thereof eighteen new sections relating to procedures for collecting local government funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 126**, entitled:

An act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacy inventories.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 142**, entitled:

An act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 229**, entitled:

An act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the mental health employment disqualification registry.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 242**, entitled:

An act to repeal section 171.181, RSMo, and to enact in lieu thereof one new section relating to the sale or provision of certain commodities to seven director school districts, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 254**, entitled:

An act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to loan fees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 258**, entitled:

An act to repeal sections 162.459, 162.471, and 162.492, RSMo, and to enact in lieu thereof three new sections relating to the board of directors of the Kansas City school district.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 261**, entitled:

An act to repeal section 138.431, RSMo, and to enact in lieu thereof one new section relating to the assignment of hearing officers by the state tax commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 265**, entitled:

An act to amend chapter 1, RSMo, by adding thereto one new section relating to prohibition on certain policies that infringe on private property rights.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

April 4, 2013

The Honorable Timothy W. Jones, Speaker
Missouri House of Representatives
201 West Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

Pursuant to Rule 25(1)(e), your Committee on Administration and Accounts approved the following Issue Development Standing Committees on April 4, 2013:

- 1) Freshman Bipartisan Issue Development Standing Committee
- 2) Issue Development Standing Committee on Missouri Health Care
- 3) Issue Development Standing Committee on Cowboy Caucus on Agricultural Issues
- 4) Issue Development Standing Committee on Disadvantaged Communities

Please publish this letter in the Journal of the House, along with the attached roster of appointed members.

Sincerely,

/s/ Dwight Scharnhorst
Administration and Accounts, Chair
District 98

COMMITTEE APPOINTMENTS

FRESHMAN BIPARTISAN ISSUE DEVELOPMENT STANDING COMMITTEE

Courtney Curtis, Chair
Ron Hicks, Vice-Chair
Bill Otto
Susan Meredith
Kimberly Gardner
Michael Butler
Gina Mitten
Bob Burns
Vicki Englund
Jeff Roorda
T.J. McKenna
Joe Don McGaugh
Caleb Rowden
John Wright
Dave Muntzel
Dean Dohrman
Glen Kolkmeier
David Wood
Keith English
Tim Remole
Ken Wilson
Jon Carpenter
John Mayfield
Bonnaye Mims

Joe Runions
Kathy Swan
Holly Rehder
Shawn Rhoads
Scott Fitzpatrick
Rocky Miller
Lynn Morris

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Sue Allen, Chair
Diane Franklin, Vice-Chair
Donna Lichtenegger
Kathie Conway
Keith Frederick
David Wood
Jim Neely
Lynn Morris
Sue Entlicher
Marsha Haefner
Nick Marshall

ISSUE DEVELOPMENT STANDING COMMITTEE ON COWBOY CAUCUS ON AGRICULTURAL ISSUES

Doug Funderburk, Chair
Galen Higdon, Vice-Chair
Tim Jones
Chrissy Sommer
Wanda Brown
Linda Black
Sheila Solon
Kurt Bahr
Bill Lant
Warren Love
Eric Burlison
Ron Hicks
Jeanie Riddle
Tony Dugger
Casey Guernsey
Sonya Anderson
Mike Kelley
Robert Ross
Tom Hurst
Chuck Gatschenberger
T.J. Berry
Mike Cierpiot
Denny Hoskins
Rocky Miller
Bryan Spencer
Ed Schieffer
Pat Conway
David Wood
Joe Don McGaugh
Jim Neely

ISSUE DEVELOPMENT STANDING COMMITTEE ON DISADVANTAGED COMMUNITIES

Brandon Ellington, Chair
Clem Smith, Vice-Chair
Michael Butler
Courtney Curtis
Randy Dunn
Kimberly Gardner
Karla May
Bonnaye Mims
Sharon Pace
Rochelle Walton Gray

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 4:00 p.m., Monday, April 8, 2013.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Jeff Pogue, District 143, hereby state and affirm that my vote to third read and pass House Committee Substitute for House Bill 169 as recorded on Page 950 of the Journal of the House for the forty-fifth day, Wednesday, April 3, 2013, was incorrectly recorded as Absent With Leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as Nay.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April, 2013.

/s/ Jeff Pogue
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 4th day of April in the year 2013.

/s/ Megan Limbach
Notary Public

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 819, HB 963, SCS SB 9, SB 51

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: SB 329, HB 927, HB 891

Executive session may be held on any matter referred to the committee.

BUDGET

Tuesday, April 9, 2013, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HB 17, HB 18, HB 19, SB 350

Executive session will be held: SB 350

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 9, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: SB 208

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 992, HB 461, SCS SB 224, SB 236

Executive session will be held: HB 776, HB 653

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 9, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 32, SB 90, SS SCS SB 116

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 8, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 804, HB 809, HB 620, HB 803, HB 985, HB 986, HB 987, HB 988

Executive session will be held: HB 781

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 10, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: SB 197, SCS SCR 5, SB 230, SCS SB 88

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: SCS SB 147, HB 750

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 17, HB 829, HB 879

Executive session will be held: HB 745, HB 746

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Tuesday, April 9, 2013, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: SCS SB 324, SB 59, SB 60, HB 735, HB 338

Executive session will be held: HB 481, HB 610, HB 52, HB 654

Executive session may be held on any matter referred to the committee.

If we break for dinner during session the hearing will be held and dinner provided to the committee members.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 9, 2013, 8:30 AM House Hearing Room 7.

Quarterly business meeting

Some portions of the meeting may be closed pursuant to Section 610.021

ORAL HEALTH ISSUE DEVELOPMENT COMMITTEE

Monday, April 8, 2013, 5:30 PM or Upon Adjournment House Hearing Room 4.

Information regarding MO HealthNet dental services; Department of Health and Senior Services regional dental services; and MO Mission of Mercy-free dental services for the underserved and uninsured

RETIREMENT

Thursday, April 11, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 897

Executive session will be held: HB 861, HB 737

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON URBAN ISSUES

Monday, April 8, 2013, 5:00 PM or Upon Afternoon Adjournment if after 5:00 PM House Hearing Room 5.

Public hearing will be held: HB 236, HB 441, HB 726

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 869, HB 888, HB 1017, HB 885, HB 725, HB 693

Executive session may be held on any matter referred to the committee.

VETERANS

Tuesday, April 9, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 186

Executive session will be held: SCS SB 186

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS SB 28, HB 430

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SEVENTH DAY, MONDAY, APRIL 8, 2013

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 30 - Scharnhorst
- 5 HB 47 - Cross
- 6 HCS HB 137 - Hinson
- 7 HB 217 - Cox
- 8 HCS HB 221 - Leara
- 9 HB 253 - Berry
- 10 HB 400 - Riddle
- 11 HB 443 - Hubbard
- 12 HCS HB 343 - Guernsey
- 13 HCS HB 470 - Barnes
- 14 HCS HB 215 - Cox
- 15 HB 42 - Rowland
- 16 HB 103 - Kelley (127)
- 17 HCS#2 HB 178 - Koenig
- 18 HCS HB 197 - Lauer
- 19 HB 322 - Gosen
- 20 HCS HB 468 - Higdon
- 21 HCS HB 505 - Haefner
- 22 HCS HB 701 - Molendorp
- 23 HCS HB 335 - Hinson
- 24 HCS HB 114 - McCaherty
- 25 HCS HB 194 - Diehl
- 26 HB 218 - Cox
- 27 HB 255 - Torpey
- 28 HCS HB 345 - Cierpiot
- 29 HCS HBs 373 & 435 - Elmer
- 30 HCS HBs 374 & 434 - Elmer

31 HCS HB 389 - Engler
32 HB 526 - Franklin
33 HB 533 - Riddle
34 HCS HB 722 - Leara
35 HB 148 - Davis
36 HB 510 - Torpey
37 HCS HB 28 - Lichtenegger
38 HCS HB 257 - Frederick
39 HCS HB 418 - Neth
40 HCS HB 850 - McCaherty
41 HCS HB 813 - Torpey
42 HCS HB 787 - Richardson
43 HB 756 - Hubbard
44 HCS HB 621 - McCaherty
45 HCS HB 458 - Scharnhorst
46 HCS HBs 455 & 297 - Koenig
47 HCS HBs 404 & 614 - Conway (104)
48 HB 326 - Fitzwater
49 HCS#2 HB 631 - Elmer

HOUSE BILLS FOR THIRD READING

1 HB 201 - Torpey
2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
3 HCS HB 134 - Allen

SENATE JOINT RESOLUTIONS FOR SECOND READING

SCS SJR 14

SENATE BILLS FOR SECOND READING

1 SCS SB 2
2 SS SCS SB 83
3 SCS SB 126
4 SB 142
5 SCS SB 229
6 SB 242
7 SCS SB 254
8 SCS SB 258
9 SB 261
10 SB 265

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 28 - Lynch
- 3 HCR 25 - Allen
- 4 HCR 10 - Walton Gray

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, MONDAY, APRIL 8, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Doug Funderburk.

Father, we come before You to claim Your promise in *2 Chronicles 7:14*:

If My people, who are called by My name shall humble themselves, pray, and seek My face and turn from their wicked ways, then will I hear from heaven, forgive their sin, and heal their land.

Father of Abraham, Isaac and Jacob, we are Your people, called by Your name. Thank You for hearing our prayers and moving by Your Spirit in our land.

There are disasters and violence occurring throughout this nation. Men's hearts are failing them because of fear.

Father, we humble ourselves before You. Search us, O God, and know our hearts; try us, and know our thoughts. See if there is any wicked way in us, and lead us in the way everlasting.

Touch our lips with coals from Your altar that we may pray prayers that avail much for all men and women everywhere.

Lord, we desire that You release rivers of living water for the healing of our land.

In the name of Jesus, Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Molly French.

The Journal of the forty-sixth day was approved as corrected by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner

Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Reiboldt	Rhoads	Richardson
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Colona	Curtman	Hoskins	Hough
Keeney	Molendorp	Muntzel	Rehder	Remole
Riddle	Schatz	Smith 85	Smith 120	Swearingen
Torpey	Webber			

VACANCIES: 002

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1329 through House Resolution No. 1352

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 14 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 2, SS SCS SB 83, SCS SB 126, SB 142, SCS SB 229, SB 242, SCS SB 254, SCS SB 258, SB 261 and SB 265 were read the second time.

PERFECTION OF HOUSE BILLS

HB 443, relating to visitation rights of children with incarcerated parents, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 443** was ordered perfected and printed.

HB 42, relating to private property rights, was taken up by Representative Rowland.

On motion of Representative Rowland, **HB 42** was ordered perfected and printed by the following vote:

AYES: 110

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 040

Anders	Burns	Butler	Carpenter	Curtis
Dunn	Ellington	Englund	Gardner	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schupp	Smith 85	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Ellinger	Higdon	Hoskins	Keeney
Molendorp	Schatz	Smith 120	Swearingen	Torpey
Webber				

VACANCIES: 002

HOUSE CONCURRENT RESOLUTIONS

HCR 28, relating to Fort Leonard Wood, was taken up by Representative Lynch.

On motion of Representative Lynch, **HCR 28** was adopted by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hodges	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Higdon	Hinson	Hoskins	Jones 50
Keeney	McCaherty	Molendorp	Schatz	Smith 120
Swearingen	Torpey	Webber		

VACANCIES: 002

HCR 25, relating to the establishment of the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation, was taken up by Representative Allen.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Austin	Colona	Grisamore	Hoskins	Keeney
Kelly 45	Molendorp	Schatz	Smith 120	Swearingen
Torpey	Webber			

VACANCIES: 002

On motion of Representative Allen, **HCR 25** was adopted.

HCR 10, relating to the designation of “Donate Life Month,” was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 10** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 443 - Fiscal Review

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 216**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 314**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SB 86**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 589**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Schatz.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, April 9, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-sixth Day, Thursday, April 4, 2013, Page 965, Line 23, by inserting before the words “Small Business”, the words “Special Standing Committee on”.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 819, HB 963, SCS SB 9, SB 51

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: SB 329, HB 927, HB 891

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 11, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Discussion of potential DD staff reorganization within Department of Mental Health.

Public testimony welcome regarding Fiscal Year 2012 single state audit results.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 16, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will look at last audit with the Department of Corrections 2009, focusing on Canteen Program.

BUDGET

Tuesday, April 9, 2013, Upon Morning Recess House Hearing Room 3.

Public hearing will be held: HB 17, HB 18, HB 19, SB 350

Executive session will be held: SB 350

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 9, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: SB 208, HB 834, HB 911, HB 913, HB 968

Executive session may be held on any matter referred to the committee.

AMENDED

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 992, HB 461, SCS SB 224, SB 236

Executive session will be held: HB 776, HB 653

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Tuesday, April 9, 2013, 5:00 PM House Hearing Room 3.

Public hearing will be held: HB 914

Executive session will be held: HCS HB 698, HB 484

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 9, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: HJR 32, SB 90, SS SCS SB 116

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 125, HB 596, HB 821, HB 603

Executive session may be held on any matter referred to the committee.

8:00 - 8:15 AM presentation

EMERGING ISSUES IN AGRICULTURE

Wednesday, April 10, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 962, HCR 34

Executive session may be held on any matter referred to the committee.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, April 10, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 235

Executive session will be held: SB 235

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 10, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 9, 2013, 12:10 PM House Hearing Room 4.

Public hearing will be held: SB 102, SS SCS SB 114, SS SCS SB 121, SCS SB 157, HB 931, HB 411

Executive session will be held: HB 436

Executive session may be held on any matter referred to the committee.

CORRECTED

HEALTH CARE POLICY

Wednesday, April 10, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: SB 197, SCS SCR 5, SB 230, SCS SB 88

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: SCS SB 147, HB 750

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 9, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SCS SB 17, HB 829, HB 879

Executive session will be held: HB 745, HB 746

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Tuesday, April 9, 2013, Upon Afternoon Adjournment House Hearing Room 5.

Public hearing will be held: SCS SB 324, SB 59, SB 60, HB 735, HB 338

Executive session will be held: HB 481, HB 610, HB 52, HB 654

Executive session may be held on any matter referred to the committee.

If we break for dinner during session the hearing will be held and dinner provided to the committee members.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Tuesday, April 9, 2013, 4:00 PM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

Organizational hearing

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, April 9, 2013, 8:30 AM House Hearing Room 7.

Quarterly business meeting

Some portions of the meeting may be closed pursuant to Section 610.021

JUDICIARY

Wednesday, April 10, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 41, SB 222, HB 121, HB 552, HB 757, HB 862

Executive session will be held: HB 447, HB 480, HB 541, HB 831

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, April 11, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 140, HB 764, HB 932

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 10, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 504, HB 854, SB 80, SB 234, SB 306

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 11, 2013, 9:00 AM House Hearing Room 1.

Executive session will be held: HB 861, HB 737

Executive session may be held on any matter referred to the committee.

AMENDED

RULES

Tuesday, April 9, 2013, Upon Evening Adjournment

516 S Country Club Drive, Jefferson City, MO 65109

RULES

Tuesday, April 9, 2013, 11:45 AM House Hearing Room 2.

Public hearing will be held: HCR 35

Executive session will be held: HCR 35

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: SB 188

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 10, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 811

Executive session will be held: HB 642, HB 393

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 9, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 869, HB 888, HB 1017, HB 885, HB 725, HB 693

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SCS SB 241, HB 437, SCS SB 240

Executive session may be held on any matter referred to the committee.

SB 240 is added to the hearing

AMENDED

VETERANS

Tuesday, April 9, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: SCS SB 186

Executive session will be held: SCS SB 186

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, April 9, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: HB 784, HB 824, HB 917, HB 410, HB 1035

Executive session will be held: HB 607, SS#2 SCS SBs 26, 11 & 31

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS SB 28, HB 430

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-EIGHTH DAY, TUESDAY, APRIL 9, 2013

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 30 - Scharnhorst
- 5 HB 47 - Cross
- 6 HCS HB 137 - Hinson
- 7 HB 217 - Cox
- 8 HCS HB 221 - Leara
- 9 HB 253 - Berry
- 10 HB 400 - Riddle
- 11 HCS HB 343 - Guernsey
- 12 HCS HB 470 - Barnes
- 13 HCS HB 215 - Cox
- 14 HB 103 - Kelley (127)
- 15 HCS#2 HB 178 - Koenig
- 16 HCS HB 197 - Lauer
- 17 HB 322 - Gosen
- 18 HCS HB 468 - Higdon
- 19 HCS HB 505 - Haefner
- 20 HCS HB 701 - Molendorp
- 21 HCS HB 335 - Hinson
- 22 HCS HB 114 - McCaherty
- 23 HCS HB 194 - Diehl
- 24 HB 218 - Cox

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- 25 HB 255 - Torpey
- 26 HCS HB 345 - Cierpiot
- 27 HCS HBs 373 & 435 - Elmer
- 28 HCS HBs 374 & 434 - Elmer
- 29 HCS HB 389 - Engler
- 30 HB 526 - Franklin
- 31 HB 533 - Riddle
- 32 HCS HB 722 - Leara
- 33 HB 148 - Davis
- 34 HB 510 - Torpey
- 35 HCS HB 28 - Lichtenegger
- 36 HCS HB 257 - Frederick
- 37 HCS HB 418 - Neth
- 38 HCS HB 850 - McCaherty
- 39 HCS HB 813 - Torpey
- 40 HCS HB 787 - Richardson
- 41 HB 756 - Hubbard
- 42 HCS HB 621 - McCaherty
- 43 HCS HB 458 - Scharnhorst
- 44 HCS HBs 455 & 297 - Koenig
- 45 HCS HBs 404 & 614 - Conway (104)
- 46 HB 326 - Fitzwater
- 47 HCS#2 HB 631 - Elmer
- 48 HB 242 - Ellington
- 49 HB 274 - Brattin
- 50 HCS HB 290 - Lichtenegger
- 51 HCS HB 351 - Frederick
- 52 HB 503 - McCaherty
- 53 HB 733 - Berry
- 54 HCS HB 589 - Hinson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 134 - Allen

HOUSE CONCURRENT RESOLUTIONS

HCR 11 - Walton Gray

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, TUESDAY, APRIL 9, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He looked for a city which hath foundations, whose builder and maker is God. (Hebrews 11:10)

Almighty God, may the spirit of wisdom and compassion move our hearts and our hands as we wait upon You at the altar of prayer. Day after day we pray, night after night we lift our hearts to You, knowing that often our words are without wings and that at times we say what we do not mean. Yet in the midst of the pressure of persistent problems, may we feel the touch of Your healing hand, receive the guidance of Your wise providence and become one with You in the adventure of making Missouri a better place in which to live.

Purge our minds of all prejudice, cleanse our hearts of all cynicism, remove far from us all ill will, and make us builders of the bridges of understanding and good will, which span the differences between people and unite them in the shining endeavor to create a state in which righteousness reigns, peace prevails, and the welfare of all is the desire of every heart.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Representative Entlicher introduced the Boys Quartet from the Agape Boarding School, who performed "God Bless America".

The Journal of the forty-seventh day was approved as printed.

HOUSE RESOLUTIONS

Representative Barnes offered House Resolution No. 1426.

Representative Bernskoetter offered House Resolution No. 1427.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1353 through House Resolution No. 1425

House Resolution No. 1428

PERFECTION OF HOUSE BILLS

HCS HB 30, relating to physical therapy services, was taken up by Representative Scharnhorst.

Representative Hoskins assumed the Chair.

On motion of Representative Scharnhorst, **HCS HB 30** was adopted.

On motion of Representative Scharnhorst, **HCS HB 30** was ordered perfected and printed.

HB 47, relating to the use of tanning devices, was taken up by Representative Cross.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 47, Page 2, Section 577.665, Line 23, by deleting the words "**one hundred**" and inserting in lieu thereof the word "**fifty**"; and

Further amend said bill, page and section, Line 24, by deleting the words "**one thousand**" and insert in lieu thereof the words "**five hundred**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Davis offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 47, Page 1, Section 577.665, Lines 13 to 21, by deleting all of said lines and inserting in lieu thereof the following:

"3. The department of health and senior services shall require the use of the following standard form to be used by all tanning facilities operated in this state:

DL# _____ STATE _____
TANNING CONSULTANT _____
LOCATION _____

☐ New ☐ Renewal ☐ Replacement ☐ Transfer
CUSTOMER # _____
LOCATION: _____
EMPLOYEE/DATE: _____
Consent & Waiver Form

Please Print:

Name: _____ Home Phone: _____
Address: _____ Birthdate: __/__/__ DL#: _____
City: _____ State: _____ Zip: _____ E-mail Address: _____

Fill out this questionnaire to accurately determine your skin type. Circle the correct response and add up the points on the right.

	(0)	(1)	(2)	(3)	(4) Points
1. What is the color of your eyes?	Lt. blue, gray, or green	Blue, gray, or green	Blue	Dark brown	Brownish black =
2. What is the color of your hair?	Sandy red	Blond	Dark blond	Dark brown	Black =
3. What is the color of your untanned skin?	Reddish	Very Pale	Pale with beige tint	Light brown	Dark brown =
4. Are there freckles on your untanned skin?	Many	Several	Few	Incidental	None =
5. What happens when you stay in the sun too long?	Painful redness: peeling/blistering	Burns regularly with peeling	Burns sometimes with peeling	Burns rarely	Never burns =
6. To what degree do you turn brown?	Hardly or not at all brown	Tans a little	Tans reasonably	Tans very easily	Quickly turns brown =
7. Do you turn brown soon after tanning?	Never	Seldom	Sometimes	Often	Always =
8. How does your face react with the sun?	Very Sensitive	Sensitive	Normal	Very resistant	Never a problem =
9. When tanning, do you try to tan your whole body?	Never	Hardly ever	Sometimes	Often	Always =
10. When did you last tan (even under a sunlamp)?	More than 3 months ago	2-3 months ago	1-2 months ago	Less than a month ago	Less than 16 days ago =

Total Score	Skin Type	Skin Sensitivity	YOUR TOTAL =
0-7	I	Always burns, never tans	
8-16	II	Always burns, sometimes tans	
17-25	III	Sometimes burns, always tans	
>25	IV	Never burns, tans readily	

Please be advised that:

- (1) If under the age of 17, (Tanning Salon Name) requires that your parent or legal guardian read and sign a consent form before you can tan.
- (2) Failure to use eye protection may result in permanent damage to the eyes.
- (3) Overexposure to ultraviolet light causes burns.
- (4) Repeated exposure may result in premature aging of the skin and/or skin cancer.
- (5) Abnormal skin sensitivity or burning may be caused by a reaction of UV light to certain foods, cosmetics, or medications including: (a) tranquilizers; (b) diuretics; (c) antibiotics; (d) high blood pressure medicines; (e) birth control pills. *Any person taking a prescription or over-the-counter drug should consult a physician before using a tanning device.
- (6) Pregnant women should consult a physician before using a tanning device.
- (7) (Tanning Salon Name) and their employees shall not be held liable for the loss or theft of any personal property.

I agree to use protective eyewear in accordance with FDA regulations. YES, I _____ have read and understand the warning.

Customer Signature: X _____ Date: _____ / _____ / _____

FOR PARENT OR LEGAL GUARDIAN APPROVAL:

As a parent or legal guardian of a minor, I have read and understand the warning given by the facility. I consent to the minor's use of a tanning device, and agree that the minor will use the protective eyewear.

Parent Signature: X _____ Date: _____ / _____ / _____

Please remember that proper eyewear is required for all tanning."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Crawford assumed the Chair.

Representative Davis moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 023

Bernskoetter	Berry	Brattin	Brown	Cierpiot
Cox	Cross	Davis	Franklin	Gannon
Grisamore	Hicks	Hoskins	Lauer	Lynch
Marshall	McCaherty	Pfautsch	Pike	Rowland
Schieber	Solon	Wilson		

NOES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Black	Burlison	Burns	Butler
Carpenter	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Curtis	Curtman	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Higdon	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Leara	Lichtenegger
Love	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Phillips	Pierson	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Sommer
Spencer	Stream	Swan	Swearingen	Thomson

Torpey	Walker	Walton Gray	Webb	White
Wieland	Wood	Wright	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 003

Jones 50	Molendorp	Webber
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VACANCIES: 002

HB 47, as amended, was laid over.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Scharnhorst.

PERFECTION OF HOUSE BILLS

HB 47, as amended, relating to the use of tanning devices, was again taken up by Representative Cross.

Speaker Jones resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schieber	Shull	Shumake	Smith 120

Solon	Sommer	Spencer	Stream	Swan
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Curtman	Fitzwater	Guernsey	Hodges	Reiboldt
Schatz	Thomson			

VACANCIES: 002

On motion of Representative Cross, **HB 47, as amended**, was ordered perfected and printed.

HCS HB 137, relating to implementation of federal programs, was taken up by Representative Hinson.

On motion of Representative Hinson, **HCS HB 137** was adopted.

On motion of Representative Hinson, **HCS HB 137** was ordered perfected and printed.

HB 217, relating to accountability of public funds, was taken up by Representative Cox.

Representative Parkinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 217, Page 2, Section 33.300, Line 5, by inserting after all of said section and line the following:

"34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost effective and in the public interest. Any written determination shall include specific findings for each of the following factors:

- (1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general's office to handle the matter;
- (2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;
- (3) The geographic area where the attorney services are to be provided; and

(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney's experience with similar issues or cases.

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.

3. The state shall not enter into a contingency fee contract that provides for the private attorney to receive an aggregate contingency fee in excess of:

- (1) Twenty-five percent of any recovery up to ten million dollars; plus**
- (2) Twenty percent of any portion of such recovery between ten million one dollars and fifteen million dollars; plus**
- (3) Fifteen percent of any portion of such recovery between fifteen million one dollars and twenty million dollars; plus**
- (4) Ten percent of any portion of such recovery between twenty million one dollars and twenty-five million dollars; plus**
- (5) Five percent of any portion of such recovery in excess of twenty-five million dollars.**

4. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

- (1) The government attorneys shall retain complete control over the course and conduct of the case;
- (2) A government attorney with supervisory authority shall oversee the litigation;
- (3) The government attorneys shall retain veto power over any decisions made by outside counsel;
- (4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and
- (5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

[4.] **5.** The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 3 of this section.

[5.] **6.** Copies of any executed contingency fee contract and the attorney general's written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general's website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general's website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

[6.] **7.** Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegal working on the matter in increments of no greater than one-tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

[7.] **8.** By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

- (1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:
 - (a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;
 - (b) The nature and status of the legal matter;
 - (c) The name of the parties to the legal matter;
 - (d) The amount of any recovery; and
 - (e) The amount of any contingency fee paid;
- (2) Include copies of any written determinations made under subsections 1 and 2 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parkinson, **House Amendment No. 1** was adopted.

On motion of Representative Cox, **HB 217, as amended**, was ordered perfected and printed.

HCS HB 470, relating to virtual schools, was taken up by Representative Barnes.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 470, Page 2, Section 162.1250, Line 51, by deleting the word "**three**" and inserting in lieu thereof "**two and five hundredths**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 470, Page 2, Section 162.1250, Line 51, by deleting the word "**three**" and and inserting in lieu thereof the words "**one and seventy-five hundredths**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely

Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Bernskoetter	Franklin	Hodges	Korman	May
Sommer	Zerr			

VACANCIES: 002

On motion of Representative Barnes, **HCS HB 470, as amended**, was adopted.

On motion of Representative Barnes, **HCS HB 470, as amended**, was ordered perfected and printed.

HCS HB 215, relating to indigent defendants and restitution, was taken up by Representative Cox.

Representative Austin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 215, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"56.807. 1. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in subsection 2 of this section shall be paid from county or city funds.

2. Beginning August 28, 1989, and continuing monthly thereafter until August 27, 2003, each county treasurer shall pay to the system the following amounts to be drawn from the general revenues of the county:

(1) For counties of the third and fourth classification except as provided in subdivision (3) of this subsection, three hundred seventy-five dollars;

(2) For counties of the second classification, five hundred forty-one dollars and sixty-seven cents;

(3) For counties of the first classification, counties which pursuant to section 56.363 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, one thousand two hundred ninety-one dollars and sixty-seven cents.

3. Beginning August 28, 1989, and continuing until August 27, 2003, the county treasurer shall at least monthly transmit the sums specified in subsection 2 of this section to the Missouri office of prosecution services for deposit to the credit of the "Missouri Prosecuting Attorneys and Circuit Attorneys' Retirement System Fund", which is hereby created. All moneys held by the state treasurer on behalf of the system shall be paid to the system within ninety days after August 28, 1993. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840 and for no other purpose.

4. Beginning August 28, 2003, the funds for prosecuting attorneys and circuit attorneys provided for in this section shall be paid from county or city funds and the surcharge established in this section and collected as provided by this section and sections 488.010 to 488.020.

5. (1) Beginning August 28, 2003, each county treasurer shall pay to the system the following amounts to be drawn from the general revenues of the county:

[(1)] (a) For counties of the third and fourth classification except as provided in [subdivision (3)] **paragraph (c)** of this [subsection] **subdivision**, one hundred eighty-seven dollars;

[(2)] (b) For counties of the second classification, two hundred seventy-one dollars;

[(3)] (c) For counties of the first classification, counties which pursuant to section 56.363 elect to make the position of prosecuting attorney a full-time position after August 28, 2001, or whose county commission has elected a full-time retirement benefit pursuant to subsection 3 of section 56.363, and the city of St. Louis, six hundred forty-six dollars.

(2) **Beginning August 28, 2013, the county contribution set forth in paragraphs (a) to (c) of subdivision (1) of this subsection shall be adjusted in accordance with the following schedule based upon the prosecuting attorneys and circuit attorneys' retirement system's annual actuarial valuation report. If the system's funding ratio is:**

(a) One hundred twenty percent or more, no monthly sum shall be transmitted;

(b) More than one hundred ten percent but less than one hundred twenty percent, the monthly sum transmitted shall be reduced fifty percent;

(c) At least ninety percent and up to and including one hundred ten percent, the monthly sum transmitted shall remain the same;

(d) At least eighty percent and less than ninety percent, the monthly sum transmitted shall be increased fifty percent; and

(e) Less than eighty percent, the monthly sum transmitted shall be increased one hundred percent.

6. Beginning August 28, 2003, the county treasurer shall at least monthly transmit the sums specified in subsection 5 of this section to the Missouri office of prosecution services for deposit to the credit of the Missouri prosecuting attorneys and circuit attorneys' retirement system fund. Moneys in the Missouri prosecuting attorneys and circuit attorneys' retirement system fund shall be used only for the purposes provided in sections 56.800 to 56.840, and for no other purpose.

7. Beginning August 28, 2003, the following surcharge for prosecuting attorneys and circuit attorneys shall be collected and paid as follows:

(1) There shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state including violation of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, **and against any person who pled guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis;

(2) The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.026. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund. Moneys credited to the prosecuting attorneys and circuit attorneys' retirement fund shall be used only for the purposes provided for in sections 56.800 to 56.840 and for no other purpose.

8. The board may accept gifts, donations, grants and bequests from private or public sources to the Missouri prosecuting attorneys and circuit attorneys' retirement system fund.

9. No state moneys shall be used to fund section 56.700 and sections 56.800 to 56.840 unless provided for by law.

488.026. As provided by section 56.807, there shall be assessed and collected a surcharge of four dollars in all criminal cases filed in the courts of this state, including violations of any county ordinance [or] , any violation of criminal or traffic laws of this state, including infractions, **or against any person who pled guilty and paid a fine through a fine collection center**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county, or municipality or when a criminal proceeding or the defendant has been dismissed by the court [or against any person who has pled guilty and paid their fine pursuant to subsection 4 of section 476.385]. For purposes of this section, the term "county ordinance" shall include any ordinance of the city of St. Louis. The clerk responsible for collecting court costs in criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the prosecuting attorneys and circuit attorneys' retirement fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Austin, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 215, Page 2, Section 488.2250, Lines 37-38, by deleting all of said lines; and

Further amend said bill, Page 10, Section 600.052, Line 9, by deleting the word "**assistance**", and inserting in lieu thereof the word "**assurance**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Cox offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 215, Page 12, Section 600.090, Line 70, by inserting after all of said section and line the following:

"Section 1. The Department of Revenue shall not release the home address or any other information contained in the department's motor vehicle or driver registration records regarding any former judge, commissioner, or immediate family members of such person. The department shall permit the issuance of special license plates and driver's licenses to any former judge, or commissioner."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Cox, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 215, Page 1, Section A, Line 4, by inserting after all of said line the following:

"43.518. 1. There is hereby established within the department of public safety a "Criminal Records and Justice Information Advisory Committee" whose purpose is to:

(1) Recommend general policies with respect to the philosophy, concept and operational principles of the Missouri criminal history record information system established by sections 43.500 to 43.530, in regard to the collection, processing, storage, dissemination and use of criminal history record information maintained by the central repository;

(2) Assess the current state of electronic justice information sharing; and

(3) Recommend policies and strategies, including standards and technology, for promoting electronic justice information sharing, and coordinating among the necessary agencies and institutions; and

(4) Provide guidance regarding the use of any state or federal funds appropriated for promoting electronic justice information sharing.

2. The committee shall be composed of the following officials or their designees: the director of the department of public safety; the director of the department of corrections and human resources; the attorney general; the director of the Missouri office of prosecution services; the president of the Missouri prosecutors association; the president of the Missouri court clerks association; the chief clerk of the Missouri state supreme court; the director of the state courts administrator; the chairman of the state judicial record committee; the chairman of the **joint legislative committee on court automation** [circuit court budget committee]; the presidents of the Missouri peace officers association; the Missouri sheriffs association; the Missouri police chiefs association or their successor agency; the superintendent of the Missouri highway patrol; the chiefs of police of agencies in jurisdictions with over two hundred thousand population; except that, in any county of the first class having a charter form of government, the chief executive of the county may designate another person in place of the police chief of any countywide police force, to serve on the committee; and, at the discretion of the director of public safety, as many as three other representatives of other criminal justice records systems or law enforcement agencies may be appointed by the director of public safety. The director of the department of public safety will serve as the permanent chairman of this committee.

3. The committee shall meet as determined by the director but not less than semiannually to perform its duties. A majority of the appointed members of the committee shall constitute a quorum.

4. No member of the committee shall receive any state compensation for the performance of duties associated with membership on this committee.

5. Official minutes of all committee meetings will be prepared by the director, promptly distributed to all committee members, and filed by the director for a period of at least five years."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Marshall offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 215, Page 3, Section 559.100, Line 19, by inserting after the phrase, "**under this section.**", the following:

"The circuit court en banc shall approve the use of any contractor or entity selected by the prosecuting attorney for the collection of restitution and costs."; and

Further amend said bill, Page 8, Section 600.042, Line 45, by inserting after the phrase "**D felonies, all**" the word "**nonsexual**"; and

Further amend said bill, Page 9, Section 600.042, Line 68, by deleting the word, "**felony**" and inserting in lieu thereof the word, "**any**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 5** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Spencer	Stream	Swan
Thomson	Torpey	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols

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Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Elmer	Engler	Fraker	Funderburk
Guernsey	Hodges	May	Parkinson	Riddle
Scharnhorst	Sommer	Walker	Zerr	

VACANCIES: 002

On motion of Representative Cox, **HCS HB 215, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 215, as amended**, was ordered perfected and printed.

HB 103, relating to use of vehicles in municipalities, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **HB 103** was ordered perfected and printed.

HCS HB 114, relating to educational credits for veterans, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HCS HB 114** was adopted.

On motion of Representative McCaherty, **HCS HB 114** was ordered perfected and printed.

HCS HB 505, relating to child abuse and neglect, was taken up by Representative Haefner.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller

Molendorp	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Spencer	Stream	Swan	Thomson	Torpey
White	Wieland	Wilson	Wood	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Curtis	Funderburk	Guernsey	Hodges
Hoskins	May	Otto	Parkinson	Scharnhorst
Sommer	Walker	Zerr	Mr Speaker	

VACANCIES: 002

On motion of Representative Haefner, **HCS HB 505** was adopted.

On motion of Representative Haefner, **HCS HB 505** was ordered perfected and printed.

HB 218, relating to controlled substances, was taken up by Representative Cox.

On motion of Representative Cox, **HB 218** was ordered perfected and printed.

HB 533, relating to firearms of state employees, was taken up by Representative Riddle.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 533, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"571.018. 1. Any person who has been found guilty or pleaded guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense, regardless of whether use of a firearm is an element of the subsequent felony offense, and during the commission of such felony offense the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm is guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. Such offense shall be in addition to and not in lieu of any underlying felony offense or any other offense for which such person may be charged and found guilty of or plead guilty or nolo contendere to.

2. Any person who violates the provisions of this section shall be subject to the following terms of imprisonment:

- (1) For possession of a firearm during the commission of a felony, a term of imprisonment of ten years;
- (2) For displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony, a term of imprisonment of twenty years; and
- (3) For discharging a firearm during the commission of a felony, a term of imprisonment of life.

The terms of imprisonment in this subsection shall be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

3. For purposes of this section, the following terms shall mean:

- (1) "Firearm", any weapon that is designed or adapted to expel a projectile by the action of an explosion;
- (2) "Possession", with respect to a firearm, carrying it on the person. Possession may also be established by demonstrating that the person had a firearm within immediate physical reach with ready access and the intent to use the firearm during the commission of a felony.

4. This section shall not apply to law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment to perform their lawful duties."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Kratky offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 533, Page 1, Section 571.030, Line 14, by inserting after the word "self-defense;" the word "or"; and

Further amend said bill, Page 2, Section 571.030, Line 28, by inserting after the word "board" the following:

"; or

(11) Possesses a firearm while also knowingly in possession of controlled substances that are sufficient for a felony violation under section 195.202"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kratky, **House Amendment No. 2** was adopted.

On motion of Representative Riddle, **HB 533, as amended**, was ordered perfected and printed.

HCS HB 850, relating to the Bring Jobs Home Act, was taken up by Representative McCaherty.

Representative McCaherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 850, Section 620.2425, Page 1, Line 14, by inserting after "amount" the following:

"or expenses deducted in determining federal taxable income"; and

Further amend said section, Page 2, Line 42, by inserting after "**year**" the following:

"shall be taken against the taxes imposed under chapter 143, except for sections 143.191 to 143.625, and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 1** was adopted.

On motion of Representative McCaherty, **HCS HB 850, as amended**, was adopted.

On motion of Representative McCaherty, **HCS HB 850, as amended**, was ordered perfected and printed.

HCS HB 813, relating to early stage development corporations, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HB 813** was adopted.

On motion of Representative Torpey, **HCS HB 813** was ordered perfected and printed.

HB 148, relating to child custody for military personnel, was taken up by Representative Davis.

Representative Davis offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 148, Page 1, Section 452.413, Line 15, by deleting the words "**the legal**" and inserting in lieu thereof the word "**a**"; and

Further amend said bill, Page 1, Section 452.413, Line 16, by deleting the word "**, and**" and inserting in lieu thereof the phrase "**or a guardian of a child less than eighteen years of age**"; and

Further amend said bill, Page 2, Section 452.413, Line 19, by deleting the word "**military**"; and

Further amend said bill, Page 2, Section 452.413, Line 41, by deleting the words "**domestic violence court order**" and inserting in lieu thereof the phrase "**order of protection under chapter 455**"; and

Further amend said bill, Page 2, Section 452.413, Line 45, by deleting the word "**upon**" and inserting in lieu thereof the word "**with**"; and

Further amend said bill, Page 3, Section 452.413, Lines 77 to 79, by deleting all of said lines and inserting in lieu thereof the following:

"domestic violence as defined under section 455.010 against another family or household member, or delegated to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against another family or household member."; and

Further amend said bill, Page 4, Section 452.413, Line 89, by deleting the word "**shall**"; and

Further amend said bill, Page 4, Section 452.413, Lines 94 and 95, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Receive timely information regarding the deploying parent's leave schedule."; and

Further amend said bill, Page 4, Section 452.413, Line 98, by deleting the word "**temporary**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HB 148, as amended**, was ordered perfected and printed.

HCS HB 257, relating to tuberculosis testing, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 257** was adopted.

On motion of Representative Frederick, **HCS HB 257** was ordered perfected and printed.

HB 326, relating to sexual misconduct, was taken up by Representative Fitzwater.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schieber	Shull	Shumake	Smith 120
Solon	Spencer	Stream	Swan	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr				

NOES: 049

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown	Butler	Curtman	Englund	Gannon
Hicks	Hodges	Hubbard	Lant	Miller
Molendorp	Scharnhorst	Schatz	Sommer	Thomson
Mr Speaker				

VACANCIES: 002

On motion of Representative Fitzwater, **HB 326** was ordered perfected and printed.

HCS HB 722, relating to the St. Louis Police Retirement System, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 722** was adopted.

On motion of Representative Leara, **HCS HB 722** was ordered perfected and printed.

HCS HB 418, relating to Kansas City police retirement systems, was taken up by Representative Neth.

On motion of Representative Neth, **HCS HB 418** was adopted.

On motion of Representative Neth, **HCS HB 418** was ordered perfected and printed.

HCS HB 345, relating to the Uniform Wireless Communications Infrastructure Deployment Act, was taken up by Representative Cierpiot.

HCS HB 345 was laid over.

THIRD READING OF HOUSE BILL

HCS HB 134, relating to bullying in schools, was taken up by Representative Allen.

On motion of Representative Allen, **HCS HB 134** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Burns
Butler	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lauer	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wood	Wright	Zerr
Mr Speaker				

NOES: 010

Brattin	Burlison	Colona	Elmer	Haahr
Marshall	Parkinson	Pogue	Remole	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Englund	Hicks	Hodges	Lant
Leara	Miller	Molendorp	Scharnhorst	Sommer

VACANCIES: 002

Representative Keeney declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 30 - Fiscal Review

HCS HB 114 - Fiscal Review

HB 218 - Fiscal Review

HB 1033 - Special Standing Committee on Small Business

HB 1041 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SB 329**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 653**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 372**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 436**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 781**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **HB 986**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 745**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 371**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, April 10, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Thursday, April 11, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 11, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Discussion of potential DD staff reorganization within Department of Mental Health.

Public testimony welcome regarding FY 2012 single state audit results.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 16, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will look at last audit with Department of Corrections 2009, focusing on Canteen Program.

DOWNSIZING STATE GOVERNMENT

Thursday, April 11, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 765, HB 863, SB 66

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SS SCS SB 125, HB 596, HB 821, HB 603

Executive session may be held on any matter referred to the committee.

8:00 - 8:15 AM presentation

EMERGING ISSUES IN AGRICULTURE

Wednesday, April 10, 2013, 9:00 AM House Hearing Room 1.

Public hearing will be held: HB 962, HCR 34

Executive session may be held on any matter referred to the committee.

AMENDED HB 962 is scheduled for public hearing, however it will not be heard Wednesday, April 10, 2013, at 9:00 AM.

CORRECTED

FINANCIAL INSTITUTIONS

Wednesday, April 10, 2013, 12:00 PM House Hearing Room 4.

Public hearing will be held: SB 235

Executive session will be held: SB 235

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, April 10, 2013, 8:30 AM South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 11, 2013, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTED

GENERAL LAWS

Wednesday, April 10, 2013, Noon or Upon Morning Adjournment House Hearing Room 3.

Public hearing will be held: HB 465, HJR 35, HB 640, HB 350

Executive session will be held: HJR 15

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 10, 2013, Upon Morning Recess House Hearing Room 6.

Public hearing will be held: SB 197, SCS SCR 5, SB 230, SCS SB 88, SCS SB 376

Executive session may be held on any matter referred to the committee.

Added SB 376

AMENDED

JUDICIARY

Wednesday, April 10, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 41, SB 222, HB 121, HB 552, HB 757, HB 862

Executive session will be held: HB 447, HB 480, HB 541, HB 831

Executive session may be held on any matter referred to the committee.

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT

Thursday, April 11, 2013, 8:30 AM Room 308 (Office of Speaker Timothy W. Jones).

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, April 11, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 140, HB 764, HB 932

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 10, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: HB 504, HB 854, SB 80, SB 234, SB 306

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 11, 2013, 8:15 AM House Hearing Room 1.

Executive session will be held: HB 861, HB 737

Executive session may be held on any matter referred to the committee.

Note time change

AMENDED

RULES

Wednesday, April 10, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCR 21, HCS HJR 26, HCS HB 76, HCS HB 78, HCS HBs 309 & 73, HCS HB 344, HCS HB 348, HCS HB 372, HCS HB 387, HCS HB 415, HCS HB 436, HCS HBs 593 & 695, HB 635, HCS HB 653, HB 771, HB 808, HCS HB 859, SB 16, SCS SB 191, SB 237, SB 329

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: SB 188

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 10, 2013, 12:00 PM or Upon Morning Adjournment House Hearing Room 7.

Public hearing will be held: HB 811

Executive session will be held: HB 642, HB 393

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: SS SCS SB 241, HB 437, SCS SB 240

Executive session may be held on any matter referred to the committee.

SB 240 is added to the hearing

AMENDED

VETERANS

Thursday, April 11, 2013, 9:30 AM North Gallery.

Executive session will be held: SCS SB 186

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 10, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: SS SB 28, HB 430

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-NINTH DAY, WEDNESDAY, APRIL 10, 2013

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HB 253 - Berry
- 6 HB 400 - Riddle
- 7 HCS HB 343 - Guernsey
- 8 HCS#2 HB 178 - Koenig
- 9 HCS HB 197 - Lauer
- 10 HB 322 - Gosen
- 11 HCS HB 468 - Higdon
- 12 HCS HB 701 - Molendorp
- 13 HCS HB 335 - Hinson
- 14 HCS HB 194 - Diehl
- 15 HB 255 - Torpey
- 16 HCS HB 345 - Cierpiot
- 17 HCS HBs 373 & 435 - Elmer
- 18 HCS HBs 374 & 434 - Elmer
- 19 HCS HB 389 - Engler
- 20 HB 526 - Franklin
- 21 HB 510 - Torpey
- 22 HCS HB 28 - Lichtenegger
- 23 HCS HB 787 - Richardson
- 24 HB 756 - Hubbard

- 25 HCS HB 621 - McCaherty
- 26 HCS HB 458 - Scharnhorst
- 27 HCS HBs 455 & 297 - English
- 28 HCS HBs 404 & 614 - Conway (104)
- 29 HCS#2 HB 631 - Elmer
- 30 HB 242 - Ellington
- 31 HB 274 - Brattin
- 32 HCS HB 290 - Lichtenegger
- 33 HCS HB 351 - Frederick
- 34 HB 503 - McCaherty
- 35 HB 733 - Berry
- 36 HCS HB 589 - Hinson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443, (Fiscal Review 4/8/13) - Hubbard
- 4 HB 42 - Rowland

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 35 - Jones (110)

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FORTY-NINTH DAY, WEDNESDAY, APRIL 10, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust ye in the Lord forever; for in the Lord God is everlasting strength. (Isaiah 26:4)

O Lord everlasting, we humbly beseech You that we may always prove ourselves a people mindful of Your favor and glad to do Your will. Bless our state, our people and our leaders, that under the guidance of Your wise and good spirit we may not grow weary in working nor wavering in worship.

Save us from violence and confusion, from pride and prejudice, and from every evil way. Fashion us into one people, united in purpose and spirit, faithful to You and fruitful in all good works as we seek the welfare of all. Endow with wisdom and charity these representatives of Missouri that there may be justice at home and peace in our state. In the time of prosperity fill our hearts with gratitude and in the day of trouble let not our trust in them fail.

And the House says "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Haquan Perkins, Stacy Spencer and Breanna Davison.

The Journal of the forty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1429 through House Resolution No. 1451

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 443**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Keeney assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 468, relating to public safety, was taken up by Representative Higdon.

Representative Fitzwater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 468, Page 13, Section 544.157, Line 42, by inserting immediately after said line the following:

- "566.093. 1. A person commits the crime of sexual misconduct in the second degree if such person:
- (1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;
 - (2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or
 - (3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.
2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has previously been convicted of an offense under this chapter, in which case it is a class A misdemeanor.
- 3. If such crime is committed by a person while incarcerated within a facility in the department of corrections system, it is a class D felony and shall impose a fine of at least one hundred dollars.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 1** was adopted.

Representative Jones (50) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 468, Page 16, Section 575.133, Line 7, by inserting after all of said line the following:

- "610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:
- (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however,

in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or National Guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines [and], policies **and specific response plans** developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. [Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, 2012] **Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public**

governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

[(d) This exception shall sunset on December 31, 2012;]

(20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

[(21)] **(22)** Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

[(22)] **(23)** Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business."; and

Further amend said bill, Page 23, Section 650.350, Line 54, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to protect sensitive public records relating to public agency plans to prevent and respond to possible terrorist incidents and to protect security system plans for certain critical public and private buildings and facilities, the repeal and reenactment of section 610.021 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 610.021 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Grisamore	Guernsey	Leara	Molendorp	Redmon
Riddle	Scharnhorst	Mr Speaker		

VACANCIES: 002

On motion of Representative Higdon, **HCS HB 468, as amended**, was adopted.

On motion of Representative Higdon, **HCS HB 468, as amended**, was ordered perfected and printed.

HCS HBs 374 & 434, relating to the transfer of judicial positions, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HBs 374 & 434** was adopted.

On motion of Representative Elmer, **HCS HBs 374 & 434** was ordered perfected and printed.

HCS HBs 373 & 435, relating to judicial circuits, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HBs 373 & 435** was adopted.

On motion of Representative Elmer, **HCS HBs 373 & 435** was ordered perfected and printed.

HB 322, relating to motor vehicle insurance policies, was taken up by Representative Gosen.

Representative Engler offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 322, Page 2, Section 303.024, Line 34, by inserting after the word "duties." the following:

"The evidence of financial responsibility may be provided using a mobile electronic device."; and

Further amend said bill, Page 2, Section 303.024, Line 42, by inserting after the word "**card**." the following:

"Whenever a person presents a mobile electronic device as proof of financial responsibility to any peace officer, commercial vehicle enforcement officer, or commercial vehicle inspector under this section, such person shall assume all liability for any damage to the mobile electronic device except for damage willfully or maliciously caused by a law enforcement officer or a department of revenue employee or agent."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 1** was adopted.

Representative Gosen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 322, Page 3, Section 303.029, Lines 1 to 22, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

"379.013. 1. Insurance policy forms and endorsements for classes of insurance described in subdivisions 1, 2, 3, and 5 of subsection 1 of section 379.010 issued or renewed in this state, or covering risks in this state, which do not contain personally identifiable information, may be made available electronically on the insurer's website in lieu of mailing or delivering a copy of policy forms and endorsements to an insured.

2. If the insurer elects to make such insurance policy forms and endorsements available electronically on the insurer's website in lieu of mailing or delivering a paper copy to the insured, it shall comply with all the following conditions with respect to such policy forms and endorsements:

(1) The policy forms and endorsements issued or sold in this state shall be easily and publicly accessible on the insurer's website and remain that way for as long as the policy form or endorsement is in force or actively sold in this state;

(2) The insurer shall retain and store the policy forms and endorsements after they are withdrawn from use or replaced with other policy forms and endorsements for a period of five years and make them available to insureds and former insureds upon request and at no cost;

(3) The policy forms and endorsements shall be available on the insurer's website in an electronic format that enables the insured to print and save the policy forms and endorsements using programs or applications that are widely available on the internet and free to use;

(4) At policy issuance and renewal, the insurer shall provide clear and conspicuous notice to the insured, in the manner it customarily communicates with an insured, that it does not intend to mail or deliver a paper copy of the policy forms or endorsements. The notice shall provide instructions on how the insured may access the policy forms and endorsements on the insurer's website. The insurer shall also notify the insured of the right to obtain a paper copy of the policy forms and endorsements at no cost and provide either a toll-free telephone number or the telephone number of the insured's producer by which the insured can make this request;

(5) At policy renewal, the insurer shall provide clear and conspicuous notice to the insured, in the manner it customarily communicates with an insured, of any changes which have been made to the policy forms or endorsements since the prior coverage period. Such notice shall be made in accordance with the requirements of subdivision (4) of this subsection; and

(6) On each declarations page, or similar coverage summary document, issued to an insured, the insurer shall clearly identify the exact policy forms and endorsements purchased by the insured, so that the insured may easily access those forms on the insurer's website.

3. The director may promulgate any rules necessary to implement and effectuate the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated under the provisions of section 536.024."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 2** was adopted.

On motion of Representative Gosen, **HB 322, as amended**, was ordered perfected and printed.

HCS HB 345, relating to the Uniform Wireless Communications Infrastructure Deployment Act, was taken up by Representative Cierpiot.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 345, Page 1, Section A, Line 3, by inserting after all of said line the following:

"67.1830. As used in sections 67.1830 to 67.1846, the following terms shall mean:

(1) "Abandoned equipment or facilities", any equipment materials, apparatuses, devices or facilities that are:

(a) Declared abandoned by the owner of such equipment or facilities;

(b) No longer in active use, physically disconnected from a portion of the operating facility or any other facility that is in use or in service, and no longer capable of being used for the same or similar purpose for which the equipment, apparatuses or facilities were installed; or

(c) No longer in active use and the owner of such equipment or facilities fails to respond within thirty days to a written notice sent by a political subdivision;

(2) "Degradation", the actual or deemed reduction in the useful life of the public right-of-way resulting from the cutting, excavation or restoration of the public right-of-way;

(3) "Emergency", includes but is not limited to the following:

(a) An unexpected or unplanned outage, cut, rupture, leak or any other failure of a public utility facility that prevents or significantly jeopardizes the ability of a public utility to provide service to customers;

(b) An unexpected or unplanned outage, cut, rupture, leak or any other failure of a public utility facility that results or could result in danger to the public or a material delay or hindrance to the provision of service to the public if the outage, cut, rupture, leak or any other such failure of public utility facilities is not immediately repaired, controlled, stabilized or rectified; or

(c) Any occurrence involving a public utility facility that a reasonable person could conclude under the circumstances that immediate and undelayed action by the public utility is necessary and warranted;

(4) "Excavation", any act by which earth, asphalt, concrete, sand, gravel, rock or any other material in or on the ground is cut into, dug, uncovered, removed, or otherwise displaced, by means of any tools, equipment or explosives, except that the following shall not be deemed excavation:

(a) Any de minimis displacement or movement of ground caused by pedestrian or vehicular traffic;

(b) The replacement of utility poles and related equipment at the existing general location that does not involve either a street or sidewalk cut; or

(c) Any other activity which does not disturb or displace surface conditions of the earth, asphalt, concrete, sand, gravel, rock or any other material in or on the ground;

(5) "Management costs" or "rights-of-way management costs", the actual costs a political subdivision reasonably incurs in managing its public rights-of-way, including such costs, if incurred, as those associated with the following:

(a) Issuing, processing and verifying right-of-way permit applications;

(b) Inspecting job sites and restoration projects;

(c) Protecting or moving public utility right-of-way user construction equipment after reasonable notification to the public utility right-of-way user during public right-of-way work;

(d) Determining the adequacy of public right-of-way restoration;

(e) Restoring work inadequately performed after providing notice and the opportunity to correct the work; and

(f) Revoking right-of-way permits.

Right-of-way management costs shall be the same for all entities doing similar work. Management costs or rights-of-way management costs shall not include payment by a public utility right-of-way user for the use or rent of the public right-of-way, degradation of the public right-of-way or any costs as outlined in paragraphs (a) to (h) of this subdivision which are incurred by the political subdivision as a result of use by users other than public utilities, the **attorneys' fees** and cost of litigation relating to the interpretation of this section or section 67.1832, or litigation, interpretation or development of any ordinance enacted pursuant to this section or section 67.1832, **or attorneys' fees and costs in connection with issuing, processing, or verifying right-of-way permit or other applications or agreements**, or the political subdivision's fees and costs related to appeals taken pursuant to section 67.1838. In granting or renewing a franchise for a cable television system, a political subdivision may impose a franchise fee and other terms and conditions permitted by federal law;

(6) "Managing the public right-of-way", the actions a political subdivision takes, through reasonable exercise of its police powers, to impose rights, duties and obligations on all users of the right-of-way, including the political subdivision, in a reasonable, competitively neutral and nondiscriminatory and uniform manner, reflecting the distinct engineering, construction, operation, maintenance and public work and safety requirements applicable to the various users of the public right-of-way, provided that such rights, duties and obligations shall not conflict with any federal law or regulation. In managing the public right-of-way, a political subdivision may:

(a) Require construction performance bonds or insurance coverage or demonstration of self-insurance at the option of the political subdivision or if the public utility right-of-way user has twenty-five million dollars in net assets and does not have a history of permitting noncompliance within the political subdivision as defined by the political subdivision, then the public utility right-of-way user shall not be required to provide such bonds or insurance;

(b) Establish coordination and timing requirements that do not impose a barrier to entry;

(c) Require public utility right-of-way users to submit, for right-of-way projects commenced after August 28, 2001, requiring excavation within the public right-of-way, whether initiated by a political subdivision or any public utility right-of-way user, project data in the form maintained by the user and in a reasonable time after receipt of the request based on the amount of data requested;

(d) Establish right-of-way permitting requirements for street excavation;

(e) Establish removal requirements for abandoned equipment or facilities, if the existence of such facilities prevents or significantly impairs right-of-way use, repair, excavation or construction;

(f) Establish permitting requirements for towers and other structures or equipment for wireless communications facilities in the public right-of-way, notwithstanding the provisions of section 67.1832;

(g) Establish standards for street restoration in order to lessen the impact of degradation to the public right-of-way; and

(h) Impose permit conditions to protect public safety;

(7) "Political subdivision", a city, town, village, county of the first classification or county of the second classification;

(8) "Public right-of-way", the area on, below or above a public roadway, highway, street or alleyway in which the political subdivision has an ownership interest, but not including:

(a) The airwaves above a public right-of-way with regard to cellular or other nonwire telecommunications or broadcast service;

(b) Easements obtained by utilities or private easements in platted subdivisions or tracts;

(c) Railroad rights-of-way and ground utilized or acquired for railroad facilities; or

(d) [Poles,] Pipes, cables, conduits, wires, optical cables, or other means of transmission, collection or exchange of communications, information, substances, data, or electronic or electrical current or impulses utilized by a municipally owned or operated utility pursuant to chapter 91 or pursuant to a charter form of government;

(9) "Public utility", every cable television service provider, every pipeline corporation, gas corporation, electrical corporation, rural electric cooperative, telecommunications company, water corporation, heating or refrigerating corporation or sewer corporation under the jurisdiction of the public service commission; every municipally owned or operated utility pursuant to chapter 91 or pursuant to a charter form of government or cooperatively owned or operated utility pursuant to chapter 394; every street light maintenance district; every privately owned utility; and every other entity, regardless of its form of organization or governance, whether for profit or not, which in providing a public utility type of service for members of the general public, utilizes pipes, cables, conduits, wires, optical cables, or other means of transmission, collection or exchange of communications, information, substances, data, or electronic or electrical current or impulses, in the collection, exchange or dissemination of its product or services through the public rights-of-way;

(10) "Public utility right-of-way user", a public utility owning or controlling a facility in the public right-of-way; and

(11) "Right-of-way permit", a permit issued by a political subdivision authorizing the performance of excavation work in a public right-of-way.

67.1836. 1. A political subdivision may deny an application for a right-of-way permit if:

(1) The public utility right-of-way user fails to provide all the necessary information requested by the political subdivision for managing the public right-of-way;

(2) The public utility right-of-way user has failed to return the public right-of-way to its previous condition under a previous permit;

(3) The political subdivision has provided the public utility right-of-way user with a reasonable, competitively neutral, and nondiscriminatory justification for requiring an alternative method for performing the work identified in the permit application or a reasonable alternative route that will result in neither additional installation expense up to ten percent to the public utility right-of-way user nor a declination of service quality;

(4) The political subdivision determines that the denial is necessary to protect the public health and safety, provided that the authority of the political subdivision does not extend to those items under the jurisdiction of the public service commission, such denial shall not interfere with a public utility's right of eminent domain of private property, and such denials shall only be imposed on a competitively neutral and nondiscriminatory basis; or

(5) The area is environmentally sensitive as defined by state statute or federal law or is a historic district as defined by local ordinance.

2. A political subdivision may, after reasonable notice and an opportunity to cure, revoke a right-of-way permit granted to a public utility right-of-way user, with or without fee refund, and/or impose a penalty as established by the political subdivision until the breach is cured, but only in the event of a substantial breach of the terms and material conditions of the permit. A substantial breach by a permittee includes but is not limited to:

(1) A material violation of a provision of the right-of-way permit;

(2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the political subdivision or its citizens;

(3) A material misrepresentation of fact in the right-of-way permit application;

(4) A failure to complete work by the date specified in the right-of-way permit, unless a permit extension is obtained or unless the failure to complete the work is due to reasons beyond the permittee's control; and

(5) A failure to correct, within the time specified by the political subdivision, work that does not conform to applicable national safety codes, industry construction standards, or local safety codes that are no more stringent than national safety codes, upon inspection and notification by the political subdivision of the faulty condition.

3. Any political subdivision that requires public utility right-of-way users to obtain a right-of-way permit, except in an emergency, prior to performing excavation work within a public right-of-way shall promptly, but not longer than thirty-one days, process all completed permit applications. **If a political subdivision fails to act on an application for a right-of-way permit within thirty-one days, the application shall be deemed approved.** In order to avoid excessive processing and accounting costs to either the political subdivision or the public utility right-of-way user, the political subdivision may establish procedures for bulk processing of permits and periodic payment of permit fees.

67.1838. [1.] A public utility right-of-way user that has been denied a right-of-way permit, has had its right-of-way permit revoked, believes that the fees imposed on the public right-of-way user by the political subdivision do not conform to the requirements of section 67.1840, **believes the political subdivision has violated any provision of sections 67.1830 to 67.1848**, or asserts any other issues related to the use of the public right-of-way, [shall have, upon written request, such denials, revocations, fee impositions, or other disputes reviewed by the governing body of the political subdivision or an entity assigned by the governing body for this purpose. The governing body of the political subdivision or its delegated entity shall specify, in its permit processing schedules, the maximum number of days by which the review request shall be filed in order to be reviewed by the governing body of the political subdivision or its delegated entity. A decision affirming the denial, revocation, fee imposition or dispute resolution shall be in writing and supported by written findings establishing the reasonableness of the decision.

2. Upon affirmation by the governing body of the denial, revocation, fee imposition or dispute resolution, the public utility right-of-way user may, in addition to all other remedies and if both parties agree, have the right to have the matter resolved by mediation or binding arbitration. Binding arbitration shall be before an arbitrator agreed to by both the political subdivision and the public utility right-of-way user. The costs and fees of a single arbitrator shall be borne equally by the political subdivision and the public utility right-of-way user.

3. If the parties cannot agree on an arbitrator, the matter shall be resolved by a three-person arbitration panel consisting of one arbitrator selected by the political subdivision, one arbitrator selected by the public utility right-of-way user, and one person selected by the other two arbitrators. In the event that a three-person arbitrator panel is necessary, each party shall bear the expense of its own arbitrator and shall jointly and equally bear with the other party the expense of the third arbitrator and of the arbitration.

4. Each party to the arbitration shall pay its own costs, disbursements and attorney fees] **may bring an action for review in any court of competent jurisdiction. The court shall rule on any such petition for review within forty-five days of service. The petition for review shall be deemed granted if the court fails to rule within the forty-five-day time period.**

67.1842. 1. In managing the public right-of-way and in imposing fees pursuant to sections 67.1830 to 67.1846, no political subdivision shall:

(1) Unlawfully discriminate among public utility right-of-way users;
 (2) Grant a preference to any public utility right-of-way user;
 (3) Create or erect any unreasonable requirement for entry to the public right-of-way by public utility right-of-way users;

(4) Require a telecommunications company to obtain a franchise or require a public utility right-of-way user to pay for the use of the public right-of-way, except as provided in sections 67.1830 to 67.1846; [or]

(5) Enter into a contract or any other agreement for providing for an exclusive use, occupancy or access to any public right-of-way; **or**

(6) Require any public utility that has legally been granted access to the political subdivision's right-of-way prior to August 28, 2001, to enter into an agreement or obtain a permit for general access to or the right to remain in the right-of-way of the political subdivision.

2. A public utility right-of-way user shall not be required to apply for or obtain right-of-way permits for projects commenced prior to August 28, 2001, requiring excavation within the public right-of-way, for which the user has obtained the required consent of the political subdivision, or that are otherwise lawfully occupying or performing work within the public right-of-way. The public utility right-of-way user may be required to obtain right-of-way permits prior to any excavation work performed within the public right-of-way after August 28, 2001.

3. A political subdivision shall not collect a fee imposed pursuant to section 67.1840 through the provision of in-kind services by a public utility right-of-way user, nor require the provision of in-kind services as a condition of consent to use the political subdivision's public right-of-way; however, nothing in this subsection shall preclude requiring

services of a cable television operator, open video system provider or other video programming provider as permitted by federal law."; and

Further amend said bill, Page 2, Section 67.5092, Line 17, by inserting after the word "**law**" the words "**and acting in its capacity**"; and

Further amend said bill, Page 2, Section 67.5092, Line 18, by deleting the words "**wireless facilities and wireless support structures**" and inserting in lieu thereof the words "**zoning or building permit review of an application**"; and

Further amend said bill, Page 2, Section 67.5092, Line 42, by inserting after the word "**codes**," the words "**National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering**"; and

Further amend said bill, Page 3, Section 67.5092, Line 65, by inserting after the word "**county**," the words "**municipality acting in its capacity as a utility, municipal utility board**"; and

Further amend said bill, Page 3, Section 67.5092, Line 66, by inserting after the word "**electric**," the words "**natural gas, water, waste water**"; and

Further amend said bill, Page 3, Section 67.5092, Line 67, by inserting after the word "**telecommunications**" the words "**or internet protocol-related**"; and

Further amend said bill, Page 3, Section 67.5092, Lines 74 to 80, by deleting all of said lines and inserting in lieu thereof the following:

"(17) "Wireless facility", the set of equipment and network components, exclusive of the underlying wireless support structure, including, but not limited to, antennas, accessory equipment, transmitters, receivers, power supplies, cabling and associated equipment necessary to provide wireless communications services;

(18) "Wireless support structure", a structure, such as a monopole, tower, or building capable of supporting wireless facilities. This definition does not include utility poles."; and

Further amend said bill, Page 4, Section 67.5094, Line 17, by deleting "**FCC's**" and inserting in lieu thereof "**Federal Communication Commission's**"; and

Further amend said bill, Page 5, Section 67.5094, Line 56, by deleting the word "**unreasonable**"; and

Further amend said bill, Page 5, Section 67.5094, Line 59, by inserting after the word "**facilities**" the words "**if such regulations or obligations are unreasonable**"; and

Further amend said bill, Page 6, Section 67.5096, Line 3, by deleting the words "**this act**" and inserting in lieu thereof "**sections 67.5090 to 67.5104**"; and

Further amend said bill, Page 6, Section 67.5096, Line 4, by deleting the word "**hereof**"; and

Further amend said bill, Page 6, Section 67.5096, Line 7, by deleting the words "**this act**" and inserting in lieu thereof "**sections 67.5090 to 67.5104**"; and

Further amend said bill, Page 6, Section 67.5096, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"appropriate authority. Each application shall include a copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the application; and"; and

Further amend said bill, Page 6, Section 67.5096, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

"including but not limited to documents and electronic data, shall be subject to chapter 610."; and

Further amend said bill, Page 6, Section 67.5096, Line 15, by deleting the words **"one hundred fifty"** and inserting in lieu thereof the word **"ninety"**; and

Further amend said bill, Page 6, Section 67.5096, Line 25, by deleting the words **"one hundred fifty"** and inserting in lieu thereof the word **"ninety"**; and

Further amend said bill, Page 6, Section 67.5096, Line 27, by deleting the words **"one hundred fifty"** and inserting in lieu thereof the word **"ninety"**; and

Further amend said bill, Page 6, Section 67.5096, Line 32, by deleting the words **"one hundred fifty"** and inserting in lieu thereof the word **"ninety"**; and

Further amend said bill, Page 7, Section 67.5098, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following:

"substantial modifications of wireless support structures, subject to the provisions of sections 67.5090 to 67.5104, including without limitation section 67.5094, and subject to federal law."; and

Further amend said bill, Page 7, Section 67.5098, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"appropriate authority. Each application shall include a copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the application; and"; and

Further amend said bill, Page 7, Section 67.5098, Lines 13 and 14, by deleting all of said lines and inserting in lieu thereof the following:

"including but not limited to documents and electronic data, shall be subject to chapter 610."; and

Further amend said bill, Page 8, Section 67.5100, Line 1, by deleting the words **"this act,"** and inserting in lieu thereof **"sections 67.5090 to 67.5104, including section 67.5094,"**; and

Further amend said bill, Page 8, Section 67.5100, Line 3, by inserting after the word **"requirements,"** the words **"National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering,"**; and

Further amend said bill, Page 8, Section 67.5100, Line 7, by inserting after the word **"application"** the words **"or application for replacement of wireless facilities"**; and

Further amend said bill, Page 8, Section 67.5100, Line 10, by deleting the words **"this act"** and inserting in lieu thereof **"sections 67.5090 to 67.5104"**; and

Further amend said bill, Page 8, Section 67.5100, Line 13, by inserting after the word **"complete."** the following:

"Each collocation application or application to replace wireless facilities shall include a copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the application."; and

Further amend said bill, Page 8, Section 67.5100, Line 22, by deleting the word **"facilities"** and inserting in lieu thereof the word **"facilities"**; and

Further amend said bill, Page 8, Section 67.5100, Line 27, by deleting all of said line and inserting in lieu thereof the following:

"4. Except as provided in section 67.5104, the provisions of sections 67.5090 to 67.5104 shall not:"; and

Further amend said bill, Page 8, Section 67.5100, Line 28, by deleting "(a)" and inserting in lieu thereof "(1)"; and

Further amend said bill, Page 8, Section 67.5100, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"wireless facility on new, existing, or replacement poles owned or operated by a utility;"; and

Further amend said bill, Page 8, Section 67.5100, Line 31, by deleting all of said line and inserting in lieu thereof the following:

"(2) Expand the power of an authority to regulate any utility; or

(3) Restrict any utility's rights or authority, or negate any utility's agreement, regarding requested access to, or the rates and terms applicable to placement of any wireless facility on new, existing, or replacement poles, structures, or existing structures owned or operated by a utility."; and

Further amend said bill, Page 9, Section 67.5102, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"wireless support structures, or collocations if such moratorium exceeds six months in length and if the legislative act establishing it fails to state reasonable grounds and good cause for such moratorium. No such moratorium shall affect an already pending application;"; and

Further amend said bill, Page 9, Section 67.5102, Line 14, by inserting after the word "appraisers" the words **"licensed under chapter 339"**; and

Further amend said bill, Page 9, Section 67.5102, Line 22, by deleting the words **"one hundred fifty"** and inserting in lieu thereof the word **"ninety"**; and

Further amend said bill, Page 9, Section 67.5102, Line 31, by deleting "." and inserting in lieu thereof ";" and

Further amend said bill, Page 9, Section 67.5102, Line 35, by inserting after all of said line the following:

"67.5103. Notwithstanding any provision of sections 67.5090 to 67.5102, nothing herein shall provide any applicant the power of eminent domain or the right to compel any private or public property owner, or the department of conservation or department of natural resources to:

(1) Lease or sell property for the construction of a new wireless support structure; or

(2) Locate or cause the collocation of a wireless facility on any existing structure or wireless support structure."; and

Further amend said bill, Page 9, Section 67.5104, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"67.5104. Any pole attachment rates, terms, and conditions, including those related to the granting or denial of access, demanded by a municipal utility pole owner or controlling authority of a municipality shall be nondiscriminatory, just and reasonable and shall not be subject to any required franchise authority or government entity permitting. An annual pole attachment rental rate shall be calculated on a per pole basis and shall be considered just and reasonable"; and

Further amend said bill, Page 10, Section 67.5104, Line 6, by deleting the word **"any"** and inserting in lieu thereof the word **"an"**; and

Further amend said bill, Page 10, Section 67.5104, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"provider, or by a telecommunications, wireless communications or other communications-related service provider or municipal utility pole owner, to a pole. A service provider may seek review of any rate, term, or"; and

Further amend said bill, Page 10, Section 67.5104, Line 8, by deleting the word **"district"** and inserting in lieu thereof the word **"circuit"**; and

Further amend said bill, Page 10, Section 67.5104, Line 8, by inserting after the word **"court"** the following:

"if that entity believes the rates, terms, and conditions are not fair, just, and reasonable"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (45) offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 345, Page 6, Line 38, by inserting after all of said line the following:

‘Further amend said bill, Page 3, Line 50, by inserting after the word: **"which"** on said line the following: **", as applied to the structure as it was originally constructed"; and’; and**

Further amend said amendment, Page 9, Lines 39 and 40, by deleting all of said lines and inserting in lieu thereof the following:

‘Further amend said bill, Page 9, Section 67.5102, Line 31, by deleting **."** and inserting in lieu thereof the phrase: **"unless the applicant agrees to accept a lease or contract of less than fifteen years in duration"; and’; and**

Further amend said amendment, Page 10, Section 67.5103, Line 7, by inserting after the word: **"collocation"** on said line the following:

"or expansion"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Cierpiot, **House Amendment No. 1, as amended**, was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Dunn	Ellinger	Ellington	English
Englund	Frame	Gardner	Harris	Hodges
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Conway 10	Curtis	Davis	Fitzwater	Hubbard
Jones 50	McCaherty	Redmon	Scharnhorst	Schatz
Schieffer				

VACANCIES: 002

On motion of Representative Cierpiot, **HCS HB 345, as amended**, was adopted.

On motion of Representative Cierpiot, **HCS HB 345, as amended**, was ordered perfected and printed.

On motion of Representative Diehl, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILL

HCS#2 HB 178, relating to local ballot proposals, was taken up by Representative Koenig.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 178, Page 1, Section 67.005, Line 18, by inserting after said line the following:

“67.312. 1. Notwithstanding any law to the contrary, in any county with a charter form of government and with more than three hundred thousand but with fewer than four hundred fifty thousand inhabitants, if any water supply district contracts with a for profit management company focusing on contract management and operations, the water supply district shall not charge or collect from its customers any increase in rates, charges, or fees, including but not limited to water rates, testing fees, inspection fees, administrative fees, service charges, minimum bill charges, flat rate charges, customer charges, billing charges, attendance fees, primacy fees, and user fees without a majority vote of the qualified voters of the water supply district voting thereon on any public election day in August or November. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the question shall not be resubmitted under this section sooner than twelve months from the date of the last submission opposed by voters. Any actual charges or fees by a state or local governmental entity not associated in any way with the water supply district may be passed on to their customers without a vote.

2. In any county with a charter form of government and with more than three hundred thousand but with fewer than four hundred fifty thousand inhabitants, if any water supply district does not actually process or treat sewage or wastewater but pays another governmental entity for providing such service, the water supply district shall not charge and collect from its customers a premium, fee, tax, assessment, or other charge however denominated more than the rate it actually pays to such other entity without a majority vote of the qualified voters of the water supply district voting thereon on any public election day in August or November. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the question shall not be resubmitted under this section sooner than twelve months from the date of the last submission opposed by voters.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Muntzel offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill No. 178, Page 1, Section 67.005, Line 18, by inserting after said line the following:

"115.131. 1. Notwithstanding the provisions of section 115.515 or any other provision to the contrary, in the event there is a tie vote between two candidates in a primary election for a county office, each candidate who failed to win the election as a result of the tie shall be permitted to place his or her name on the ballot at the general election. However, his or her name shall appear on the ballot with no political party designation.

2. If any candidate eligible to place his or her name on the ballot at the general election under subsection 1 of this section declines to do so, the remaining candidate shall be declared to have won the primary election and may appear on the general election ballot as the candidate for the political party in which the primary was held.

3. No votes for a write-in candidate shall be allowed at a general election held in accordance with subsection 1 of this section unless only one candidate's name is on the ballot, in which case that candidate is to be designated as a candidate for the political party in which he or she ran in the primary and write-in candidate votes shall be allowed.

4. The provisions of this section shall apply only in the case of an uncontested general election in which the candidates who tie during a political party primary are the only candidates eligible to run for the county office because that all other political party or independent candidates have not met the requisite filing requirements to run for such office.

5. If a general election is contested as a result of this section, any tie vote in a political party primary shall be resolved under section 115.515 prior to the general election."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Crawford assumed the Chair.

On motion of Representative Muntzel, **House Amendment No. 2** was adopted.

Representative Gosen offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 178, Page 1, Section 67.005, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

"August 28, 2013, in the event that any proposal by any political subdivision to enact any tax for any purpose in the political subdivision is submitted to and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 3** was adopted by the following vote:

AYES: 082

Anderson	Bahr	Berry	Black	Brattin
Burlison	Burns	Cierpiot	Conway 104	Cornejo
Crawford	Cross	Davis	Diehl	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Gannon
Gosen	Guernsey	Haefner	Hansen	Hough
Hurst	Keeney	Kirkton	Koenig	Kolkmeier
Kratky	Lair	Lant	Lichtenegger	Love
Lynch	Marshall	McGaugh	McNeil	Meredith
Messenger	Miller	Mitten	Muntzel	Neely
Neth	Nichols	Otto	Pace	Parkinson
Pfautsch	Phillips	Pike	Pogue	Reiboldt
Remole	Ross	Rowden	Rowland	Schieber
Schieffer	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Walker	Walton Gray	White	Wieland	Wilson
Wood	Zerr			

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NOES: 066

Anders	Austin	Barnes	Bernskoetter	Brown
Butler	Carpenter	Colona	Conway 10	Cookson
Cox	Curtis	Curtman	Dohrman	Dunn
Ellinger	Ellington	Englund	Frame	Frederick
Funderburk	Gardner	Gatschenberger	Haahr	Hampton
Harris	Hinson	Hoskins	Houghton	Hummel
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
LaFaver	Lauer	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	Mims
Molendorp	Montecillo	Morgan	Newman	Norr
Pierson	Rehder	Rhoads	Richardson	Riddle
Rizzo	Runions	Schatz	Schupp	Smith 120
Thomson	Torpey	Webb	Webber	Wright
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Flanigan	Grisamore	Hicks	Higdon
Hodges	Hubbard	Korman	Leara	Morris
Redmon	Roorda	Scharnhorst		

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Flanigan	Hodges	Hubbard	Molendorp
Redmon	Scharnhorst			

VACANCIES: 002

Representative Koenig moved that **HCS#2 HB 178, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 076

Anderson	Austin	Bahr	Barnes	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cornejo	Crawford	Cross	Davis	Diehl
Elmer	Engler	Fitzpatrick	Fitzwater	Fowler
Fraker	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Hansen	Hicks
Higdon	Hurst	Jones 50	Keeney	Koenig
Kolkmeyer	Korman	Lair	Lant	Leara
Lichtenegger	Love	Lynch	Marshall	McCahterty
McGaugh	Messenger	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Ross	Rowden	Rowland	Schieber	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 077

Anders	Bernskoetter	Black	Burns	Butler
Carpenter	Colona	Conway 10	Cookson	Cox
Curtis	Curtman	Dohrman	Dugger	Dunn
Ellinger	Ellington	English	Englund	Entlicher
Frame	Franklin	Frederick	Gardner	Haefner
Hampton	Harris	Hinson	Hoskins	Hough
Houghton	Hummel	Johnson	Justus	Kelley 127
Kelly 45	Kirkton	Kratky	LaFaver	Lauer
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Miller	Mims

Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Phillips	Pierson
Riddle	Rizzo	Roorda	Runions	Schatz
Schieffer	Schupp	Shull	Smith 85	Swearingen
Thomson	Torpey	Walton Gray	Webb	Webber
White	Wright			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 007

Allen	Flanigan	Hodges	Hubbard	Molendorp
Redmon	Scharnhorst			

VACANCIES: 002

Speaker Jones resumed the Chair.

HB 178 was laid over.

THIRD READING OF HOUSE BILL

HB 42, relating to private property rights, was taken up by Representative Rowland.

On motion of Representative Rowland, **HB 42** was read the third time and passed by the following vote:

AYES: 113

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	Messenger	Miller
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 042

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Gardner	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges	Hubbard	Molendorp	Morris	Redmon
Scharnhorst				

VACANCIES: 002

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILLS

HB 178, relating to local ballot proposals, was again taken up by Representative Koenig.

Representative Kelley (127), having voted on the prevailing side, moved that the vote by which the adoption of **HCS#2 HB 178, as amended**, was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Scholand	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer

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Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Hodges	Hubbard	Molendorp	Redmon	Scharnhorst
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VACANCIES: 002

On motion of Representative Koenig, **HCS#2 HB 178, as amended**, was adopted by the following vote:

AYES: 078

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Davis	Diehl	Dugger	Elmer	Engler
Fitzwater	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Hicks	Higdon
Hurst	Jones 50	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Leara
Lichtenegger	Lynch	Marshall	McCaherty	McGaugh
Messenger	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Rehder	Reiboldt	Remole
Rhoads	Richardson	Ross	Rowden	Rowland
Schieber	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Walker	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 067

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Cox	Curtis	Curtman
Dohrman	Dunn	Ellinger	Ellington	English
Englund	Entlicher	Frame	Franklin	Gardner
Harris	Hinson	Hoskins	Hough	Houghton
Hummel	Johnson	Justus	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith

Miller	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Phillips
Pierson	Riddle	Rizzo	Roorda	Runions
Schatz	Schieffer	Schupp	Smith 85	Swearingen
Thomson	Torpey	Walton Gray	Webb	Webber
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Cross	Fitzpatrick	Flanigan	Haefner	Hodges
Hubbard	Lauer	Love	Molendorp	Morris
Pace	Pogue	Redmon	Scharnhorst	Shull
Shumake				

VACANCIES: 002

On motion of Representative Koenig, **HCS#2 HB 178, as amended**, was ordered perfected and printed by the following vote:

AYES: 086

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Davis	Diehl	Dugger	Elmer	Engler
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Hampton	Hansen
Hicks	Higdon	Hurst	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 066

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Cox	Curtis	Curtman
Dohrman	Dunn	Ellinger	Ellington	English
Englund	Entlicher	Frame	Franklin	Gardner
Harris	Hinson	Hoskins	Hough	Houghton
Hummel	Johnson	Justus	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Miller
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Phillips
Pierson	Riddle	Rizzo	Runions	Schatz

Schieffer
Torpey
Wright

Schupp
Walton Gray

Smith 85
Webb

Swearingen
Webber

Thomson
White

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes
Molendorp

Haefner
Redmon

Hodges
Roorda

Hubbard
Scharnhorst

Meredith

VACANCIES: 002

HCS HB 197, relating to taxes and revenue bonds, was taken up by Representative Lauer.

Representative Lauer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 197, Pages 16 and 17, Section 67.2073, Lines 41 through 57, by deleting all of said lines and inserting in lieu thereof the following:

"(2) No real property shall be taken using eminent domain by any municipal or county government for any economic development project, as defined in section 523.271, funded by Star Bonds if such property is acquired in order to be transferred to any private entity prior to the expiration of the Star Bond project."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 1** was adopted.

On motion of Representative Lauer, **HCS HB 197, as amended**, was adopted.

On motion of Representative Lauer, **HCS HB 197, as amended**, was ordered perfected and printed.

HCS HB 28, relating to disaster ordinances, was taken up by Representative Lichtenegger.

Representative Lichtenegger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 28, Section 44.080, Page 2, Lines 19-26, by deleting all of said lines and inserting in lieu thereof the following:

"(3) Adopt orders or resolutions with penalties as these specifically relate to the actual or impending occurrence of a natural disaster of major proportions within the county when the safety and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if there is a Keetch-Byram Drought Index of 625 or more. The violations of such order or resolution shall be an infraction, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order."; and

Further amend said bill, Section 49.266, Page 2, Lines 5-13, by deleting all of said lines and inserting in lieu thereof the following:

"2. The county commission in all counties may, by order, promulgate reasonable regulations concerning its emergency management functions and operations and conditions controls, as they specifically relate to the actual occurrence of a natural disaster within the county when the health, safety or welfare of the inhabitants of such county are threatened by actual or impending circumstances. The regulations may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 and monetary fines as established by the county commission , if there is a Keetch-Byram Drought Index of 625 or more, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols

Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Hodges	Hubbard	Kelley 127	Redmon	Scharnhorst
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VACANCIES: 002

On motion of Representative Lichtenegger, **HCS HB 28, as amended**, was adopted.

On motion of Representative Lichtenegger, **HCS HB 28, as amended**, was ordered perfected and printed.

HCS HB 787, relating to the Department of Revenue, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 787, Page 3, Section 302.065, Line 10, by deleting the number "**2013**" and inserting in lieu thereof the number "**2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Ross offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 787, Page 3, Section 302.065, Line 19, by inserting after all of said section and line the following:

"571.500. No state agency or department, or contractor or agent working for the state, shall construct, enable by providing or sharing records to, maintain, participate in, or develop, or cooperate or enable the federal government in developing, a database or record of the number or type of firearms, ammunition, or firearms accessories that an individual possesses.

Section B. Because immediate action is necessary to protect the general public, the repeal and reenactment of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Fitzwater	Hodges	Hubbard	Justus	Mims
Morris	Redmon	Rowland	Scharnhorst	Smith 120

VACANCIES: 002

On motion of Representative Ross, **House Amendment No. 2** was adopted by the following vote:

AYES: 123

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Nichols	Otto
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 031

Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Gardner	Hummel
Kelly 45	Kirkton	May	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Norr	Pace
Pierson	Rizzo	Schupp	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Hodges	Hubbard	Kratky	Redmon
Scharnhorst	Smith 120			

VACANCIES: 002

Representative McGaugh offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 787, Page 3, Section 302.065, Line 19, by inserting after all of said line the following:

"6. Any person harmed or damaged by any violation of section 302.065 may bring a civil action for damages, including non-economic and punitive damages, as well as injunctive relief, in the circuit court where that person resided at the time of the violation or in the circuit court or the circuit court of Cole County to recover such damages from the department of revenue and any persons participating in such violation. Sovereign immunity shall not be available as a defense for the department of revenue in such an action. In the event the plaintiff prevails on any count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the defendants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 3** was adopted.

Representative Richardson offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 787, Page 2, Section 302.065, Line 2, by inserting immediately after the word "**contrary**", the following:

"and except for the minimum copies of source documents required by federal law for the issuance or renewal of commercial driver's licenses and commercial driver learner's permits"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 4** was adopted.

Representative English offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 787, Page 2, Section 136.055, Line 51, by inserting immediately after said line the following:

"32.090. 1. The department of revenue shall keep a record of each application or other document filed with it and each certificate or other official document issued by it.

2. Except as otherwise provided by law, all records of the department of revenue are public records and shall be made available to the public according to procedures established by the department.

3. Personal information obtained by the department shall not be disclosed to any person requesting such personal information except as provided in section 32.091.

4. The director of the department of revenue may require applications received by the department under chapters 301, 306 and 700, RSMo, to include the applicant's unique identification number, which shall be treated as personal, non-public information. For the purposes of this subsection, "identification number" means the applicant's driver's license number, non-driver's license number, or social security number."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Fitzwater	Hodges	Hubbard	Pike
Redmon	Roorda	Scharnhorst	Smith 120	

VACANCIES: 002

On motion of Representative English, **House Amendment No. 5** was adopted.

Representative Keeney resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 007

Curtis	Funderburk	Hodges	Hubbard	Redmon
Scharnhorst	Smith 120			

VACANCIES: 002

On motion of Representative Richardson, **HCS HB 787, as amended**, was adopted.

On motion of Representative Richardson, **HCS HB 787, as amended**, was ordered perfected and printed by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Molendorp	Montecillo	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 014

Burns	Butler	Colona	Curtis	Gardner
Hummel	McDonald	Mims	Mitten	Morgan
Newman	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Hodges	Hubbard	Redmon	Scharnhorst
Smith 120				

VACANCIES: 002

HCS HB 389, relating to a qualified tax credit for research expenses, was taken up by Representative Engler.

Representative Torpey offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 389, Page 1, Section 620.1039, Lines 7-11, by deleting all of said lines and inserting in lieu thereof the following:

"limited to those incurred in the:

- (1) Research and development of agricultural biotechnology;**
- (2) Research and development of plant genomics products;**
- (3) Research and development of diagnostic and therapeutic medical devices;**
- (4) Research and development of prescription pharmaceuticals consumed by humans or animals, that does not include human reproductive cloning;**
- (5) Research, development, or manufacture of power system technology for aerospace, space, defense, or implantable or wearable medial devices.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 389, with House Amendment No. 1, pending, was laid over.

HB 526, relating to the establishment of a rural regional development grants program, was taken up by Representative Franklin.

Representative Franklin offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 526, Page 2, Section 620.750, Line 31, by inserting after all of said line the following:

"6. The regional small business and technology development center will serve as the facilitator of the rural regional development group for purposes of this grant program. The facilitator's role will be to convene the group, provide support for the development of an action plan for the implementation of the grant in the region, and handle reporting responsibilities on the pre-determined metrics that demonstrate the results from the economic development activities in the region."; and

Further amend said bill, page and section, Line 43, by inserting after all of said line the following:

"8. Uses for the grants may include, but are not limited to, the following activities:

- (1) Workforce development activities, such as evaluation and education;**
- (2) Entrepreneurship training for pre-venture and existing businesses;**
- (3) Development of regional marketing techniques and activities;**
- (4) International trade training for new-to-export businesses in the region;**
- (5) In-depth market research and financial analysis for businesses in the region;**
- (6) Demographic and market opportunity research to assist regional planning commissions in developing their comprehensive economic development strategy.**

9. The facilitator shall annually report to the governor; the director of the department of economic development; the senate committee on commerce, consumer protection and the environment and the house committee on economic development and any successor committees thereto, the allocation of the grants and the purposes for which the funding was used."; and

Further amend said bill and section, by renumbering the subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Pfausch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Fraker	Hansen	Hodges	Hubbard
Leara	Marshall	Molendorp	Parkinson	Redmon
Roorda	Scharnhorst	Smith 120		

VACANCIES: 002

On motion of Representative Franklin, **House Amendment No. 1** was adopted.

On motion of Representative Franklin, **HB 526, as amended**, was ordered perfected and printed.

HB 253, relating to the establishment of the "Broad-Based Tax Relief Act of 2013," was taken up by Representative Berry.

Representative Kelley (127) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 253, Page 6, Section 143.071, Line 85, by inserting after said line the following:

"143.221. 1. Every employer required to deduct and withhold tax under sections 143.011 to 143.996 shall, for each calendar quarter, on or before the last day of the month following the close of such calendar quarter, file a withholding return as prescribed by the director of revenue and pay over to the director of revenue or to a depository designated by the director of revenue the taxes so required to be deducted and withheld.

2. Where the aggregate amount required to be deducted and withheld by any employer exceeds fifty dollars for at least two of the preceding twelve months, the director, by regulation, may require a monthly return. The due dates of the monthly return and the monthly payment or deposit for the first two months of each quarter shall be by the fifteenth day of the succeeding month. The due dates of the monthly return and the monthly payment or deposit for the last month of each quarter shall be by the last day of the succeeding month. The director may increase the amount required for making a monthly employer withholding payment and return to more than fifty dollars or decrease such required amount, however, the decreased amount shall not be less than fifty dollars.

3. Where the aggregate amount required to be deducted and withheld by any employer is less than [twenty] **one hundred** dollars in each of the four preceding quarters, **and to the extent the employer does not meet the requirements in subsection 1 or 2 of this section for filing a withholding return on a quarterly or monthly basis**, the employer shall file a withholding return for a calendar year. The director, by regulation, may also allow other employers to file annual returns. The return shall be filed and the taxes if any paid on or before January thirty-first of the succeeding year. The director may increase the amount required for making an annual employer withholding payment and return to more than [twenty] **one hundred** dollars or decrease such required amount, however, the decreased amount shall not be less than [twenty] **one hundred** dollars.

4. If the director of revenue finds that the collection of taxes required to be deducted and withheld by an employer may be jeopardized by delay, he may require the employer to pay over the tax or make a return at any time. A lien outstanding with regard to any tax administered by the director shall be a sufficient basis for this action."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (127), **House Amendment No. 1** was adopted.

Representative Burlison offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 253, Page 6, Section 143.071, Line 85, by inserting after all of said section and line the following:

"144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, including but not limited to motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations[, or fees paid to, or] in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax." "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 2** was adopted.

Representative Riddle offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 253, Page 1, Line 3 of the Title, by deleting the words "business income" and inserting in lieu thereof the word "businesses"; and

Further amend said bill, Page 6, Section 143.013, Line 85, by inserting after said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state, **including any titled manufacturing or mining equipment**, if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used

in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
 - (b) Used on land owned or leased for the purpose of producing farm products; and
 - (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;
- (24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers

bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from

patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellington	English
Englund	Gardner	Harris	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 014

Colona	Ellinger	Flanigan	Frame	Gatschenberger
Hansen	Hodges	Hubbard	Leara	Molendorp
Redmon	Scharnhorst	Smith 120	Mr Speaker	

VACANCIES: 002

On motion of Representative Berry, **HB 253, as amended**, was ordered perfected and printed.

On motion of Representative Diehl, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Keeney.

PERFECTION OF HOUSE BILLS

HCS HBs 404 & 614, relating to workers' compensation, was taken up by Representative Conway (104).

Representative Rizzo suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 057

Allen	Anderson	Black	Brattin	Burlison
Colona	Conway 104	Cookson	Cox	Crawford
Davis	Diehl	Dohrman	Englund	Fitzpatrick
Fitzwater	Fraker	Frame	Franklin	Gatschenberger
Grisamore	Guernsey	Haefner	Hampton	Harris
Hoskins	Hurst	Keeney	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Leara
Love	McCaherty	Miller	Montecillo	Morgan
Muntzel	Neth	Pfautsch	Phillips	Pike
Rehder	Reiboldt	Rizzo	Rowden	Scharnhorst
Schatz	Schieber	Shull	Shumake	Stream
Thomson	Torpey			

NOES: 000

PRESENT: 046

Anders	Austin	Bahr	Barnes	Berry
Butler	Carpenter	Conway 10	Cross	Elmer
English	Frederick	Gardner	Haahr	Hinson
Houghton	Hummel	Johnson	Jones 50	Justus
Kelly 45	Kirkton	LaFaver	Lauer	May
Mayfield	McCann Beatty	McGaugh	Neely	Nichols
Norr	Pace	Pierson	Rhoads	Rowland
Schieffer	Schupp	Solon	Sommer	Spencer
Swearingen	Webb	Webber	White	Wieland
Wood				

ABSENT WITH LEAVE: 058

Bernskoetter	Brown	Burns	Cierpiot	Cornejo
Curtis	Curtman	Dugger	Dunn	Ellinger
Ellington	Engler	Entlicher	Flanigan	Fowler
Funderburk	Gannon	Gosen	Hansen	Hicks

Higdon	Hodges	Hough	Hubbard	Kelley 127
Lichtenegger	Lynch	Marshall	McDonald	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Molendorp	Morris	Newman	Otto
Parkinson	Pogue	Redmon	Remole	Richardson
Riddle	Roorda	Ross	Runions	Smith 85
Smith 120	Swan	Walker	Walton Gray	Wilson
Wright	Zerr	Mr Speaker		

VACANCIES: 002

Representative Hinson offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 404 & 614, Page 2, Section 287.067, Line 46, by inserting after all of said section and line, the following:

- "287.243. 1. This section shall be known and may be cited as the "Line of Duty Compensation Act".
2. As used in this section, unless otherwise provided, the following words shall mean:
- (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;
- (2) "Air ambulance registered professional nurse", a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;
- (3) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;
- (4) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;
- (5) "Killed in the line of duty", when [a person defined in this section] **any law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter** loses [one's] **his or her** life as a result of an injury received in the active performance of [his or her duties within the ordinary scope of] **duties in** his or her respective profession [while the individual is on duty and but for the individual's performance, death would have not occurred], **if the death occurs as a natural and probable consequence of the injury or disease caused by the accident or violence of another within three hundred weeks from the date the injury was received and if that injury arose from violence of another or accidental cause subject to the provisions of this subdivision.** The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, **paramedic**, or firefighter. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication. **For law enforcement officers, emergency medical technicians, air ambulance pilots, air ambulance registered professional nurses, paramedics, and firefighters, the term shall include the death caused as a result of a willful act of violence committed by a person other than the officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, and a relationship exists between the commission of such act and the individual's performance of his or her duties as a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, regardless of whether the injury is received while the individual is on duty; or the injury is received by a law enforcement officer while he or she is attempting to prevent the commission of a criminal act of another person or attempting to apprehend an individual suspected of committing a crime, regardless of whether the injury is received while the individual is on duty as a law enforcement officer; or the injury is received by the individual while traveling to or from his or her employment or during any meal break, or other break, which takes place during the period in which the law enforcement officer, air ambulance**

pilot, air ambulance registered professional nurse, emergency medical technician, paramedic, or firefighter, is on duty;

(6) "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

(7) "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

On motion of Representative Conway (104), **HCS HBs 404 & 614, as amended**, was adopted.

On motion of Representative Conway (104), **HCS HBs 404 & 614, as amended**, was ordered perfected and printed.

HCS HB 343, relating to public assistance benefits, was taken up by Representative Guernsey.

Representative Fitzpatrick offered **House Amendment No. 1**.

Representative Hummel raised a point of order that **House Amendment No. 1** was not timely distributed.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Wilson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 343, Page 6, Section 208.022, Line 7, by inserting after all of said section and line the following:

"208.027. 1. The department of social services shall develop a program to screen each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter, and then test, using a urine dipstick five panel test, each one who the department has reasonable cause to believe, based on the screening, engages in illegal use of controlled substances. Any applicant or recipient who is found to have tested positive for the use of a controlled substance, which was not prescribed for such applicant or recipient by a licensed health care provider, or who refuses to submit to a test, shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from

the date of the administrative hearing decision unless such applicant or recipient, after having been referred by the department, enters and successfully completes a substance abuse treatment program and does not test positive for illegal use of a controlled substance in the six-month period beginning on the date of entry into such rehabilitation or treatment program. The applicant or recipient shall continue to receive benefits while participating in the treatment program. The department may test the applicant or recipient for illegal drug use at random or set intervals, at the department's discretion, after such period. If the applicant or recipient tests positive for the use of illegal drugs a second time, then such applicant or recipient shall be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. The department shall refer an applicant or recipient who tested positive for the use of a controlled substance under this section to an appropriate substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health.

2. Case workers of applicants or recipients shall be required to report or cause a report to be made to the children's division in accordance with the provisions of sections 210.109 to 210.183 for suspected child abuse as a result of drug abuse in instances where the case worker has knowledge that:

- (1) An applicant or recipient has tested positive for the illegal use of a controlled substance; or
- (2) An applicant or recipient has refused to be tested for the illegal use of a controlled substance.

3. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

4. The department of social services shall promulgate rules to develop the screening and testing provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

5. Notwithstanding the department's screening program developed pursuant to subsection 1, case workers shall be given the ultimate discretion to determine whether there is reasonable cause to believe an applicant or recipient engages in the illegal use of controlled substances. The department is prohibited from promulgating any rule or policy that would prohibit a case worker of applicants or recipients from requiring a test for any applicant or recipient the case worker has reasonable cause to believe engages in the illegal use of controlled substances.

6. Any department employee who prohibits the drug testing of an applicant or recipient when the case worker has reasonable cause to believe the applicant or recipient engages in the illegal use of controlled substances shall be subject to immediate termination of employment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson

Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Engler	Flanigan	Funderburk	Hansen	Hodges
Hubbard	Molendorp	Redmon	Scharnhorst	Smith 120
Zerr	Mr Speaker			

VACANCIES: 002

On motion of Representative Wilson, **House Amendment No. 2** was adopted.

Representative Fitzpatrick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 343, Page 6, Section 208.022, Line 7, by inserting after all of said section and line the following:

"208.042. 1. In households containing recipients of [aid to families with dependent children] **temporary assistance for needy families** benefits, each [appropriate child, relative or other eligible individual] **recipient** sixteen years of age or over, **with the exception of recipients under the age of nineteen who are enrolled full-time in high school**, shall [be referred by the division of family services to the United States Secretary of Labor or his representative for participation in employment, training, work incentive or special work projects when established and operated by the secretary,] **participate in work activities in accordance with federal regulations** to afford such individuals opportunities to work in the regular economy and to attain independence through gainful employment.

2. The [division of family services] **department of social services**, pursuant to applicable federal law and regulations, shall determine the standards and procedures for the referral of individuals for [employment, training, work incentive and special work projects,] **work activities**, which shall not be refused by such individuals without good cause; but no recipient [or other eligible individual in the household] shall be required to participate in such work [programs] **activities** if the person is

- (1) Ill, incapacitated, or of advanced age;
- (2) So remote from the location of any work [or training project or program] **activity** that he cannot effectively participate;
- (3) A child attending school full time;

(4) A person whose presence in the household on a substantially continuous basis is required because of illness or incapacity of another member of the household.

3. [The division of family services shall pay to the United States Secretary of Labor or his representative up to twenty percent of the total cost, in cash or in kind, of the work incentive programs operated for the benefit of the eligible persons referred by the division of family services; and the division of family services shall pay an amount to the secretary for eligible persons referred to and participating in special work projects not to exceed the maximum monthly payments authorized under sections 208.041 and 208.150 for recipients of public assistance benefits. An allowance in addition to the maximum fixed by section 208.150 may also be made by the division of family services for the reasonable expenses of any needy child or needy eligible relative which are attributable to his participating in a work training or work incentive program.

4.] If [an eligible child or relative] **a recipient** refuses without good cause to participate in any work [training or work incentive program to which he has been referred, payment to or on behalf of the child or relative] **activity, his or her benefits** may be continued for not more than sixty days thereafter, but in such cases payments shall be made pursuant to subsection 2 of section 208.180. If a [relative] **recipient** has refused to so participate, payments on behalf of the eligible children cared for by the [relative] **recipient** shall be made pursuant to subsection 2 of section 208.180.

[5.] **4.** The [division of family services] **department of social services** is authorized to expend funds to provide child day care services, when appropriate, for the care of children required by the absence of adult persons from the household due to [referral and participation in employment, training, work incentive programs or special work projects] **work activities**.

5. The provisions of this section shall be subject to compliance by the department with all applicable federal laws and rules regarding temporary assistance for needy families."; and

Further amend said bill, Section 208.048, Page 6, Line 10, by inserting after all of said section and line the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the

term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, or podiatrist; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, or podiatrist may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with

a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) Beginning July 1, 1990, the services of a certified pediatric or family nursing practitioner with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic

drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. The MO HealthNet division shall screen all recipients of MO HealthNet benefits to determine if such recipients are eligible to participate in the health insurance premium payment (HIPP) program. All eligible recipients shall participate in the HIPP program if it is determined to be cost effective for the division."; and

Further amend said bill, Page 8, Section 1, Lines 1-11, by deleting all of said lines and inserting in lieu thereof the following:

"Section 1. Notwithstanding any provision of law to the contrary, the department shall establish and implement a welfare-to-work program that requires all recipients of temporary assistance for needy families benefits to make at least twenty job contacts per week. The department shall allow recipients to work as unpaid interns for a governmental entity and shall only require those working as interns to make at least ten job contacts per week. After the first month of making job contacts, any recipient of temporary assistance for needy families

benefits that has not obtained employment that provides on average twenty hours per week of employment shall be required to work as an unpaid intern for a governmental entity and shall only be required to make at least ten job contacts per week. Any county, city or other political subdivision shall be allowed to submit to the department available intern positions in which temporary assistance recipients may be placed. The provisions of this section shall not apply to any recipient under the age of nineteen who is enrolled in high school full-time. The director of the department of social services shall apply for all waivers of requirements under federal law necessary to implement the provisions of this section with full federal participation. The provisions of this section shall be implemented, subject to appropriation, as waivers necessary to ensure continued federal participation are received."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Allen offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bahr	Cierpiot	Conway 10	Flanigan	Hodges
Hubbard	Redmon	Smith 120	Stream	

VACANCIES: 002

On motion of Representative Fitzpatrick, **House Amendment No. 3** was adopted.

Representative Hinson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 343, Page 6, Section 208.022, Line 7, by inserting after said line the following:

"208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter and who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. For purposes of this section, "casino, gambling casino, or gaming establishment" does not include a grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities.

2. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

3. Any person who, in good faith, reports a suspected violation of this section by a temporary assistance for needy families (TANF) recipient shall not be held civilly or criminally liable for reporting such suspected violation.

4. The department of social services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the department of social services shall implement and maintain policies and practices which prevent a temporary assistance for needy families electronic benefit transfer transaction in:

- (1) Any liquor store;**
- (2) Any casino, gambling casino, or gambling establishment; or**
- (3) Any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.**

2. As used in this section, the term:

(1) "Casino, gambling casino, or gaming establishment" shall not include a grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities;

(2) "Electronic benefit transfer transaction" means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service;

(3) "Liquor store" means any retail establishment which sells exclusively or primarily intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition Act of 2008, 7 U.S.C. Section 2012(r).

3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services shall:

(1) Implement policies and procedures as necessary to prevent access to assistance provided under Missouri's temporary assistance for needy families (TANF) program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

(2) Ensure that recipients of assistance provided under Missouri's TANF program have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

4. On or before December 31, 2014, the department shall submit a report to the governor and the general assembly detailing the policies and practices implemented in accordance with the requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the department shall report Missouri's implementation of the policies and practices to the Secretary of Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the enactment of such federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 343, Page 2, Line 25, by deleting all of said line and inserting in lieu thereof, the following:

"enactment of such federal law.

5. Nothing in this section shall require any casino, gambling casino, or gaming establishment to enforce or monitor any provision of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick

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Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Colona	Flanigan	Funderburk	Higdon
Hodges	Hubbard	Leara	Redmon	Smith 120
Wood				

VACANCIES: 002

On motion of Representative Hinson, **House Amendment No. 4, as amended**, was adopted.

Representative Solon offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 343, Page 8, Section 2, Lines 1-9, by deleting all of said lines and inserting in lieu thereof the following:

"Section 2. All recipients of temporary assistance for needy families, food stamps, child care assistance, supplemental nutrition assistance, or any other similar governmental assistance program who are eighteen years of age or older shall be required to possess a high school diploma or graduate equivalency degree. Any applicant for temporary assistance for needy families, food stamps, child care assistance, supplemental nutrition assistance, or any other similar governmental assistance program who, at the time of their application for assistance, does not possess a high school diploma or graduate equivalency degree as required by these provisions shall have two years from the date of the application for assistance to obtain a high school diploma. If all other eligibility requirements are satisfied, the applicant shall receive assistance during such two-year period. The director of the

department of social services shall apply for all waivers of requirements under federal law necessary to implement the provisions of this section with full federal participation. The provisions of this section shall be implemented, subject to appropriation, as waivers necessary to ensure continued federal participation are received."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 5** was adopted.

Representative Barnes offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 343, Page 6, Section 208.048, Line 8, by inserting immediately after the word "**school**" the following:

", whether public, private, or home school,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

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Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bahr	Colona	Flanigan	Funderburk	Higdon
Hinson	Hodges	Hubbard	Redmon	Scharnhorst
Smith 120	Wood			

VACANCIES: 002

On motion of Representative Barnes, **House Amendment No. 6** was adopted.

On motion of Representative Guernsey, **HCS HB 343, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 343, as amended**, was ordered perfected and printed by the following vote:

AYES: 106

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Thomson	Torpey
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 047

Black	Burns	Butler	Carpenter	Conway 10
Curtis	Dunn	Ellinger	Ellington	English
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto

Pace	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona	Flanigan	Funderburk	Hodges	Hubbard
Redmon	Smith 120	Swan		

VACANCIES: 002

Speaker Jones resumed the Chair.

HCS HB 621, relating to tax credits for port facilities, was taken up by Representative McCaherty.

Representative McKenna offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 621, Section 135.1662, Page 2, Line 42, by deleting "**\$3.2**" and inserting in lieu thereof "**\$3.5**"; and

Further amend said section, Page 3, Lines 64, 67, and 68, by deleting "**\$3.2**" and inserting in lieu thereof "**\$3.5**"; and

Further amend said bill, Section 135.1664, Page 4, Line 18, by deleting "**\$1.5**" and inserting in lieu thereof "**\$2**"; and

Further amend said bill, Section 135.1666, Page 7, Lines 83 and 85, by deleting "**\$250,000**" and inserting in lieu thereof "**\$500,000**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McKenna, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127

Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Pfautsch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Engler	Flanigan	Funderburk	Hinson	Hodges
Hubbard	Marshall	Neth	Parkinson	Redmon
Smith 85	Smith 120	Zerr		

VACANCIES: 002

On motion of Representative McCaherty, **HCS HB 621, as amended**, was adopted.

On motion of Representative McCaherty, **HCS HB 621, as amended**, was ordered perfected and printed.

HCS#2 HB 631, relating to the employment and evaluation of teachers, was taken up by Representative Elmer.

Representative Elmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 631, Page 16, Section 168.128, Lines 24 and 25, by deleting the following:

"and shall use the evaluation system as the basis for personnel decisions about teachers and administrators,"; and

Further amend said bill and section, Page 18, Lines 76 to 82, by deleting all of said lines and inserting in lieu thereof the following:

"(6) For purposes of retention, promotion, dismissals and other staffing decisions based on performance, including but not limited to incompetency, inefficiency or insubordination, willful and persistent violation of board policy, such staffing decisions shall consider evaluation results, should they exist, as a significant factor. However, nothing in this section shall preclude the district from terminating a probationary teacher where such teacher's evaluation was completed prior to the teacher having at least six months of teaching experience in the district. Each teacher and administrator contract and collective bargaining agreement entered into, including option years exercised, after the effective date of this section shall authorize use of evaluation to inform decisions described in this subsection. The form and content of the evaluation under section 168.128 shall not be the subject of collective bargaining agreements. Unless otherwise prohibited by law, any contrary provisions of collective bargaining agreements, regulations, or policies shall be void."; and

Further amend said bill, section, Page 19, Line 121, by inserting after all of said line the following:

"10. Nothing in this section shall preclude the district from terminating a probationary teacher where such teacher's evaluation was completed prior to the teacher having at least six months of teaching experience in the district."; and

Further amend said bill, Section 168.221, Page 22, Line 120, by inserting after all of said line the following:

"11. Nothing in this section shall preclude the district from terminating a probationary teacher where such teacher's evaluation was completed prior to the teacher having at least six months of teaching experience in the district."; and

Further amend said bill, Pages 22 and 23, by removing Section 160.045, Lines 1 to 19, from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute No. 2 for House Bill No. 631, Page 18, Section 168.128, Lines 78 to 82, by deleting all of said lines and inserting in lieu thereof the following:

"teachers and administrators."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher

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Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Reiboldt	Remole
Rhoads	Richardson	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Ellington	Franklin	Hodges	Hubbard	Redmon
Rehder	Riddle	Scharnhorst	Smith 120	

VACANCIES: 002

Representative Roorda moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber		

NOES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Schieber	Shull	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Gatschenberger	Hodges	Hubbard	Korman	Redmon
Riddle	Scharnhorst	Schatz	Shumake	Smith 120
Zerr				

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh

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Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Hodges	Hubbard	Korman	Lauer	Molendorp
Redmon	Riddle	Scharnhorst	Smith 120	

VACANCIES: 002

On motion of Representative Elmer, **House Amendment No. 1** was adopted by the following vote:

AYES: 083

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Elmer
Engler	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hough	Houghton	Hurst
Jones 50	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	Messenger	Miller
Molendorp	Morris	Muntzel	Neth	Parkinson
Pfautsch	Rehder	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Shull	Shumake
Sommer	Spencer	Stream	Swan	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 066

Anders	Black	Brown	Burns	Butler
Carpenter	Conway 10	Curtis	Dohrman	Dugger
Dunn	Ellinger	English	Englund	Entlicher
Fitzpatrick	Frame	Gardner	Harris	Higdon
Hoskins	Hummel	Johnson	Justus	Kelly 45
Kirkton	Kratky	LaFaver	Lair	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Neely	Newman	Nichols
Norr	Otto	Pace	Phillips	Pierson
Pike	Pogue	Reiboldt	Rizzo	Roorda
Rowland	Runions	Schatz	Schieber	Schupp
Smith 85	Solon	Swearingen	Thomson	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtman	Ellington	Frederick	Hinson	Hodges
Hubbard	Lauer	Redmon	Scharnhorst	Schieffer
Smith 120	Wright			

VACANCIES: 002

Representative Torpey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill No. 631, Page 17, Section 168.128, Line 66, by inserting after the word "**growth**", the following:

"; however, student growth on assessments for administrators, except superintendents, shall count for at least thirty-three percent of the evaluation, using value-added measures"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig

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Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Gardner	Hodges	Hubbard	Marshall	Redmon
Smith 120				

VACANCIES: 002

On motion of Representative Torpey, **House Amendment No. 2** was adopted by the following vote:

AYES: 117

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Diehl	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Fitzpatrick	Fitzwater	Flanigan	Frame	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hoskins	Hough	Houghton	Hummel
Hurst	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lant	Lauer	Leara
Lichtenegger	Love	Marshall	Mayfield	McCaherty
McCann Beatty	McKenna	McManus	McNeil	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morris	Muntzel	Neely	Neth	Nichols
Parkinson	Pfautsch	Rehder	Reiboldt	Remole

Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Runions	Scharnhorst	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Torpey	Webber	Wieland	Wilson	Wright
Zerr	Mr Speaker			

NOES: 039

Brown	Butler	Colona	Conway 10	Davis
Dohrman	Dugger	Entlicher	Fowler	Fraker
Franklin	Gannon	Gardner	Higdon	Johnson
Lair	Lynch	May	McDonald	McGaugh
Meredith	Morgan	Newman	Norr	Otto
Pace	Phillips	Pierson	Pike	Pogue
Rowland	Schatz	Smith 85	Thomson	Walker
Walton Gray	Webb	White	Wood	

PRESENT: 000

ABSENT WITH LEAVE: 005

Hinson	Hodges	Hubbard	Redmon	Smith 120
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VACANCIES: 002

Representative Swan offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 631, Pages 14 and 15, Section 168.114, Lines 1 to 14, by removing said section from the bill; and

Further amend said bill, Page 16, Section 168.128, Line 24, by deleting the word "**based**" and inserting in lieu thereof the following:

"centered"; and

Further amend said bill, page, and section, Line 31, by deleting the number "**5**" and inserting in lieu thereof the following:

"6"; and

Further amend said bill and section, Page 17, Line 38, by inserting immediately after the word "**teach**" the following:

"grades and"; and

Further amend said bill, section, and page, Line 61, by deleting the word "**these**"; and

Further amend said bill and section, Page 22, Line 97, by deleting the word "**evaluation**" and inserting in lieu thereof the following:

"evaluations"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swan, **House Amendment No. 3** was adopted.

Representative Guernsey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for House Bill No. 631, Page 13, Section 168.104, Line 16, by inserting immediately after the number "**168.128**" the following:

"or any teacher who has permanent status under existing law on August 27, 2013"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 4** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols

Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Hodges	Hubbard	Redmon	Smith 120
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VACANCIES: 002

On motion of Representative Elmer, **HCS#2 HB 631, as amended**, was adopted.

Representative Elmer moved that **HCS#2 HB 631, as amended**, be ordered perfected and printed.

Which motion was defeated by the following vote:

AYES: 055

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Burlison	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Elmer	Flanigan	Funderburk
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hicks	Hinson	Hough	Jones 50	Keeney
Koenig	Korman	Lant	Leara	Lichtenegger
Love	Miller	Muntzel	Neth	Parkinson
Rehder	Rhoads	Richardson	Riddle	Ross
Scharnhorst	Shull	Sommer	Spencer	Stream
Swan	Webb	Wieland	Zerr	Mr Speaker

NOES: 102

Anders	Berry	Black	Brattin	Brown
Burns	Butler	Carpenter	Conway 10	Cross
Curtis	Dohrman	Dugger	Dunn	Ellinger
Ellington	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Grisamore
Hampton	Hansen	Harris	Higdon	Hoskins
Houghton	Hummel	Hurst	Johnson	Justus
Kelley 127	Kelly 45	Kirkton	Kolkmeyer	Kratky
LaFaver	Lair	Lauer	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Neely	Newman	Nichols
Norr	Otto	Pace	Pfautsch	Phillips
Pierson	Pike	Pogue	Reiboldt	Remole
Rizzo	Roorda	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shumake

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Smith 85	Solon	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wilson
Wood	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Hodges	Hubbard	Redmon	Smith 120
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VACANCIES: 002

HCS HB 194, relating to a new home income tax deduction, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 194, Page 1, Section 143.145, Line 2, by deleting the word "**subtracted**" and inserting in lieu thereof the word "**deducted**"; and

Further amend said section and page, Line 9, by deleting the word "**Purchase**" and inserting in lieu thereof the words "**Contract sales**"; and

Further amend said section, Page 2, Line 34, by deleting the word "**purchase**" and inserting in lieu thereof the words "**contract sales**"; and

Further amend said section and page, Line 37, by deleting all of said line and inserting in lieu thereof the following:

"No taxpayer shall claim a tax deduction for the purchase of more than one qualified principal residence under this section. Such tax deduction shall be limited to a maximum tax benefit of ten thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Franklin	Frederick	Funderburk
Gannon	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel

Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Davis	Fraker	Gatschenberger	Gosen
Hodges	Hubbard	Kolkmeyer	Marshall	Redmon
Rehder	Scharnhorst	Shumake	Smith 120	Swearingen

VACANCIES: 002

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Miller offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 194, Page 2, Section 143.145, Line 53, by inserting after said line the following:

"6. If a Missouri taxpayer self-constructs a qualified principal residence, such taxpayer shall be eligible for a tax deduction allowed by this section by satisfying the department of revenue's proof of documentation requirements to verify the contract sale price of a qualified principle residence."; and

Further amend said bill by renumbering said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Miller, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pike
Pogue	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Gatschenberger	Gosen	Grisamore	Hodges
Hoskins	Hubbard	Molendorp	Morris	Neth
Redmon	Rehder	Smith 120	Stream	

VACANCIES: 002

On motion of Representative Diehl, **HCS HB 194, as amended**, was adopted.On motion of Representative Diehl, **HCS HB 194, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 194 - Fiscal Review
HCS HB 215 - Fiscal Review
HB 253 - Fiscal Review
HCS HB 343 - Fiscal Review
HCS HBs 404 & 614 - Fiscal Review
HCS HB 468 - Fiscal Review
HCS HB 470 - Fiscal Review
HB 526 - Fiscal Review
HB 621 - Fiscal Review
HCS HB 787 - Fiscal Review
HCS HB 813 - Fiscal Review
HCS HB 850 - Fiscal Review
HB 871 - Tourism and Natural Resources
HB 886 - Government Oversight and Accountability

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS#2 SCS SJR 16 - Transportation

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 2 - Elections
SCS SB 83 - General Laws
SB 100 - Judiciary
SCS SB 126 - Health Care Policy
SB 161 - Health Insurance
SB 199 - Retirement
SB 218 - Tourism and Natural Resources
SCS SB 229 - Children, Families, and Persons with Disabilities
SB 242 - Elementary and Secondary Education
SCS SB 254 - Financial Institutions
SCS SB 258 - Elections
SB 261 - Ways and Means
SS SB 262 - Health Insurance
SB 265 - Downsizing State Government
SCS SB 287 - Insurance Policy
SCS SBs 289 & 314 - Downsizing State Government
SCS SB 302 - Health Care Policy

SCS SB 305 - Professional Registration and Licensing

SB 330 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Budget, Chairman Stream reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 350**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 698**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HJR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 376**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SB 324**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 80**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 234**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 830**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1035**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 611**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SB 34**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HJR 11 & 7**, entitled:

Joint resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to the right to farm.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, Page 1, Section 35, Lines 9-10, by striking all of said line; and

Further amend said bill and section, Page 2, Lines 1-2, by striking all of said lines and inserting in lieu thereof the following:

“this state. Nothing in this section shall be interpreted to”.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 11, 2013.

COMMITTEE HEARINGS

AGRICULTURE POLICY

Thursday, April 11, 2013, 8:00 AM House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 11, 2013, 8:00 AM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Discussion of potential DD staff reorganization within the Department of Mental Health.

Public testimony welcome regarding Fiscal Year 2012 single state audit results.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 16, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will look at last audit with the Department of Corrections 2009, focusing on Canteen Program.

DOWNSIZING STATE GOVERNMENT

Thursday, April 11, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 765, HB 863, SB 66

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Monday, April 15, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCR 34

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 11, 2013, 8:00 AM South Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTED

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT

Thursday, April 11, 2013, 8:30 AM Room 308 (Office of Speaker Timothy W. Jones).

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, April 11, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 140, HB 764, HB 932

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 11, 2013, 8:15 AM House Hearing Room 1.

Executive session will be held: HB 861, HB 737

Executive session may be held on any matter referred to the committee.

Note time change

AMENDED

RULES

Thursday, April 11, 2013, Upon Morning Adjournment South Gallery.

Executive session will be held: HCS HB 252, HCS HB 275, HCS HB 285, HB 339, HCS HB 340, HB 747, HCS HB 1035, SB 59, SB 60, SB 80, SB 188, SB 234, SB 235, SB 306, SCS SB 324, SCS SB 376, HCR 21, HCS HJR 26, HCS HB 76, HCS HB 78, HCS HBs 309 & 73, HCS HB 344, HCS HB 348, HCS HB 372, HCS HB 387, HCS HB 415, HCS HB 436, HCS HBs 593 & 695, HB 635, HCS HB 653, HB 771, HB 808, HCS HB 859, SB 16, SCS SB 191, SB 237, SB 329

Executive session may be held on any matter referred to the committee.

AMENDED

VETERANS

Thursday, April 11, 2013, 9:30 AM North Gallery.

Executive session will be held: SCS SB 186

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTIETH DAY, THURSDAY, APRIL 11, 2013

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HB 400 - Riddle
- 6 HCS HB 701 - Molendorp
- 7 HCS HB 335 - Hinson
- 8 HB 255 - Torpey
- 9 HCS HB 389, with HA 1, pending - Engler
- 10 HB 510 - Torpey
- 11 HB 756 - Hubbard
- 12 HCS HB 458 - Scharnhorst
- 13 HCS HBs 455 & 297 - English
- 14 HB 242 - Ellington
- 15 HB 274 - Brattin
- 16 HCS HB 290 - Lichtenegger
- 17 HCS HB 351 - Frederick
- 18 HB 503 - McCaherty
- 19 HB 733 - Berry
- 20 HCS HB 589 - Hinson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443 - Hubbard

- 4 HCS HB 30 - Scharnhorst
- 5 HB 47 - Cross
- 6 HCS HB 137 - Hinson
- 7 HB 217, E.C. - Cox
- 8 HCS HB 470, (Fiscal Review 4/10/13) - Barnes
- 9 HCS HB 215, (Fiscal Review 4/10/13), E.C. - Cox
- 10 HB 103 - Kelley (127)
- 11 HCS HB 114, E.C. - McCaherty
- 12 HCS HB 505, E.C. - Haefner
- 13 HB 218 - Cox
- 14 HB 533 - Riddle
- 15 HCS HB 850, (Fiscal Review 4/10/13) - McCaherty
- 16 HCS HB 813, (Fiscal Review 4/10/13) - Torpey
- 17 HB 148 - Davis
- 18 HCS HB 257 - Frederick
- 19 HB 326 - Fitzwater
- 20 HCS HB 722 - Leara
- 21 HCS HB 418 - Neth
- 22 HCS HB 468, (Fiscal Review 4/10/13), E.C. - Higdon
- 23 HCS HBs 374 & 434 - Elmer
- 24 HCS HBs 373 & 435 - Elmer
- 25 HB 322 - Gosen
- 26 HCS HB 345 - Cierpiot
- 27 HCS#2 HB 178 - Koenig
- 28 HCS HB 197 - Lauer
- 29 HCS HB 28 - Lichtenegger
- 30 HCS HB 787, (Fiscal Review 4/10/13), E.C. - Richardson
- 31 HB 526, (Fiscal Review 4/10/13) - Franklin
- 32 HB 253, (Fiscal Review 4/10/13) - Berry
- 33 HCS HBs 404 & 614, (Fiscal Review 4/10/13) - Conway (104)
- 34 HCS HB 343, (Fiscal Review 4/10/13) - Guernsey
- 35 HCS HB 621, (Fiscal Review 4/10/13) - McCaherty
- 36 HCS HB 194, (Fiscal Review 4/10/13) - Diehl

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 35 - Jones (110)

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7, as amended - Reiboldt

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTIETH DAY, THURSDAY, APRIL 11, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is the man where strength is in thee. (Psalm 84:5)

Eternal God, grant unto us the spirit of understanding and good will as we face the glory of a new day by waiting upon You in this moment of prayer after a long day yesterday. We would be still in Your presence and receive the strength which sustains us, the wisdom which makes us wise and the peace which holds us steady through troubled times.

Forgive our impatience revealed in discouragements, outbursts of temper and hasty words we so often regret. Forgive our impetuosity made known in worried attitudes, careless conversation and hurried actions for which we are so repeatedly sorry. Strengthen us to do our best in this hour of our state's need - to think constructively, to speak courageously, and to act confidently that here in this place people may see democracy in action and democracy at its very best.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Christian Cecil, Paul Wilson, Alexis Leara, Megan Flynn, Braden Harwell and Ben Kniepkamp.

The Journal of the forty-ninth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1452 through House Resolution No. 1517

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 194**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 787**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 787, relating to the Department of Revenue, was taken up by Representative Richardson.

Representative Richardson offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND House Committee Substitute for House Bill No. 787, Page 3, Section 302.065, Line 3, by deleting the word "**learner's**" and inserting in lieu thereof the following:

"instruction"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Perfecting Amendment No. 1** was adopted.

Representative Diehl assumed the Chair.

Representative Ross assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Funderburk	Grisamore	Hodges	Hoskins	Hubbard
Jones 50	Love	McNeil	Molendorp	Redmon
Smith 120	Webb	White		

VACANCIES: 002

On motion of Representative Richardson, **HCS HB 787, as amended**, was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Montecillo	Morris	Neely
Neth	Nichols	Norr	Otto	Parkinson
Pfausch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

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NOES: 013

Colona	Curtis	Dunn	Gardner	Hummel
Mitten	Morgan	Newman	Pace	Pierson
Smith 85	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 009

Hodges	Hubbard	Jones 50	McNeil	Molendorp
Muntzel	Redmon	Smith 120	Webb	

VACANCIES: 002

Representative Ross declared the bill passed.

Representative Leara assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McManus	Meredith
Messenger	Miller	Mims	Montecillo	Morris
Muntzel	Neely	Neth	Norr	Otto
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 017

Colona	Curtis	Dunn	Ellington	Gardner
Hummel	LaFaver	McDonald	Mitten	Morgan
Newman	Nichols	Pace	Pierson	Smith 85
Swearingen	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 10	Hodges	Hubbard	Jones 50	McNeil
Molendorp	Redmon	Smith 120	Webb	

VACANCIES: 002

HCS HB 28, relating to disaster ordinances, was taken up by Representative Lichtenegger.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

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Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wieland	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 10	Hodges	Hubbard	Kolkmeier	McNeil
Molendorp	Redmon	Smith 120	Webb	

VACANCIES: 002

On motion of Representative Lichtenegger, **HCS HB 28** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
May	Mayfield	McCann Beatty	McDonald	McGaugh
McKenna	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 002

Frame	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 023

Austin	Colona	Conway 10	Ellington	Gosen
Hodges	Hoskins	Hubbard	Kelly 45	Kolkmeier
Korman	Love	McCaherty	McManus	McNeil
Molendorp	Redmon	Richardson	Scharnhorst	Smith 120
Spencer	Swearingen	Webb		

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 345, relating to the Uniform Wireless Communications Infrastructure Deployment Act, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **HCS HB 345** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neth	Nichols	Norr	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Rizzo
Roorda	Ross	Rowland	Runions	Schatz
Schieffer	Shull	Shumake	Solon	Sommer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 015

Curtis	Ellinger	Ellington	Gardner	Kirkton
Kolkmeier	Korman	McGaugh	Neely	Newman
Otto	Riddle	Schieber	Schupp	Spencer

PRESENT: 000

ABSENT WITH LEAVE: 017

Colona	Conway 10	Hodges	Hough	Hubbard
Lichtenegger	McNeil	Molendorp	Pace	Redmon
Richardson	Rowden	Scharnhorst	Smith 85	Smith 120
Webb	Wilson			

VACANCIES: 002

Representative Leara declared the bill passed.

Representative Miller assumed the Chair.

HB 533, relating to firearms, was taken up by Representative Riddle.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wood	Zerr
Mr Speaker				

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto

Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 10	Entlicher	Fitzwater	Hodges	Hubbard
McNeil	Molendorp	Neely	Redmon	Rowden
Smith 120	Webb	Wilson		

VACANCIES: 002

On motion of Representative Riddle, **HB 533** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 025

Butler	Colona	Curtis	Dunn	Ellinger
Ellington	Gardner	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	Meredith
Mims	Mitten	Morgan	Newman	Pace
Pierson	Rizzo	Schupp	Smith 85	Walton Gray

PRESENT: 000

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ABSENT WITH LEAVE: 010

Conway 10	Frederick	Hodges	Hubbard	McNeil
Molendorp	Redmon	Rowden	Smith 120	Webb

VACANCIES: 002

Representative Miller declared the bill passed.

HCS HB 30, relating to physical therapy services, was taken up by Representative Scharnhorst.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 10	Hodges	Hubbard	McNeil	Molendorp
Pierson	Redmon	Smith 120	Webb	Zerr

VACANCIES: 002

On motion of Representative Scharnhorst, **HCS HB 30** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Austin	Barnes	Berry
Black	Brown	Burns	Cierpiot	Colona
Conway 104	Cookson	Cornejo	Crawford	Cross
Davis	Diehl	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neth	Newman	Nichols
Norr	Otto	Pfausch	Phillips	Pike
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 024

Anderson	Bahr	Bernskoetter	Brattin	Burlison
Butler	Carpenter	Cox	Curtis	Curtman
Dohrman	Gardner	Haahr	Koenig	Marshall
Neely	Pace	Parkinson	Pogue	Rehder
Schieber	Smith 85	Walton Gray	White	

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 10	Hodges	Hubbard	McNeil	Molendorp
Pierson	Redmon	Smith 120	Webb	Zerr

VACANCIES: 002

Representative Miller declared the bill passed.

HB 47, relating to use of tanning devices, was taken up by Representative Cross.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 041

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McKenna	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 019

Cierpiot	Conway 10	English	Funderburk	Hodges
Houghton	Hubbard	McDonald	McManus	McNeil
Mims	Pierson	Pike	Redmon	Smith 120
Stream	Walton Gray	Webb	Wood	

VACANCIES: 002

On motion of Representative Cross, **HB 47** was read the third time and passed by the following vote:

AYES: 105

Allen	Anders	Austin	Bahr	Barnes
Black	Brown	Burns	Butler	Carpenter
Colona	Cookson	Cross	Curtis	Diehl
Dunn	Ellinger	Ellington	Elmer	Engler
Englund	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Hampton	Harris
Hinson	Hough	Houghton	Hummel	Hurst
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Neely
Newman	Nichols	Norr	Otto	Pace
Pfausch	Phillips	Pike	Reiboldt	Richardson
Riddle	Rizzo	Roorda	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Spencer	Stream	Swan
Swearingen	Torpey	Walton Gray	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 047

Anderson	Bernskoetter	Berry	Brattin	Burlison
Cierpiot	Conway 104	Cornejo	Cox	Crawford
Curtman	Davis	Dohrman	Dugger	Entlicher
Fitzpatrick	Franklin	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hoskins	Johnson
Keeney	Koenig	Kolkmeyer	Lichtenegger	Marshall
McGaugh	Molendorp	Muntzel	Neth	Parkinson
Pogue	Rehder	Remole	Rhoads	Ross
Rowden	Schieber	Solon	Sommer	Thomson
Walker	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 10	English	Hodges	Hubbard	McNeil
Pierson	Redmon	Smith 120	Webb	

VACANCIES: 002

Representative Miller declared the bill passed.

Representative Rhoads assumed the Chair.

HCS HB 137, relating to the implementation of federal programs, was taken up by Representative Hinson.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 044

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Conway 10	English	Flanigan	Hicks
Hodges	Hubbard	LaFaver	Lant	McNeil
Pierson	Redmon	Smith 120	Webb	

VACANCIES: 002

On motion of Representative Hinson, **HCS HB 137** was read the third time and passed by the following vote:

AYES: 127

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Ellinger
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	Messenger	Miller
Mims	Molendorp	Morris	Muntzel	Neely
Neth	Norr	Otto	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 022

Anders	Butler	Colona	Curtis	Dunn
Ellington	Gardner	Hummel	Kirkton	May
McDonald	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Pace	Schupp	Smith 85
Walton Gray	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Conway 10	English	Flanigan	Hodges
Hubbard	Lant	McNeil	Pierson	Redmon
Smith 120	Webb			

VACANCIES: 002

Representative Rhoads declared the bill passed.

HB 217, relating to accountability of public funds, was taken up by Representative Cox.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Anderson	Austin	Bahr	Barnes	Bernskoetter
Brattin	Brown	Burlison	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 043

Anders	Black	Burns	Butler	Carpenter
Colona	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Harris	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Berry	Cierpiot	Conway 10	Curtis
Elmer	English	Flanigan	Hodges	Hubbard
McGaugh	McNeil	Mims	Pierson	Redmon
Rowland	Scharnhorst	Smith 120	Stream	Webb

VACANCIES: 002

On motion of Representative Cox, **HB 217** was read the third time and passed by the following vote:

AYES: 123

Anderson	Austin	Bahr	Barnes	Bernskoetter
Black	Brattin	Burlison	Burns	Butler
Carpenter	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp
Morris	Muntzel	Neely	Neth	Nichols
Otto	Parkinson	Pfausch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 022

Anders	Colona	Curtis	Ellinger	Ellington
Gardner	Haahr	LaFaver	May	McDonald
Meredith	Mitten	Montecillo	Morgan	Newman
Norr	Pace	Schupp	Smith 85	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Berry	Brown	Conway 10	Davis
English	Flanigan	Hodges	Hubbard	Kelly 45
McNeil	Pierson	Redmon	Smith 120	Webb
White				

VACANCIES: 002

Representative Rhoads declared the bill passed.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Lair	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Conway 10	Engler	English	Flanigan
Hodges	Hoskins	Hubbard	Korman	Lant
McNeil	Pierson	Redmon	Smith 120	Webb

VACANCIES: 002

The emergency clause was defeated by the following vote:

AYES: 101

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Engler	Entlicher	Fitzpatrick	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 043

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Haahr	Harris
Hummel	Kirkton	Kratky	LaFaver	Marshall
May	McDonald	McKenna	McManus	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Roorda	Runions	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 001

Mayfield

ABSENT WITH LEAVE: 016

Allen	Conway 10	Elmer	English	Fitzwater
Flanigan	Hodges	Hubbard	Kelly 45	Lant
McCann Beatty	McNeil	Pierson	Redmon	Smith 120
Webb				

VACANCIES: 002

Representative Swan assumed the Chair.

HOUSE CONCURRENT RESOLUTION

HCR 35, relating to religious freedom restoration, was taken up by Representative Jones (110).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Anderson	Austin	Bahr	Barnes	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 041

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellington	Englund
Frame	Gardner	Harris	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Conway 10	Cornejo	Ellinger
Elmer	English	Flanigan	Hodges	Hough
Hubbard	Kelly 45	McManus	McNeil	Mitten
Pierson	Redmon	Smith 120	Stream	Webb

VACANCIES: 002

On motion of Representative Jones (110), **HCR 35** was adopted by the following vote:

AYES: 111

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCahty	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 038

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Gardner	Hummel	Kirkton	Kratky	LaFaver
May	McCann Beatty	McDonald	McManus	Meredith
Mims	Mitten	Molendorp	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Rizzo	Runions	Schupp	Smith 85	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Conway 10	English	Flanigan	Hodges
Hubbard	Kelly 45	McNeil	Pierson	Redmon
Smith 120	Webb			

VACANCIES: 002

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 427**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 157** and **SB 102**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 88**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 197**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 447**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 541**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 861**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 186**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 76**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 78**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 275**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 285**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 309 & 73**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 339**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 340**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 348**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 372**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 387**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 415**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 436**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 593 & 695**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 601**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 635**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 698**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 747**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 771**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 859**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 881**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1035**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 16**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 59**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 60**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 80**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 188**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 191**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 234**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 235**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 237**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 306**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 324**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 329**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 376**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 87**, entitled:

An act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 99**, entitled:

An act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof three new sections relating to public administrators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 257**, entitled:

An act to repeal sections 68.205, 68.210, 68.215, 68.225, 68.230, 68.235, 68.240, 68.245, 68.250, and 68.259, RSMo, and to enact in lieu thereof ten new sections relating to port improvement districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 267**, entitled:

An act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 275**, entitled:

An act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utility regulation, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 342**, entitled:

An act to repeal section 348.521, RSMo, and to enact in lieu thereof one new section relating to agricultural loans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 357**, entitled:

An act to repeal section 429.010, RSMo, and to enact in lieu thereof one new section relating to statutory liens against real estate.

In which the concurrence of the House is respectfully requested.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 11, 2013

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
97th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI:

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 14** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2013.

On April 11, 2013, I approved said **Senate Committee Substitute for House Committee Substitute for House Bill No. 14**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

The following member's presence was noted: McNeil.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, April 15, 2013.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Sue Meredith, District 71, hereby state and affirm that my vote on the motion to order perfected and printed House Committee Substitute No. 2 for House Bill No. 178, as amended, as recorded on page 1040 of the Journal of the House for the forty-ninth day, Wednesday, April 10, 2013 was incorrectly recorded as "Absent With Leave." Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as "No."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 11th day of April 2013.

/s/ Susan Meredith
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 11th day of April in the year 2013.

/s/ Leticia J. Long
Notary Public

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 16, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 819

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 964

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 16, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will look at last audit with Department of Corrections 2009, focusing on Canteen Program.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 16, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: SCS SB 229

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 16, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 991

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 16, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: SCS SB 258

Executive session will be held: SCS SB 258, SB 90, SS SCS SB 116

Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN AGRICULTURE

Monday, April 15, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: HCR 34

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, April 15, 2013, 1:00 PM House Hearing Room 3.

Executive session will be held: HCS HB 850, HCS HB 813, HCS HB 470, HCS HB 215, HCS HBs 404 & 614, HCS HB 621, HB 526, HCS HB 468, HB 253, HCS HB 343

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 15, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 886, HB 803, HB 840

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 17, 2013, Noon or Upon Afternoon Recess House Hearing Room 6.

Public hearing will be held: HB 608, SCS SB 126, SCS SB 178, SCS SB 302

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: SB 161, SS SB 262

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 16, 2013, 9:00 AM House Hearing Room 6.

Executive session will be held: SCS SB 17

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Monday, April 15, 2013, Upon Afternoon Adjournment House Hearing Room 1.

Public hearing will be held: SCS SB 287, HB 751

Executive session will be held: SCS SB 287

Executive session may be held on any matter referred to the committee.

Seeking consent on SB 287

AMENDED

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Monday, April 15, 2013, 1:00 PM House Hearing Room 5.

Jim McMillan, retired Chief Financial Officer from Capital Region will provide testimony.

MISSOURI SPORTSMAN ISSUE DEVELOPMENT

Monday, April 15, 2013, 6:00 PM 1729 E Elm Street, Jefferson City, MO.

RULES

Monday, April 15, 2013, Upon Afternoon Adjournment North Gallery.

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 925, HB 926, HB 936

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 885, SS#2 SCS SJR 16

Executive session will be held: SS#2 SCS SJR 16, HB 62, SB 43, SB 148, HB 693

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIRST DAY, MONDAY, APRIL 15, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 26 - Richardson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HB 400 - Riddle
- 6 HCS HB 701 - Molendorp
- 7 HCS HB 335 - Hinson
- 8 HB 255 - Torpey
- 9 HCS HB 389, with HA 1, pending - Engler
- 10 HB 510 - Torpey
- 11 HB 756 - Hubbard
- 12 HCS HB 458 - Scharnhorst
- 13 HCS HBs 455 & 297 - English
- 14 HB 242 - Ellington
- 15 HB 274 - Brattin
- 16 HCS HB 290 - Lichtenegger
- 17 HCS HB 351 - Frederick
- 18 HB 503 - McCaherty
- 19 HB 733 - Berry
- 20 HCS HB 589 - Hinson
- 21 HB 448 - Webb
- 22 HB 162 - Sommer
- 23 HCS HB 170 - Guernsey
- 24 HCS HB 175 - Crawford
- 25 HCS HB 161 - Gatschenberger
- 26 HCS HB 252 - Lauer
- 27 HCS HB 285 - Pace
- 28 HB 339 - Wieland
- 29 HCS HB 340 - Johnson
- 30 HB 747 - Scharnhorst
- 31 HCS HB 1035 - Kelley (127)
- 32 HCS HB 348 - Neth
- 33 HCS HB 372 - Cox
- 34 HCS HB 436 - Funderburk
- 35 HCS HBs 593 & 695 - Solon
- 36 HB 808 - Funderburk
- 37 HCS HB 859 - Brattin

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443 - Hubbard
- 4 HCS HB 470, (Fiscal Review 4/10/13) - Barnes
- 5 HCS HB 215, (Fiscal Review 4/10/13), E.C. - Cox
- 6 HB 103 - Kelley (127)
- 7 HCS HB 114, E.C. - McCaherty
- 8 HCS HB 505, E.C. - Haefner
- 9 HB 218 - Cox
- 10 HCS HB 850, (Fiscal Review 4/10/13) - McCaherty
- 11 HCS HB 813, (Fiscal Review 4/10/13) - Torpey
- 12 HB 148 - Davis
- 13 HCS HB 257 - Frederick
- 14 HB 326 - Fitzwater
- 15 HCS HB 722 - Leara
- 16 HCS HB 418 - Neth
- 17 HCS HB 468, (Fiscal Review 4/10/13), E.C. - Higdon
- 18 HCS HBs 374 & 434 - Elmer
- 19 HCS HBs 373 & 435 - Elmer
- 20 HB 322 - Gosen
- 21 HCS#2 HB 178 - Koenig
- 22 HCS HB 197 - Lauer
- 23 HB 526, (Fiscal Review 4/10/13) - Franklin
- 24 HB 253, (Fiscal Review 4/10/13) - Berry
- 25 HCS HBs 404 & 614, (Fiscal Review 4/10/13) - Conway (104)
- 26 HCS HB 343, (Fiscal Review 4/10/13) - Guernsey
- 27 HCS HB 621, (Fiscal Review 4/10/13) - McCaherty
- 28 HCS HB 194 - Diehl

SENATE BILLS FOR SECOND READING

- 1 SCS SB 87
- 2 SB 99
- 3 SB 257
- 4 SS SB 267
- 5 SB 275
- 6 SB 342
- 7 SS SB 357

HOUSE CONCURRENT RESOLUTIONS

HCR 11 - Walton Gray

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2013)

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7, as amended - Reiboldt

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-FIRST DAY, MONDAY, APRIL 15, 2013

The House met pursuant to adjournment.

Representative Leara in the Chair.

Prayer by Representative Caleb Rowden.

Dear Father, we thank You for the wonderful opportunity You have given us to serve the people of Missouri. It is an honor we do not and will not take for granted. We thank You for the reality of grace that assures us that even in our weakness, You are strong. In our darkness, You are light. And in our chaos, You are peace.

As we begin another day in this great chamber, may we be reminded that our decisions aren't simply about politics, but people. Give us wisdom that surpasses partisan thought, and give us discernment to recognize every consequence, both good and bad, for the decisions we make.

May we see the world the way You see the world...with eyes of compassion. May our hearts be softened to the realities of those who are struggling in our state, and may we all recognize that caring for the least and lowly is more than just something we can do through legislation, but something we can live out every day of our lives, as You have commanded us to do.

May You be glorified in the words that are heard throughout this building today. We thank You for giving us life, and offering us love. May we do the same today.

We pray this in the name of Your son Jesus - Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fiftieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1518 through House Resolution No. 1709

SECOND READING OF SENATE BILLS

SCS SB 87, SB 99, SB 257, SS SB 267, SB 275, SB 342 and SS SB 357 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 215**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 343**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 404 & 614**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 470**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 850**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 215, relating to judicial procedures, was taken up by Representative Cox.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson

Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Rhoads	Richardson	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Fitzpatrick	Frame
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Gardner	Grisamore	Hubbard	Keeney	Lauer
McManus	Molendorp	Redmon	Remole	Riddle
Smith 85	Smith 120	Zerr	Mr Speaker	

VACANCIES: 002

On motion of Representative Cox, **HCS HB 215** was read the third time and passed by the following vote:

AYES: 086

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Kelley 127	Koenig	Kolkmeyer	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Riddle
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Stream	Thomson
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

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NOES: 067

Anders	Barnes	Black	Brattin	Burns
Butler	Carpenter	Colona	Cornejo	Curtis
Curtman	Dunn	Ellinger	Ellington	English
Englund	Entlicher	Frame	Gardner	Haahr
Harris	Hummel	Jones 50	Kelly 45	Kirkton
Korman	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Neth	Newman	Nichols	Norr
Otto	Pace	Pierson	Pogue	Rhoads
Richardson	Rizzo	Roorda	Ross	Rowden
Runions	Schieffer	Schupp	Spencer	Swan
Swearingen	Torpey	Walton Gray	Webb	Webber
White	Wright			

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 007

Grisamore	Hubbard	Keeney	Molendorp	Remole
Smith 85	Smith 120			

VACANCIES: 002

Representative Leara declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brown	Burlison	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Norr	Parkinson
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Ross
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 050

Anders	Berry	Black	Brattin	Burns
Butler	Carpenter	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Haahr	Harris	Hodges	Hummel
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Otto	Pace
Pierson	Pogue	Rizzo	Roorda	Rowden
Runions	Schupp	Swearingen	Walton Gray	Webb

PRESENT: 001

Schieffer

ABSENT WITH LEAVE: 009

Elmer	Grisamore	Hubbard	Keeney	Molendorp
Remole	Smith 85	Smith 120	Zerr	

VACANCIES: 002

HB 103, relating to the use of vehicles in municipalities, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **HB 103** was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mims
Montecillo	Morgan	Morris	Muntzel	Neth
Pace	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber

Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 016

Colona	Curtis	Frame	Gardner	May
McNeil	Mitten	Neely	Newman	Nichols
Norr	Otto	Pierson	Schupp	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Flanigan	Grisamore	Hubbard	Keeney
Molendorp	Parkinson	Remole	Smith 85	Smith 120
Zerr				

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 114, relating to educational credits for veterans, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HCS HB 114** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon

Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cross	Grisamore	Hubbard	Keeney	Molendorp
Neth	Remole	Smith 85	Smith 120	

VACANCIES: 002

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Koenig	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen

Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 005

Butler	Gardner	Kirkton	Marshall	Webb
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PRESENT: 000

ABSENT WITH LEAVE: 009

Grisamore	Hough	Hubbard	Keeney	Kolkmeier
Molendorp	Remole	Smith 85	Smith 120	

VACANCIES: 002

HCS HB 621, relating to tax credits for port facilities, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HCS HB 621** was read the third time and passed by the following vote:

AYES: 117

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fraker	Frame	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Haefner	Hampton	Hansen	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Mims	Montecillo	Morgan
Morris	Neely	Neth	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Roorda	Rowden	Rowland	Runions
Scharnhorst	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swearingen
Torpey	Walker	Walton Gray	Webb	Wieland
Zerr	Mr Speaker			

NOES: 036

Anderson	Bahr	Brattin	Burlison	Conway 104
Cox	Curtman	Dugger	Fitzpatrick	Fowler
Franklin	Guernsey	Haahr	Hicks	Hurst

Kirkton	Koenig	Marshall	McNeil	Miller
Mitten	Muntzel	Newman	Parkinson	Pogue
Rehder	Rhoads	Ross	Schieber	Swan
Thomson	Webber	White	Wilson	Wood
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Grisamore	Hubbard	Keeney	Molendorp	Remole
Schatz	Smith 85	Smith 120		

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 505, relating to child abuse and neglect, was taken up by Representative Haefner.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith

Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Grisamore	Hubbard	Jones 50	Keeney	Molendorp
Remole	Schatz	Smith 85	Smith 120	

VACANCIES: 002

On motion of Representative Haefner, **HCS HB 505** was read the third time and passed by the following vote:

AYES: 150

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Miller
Mims	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Grisamore	Hubbard	Keeney	Messenger
Mitten	Molendorp	Remole	Smith 85	Smith 120
Stream				

VACANCIES: 002

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 004

Colona	Gardner	Walton Gray	Webb
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PRESENT: 000

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ABSENT WITH LEAVE: 007

Grisamore	Hubbard	Keeney	Molendorp	Remole
Smith 85	Smith 120			

VACANCIES: 002

HB 148, relating to child custody for military personnel, was taken up by Representative Davis.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Curtis	Funderburk	Grisamore	Hubbard	Keeney
Kolkmeyer	Molendorp	Pierson	Redmon	Smith 85
Smith 120				

VACANCIES: 002

On motion of Representative Davis, **HB 148** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Butler	Cookson	Curtis	Funderburk
Grisamore	Hubbard	Keeney	Molendorp	Smith 85
Smith 120				

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 257, relating to tuberculosis testing, was taken up by Representative Frederick.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Kelley 127	Koenig	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Schieffer	Schupp	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bahr	Curtis	Davis	Funderburk	Grisamore
Guernsey	Hubbard	Keeney	Kolkmeyer	Mims
Molendorp	Runions	Smith 85	Smith 120	Webb

VACANCIES: 002

On motion of Representative Frederick, **HCS HB 257** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bernskoetter
Berry	Black	Brattin	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Burlison Marshall

PRESENT: 000

ABSENT WITH LEAVE: 010

Bahr	Barnes	Funderburk	Grisamore	Hubbard
Keeney	Molendorp	Smith 85	Smith 120	Stream

VACANCIES: 002

Representative Leara declared the bill passed.

HB 326, relating to sexual misconduct, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 326** was read the third time and passed by the following vote:

AYES: 134

Allen	Anderson	Austin	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Englund
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 012

Colona	Curtis	Ellington	Gardner	Kelly 45
Marshall	May	Pace	Pierson	Schieber
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Bahr	Barnes	Ellinger	Entlicher
Funderburk	Grisamore	Hubbard	Keeney	Lant
Molendorp	Richardson	Shumake	Smith 85	Smith 120

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 418, relating to Kansas City police retirement systems, was taken up by Representative Neth.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bahr	Ellinger	Entlicher	Funderburk	Grisamore
Hubbard	Keeney	LaFaver	Lant	Molendorp
Neely	Richardson	Schatz	Smith 85	Smith 120
Wood				

VACANCIES: 002

On motion of Representative Neth, **HCS HB 418** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfausch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Marshall Pogue

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Curtman	Ellinger	Entlicher	Funderburk
Grisamore	Guernsey	Hubbard	Keeney	Lant
Molendorp	Richardson	Smith 85	Smith 120	

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HB 850, relating to the “Bring Jobs Home Act,” was taken up by Representative McCaherty.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hough	Houghton	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Hurst	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 014

Entlicher	Flanigan	Funderburk	Grisamore	Hoskins
Hubbard	Keeney	Lant	Molendorp	Neth
Richardson	Schatz	Smith 85	Smith 120	

VACANCIES: 002

On motion of Representative McCaherty, **HCS HB 850** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Fraker	Frame	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swearingen	Thomson	Torpey	Walker	Walton Gray
White	Wieland	Wood	Zerr	Mr Speaker

NOES: 015

Bahr	Brattin	Fowler	Gardner	Hampton
Hurst	Kirkton	Newman	Pogue	Rehder
Schieber	Webb	Webber	Wilson	Wright

PRESENT: 000

ABSENT WITH LEAVE: 016

Ellington	Entlicher	Flanigan	Funderburk	Grisamore
Haahr	Hubbard	Keeney	Lant	Molendorp
Parkinson	Richardson	Schatz	Smith 85	Smith 120
Swan				

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HBs 374 & 434, relating to the transfer of judicial positions, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HBs 374 & 434** was read the third time and passed by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Elmer	Engler
Englund	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Haahr	Haefner	Hampton	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McManus	Messenger
Miller	Morris	Muntzel	Neely	Neth
Norr	Otto	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 042

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Fowler	Frame	Gardner	Guernsey
Harris	Hummel	Kirkton	Kratky	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Swearingen
Walton Gray	Webb			

PRESENT: 001

LaFaver

ABSENT WITH LEAVE: 009

Entlicher	Funderburk	Grisamore	Hansen	Hubbard
Keeney	Molendorp	Smith 85	Smith 120	

VACANCIES: 002

Representative Leara declared the bill passed.

HCS HBs 373 & 435, relating to judicial circuits, was taken up by Representative Elmer.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Franklin	Funderburk	Grisamore	Hubbard	Keeney
Molendorp	Pierson	Ross	Smith 85	Smith 120

VACANCIES: 002

On motion of Representative Elmer, **HCS HBs 373 & 435** was read the third time and passed by the following vote:

AYES: 095

Allen	Austin	Bahr	Barnes	Bernskoetter
Brown	Burlison	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Ellinger
Elmer	Engler	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McManus	Messenger	Miller	Morris
Muntzel	Neth	Norr	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Swan	Torpey	Walker	Webber
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 055

Anders	Anderson	Black	Brattin	Burns
Butler	Colona	Conway 10	Curtis	Curtman
Dunn	Ellington	English	Englund	Fitzpatrick
Fowler	Frame	Gardner	Guernsey	Hansen
Harris	Higdon	Hodges	Hummel	Kirkton
Korman	Kratky	LaFaver	May	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Neely	Newman	Nichols	Otto	Pace
Roorda	Runions	Schieber	Schieffer	Swearingen
Thomson	Walton Gray	Webb	Wilson	Wood

PRESENT: 000

ABSENT WITH LEAVE: 011

Berry	Funderburk	Grisamore	Hubbard	Keeney
Molendorp	Parkinson	Pierson	Smith 85	Smith 120
Stream				

VACANCIES: 002

Representative Leara declared the bill passed.

HB 322, relating to motor vehicle insurance policies, was taken up by Representative Gosen.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtman	Fraker	Funderburk	Grisamore	Hubbard
Keeney	Molendorp	Schatz	Smith 85	Smith 120
Stream	Mr Speaker			

VACANCIES: 002

On motion of Representative Gosen, **HB 322** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Grisamore	Hubbard	Keeney	Molendorp
Neely	Smith 85	Smith 120	Stream	

VACANCIES: 002

Representative Leara declared the bill passed.

Speaker Jones assumed the Chair.

HCS HB 722, relating to the St. Louis Police Retirement System, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 722** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Cross	Funderburk	Grisamore	Hubbard
Keeney	Molendorp	Smith 85	Smith 120	Stream

VACANCIES: 002

Speaker Jones declared the bill passed.

HB 218, relating to controlled substances, was taken up by Representative Cox.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Curtis	Funderburk	Grisamore	Hubbard	Keeney
Molendorp	Parkinson	Smith 85	Smith 120	Webber

VACANCIES: 002

On motion of Representative Cox, **HB 218** was read the third time and passed by the following vote:

AYES: 103

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cox	Crawford	Diehl
Dohrman	Ellinger	Elmer	Engler	Englund
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Kirkton	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	May	Mayfield	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Norr	Otto	Pfausch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Rowland	Scharnhorst	Schatz	Shumake	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Webber	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 047

Anders	Anderson	Bahr	Berry	Brattin
Burlison	Burns	Butler	Cornejo	Curtman
Davis	Dugger	Dunn	Ellington	English
Fitzpatrick	Frame	Gardner	Haahr	Harris
Koenig	LaFaver	Leara	Marshall	McCaherty
McCann Beatty	McDonald	McKenna	Mims	Newman
Nichols	Pace	Phillips	Pierson	Roorda
Ross	Rowden	Runions	Schieber	Schieffer
Schupp	Shull	Solon	Swearingen	Walton Gray
Webb	White			

PRESENT: 000

ABSENT WITH LEAVE: 011

Cross	Curtis	Entlicher	Funderburk	Grisamore
Hubbard	Keeney	Molendorp	Parkinson	Smith 85
Smith 120				

VACANCIES: 002

Speaker Jones declared the bill passed.

COMMITTEE REPORTS

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 210**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 541**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 543**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 611**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 653**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 986**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGES

April 12, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- The Missouri Health Care Issue Development Committee: Diane Franklin appointed Chairman; Sue Allen appointed Vice-Chairman.
- Randy Dunn removed from the Issue Development Standing Committee on Missouri Ports
- Randy Dunn removed from the Issue Development Standing Committee on Disadvantaged Communities
- John Wright removed from the Freshman Bipartisan Issue Development Standing Committee
- John Mayfield removed from the Freshman Bipartisan Issue Development Standing Committee
- John Mayfield removed from the Issue Development Standing Committee on Missouri Ports
- John Mayfield removed from the Missouri Sportsman Issue Development Committee
- Gina Mitten removed from the Freshman Bipartisan Issue Development Standing Committee
- Joe Runions removed from the Issue Development Standing Committee on Missouri Ports
- Courtney Curtis removed from the Issue Development Standing Committee on Disadvantaged Communities

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts, Chair
District 98

COMMUNICATION

April 15, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. My husband has a business relationship with Miller/Coors and Diageo.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance in this matter.

Sincerely,

/s/ Jill Schupp
State Representative
District 88

The following members' presence was noted: Grisamore and Molendorp.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, April 16, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 16, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: HB 819

Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 6.

Public hearing will be held: HB 964

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 16, 2013, 2:00 PM House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will look at last audit with Department of Corrections 2009, focusing on Canteen Program.

CANCELLED

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 16, 2013, 12:00 PM or Upon Adjournment House Hearing Room 1.

Public hearing will be held: SCS SB 229

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 16, 2013, 8:00 AM House Hearing Room 3.

Public hearing will be held: HB 991

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 16, 2013, 8:15 AM House Hearing Room 5.

Public hearing will be held: SCS SB 258

Executive session will be held: SCS SB 258, SB 90, SS SCS SB 116

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SB 193, SCS SB 7, HB 738, HB 282, HB 603

Executive session may be held on any matter referred to the committee.

HB 603 was distributed for last week's committee.

FINANCIAL INSTITUTIONS

Wednesday, April 17, 2013, 12:15 PM House Hearing Room 4.

Public hearing will be held: SCS SB 254

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 3.

Public hearing will be held: HCR 8, HB 783, HB 975, HB 915

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 17, 2013, Noon or Upon Afternoon Recess House Hearing Room 6.

Public hearing will be held: HB 608, SCS SB 126, SCS SB 178, SCS SB 302

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 5.

Public hearing will be held: SB 161, SS SB 262

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 16, 2013, 9:00 AM House Hearing Room 6.

Executive session will be held: SCS SB 17

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Wednesday, April 17, 2013, Upon Afternoon Adjournment South Gallery

Executive session will be held: SCS SB 287

ISSUE DEVELOPMENT STANDING COMMITTEE ON DISADVANTAGED COMMUNITIES

Tuesday, April 16, 2013, 5:00 PM or Upon Adjournment House Hearing Room 3.

JUDICIARY

Wednesday, April 17, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 110, SB 73, SCS SB 69, SCS SB 45, SCS SB 36, HB 121, SB 12

Executive session will be held: HB 757, SB 41, SB 222

Executive session may be held on any matter referred to the committee.

AMENDED

JUDICIARY

Thursday, April 18, 2013, 8:30 AM - 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 849, HB 623, HB 606, HB 539, HB 220, SB 100

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Tuesday, April 16, 2013, 6:00 PM 216 Madison Street, Jefferson City.

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 17, 2013, Upon Morning Recess House Hearing Room 5.

Public hearing will be held: SB 330

Executive session will be held: HB 685, SB 330

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 925, HB 926, HB 936

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 17, 2013, 12:00 PM or Upon Morning Recess House Hearing Room 7.

Executive session will be held: HB 811, HB 393

Executive session may be held on any matter referred to the committee.

Removed HB 1033 and added location.

AMENDED

TRANSPORTATION

Tuesday, April 16, 2013, 12:00 PM House Hearing Room 7.

Public hearing will be held: HB 885, SS#2 SCS SJR 16

Executive session will be held: SS#2 SCS SJR 16, HB 62, SB 43, SB 148, HB 693

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 32, HB 501, HB 502

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, April 16, 2013, 5:00 PM House Hearing Room 1.

Public hearing will be held: SB 261, HB 917, HB 736

Executive session will be held: SS#2 SCS SBs 26, 11 & 31

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1041

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SECOND DAY, TUESDAY, APRIL 16, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HCS HJR 14 - Jones (110)

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HB 400 - Riddle
- 6 HCS HB 701 - Molendorp
- 7 HCS HB 335 - Hinson
- 8 HB 255 - Torpey
- 9 HCS HB 389, with HA 1, pending - Engler
- 10 HB 510 - Torpey
- 11 HB 756 - Hubbard
- 12 HCS HB 458 - Scharnhorst
- 13 HCS HBs 455 & 297 - English
- 14 HB 242 - Ellington
- 15 HB 274 - Brattin
- 16 HCS HB 290 - Lichtenegger
- 17 HCS HB 351 - Frederick
- 18 HB 503 - McCaherty
- 19 HB 733 - Berry
- 20 HCS HB 589 - Hinson
- 21 HB 448 - Webb
- 22 HB 162 - Sommer
- 23 HCS HB 170 - Guernsey
- 24 HCS HB 175 - Crawford

- 25 HCS HB 161 - Gatschenberger
- 26 HCS HB 252 - Lauer
- 27 HCS HB 285 - Pace
- 28 HB 339 - Wieland
- 29 HCS HB 340 - Johnson
- 30 HB 747 - Scharnhorst
- 31 HCS HB 1035 - Kelley (127)
- 32 HCS HB 348 - Neth
- 33 HCS HB 372 - Cox
- 34 HCS HB 436 - Funderburk
- 35 HCS HBs 593 & 695 - Solon
- 36 HB 808 - Funderburk
- 37 HCS HB 859 - Brattin
- 38 HCS#2 HB 698 - Zerr
- 39 HCS HB 881 - Guernsey

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443 - Hubbard
- 4 HCS HB 470 - Barnes
- 5 HCS HB 813, (Fiscal Review 4/10/13) - Torpey
- 6 HCS HB 468, (Fiscal Review 4/10/13), E.C. - Higdon
- 7 HCS#2 HB 178 - Koenig
- 8 HCS HB 197 - Lauer
- 9 HB 526 - Franklin
- 10 HB 253, (Fiscal Review 4/10/13) - Berry
- 11 HCS HBs 404 & 614 - Conway (104)
- 12 HCS HB 343 - Guernsey
- 13 HCS HB 194 - Diehl

HOUSE CONCURRENT RESOLUTIONS

HCR 11 - Walton Gray

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2013)

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger

- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7, as amended - Reiboldt

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SECOND DAY, TUESDAY, APRIL 16, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is nigh unto all them that call upon Him, to all that call upon Him in truth. (Psalm 145:18)

Our God, we bow before You in the quiet peace of this moment. Our hearts are filled with gratitude for all the privileges and opportunities which are ours, as members of this body. Knowing that we can show our thankfulness through lives of usefulness to You, we pray that You will give us courage in the face of temptation, confidence when confronted by difficulties and calmness amid danger with our prayers for the victims of the Boston Marathon bombing. As You have made this world for our use, grant that the trials of life may not, through our grumbling ingratitude, be turned into occasions of unhappiness and misery, but that we may accept with cheerfulness whatever You send our way.

Make us true and just in all our dealings and straightforward in all our conversations. Give us, we pray to You, such quiet strength as will enable us to prevail without loud speaking, and such gentleness of spirit as will enable us to use our strength with due regard for the rights of others. Reveal to us the path we should take, tune our ears to hear Your call, keep us ever in Your way, and be with us as we go.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Gabrielle Brinkley, Semiah Cole, Wisdom Channel, Denaijah Curry, Symyia Dunlap, Riquel Foster, Aja Hasam, Asia Hudson, Fairah Jeffries, Marquia Long, Rashyra McGill, Zayla Montgomery, Mikayla Patterson, Kyra Perry, Ahimina Poe, Samone Sloan, Alexis Ward, Kierra Welch, Grace Kertz, Thomas Vitt, Rory Meister and Alex Huggins.

The Journal of the fifty-first day was approved as corrected.

Representative Keeney assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1710 through House Resolution No. 1849

THIRD READING OF HOUSE BILLS

HCS HB 197, relating to taxes and revenue bonds, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 197** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hummel	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Morgan	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Redmon	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wood	Wright	Zerr		

NOES: 015

Bahr	Brattin	Burlison	Fitzpatrick	Guernsey
Haahr	Hurst	Johnson	Koenig	Parkinson
Rehder	Schieber	Spencer	White	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown	Fraker	Grisamore	Hodges	Hubbard
Marshall	May	McManus	Mitten	Molendorp
Morris	Pike	Pogue	Reiboldt	Scharnhorst
Smith 85	Smith 120	Mr Speaker		

VACANCIES: 002

Representative Keeney declared the bill passed.

HB 526, relating to the establishment of a rural development grants program, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 526** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtis	Davis	Diehl	Dohrman	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	Wieland	Wood	Zerr
Mr Speaker				

NOES: 022

Bahr	Brattin	Burlison	Cross	Curtman
Dugger	Fitzpatrick	Haahr	Kirkton	Koenig
Leara	McNeil	Mitten	Morgan	Newman
Parkinson	Pogue	Schieber	Spencer	White
Wilson	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Grisamore	Hodges	Hubbard	Marshall	May
Reiboldt	Smith 85	Smith 120		

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HBs 404 & 614, relating to workers' compensation, was taken up by Representative Conway (104).

On motion of Representative Conway (104), **HCS HBs 404 & 614** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Frame	Grisamore	Hodges	Hubbard	Reiboldt
Smith 85	Smith 120			

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 343, relating to public assistance benefits, was taken up by Representative Guernsey.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Curtis	Hodges	Hubbard	Smith 85	Smith 120
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VACANCIES: 002

On motion of Representative Guernsey, **HCS HB 343** was read the third time and passed by the following vote:

AYES: 112

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
McKenna	Messenger	Miller	Molendorp	Morris
Muntzel	Neth	Parkinson	Pfausch	Phillips
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 042

Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	English
Englund	Gardner	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Hodges	Hubbard	Neely	Pike
Smith 85	Smith 120			

VACANCIES: 002

Representative Keeney declared the bill passed.

HCS HB 194, relating to a new home income tax deduction, was taken up by Representative Diehl.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Fitzwater	Hodges	Hubbard	Smith 85	Smith 120
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VACANCIES: 002

On motion of Representative Diehl, **HCS HB 194** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Messenger	Miller	Mims
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wood	Zerr	Mr Speaker

NOES: 007

Carpenter	Ellington	Gardner	Kirkton	Meredith
Mitten	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Hubbard	Smith 85	Smith 120	Wilson
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VACANCIES: 002

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 389, with House Amendment No. 1, pending, relating to a qualified tax credit for research expenses, was taken up by Representative Engler.

Speaker Jones resumed the Chair.

House Amendment No. 1 was withdrawn.

On motion of Representative Engler, **HCS HB 389** was adopted.

On motion of Representative Engler, **HCS HB 389** was ordered perfected and printed.

HCS HBs 455 & 297, relating to food stamp eligibility, was taken up by Representative English.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 455 & 297, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter and who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. For purposes of this section, "casino, gambling casino, or gaming establishment" does not include a grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities.

2. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

3. Any person who, in good faith, reports a suspected violation of this section by a temporary assistance for needy families (TANF) recipient shall not be held civilly or criminally liable for reporting such suspected violation.

4. The department of social services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the department of social services shall implement and maintain policies and practices which prevent a temporary assistance for needy families electronic benefit transfer transaction in:

- (1) Any liquor store;
- (2) Any casino, gambling casino, or gambling establishment; or
- (3) Any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

2. As used in this section, the term:

(1) "Casino, gambling casino, or gaming establishment" shall not include a grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities;

(2) "Electronic benefit transfer transaction" means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service;

(3) "Liquor store" means any retail establishment which sells exclusively or primarily intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition Act of 2008, 7 U.S.C. Section 2012(r).

3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services shall:

(1) Implement policies and procedures as necessary to prevent access to assistance provided under Missouri's temporary assistance for needy families (TANF) program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

(2) Ensure that recipients of assistance provided under Missouri's TANF program have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

4. On or before December 31, 2014, the department shall submit a report to the governor and the general assembly detailing the policies and practices implemented in accordance with the requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the department shall report Missouri's implementation of the policies and practices to the Secretary of Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the enactment of such federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 455 & 297, Page 2, Line 31, by deleting all of said line and inserting in lieu thereof, the following:

"enactment of such federal law.

5. Nothing in this section shall require any casino, gambling casino, or gaming establishment to enforce or monitor any provision of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Hinson, **House Amendment No. 1, as amended**, was adopted.

Representative Colona offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 455 & 297, Page 2, Section 208.182, Line 35, by inserting after all of said section and line, the following:

"208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse; or

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Colona moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 057

Anders	Barnes	Berry	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Frederick	Gardner	Harris	Higdon	Hodges
Hummel	Hurst	Kelley 127	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Runions	Schieffer	Schupp	Shumake
Swearingen	Walton Gray	Webb	Webber	White
Wieland	Wright			

NOES: 092

Anderson	Austin	Bahr	Bernskoetter	Black
Brattin	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Funderburk	Gannon	Gatschenberger

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Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hough
Houghton	Johnson	Jones 50	Justus	Keeney
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
Wilson	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Brown	Fitzpatrick	Hoskins	Hubbard
McCaherty	Reiboldt	Smith 85	Smith 120	Torpey
Wood	Zerr			

VACANCIES: 002

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Anderson	Austin	Bahr	Bernskoetter	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver

May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Barnes	Curtis	Davis	Flanigan
Fraker	Franklin	Hodges	Hubbard	Molendorp
Reiboldt	Smith 85	Smith 120	Stream	Swearingen

VACANCIES: 002

On motion of Representative English, **HCS HBs 455 & 297, as amended**, was adopted.

On motion of Representative English, **HCS HBs 455 & 297, as amended**, was ordered perfected and printed by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Norr	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 033

Burns	Butler	Carpenter	Colona	Dunn
Ellinger	Gardner	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten

Montecillo	Morgan	Newman	Nichols	Otto
Pace	Pierson	Rizzo	Runions	Schupp
Swearingen	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 008

Curtis	Ellington	Funderburk	Hubbard	Molendorp
Roorda	Smith 85	Smith 120		

VACANCIES: 002

HB 274, relating to newborn screenings, was taken up by Representative Brattin.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 274, Page 1, Section 191.334, Lines 1 to 14, by deleting all of said section and lines and inserting in lieu thereof the following:

"191.334. 1. This section shall be known and may be cited as "Chloe's Law".

2. Effective January 1, 2014, every newborn infant born in this state shall be screened for critical congenital heart disease in accordance with the provisions of this section.

3. Every newborn delivered on or after January 1, 2014, in an ambulatory surgical center, birthing center, or hospital shall be screened for critical congenital heart disease with pulse oximetry or other manner as directed by the department of health and senior services in accordance with the American Academy of Pediatrics and American Heart Association guidelines prior to discharge of the newborn from the facility. Such facilities shall report the screening results on all newborns to the parents or guardian of the newborn and the department of health and senior services in a manner prescribed by the department for surveillance purposes. Such facilities shall develop and implement plans to ensure that newborns with positive screens receive appropriate confirmatory procedures and referral for treatment as indicated.

4. If a newborn is delivered in a place other than the facilities listed in subsection 3 of this section, the physician or person who professionally undertakes the pediatric care of the newborn shall ensure that critical congenital heart disease newborn screening is performed. Such physicians and persons shall report the screening results on all newborns to the parents or guardian of the newborn, and the department of health and senior services in a manner prescribed by the department for surveillance purposes.

5. The provisions of this section shall not apply if the parents of the newborn object to such testing on the grounds that such tests conflict with their religious tenets and practices. The parent of any newborn who refuses to have the critical congenital heart disease screening test administered after notice of the requirement for such test shall have such refusal documented in writing. Such physicians, persons, or administrators shall obtain the written refusal and make such refusal part of the medical record of the newborn, and shall report such refusal to the department of health and senior services in a manner prescribed by the department.

6. Prior to administering the screening, the physician or person who professionally undertakes the pediatric care of the newborn, and administrators of ambulatory surgical centers, birthing centers, or hospitals may provide to the parents or guardians of newborns a written packet of educational information developed and supplied by the department of health and senior services describing the screening, how it is conducted, available options for confirmatory procedures and treatment, the nature of the critical congenital heart disease, and the possible consequences of treatment and non treatment for critical congenital heart disease.

7. The department of health and senior services shall provide consultation and administrative technical support to facilities and persons implementing the requirements of this section including, but not limited to, assistance in:

(1) Developing and implementing critical congenital heart disease newborn screening protocols based on the American Academy of Pediatrics and American Heart Association guidelines;

(2) Developing and training for facilities and persons on implementation of protocols;

(3) Developing and distributing educational materials for families; and

(4) Implementing reporting requirements.

8. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HB 274, with House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 389 - Fiscal Review

HB 1021 - Local Government

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 14 - General Laws

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 87 - Children, Families, and Persons with Disabilities

SB 99 - Elections

SB 257 - International Trade

SS SB 267 - Downsizing State Government

SB 275 - Utilities

SB 294 - Utilities

SB 342 - Agri-Business

SS SB 357 - General Laws

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 236**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 75**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS#2 SCS SJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 77**, **HB 91** and **HB 95**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, April 17, 2013.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Cookson, District 53, hereby state and affirm that my vote on the motion by which House Bill 148 was ordered third read and passed as recorded on Page 1141 of the Journal of the House for the Fifty-first Day, Monday, April 15, 2013 was incorrectly recorded as "Absent with Leave." Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as "Aye."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of April 2013.

/s/ Steve Cookson
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 15th day of April in the year 2013.

/s/ Leticia Long
Notary Public

I, State Representative Gina Mitten, District 83, hereby state and affirm that my vote on the motion by which House Committee Substitute for House Bill 505 was ordered third read and passed as recorded on Page 1138 of the Journal of the House for the Fifty-first Day, Monday, April 15, 2013 was incorrectly recorded as "Absent with Leave." Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as "Aye."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of April 2013.

/s/ Gina Mitten
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 15th day of April in the year 2013.

/s/ Leticia Long
Notary Public

COMMITTEE HEARINGS

DOWNSIZING STATE GOVERNMENT

Thursday, April 18, 2013, 8:00 AM House Hearing Room 4.

Public hearing will be held: SB 265, SS SB 267, SCS SBs 289 & 314

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 6.

Public hearing will be held: SB 193, SCS SB 7, HB 738, HB 282, HB 603

Executive session may be held on any matter referred to the committee.

HB 603 was distributed for last week's committee.

FINANCIAL INSTITUTIONS

Wednesday, April 17, 2013, 12:15 PM House Hearing Room 4.

Public hearing will be held: SCS SB 254

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 18, 2013, 8:30 AM House Hearing Room 3.

Executive session will be held: HB 253, HCS HB 468, HCS HB 813, HCS HB 389

Executive session may be held on any matter referred to the committee.

AMENDED

GENERAL LAWS

Thursday, April 18, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: SB 24, SB 23, HB 92, HB 276, HB 732

Executive session will be held: HJR 15, HB 350, HB 931, HJR 35

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 17, 2013, Noon or Upon Afternoon Recess House Hearing Room 6.

Public hearing will be held: HB 608, SCS SB 126, SCS SB 178, SCS SB 302

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Wednesday, April 17, 2013, Upon Afternoon Adjournment South Gallery.

Executive session will be held: SCS SB 287

Executive session may be held on any matter referred to the committee.

CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, April 17, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SB 110, SB 73, SCS SB 69, SCS SB 45, SCS SB 36, HB 121, SB 12

Executive session will be held: HB 757, SB 41, SB 222

Executive session may be held on any matter referred to the committee.

AMENDED

JUDICIARY

Thursday, April 18, 2013, 8:30 AM - 10:00 AM House Hearing Room 6.

Public hearing will be held: HB 849, HB 623, HB 606, HB 539, HB 220, SB 100

Executive session will be held: HB 552

Executive session may be held on any matter referred to the committee.

JUDICIARY

Monday, April 22, 2013, 6:00 PM 1426 Southridge Drive, Jefferson City.

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT COMMITTEE

Thursday, April 18, 2013, 9:00 AM Room 308.

Executive session may be held on any matter referred to the committee.

Committee will discuss developments related to retention of source documents and privacy of citizens.

LOCAL GOVERNMENT

Thursday, April 18, 2013, 8:30 AM House Hearing Room 5.

Public hearing will be held: HB 1021

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 17, 2013, Upon Morning Recess House Hearing Room 5.

Public hearing will be held: SB 330

Executive session will be held: HB 685, SB 330

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 1.

Public hearing will be held: HB 925, HB 926, HB 936

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 17, 2013, 12:00 PM or Upon Morning Recess House Hearing Room 7.

Executive session will be held: HB 811, HB 393

Executive session may be held on any matter referred to the committee.

Removed HB 1033 and added location

AMENDED

TOURISM AND NATURAL RESOURCES

Thursday, April 18, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: SB 72, SB 218, HB 944, HB 835

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 7.

Public hearing will be held: HCR 32, HB 501, HB 502

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 17, 2013, 8:00 AM House Hearing Room 5.

Public hearing will be held: HB 1041

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-THIRD DAY, WEDNESDAY, APRIL 17, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HCS HJR 14 - Jones (110)
- 3 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HB 400 - Riddle
- 6 HCS HB 701 - Molendorp
- 7 HCS HB 335 - Hinson
- 8 HB 255 - Torpey
- 9 HB 510 - Torpey
- 10 HB 756 - Hubbard
- 11 HCS HB 458 - Scharnhorst
- 12 HB 242 - Ellington
- 13 HB 274, HA 1, pending - Brattin
- 14 HCS HB 290 - Lichtenegger
- 15 HCS HB 351 - Frederick
- 16 HB 503 - McCaherty
- 17 HB 733 - Berry
- 18 HCS HB 589 - Hinson
- 19 HB 448 - Webb
- 20 HB 162 - Sommer

- 21 HCS HB 170 - Guernsey
- 22 HCS HB 175 - Crawford
- 23 HCS HB 161 - Gatschenberger
- 24 HCS HB 252 - Lauer
- 25 HCS HB 285 - Pace
- 26 HB 339 - Wieland
- 27 HCS HB 340 - Johnson
- 28 HB 747 - Scharnhorst
- 29 HCS HB 1035 - Kelley (127)
- 30 HCS HB 348 - Neth
- 31 HCS HB 372 - Cox
- 32 HCS HB 436 - Funderburk
- 33 HCS HBs 593 & 695 - Solon
- 34 HB 808 - Funderburk
- 35 HCS HB 859 - Brattin
- 36 HCS#2 HB 698 - Zerr
- 37 HCS HB 881 - Guernsey
- 38 HCS HB 275 - Brattin
- 39 HCS HB 76 - Rowland
- 40 HCS HB 78 - Johnson
- 41 HCS HB 344 - Molendorp
- 42 HCS HB 387 - Frederick
- 43 HCS HB 415 - Phillips
- 44 HCS HB 601 - Richardson
- 45 HCS HB 653 - Lauer
- 46 HB 421 - Curtman
- 47 HCS HB 541 - Hicks
- 48 HCS HB 543 - Hoskins

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443 - Hubbard
- 4 HCS HB 470 - Barnes
- 5 HCS HB 813, (Fiscal Review 4/10/13) - Torpey
- 6 HCS HB 468, (Fiscal Review 4/10/13), E.C. - Higdon
- 7 HCS#2 HB 178 - Koenig
- 8 HB 253, (Fiscal Review 4/10/13) - Berry

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2013)

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7 , as amended - Reiboldt

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-THIRD DAY, WEDNESDAY, APRIL 17, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*The Lord shall preserve thy going out and thy coming in from this time forth and even forevermore.
(Psalm 121:8)*

Eternal God, at the beginning of another day, we pause a moment in Your presence seeking guidance at Your hand, strength for the day and wisdom for the decisions we have to make.

May Your blessings rest upon these Representatives of our citizens - especially our newest member, who will be sworn in today - and may Your spirit move in their hearts as they seek to promote justice in Missouri, good will between our people and cooperation among our leaders. As a result of their endeavors may obedience to law, the rights of the individual and loyalty to our country be firmly established among us. God bless America, God bless Missouri; keep us true to You and free now and forever.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Andrew Hildebrand, Mikayla Hildebrand and Cameron Newsome.

The Journal of the fifty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1850 through House Resolution No. 1902

COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Jason Kander, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 157th Legislative District in the State of Missouri, on the 2nd day of April, 2013, as provided by law, the following

named person was elected to the office of State Representative, 157th Legislative District as shown by the election results certified to this office by the election authority of the 157th Legislative District.

Name	Office
Mike Moon 6935 Lawrence 1222 Ash Grove, MO 65604	State Representative 157 th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my
office this 17th day of April, 2013

/s/ Jason Kander
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Jason Kander, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 76th Legislative District in the State of Missouri, on the 2nd day of April, 2013, as provided by law, the following named person was elected to the office of State Representative, 76th Legislative District as shown by the election results certified to this office by the election authority of the 76th Legislative District.

Name	Office
Joshua Peters 3009 Abner Pl St. Louis, MO 63120	State Representative 76 th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my
office this 17th day of April, 2013

/s/ Jason Kander
Secretary of State

OATH OF OFFICE

Representative-elect Joshua Peters advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Timothy Jones, Speaker of the Missouri House of Representatives.

SPECIAL RECOGNITION

Ellie Holtman, 2013 Miss Missouri USA, was introduced by Representative Korman and presented a resolution.

PERFECTION OF HOUSE BILLS

HCS HB 175, relating to property taxes and assessments, was taken up by Representative Crawford.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 175, Page 16, Section 140.730, Line 28, by inserting after all of said section and line the following:

"247.225. Notwithstanding any provision of law to the contrary, a water supply district under this chapter in a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants shall be under the auspices of the public service commission for rates, charges, or other fees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Hoskins assumed the Chair.

On motion of Representative Crawford, **HCS HB 175, as amended**, was adopted.

On motion of Representative Crawford, **HCS HB 175, as amended**, was ordered perfected and printed.

HCS HB 290, relating to adoption investigations, was taken up by Representative Lichtenegger.

Representative White offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 290, Page 2, Section 453.070, Line 50, by inserting immediately after said line the following:

"453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be finalized. During such hearing, the court shall ascertain whether:

(1) The person sought to be adopted, if a child, has been in the lawful and actual custody of the petitioner for a period of at least six months prior to entry of the adoption decree; except that the six-month period may be waived if the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of custody pursuant to the laws of this state, another state, a territory of the United States, or another country;

(2) The court has received and reviewed:

(a) A postplacement assessment on the monthly contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the case of a child adopted from a foreign country;

(b) **An investigation report under section 453.070, if any;**

(c) **An investigation and social study under section 211.455, if any;**

(3) The court has received and reviewed an updated financial affidavit;

(4) The court has received the recommendations of the guardian ad litem and has received and reviewed the recommendations of the person placing the child, the person making the assessment and the person making the postplacement assessment;

(5) There is compliance with the uniform child custody jurisdiction act, sections 452.440 to 452.550;

(6) There is compliance with the Indian Child Welfare Act, if applicable;

(7) There is compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620; and

(8) It is fit and proper that such adoption should be made.

2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization in another state if the adoptive parents are domiciled in that state.

3. If the court determines the adoption should be finalized, a decree shall be issued setting forth the facts and ordering that from the date of the decree the adoptee shall be for all legal intents and purposes the child of the petitioner or petitioners. The court may decree that the name of the person sought to be adopted be changed, according to the prayer of the petition.

4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. Upon completion of an adoption, further contact among the parties shall be at the discretion of the adoptive parents. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent.

5. By January 1, 2014, the Missouri supreme court shall develop a standardized form to be used in all adoption cases which includes a checklist to verify all of the documents and procedures required under this section have been submitted, followed, and reviewed by the judge prior to entering a final order. Such form shall include, but not be limited to, attachment of any written reports or assessments required under this section and the signature of the judge attesting to the submission and review of such form and attachments prior to entering a final order. Such form and attachments shall be included as part of the adoption record."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 1** was adopted.

Representative Ellington offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 290, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"453.030. 1. In all cases the approval of the court of the adoption shall be required and such approval shall be given or withheld as the welfare of the person sought to be adopted may, in the opinion of the court, demand.

2. The written consent of the person to be adopted shall be required in all cases where the person sought to be adopted is fourteen years of age or older, except where the court finds that such child has not sufficient mental capacity to give the same. In a case involving a child under fourteen years of age, the guardian ad litem shall ascertain the child's wishes and feelings about his or her adoption by conducting an interview or interviews with the child, if appropriate based on the child's age and maturity level, which shall be considered by the court as a factor in determining if the adoption is in the child's best interests.

3. With the exceptions specifically enumerated in section 453.040, when the person sought to be adopted is under the age of eighteen years, the written consent of the following persons shall be required and filed in and made a part of the files and record of the proceeding:

(1) The mother of the child; and

(2) Only the man who:

(a) Is presumed to be the father pursuant to the subdivision (1), (2), or (3) of subsection 1 of section 210.822; or

(b) Has filed an action to establish his paternity in a court of competent jurisdiction no later than [fifteen] **sixty** days after the birth of the child and has served a copy of the petition on the mother in accordance with section 506.100; or

(c) Filed with the putative father registry pursuant to section 192.016 a notice of intent to claim paternity or an acknowledgment of paternity either prior to or within [fifteen] **sixty** days after the child's birth, and has filed an action to establish his paternity in a court of competent jurisdiction no later than [fifteen] **sixty** days after the birth of the child; or

(3) The child's current adoptive parents or other legally recognized mother and father. Upon request by the petitioner and within one business day of such request, the clerk of the local court shall verify whether such written consents have been filed with the court.

4. The written consent required in subdivisions (2) and (3) of subsection 3 of this section may be executed before or after the commencement of the adoption proceedings, and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving such written consent shall be witnessed by the signatures of at least two adult persons whose signatures and addresses shall be plainly written thereon. The two adult witnesses shall not be the prospective adoptive parents or any attorney representing a party to the adoption proceeding. The notary public or witnesses shall verify the identity of the party signing the consent.

5. The written consent required in subdivision (1) of subsection 3 of this section by the birth parent shall not be executed anytime before the child is forty-eight hours old. Such written consent shall be executed in front of a judge or a notary public. In lieu of such acknowledgment, the signature of the person giving such written consent shall be witnessed by the signatures of at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective adoptive parents or any attorney representing a party to the adoption proceeding. The notary public or witnesses shall verify the identity of the party signing the consent.

6. The written consents shall be reviewed and, if found to be in compliance with this section, approved by the court within three business days of such consents being presented to the court. Upon review, in lieu of approving the consent within three business days, the court may set a date for a prompt evidentiary hearing upon notice to the parties. Failure to review and approve the written consent within three business days shall not void the consent, but a party may seek a writ of mandamus from the appropriate court, unless an evidentiary hearing has been set by the court pursuant to this subsection.

7. The written consent required in subsection 3 of this section may be withdrawn anytime until it has been reviewed and accepted by a judge.

8. A consent form shall be developed through rules and regulations promulgated by the department of social services. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. If a written consent is obtained after August 28, 1997, but prior to the development of a consent form by the department and the written consent complies with the provisions of subsection 9 of this section, such written consent shall be deemed valid.

9. However, the consent form must specify that:

(1) The birth parent understands the importance of identifying all possible fathers of the child and may provide the names of all such persons; and

(2) The birth parent understands that if he denies paternity, but consents to the adoption, he waives any future interest in the child.

10. The written consent to adoption required by subsection 3 and executed through procedures set forth in subsection 5 of this section shall be valid and effective even though the parent consenting was under eighteen years of age, if such parent was represented by a guardian ad litem, at the time of the execution thereof.

11. Where the person sought to be adopted is eighteen years of age or older, his written consent alone to his adoption shall be sufficient.

12. A birth parent, including a birth parent less than eighteen years of age, shall have the right to legal representation and payment of any reasonable legal fees incurred throughout the adoption process. In addition, the court may appoint an attorney to represent a birth parent if:

(1) A birth parent requests representation;

(2) The court finds that hiring an attorney to represent such birth parent would cause a financial hardship for the birth parent; and

(3) The birth parent is not already represented by counsel.

13. Except in cases where the court determines that the adoptive parents are unable to pay reasonable attorney fees and appoints pro bono counsel for the birth parents, the court shall order the costs of the attorney fees incurred pursuant to subsection 12 of this section to be paid by the prospective adoptive parents or the child-placing agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ellington moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Lichtenegger, **HCS HB 290, as amended**, was adopted.

On motion of Representative Lichtenegger, **HCS HB 290, as amended**, was ordered perfected and printed.

HB 756, relating to a prisoner re-entry program, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 756** was ordered perfected and printed.

HB 510, relating to limited liability companies, was taken up by Representative Torpey.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 510, Page 7, Section 347.186, Line 154, by inserting after all of said line the following:

"7. Nothing in sections 347.039, 347.153, or 347.186 shall be construed to alter existing Missouri statute or common law providing any cause of action for fraudulent conveyance, including but not limited to Chapter 428, or any relief available under existing law that permits a challenge to limited liability."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross

Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Elmer	Rehder	Smith 120	Mr Speaker
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VACANCIES: 001

On motion of Representative Torpey, **HB 510, as amended**, was ordered perfected and printed.

Representative Diehl assumed the Chair.

HB 503, relating to the Paperless Documents and Forms Act, was taken up by Representative McCaherty.

Representative McCaherty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 503, Page 2, Section 32.400, Line 25, by inserting after all of said section the following:

"34.040. 1. All purchases in excess of three thousand dollars shall be based on competitive bids, except as otherwise provided in this chapter.

2. On any purchase where the estimated expenditure shall be twenty-five thousand dollars or over, except as provided in subsection 5 of this section, the commissioner of administration shall:

(1) Advertise for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before bids for such purchases are to be opened. Other methods of advertisement, which may include minority business purchase councils, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post a notice of the proposed purchase in his or her office; and

(3) Solicit bids by mail or other reasonable method generally available to the public from prospective suppliers.

All bids for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening bids.

3. The contract shall be let to the lowest and best bidder. The commissioner of administration shall have the right to reject any or all bids and advertise for new bids, or purchase the required supplies on the open market if they can be so purchased at a better price. When bids received pursuant to this section are unreasonable or unacceptable as to terms and conditions, noncompetitive, or the low bid exceeds available funds and it is determined in writing by the commissioner of administration that time or other circumstances will not permit the delay required to resolicit competitive bids, a contract may be negotiated pursuant to this section, provided that each responsible bidder who submitted such bid under the original solicitation is notified of the determination and is given a reasonable opportunity to modify their bid and submit a best and final bid to the state. In cases where the bids received are noncompetitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible bidder under the original solicitation.

4. **The director of the department of revenue shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. No points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.**

5. All bids shall be based on standard specifications wherever such specifications have been approved by the commissioner of administration. The commissioner of administration shall make rules governing the delivery, inspection, storage and distribution of all supplies so purchased and governing the manner in which all claims for supplies delivered shall be submitted, examined, approved and paid. The commissioner shall determine the amount of bond or deposit and the character thereof which shall accompany bids or contracts.

[5] 6. The department of natural resources may, without the approval of the commissioner of administration required pursuant to this section, enter into contracts of up to five hundred thousand dollars to abate illegal waste tire sites pursuant to section 260.276 when the director of the department determines that urgent action is needed to protect public health, safety, natural resources or the environment. The department shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[6] 7. The commissioner of administration and other agencies to which the state purchasing law applies shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in this state but fails to collect and properly pay the tax as provided in chapter 144. For the purposes of this section, "affiliate of the vendor" shall mean any person or entity that is controlled by or is under common control with the vendor, whether through stock ownership or otherwise."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 1** was adopted.

Representative Hoskins offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 503, Page 2, Section 32.029, Line 17, by inserting after all of said section and line the following:

"32.390. 1. All state agencies and departments authorized to issue a tax credit permitted under title X, RSMo, shall compile and deliver to the department of revenue an annual report detailing all credits issued, outstanding, or redeemed in the preceding fiscal year ending June thirtieth, by no later than September thirtieth of each year.

2. The director of the department of revenue shall aggregate the submitted reports and deliver to the speaker of the house and the president pro tem of the senate a comprehensive list of all tax credits issued, outstanding, or redeemed in the state for the preceding fiscal year by no later than December thirty-first of each year and post the list on the department's web page."; and

Further amend said bill, Page 2, Section 32.400, Line 25, by inserting after all of said section and line the following:

"620.035. For all fiscal years beginning on or after July 1, 2014, the department of economic development shall prepare a report for delivery to the speaker of the house of representatives, the president pro tem of the senate, the chairman of the house budget committee, and the chairman of the senate appropriations committee containing the names of all taxpayers receiving a tax credit administered through the department of economic development, including the Missouri housing development corporation, in that year, their address, the type of business if applicable to the credit, the amount of credit received per type of credit, and the senate district in which they are located. The report shall be delivered on or before December thirty-first each year and posted on the department's web page."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 2** was adopted.

Representative Kelly (45) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 503, Page 1, Lines 2-3 in the Title, by deleting the words "paperless communications" and inserting in lieu thereof the words "department of revenue records"; and

Further amend said bill and page, Section 32.029, Line 15, by inserting after all of said section and line the following:

"32.403. 1. Notwithstanding the provisions of chapter 610 or any other provision of law, the department of revenue shall not sell or otherwise disclose any information consisting of a person's name, address, date of birth, sex, height, weight, eye color, driver license number, driving history showing speeding tickets or other violations, Social Security number, photograph, telephone number, electronic mail address, or medical or disability information including restrictions.

2. Information restricted under subsection 1 of this section may be disclosed if allowed under 18 U.S.C. Sections 2721 to 2725 as amended, however, such information shall not be disclosed to a business entity except for the purpose of verifying information voluntarily provided to the business.

3. Any person may bring a claim against the department of revenue in a court of proper jurisdiction alleging a violation of this section and asking for civil damages in an amount not to exceed ten thousand dollars, attorney fees and costs, and such injunctive relief as a court deems proper. A violation shall consist of the unauthorized release of information with regard to a particular person, without regard to the type or quantity of information released.

4. If the department of revenue chooses to release information in accordance with subsection 2 of this section, the department shall charge only such actual fees as necessary to process the request for information, but in no case shall the fees charged exceed the amount that is charged for a substantially similar information request under chapter 610."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wieland raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Bill No. 503, Page 1, Line 23, by inserting after the number "**610.**" the following:

"5. Notwithstanding any other state law to the contrary, the department of revenue shall not disclose to the federal government any information pertaining to an individual's driver's license information, driving record, or concealed carry endorsement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HB 503, as amended, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending, was laid over.

On motion of Representative Cierpiot, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Barnes.

PERFECTION OF HOUSE BILLS

HB 400, relating to abortion-inducing drugs, was taken up by Representative Riddle.

Representative Kirkton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 400, Page 1, Section 188.021, Line 2, by inserting immediately before the word "drug" the following "**initial**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch

Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Fraker	Funderburk	Hodges	Kelley 127
Mitten	Parkinson	Rehder	Scharnhorst	Schatz
Smith 120	Zerr			

VACANCIES: 001

Representative Kirkton moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller

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Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Colona	Engler	Fitzwater	Hoskins	Hough
Rehder	Schieffer	Smith 120	Zerr	

VACANCIES: 001

On motion of Representative Riddle, **HB 400** was ordered perfected and printed by the following vote:

AYES: 119

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst

Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 041

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Hubbard	Hummel	Kelly 45
Kirkton	LaFaver	May	McCann Beatty	McDonald
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 002

Rehder Smith 120

VACANCIES: 001

HCS HB 351, relating to hospital licensure and inspection, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 351, Page 2, Section 197.080, Line 28, by deleting the words, "**when possible**,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Hoskins resumed the Chair.

On motion of Representative Frederick, **HCS HB 351, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 351, as amended**, was ordered perfected and printed.

HB 274, with House Amendment No. 1, pending, relating to newborn screenings, was taken up by Representative Brattin.

Representative Frederick offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 274, Page 1, Section 191.334, Lines 1 to 14, by deleting all of said section and lines and inserting in lieu thereof the following:

"191.334. 1. This section shall be known and may be cited as "Chloe's Law".

2. Effective January 1, 2014, every newborn infant born in this state shall be screened for critical congenital heart disease in accordance with the provisions of this section.

3. Every newborn delivered on or after January 1, 2014, in an ambulatory surgical center, birthing center, or hospital shall be screened for critical congenital heart disease with pulse oximetry or other manner as directed by the department of health and senior services in accordance with the American Academy of Pediatrics and American Heart Association guidelines prior to discharge of the newborn from the facility. Such facilities shall report the screening results on all newborns to the parents or guardians of the newborn and the department of health and senior services in a manner prescribed by the department for surveillance purposes. Such facilities shall develop and implement plans to ensure that newborns with positive screens receive appropriate confirmatory procedures and referral for treatment as indicated.

4. If a newborn is delivered in a place other than the facilities listed in subsection 3 of this section, the physician or person who professionally undertakes the postpartum care of the newborn shall ensure that critical congenital heart disease newborn screening is performed. Such physicians and persons shall report the screening results on all newborns to the parents or guardians of the newborn and the department of health and senior services in a manner prescribed by the department for surveillance purposes.

5. The provisions of this section shall not apply if a parent or guardian of the newborn objects to such screening on the grounds that it conflicts with their religious tenets and practices. The parent or guardian of any newborn who refuses to have the critical congenital heart disease screening administered after notice of the requirement for such screening shall have such refusal documented in writing. Such physicians, persons, or administrators shall obtain the written refusal and make such refusal part of the medical record of the newborn, and shall report such refusal to the department of health and senior services in a manner prescribed by the department for the purposes of determining the number of newborns whose parent or guardian refused the screening.

6. Prior to administering the screening, the physician or person who professionally undertakes the postpartum care of the newborn, and administrators of ambulatory surgical centers, birthing centers, or hospitals may provide to the parents or guardians of newborns a written packet of educational information developed and supplied by the department of health and senior services describing the screening, how it is conducted, available options for confirmatory procedures and treatment, the nature of the critical congenital heart disease, and the possible consequences of treatment and nontreatment for critical congenital heart disease.

7. The department of health and senior services shall provide consultation and administrative technical support to facilities and persons implementing the requirements of this section including, but not limited to, assistance in:

(1) Developing and implementing critical congenital heart disease newborn screening protocols based on the American Academy of Pediatrics and American Heart Association guidelines;

(2) Developing and training facilities and persons on implementation of protocols;

(3) Developing and distributing educational materials for families; and

(4) Implementing reporting requirements.

8. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Pfausch	Phillips	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Justus	Lant	Parkinson	Rehder	Smith 120
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VACANCIES: 001

House Amendment No. 1, as amended, was withdrawn.

Representative Wright offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 274, Page 1, Section A, Line 2, by inserting after all of said line the following:

"167.638. 1. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that an immunization against meningococcal disease is available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

- (1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;**
- (2) How meningococcal disease is transmitted;**
- (3) The latest scientific information on meningococcal disease immunization and its effectiveness; and**
- (4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 2** was adopted.

On motion of Representative Brattin, **HB 274, as amended**, was ordered perfected and printed.

HB 733, relating to the Port Improvement District Act, was taken up by Representative Berry.

On motion of Representative Berry, **HB 733** was ordered perfected and printed.

HCS HB 335, relating to public safety, was taken up by Representative Hinson.

Representative Hinson offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 335, Page 4, Section 190.098, Lines 3-4, by deleting the phrase **"and have two years of full-time service as a paramedic or its part-time equivalent"** from said lines; and

Further amend said bill, page, and section, Line 5, by inserting after the word **"complete"** on said line, the phrase **"or have successfully completed"**; and

Further amend said bill, page, and section, Line 10, by deleting the word **"may"** on said line and inserting in lieu thereof the word **"shall"**; and

Further amend said bill, page, and section, Line 12, by deleting the word **"primary"** on said line; and

Further amend said bill, page, and section, Lines 14-16, by deleting all of said lines and inserting in lieu thereof, the following:

"3. Any ambulance service shall enter into a written contract to provide community paramedic services in another ambulance service area, as that term is defined in section 190.100. The contract that is agreed upon

may be for an indefinite period of time, as long as it includes at least a sixty-day cancellation notice by either ambulance service."; and

Further amend said bill, page, and section, Line 20, by deleting the word "**licensed**" on said line and inserting in lieu thereof the word "**certified**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Swearingen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 335, Pages 1 through 4, Section 94.902, Lines 1 through 100, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swearingen, **House Amendment No. 2** was adopted.

Representative Pace offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said section and line the following:

"565.087. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system in the first degree is a class B felony.

565.088. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class D felony.

565.089. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with an employee of a mass transit system while in the scope of his or her duties without the consent of the employee of the mass transit system.

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the third degree is a class B misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 3** was adopted.

Representative Franklin offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 335, Page 21, Section 287.243, Line 128, by inserting after said line the following:

"320.151. 1. It is unlawful to attempt to sell or to sell at retail any fireworks to children under the age of fourteen years except when such child is in the presence of a parent or guardian.

2. It is unlawful for any person under the age of sixteen to sell fireworks or work in a facility where fireworks are stored, sold, or offered for sale unless supervised by an adult.

3. It is unlawful to explode or ignite consumer fireworks within six hundred feet of any church, hospital, mental health facility, school, or within one hundred feet of any location where fireworks are stored, sold, or offered for sale. **Any person who obtains approval from the church board of trustees of any affected church, in writing, to explode or ignite consumer fireworks within six hundred feet of the church at least twenty-four hours in advance of the time of the explosion or ignition shall not be in violation of this subsection so long as the person is not exploding or igniting those fireworks within six hundred feet of any other church, hospital, mental health facility or school or within one hundred feet of any location where fireworks are stored, sold, or offered for sale.**

4. No person shall ignite or discharge any permissible articles of consumer fireworks within or throw the same from a motorized vehicle including watercraft or any other means of transportation, except where display permit has been issued for a floating vessel or floating platform, nor shall any person place or throw any ignited article of fireworks into or at a motorized vehicle including watercraft or any other means of transportation, or at or near any person or group of people.

5. No person shall ignite or discharge consumer fireworks within three hundred feet of any permanent storage of ignitable liquid, gases, gasoline pump, gasoline filling station, or any nonpermanent structure where fireworks are stored, sold or offered for sale.

6. No items of explosive or pyrotechnic composition other than fireworks as defined by subdivisions (3), (5), and (17) of section 320.106 shall be displayed, sold, or offered for sale within the applicable permit location as identified on such permit granted by the state fire marshal.

7. Proximate fireworks shall not be allowed to be stored with consumer fireworks.

8. All storage and transportation of fireworks shall be in accordance with all federal and state rules and regulations.

9. Nothing in sections 320.106 to 320.161 shall be construed to prevent permittees from demonstrating or testing fireworks. Any such demonstration or test shall require the notification and approval of the local fire service or the state fire marshal.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 4** was adopted.

Representative Riddle offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said section and line, the following:

“Section 1. The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 5** was adopted.

Representative Riddle offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 335, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

"77.046. **1.** Upon the adoption of a city administrator form of government, the governing body of the city may provide that all other officers and employees of the city, except elected officers, shall be appointed and discharged by the city administrator, but the governing body may make reasonable rules and regulations governing the same.

2. Nothing in this section shall be construed to authorize the city to remove or discharge any chief, as that term is defined in section 106.273.

78.340. **1.** Before entering upon the duties of their office each of said commissioners shall take and subscribe an oath, which shall be filed and kept in the office of the city clerk, to support the Constitution of the state of Missouri and to obey the laws and aim to secure and maintain an honest and efficient force free from partisan distinction or control, and to perform the duties of his office to the best of his ability.

2. Nothing in this section shall be construed to authorize the commissioners to remove or discharge any chief, as that term is defined in section 106.273.

79.240. **1.** The mayor may, with the consent of a majority of all the members elected to the board of aldermen, remove from office, for cause shown, any elective officer of the city, such officer being first given opportunity, together with his witnesses, to be heard before the board of aldermen sitting as a board of impeachment. Any elective officer, including the mayor, may in like manner, for cause shown, be removed from office by a two-thirds vote of all members elected to the board of aldermen, independently of the mayor's approval or recommendation. The mayor may, with the consent of a majority of all the members elected to the board of aldermen, remove from office any appointive officer of the city at will, and any such appointive officer may be so removed by a two-thirds vote of all the members elected to the board of aldermen, independently of the mayor's approval or recommendation. The board of aldermen may pass ordinances regulating the manner of impeachments and removals.

2. Nothing in this section shall be construed to authorize the mayor, with the consent of the majority of all the members elected to the board of aldermen, or the board of aldermen by a two-thirds vote of all its members, to remove or discharge any chief, as that term is defined in section 106.273.

80.420. 1. The policemen of the town, in the discharge of their duties, shall be subject to the orders of the marshal only as chief of police; but any marshal, assistant marshal or policeman may be instantly removed from his office by the board of trustees at a regular or called meeting, for any wanton neglect of duty.

2. Nothing in this section shall be construed to authorize the board of trustees to remove or discharge any chief, as that term is defined in section 106.273.

84.120. 1. No person shall be appointed or employed as policeman, turnkey, or officer of police who shall have been convicted of, or against whom any indictment may be pending, for any offense, the punishment of which may be confinement in the penitentiary; nor shall any person be so appointed who is not of good character, or who is not a citizen of the United States, or who is not able to read and write the English language, or who does not possess ordinary physical strength and courage. The patrolmen and turnkeys hereafter appointed shall serve while they shall faithfully perform their duties and possess mental and physical ability and be subject to removal only for cause after a hearing by the boards, who are hereby invested with the jurisdiction in the premises.

2. The board shall have the sole discretion whether to delegate portions of its jurisdiction to hearing officers. The board shall retain final and ultimate authority over such matters and over the person to whom the delegation may be made. In any hearing before the board under this section, the member involved may make application to the board to waive a hearing before the board and request that a hearing be held before a hearing officer.

3. Nothing in this section or chapter shall be construed to prohibit the board of police commissioners from delegating any task related to disciplinary matters, disciplinary hearings, or any other hearing or proceeding which could otherwise be heard by the board or concerning any determination related to whether an officer is able to perform the necessary functions of the position. Tasks related to the preceding matter may be delegated by the board to a hearing officer under the provisions of subsection 4 of this section.

4. (1) The hearing officer to whom a delegation has been made by the board may, at the sole discretion of the board, perform certain functions, including but not limited to the following:

- (a) Presiding over a disciplinary matter from its inception through to the final hearing;
- (b) Preparing a report to the board of police commissioners; and
- (c) Making recommendations to the board of police commissioners as to the allegations and the appropriateness of the recommended discipline.

(2) The board shall promulgate rules, which may be changed from time to time as determined by the board, and shall make such rules known to the hearing officer or others.

(3) The board shall at all times retain the authority to render the final decision after a review of the relevant documents, evidence, transcripts, videotaped testimony, or report prepared by the hearing officer.

5. Hearing officers shall be selected in the following manner:

(1) The board shall establish a panel of not less than five persons, all who are to be licensed attorneys in good standing with the Missouri Bar. The composition of the panel may change from time to time at the board's discretion;

(2) From the panel, the relevant member or officer and a police department representative shall alternatively and independently strike names from the list with the last remaining name being the designated hearing officer. The board shall establish a process to be utilized for each hearing which will determine which party makes the first strike and the process may change from time to time;

(3) After the hearing officer is chosen and presides over a matter, such hearing officer shall become ineligible until all hearing officers listed have been utilized, at which time the list shall renew, subject to officers' availability.

6. Nothing in this section shall be construed to authorize the board of police commissioners to remove or discharge any chief, as that term is defined in section 106.273.

84.430. 1. The board shall hear all complaints or charges filed against any member of the police department. All complaints or charges filed by persons other than the commissioners or police officers shall be verified by the oath of the person filing such complaints or charges. The board may at any time order the discharge of a specified number of police officers for the reason that in the opinion of the board, the police force is larger than the interests of the public demand or that there is insufficient money to pay the expenses of maintaining the police force as then organized; and in such cases it shall not be necessary to file any complaint or charges or to permit a hearing by the board of the policemen or police officers to be removed; but policemen and police officers so dismissed shall be placed at the top of the suitable eligible lists, and when vacancies so created shall be filled the policemen or police officers thus removed

shall, if they so desire, be reappointed to fill such vacancies in the order in which such policemen or police officers were removed.

2. Any member of the board shall have power to summon and compel the attendance of witnesses before the board and the production of books and papers before them whenever it may be necessary for the more effective discharge of the board's duties and responsibilities. Any member of the board or the secretary of the board shall have the power to administer oaths or affirmations to any person appearing or called before said board.

3. Nothing in this section shall be construed to authorize the board to remove or discharge any chief, as that term is defined in section 106.273.

84.830. 1. No person shall solicit orally, or by letter or otherwise, or shall be in any manner concerned in soliciting, any assessment, contribution, or payment for any political purpose whatsoever from any officer or employee in the service of the police department for such cities or from members of the said police board. No officer, agent, or employee of the police department of such cities shall permit any such solicitation in any building or room occupied for the discharge of the official duties of the said department. No officer or employee in the service of said police department shall directly or indirectly give, pay, lend, or contribute any part of his salary or compensation or any money or other valuable thing to any person on account of, or to be applied to, the promotion of any political party, political club, or any political purpose whatever.

2. No officer or employee of said department shall promote, remove, or reduce any other official or employee, or promise or threaten to do so, for withholding or refusing to make any contribution for any political party or purpose or club, or for refusal to render any political service, and shall not directly or indirectly attempt to coerce, command, or advise any other officer or employee to make any such contribution or render any such service. No officer or employee in the service of said department or member of the police board shall use his official authority or influence for the purpose of interfering with any election or any nomination for office, or affecting the result thereof. No officer or employee of such department shall be a member or official of any committee of any political party, or be a ward committeeman or committeewoman, nor shall any such officer or employee solicit any person to vote for or against any candidate for public office, or "poll precincts" or be connected with other political work of similar character on behalf of any political organization, party, or candidate. All such persons shall, however, retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

3. No person or officer or employee of said department shall affix any sign, bumper sticker or other device to any property or vehicle under the control of said department which either supports or opposes any ballot measure or political candidate.

4. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment, transfer, layoff, promotion, reduction, suspension, or removal shall be affected by such opinions or affiliations.

5. No person shall make false statement, certification, mark, rating, or report with regard to any tests, certificate, or appointment made under any provision of sections 84.350 to 84.860 or in any manner commit or attempt to commit any fraud preventing the impartial execution of this section or any provision thereof.

6. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for or on account of any appointment, proposed appointment, promotion to, or any advancement in, a position in the service of the police departments of such cities.

7. No person shall defeat, deceive, or obstruct any person in his right to examination, eligibility, certification, appointment or promotion under sections 84.350 to 84.860, or furnish to any person any such secret information for the purpose of affecting the right or prospects of any person with respect to employment in the police departments of such cities.

8. Any officer or any employee of the police department of such cities who shall be found by the board to have violated any of the provisions of this section shall be discharged forthwith from said service. It shall be the duty of the chief of police to prefer charges against any such offending person at once. Any member of the board or of the common council of such cities may bring suit to restrain payment of compensation to any such offending officer or employee and, as an additional remedy, any such member of the board or of the common council of such cities may also apply to the circuit court for a writ of mandamus to compel the dismissal of such offending officer or employee. Officers or employees discharged by such mandamus shall have no right of review before the police board. Any person dismissed or convicted under this section shall, for a period of five years, be ineligible for appointment to any position in the service of the police department of such cities or the municipal government of such cities. Any persons who shall willfully or through culpable negligence violate any of the provisions of this section may, upon conviction thereof, be punished by a fine of not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment for a time not exceeding six months, or by both such fine and imprisonment.

9. Nothing in this section shall be construed to authorize the board to remove or discharge any chief, as that term is defined in section 106.273.

85.551. 1. In cities of the third class which shall not have adopted the merit system police department provided for in sections 85.541 to 85.571, the marshal shall be the chief of police, and there also may be one assistant marshal, who shall serve for a term of one year and who shall be deputy chief of police; such number of regular policemen as may be deemed necessary by the council for the good government of the city, who shall serve for terms of one year; and such number of special policemen as may be prescribed by ordinance, to serve for such time as may be prescribed by ordinance.

2. The manner of appointing the assistant marshal and all policemen of the city shall be prescribed by ordinance. The council shall also, by ordinance, provide for the removal of any marshal, assistant marshal or policeman guilty of misbehavior in office.

3. Nothing in this section shall be construed to authorize the council to remove or discharge any chief, as that term is defined in section 106.273."; and

Further amend said bill, Page 4, Section 94.902, Line 100, by inserting after all of said section and line, the following:

"106.010. 1. The governor shall have power and he is hereby authorized to remove from office, without assigning any other reason therefor, any appointive state official required by law to be appointed by the governor, whenever in his opinion such removal is necessary for the betterment of the public service, but the governor may, at his discretion, in any order of removal which he may make under authority of this section, assign additional and more specific reasons for such removal.

2. Nothing in this section shall be construed to authorize the governor to remove or discharge any chief, as that term is defined in section 106.273.

106.270. 1. If any official against whom a proceeding has been filed, as provided for in sections 106.220 to 106.290, shall be found guilty of failing personally to devote his time to the performance of the duties of such office, or of any willful, corrupt or fraudulent violation or neglect of official duty, or of knowingly or willfully failing or refusing to do or perform any official act or duty which by law it is made his duty to do or perform with respect to the execution or enforcement of the criminal laws of the state, the court shall render judgment removing him from such office, and he shall not be elected or appointed to fill the vacancy thereby created, but the same shall be filled as provided by law for filling vacancies in other cases. All actions and proceedings under sections 106.220 to 106.290 shall be in the nature of civil actions, and tried as such.

2. Nothing in this section shall be construed to authorize the removal or discharge of any chief, as that term is defined in section 106.273.

106.273. 1. For the purposes of this section, the following terms shall mean:

- (1) "Chief", any non-elected chief law enforcement officer of any political subdivision;
- (2) "Just cause", exists when a chief:
 - (a) Is unable to perform his or her duties with reasonable competence or reasonably safety as a result of a mental condition, including alcohol or substance abuse;
 - (b) Has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
 - (c) Has caused a material fact to be misrepresented for any improper or unlawful purpose;
 - (d) Acts in a manner for the sole purpose of furthering his or her self-interest, or in a manner inconsistent with the interests of the public of the chief's governing body;
 - (e) Has been found to have violated any law, statute, or ordinance which constitutes a felony; or
 - (f) Has been deemed insubordinate or found to be in violation of a written established policy, unless such claimed insubordination or violation of a written established policy was a violation of any federal or state law or local ordinance.

2. A chief shall be subject to removal from office or employment by the appointing authority or the governing body of the political subdivision employing the chief if:

- (1) The governing body of the political subdivision employing the chief issues a written notice to the chief whose removal is being sought no fewer than ten business days prior to the meeting at which his or her removal will be considered;

(2) The chief has been given written notice as to the governing body's intent to remove him or her. Such notice shall include:

- (a) Charges specifying just cause for which removal is sought;**
- (b) A statement of facts that are alleged to constitute just cause for the chief's removal; and**
- (c) The date, time, and location of the meeting at which the chief's removal will be considered.**

(3) The chief is given an opportunity to be heard before the board, together with any witnesses, evidence and counsel of his or her choosing; and

- (4) The board, by two-thirds majority vote, finds just cause for removing the chief.**

3. Upon the satisfaction of the removal procedure under subsection 2 of this section, the chief shall be immediately removed from his or her office, shall be relieved of all duties and responsibilities of said office, and shall be entitled to no further compensation or benefits not already earned, accrued, or agreed upon.

4. Any chief removed pursuant to subsection 3 of this section shall be issued a written notice of the grounds of his or her removal within fourteen calendar days of the removal."; and

Further amend said bill, Page 23, Section 321.210, Line 9, by inserting after all of said section and line, the following:

"590.080. 1. The director shall have cause to discipline any peace officer licensee who:

(1) Is unable to perform the functions of a peace officer with reasonable competency or reasonable safety as a result of a mental condition, including alcohol or substance abuse;

(2) Has committed any criminal offense, whether or not a criminal charge has been filed;

(3) Has committed any act while on active duty or under color of law that involves moral turpitude or a reckless disregard for the safety of the public or any person;

(4) Has caused a material fact to be misrepresented for the purpose of obtaining or retaining a peace officer commission or any license issued pursuant to this chapter;

(5) Has violated a condition of any order of probation lawfully issued by the director; or

(6) Has violated a provision of this chapter or a rule promulgated pursuant to this chapter.

2. When the director has knowledge of cause to discipline a peace officer license pursuant to this section, the director may cause a complaint to be filed with the administrative hearing commission, which shall conduct a hearing to determine whether the director has cause for discipline, and which shall issue findings of fact and conclusions of law on the matter. The administrative hearing commission shall not consider the relative severity of the cause for discipline or any rehabilitation of the licensee or otherwise impinge upon the discretion of the director to determine appropriate discipline when cause exists pursuant to this section.

3. Upon a finding by the administrative hearing commission that cause to discipline exists, the director shall, within thirty days, hold a hearing to determine the form of discipline to be imposed and thereafter shall probate, suspend, or permanently revoke the license at issue. If the licensee fails to appear at the director's hearing, this shall constitute a waiver of the right to such hearing.

4. Notice of any hearing pursuant to this chapter or section may be made by certified mail to the licensee's address of record pursuant to subdivision (2) of subsection 3 of section 590.130. Proof of refusal of the licensee to accept delivery or the inability of postal authorities to deliver such certified mail shall be evidence that required notice has been given. Notice may be given by publication.

5. Nothing contained in this section shall prevent a licensee from informally disposing of a cause for discipline with the consent of the director by voluntarily surrendering a license or by voluntarily submitting to discipline.

6. The provisions of chapter 621 and any amendments thereto, except those provisions or amendments that are in conflict with this chapter, shall apply to and govern the proceedings of the administrative hearing commission and pursuant to this section the rights and duties of the parties involved.

7. Nothing in this section shall be construed to authorize the director to remove or discharge any chief, as that term is defined in section 106.273.

[84.490. 1. The chief of police shall serve during the pleasure of the board. In case the board determines to remove or demote the chief of police, he shall be notified in writing. Within ten days after receipt of such notice, the chief may, in writing, file with the secretary of the board of police commissioners, demand and he shall receive a written statement of the reasons for such removal or demotion, and a hearing thereon at a public meeting of the board within ten days after the chief files such notice. The chief may be suspended from office pending such hearing. The action of the board

in suspending, removing or demoting the chief of police shall be final and not subject to review by any court.

2. The board may, in case of and during the absence or disability of the chief, designate a qualified police officer who shall serve as acting chief and perform the duties of the office. No man shall serve as acting chief who has not the qualifications required for the position of chief.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 6** was adopted.

Representative Jones (50) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said section and line, the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

- (10) Software codes for electronic data processing and documentation thereof;
- (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;
- (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;
- (13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;
- (14) Records which are protected from disclosure by law;
- (15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;
- (16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;
- (17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;
- (18) Operational guidelines, [and] policies **and specific response plans** developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. **Financial records related to the procurement of or expenditures relating to operational guidelines, policies or plans purchased with public funds shall be open. When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records** [Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, 2012];
- (19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:
 - (a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;
 - (b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;
 - (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;
 - (d) Nothing in this exception shall be deemed to include video from cameras outside the governor's office in the capitol building;**
- [(d) This exception shall sunset on December 31, 2012;]
- (20) The portion of a record that identifies security systems or access codes or authorization codes for security systems of real property;**
- [(20)] **(21)** Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on

behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

[(21)] **(22)** Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

[(22)] **(23)** Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business."; and

Further amend said bill, Page 25, Section 192.808, Line 10, by inserting after all of said section and line, the following:

"Section B. Because immediate action is necessary to protect sensitive public records relating to public agency plans to prevent and respond to possible terrorist incidents and to protect security system plans for certain critical public and private buildings and facilities, the repeal and reenactment of section 610.021 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 610.021 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 7** was adopted.

Representative Leara offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 335, Page 22, Section 321.015, Lines 1-29, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 335, Page 4, Section 94.902, Line 100, by inserting after all of said line the following:

"143.789. The director of the department of revenue shall have the authority to impose an offset against a refund owed to any taxpayer for the following items and in the following order of priority:

- (1) Delinquent taxes owed by the taxpayer to the state of Missouri;**
- (2) Delinquent taxes owed by the taxpayer to the United States;**
- (3) Debts owed by such taxpayer to any state agency or support obligation owed by such taxpayer which is enforced by the family support division on behalf of a person who is receiving support enforcement services under section 454.425;**
- (4) Collection assistance fees authorized under section 143.790;**
- (5) Eligible claims under section 143.790; and**

(6) Debts owed by the taxpayer to any other state that has established a reciprocal offset agreement with the department of revenue, as provided under subsection 5 of section 143.784.

143.790. 1. [Any hospital or health care provider who has provided health care services to an individual who was not covered by a health insurance policy or was not eligible to receive benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq., under chapter 208, RSMo, and the health insurance for uninsured children under sections 208.631 to 208.657, RSMo, at the time such health care services were administered, and such person has failed to pay for such services for a period greater than ninety days, may submit a claim to the director of the department of health and senior services for the unpaid health care services. The director of the department of health and senior services shall review such claim. If the claim appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the department of health and senior services for purposes of sections 143.782 to 143.788, and the director may certify the debt to the department of revenue in order to set off the debtor's income tax refund. Once the debt has been certified, the director of the department of health and senior services shall submit the debt to the department of revenue under the setoff procedure established under section 143.783.

2. At the time of certification, the director of the department of health and senior services shall supply any information necessary to identify each debtor whose refund is sought to be set off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such debtor.

3. If a debtor identified by the director of the department of health and senior services is determined by the department of revenue to be entitled to a refund, the department of revenue shall notify the department of health and senior services that a refund has been set off on behalf of the department of health and senior services for purposes of this section and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

4. The department of revenue shall notify the debtor by certified mail the taxpayer whose refund is sought to be set off that such setoff will be made. The notice shall contain the provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing to contest the setoff provided therein, and shall otherwise substantially comply with the provisions of subsection 3 of section 143.784.

5. Once a debt has been set off and finally determined under the applicable provisions of sections 143.782 to 143.788, and the department of health and senior services has received the funds transferred from the department of revenue, the department of health and senior services shall settle with each hospital or health care provider for the amounts that the department of revenue set off for such party. At the time of each settlement, each hospital or health care provider shall be charged for administration expenses which shall not exceed twenty percent of the collected amount.

6. Lottery prize payouts made under section 313.321, RSMo, shall also be subject to the setoff procedures established in this section and any rules and regulations promulgated thereto.

7. The director of the department of revenue shall have priority to offset any delinquent tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency debt or to meet a child support obligation that is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425, RSMo.

8.] **As used in this section, the following terms shall mean:**

(1) "Appeals committee", a committee consisting of at least three people appointed by a provider to hear patient appeals of review officer rulings:

- (a) That the provider has a valid claim;**
- (b) Regarding the amount of the claim;**
- (c) That a claim qualifies as an eligible claim under this section;**

(2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to the general fund of this state for each debt setoff being processed, and an additional seventeen dollars payable to the claim clearinghouse for each debt being processed by the claim clearinghouse shall be recovered from each eligible claim to recover the costs incurred in collecting debts under this section;

(3) "Court", the supreme court, court of appeals, or any circuit court of the state, or any of their judicially or legislatively created subdivisions;

(4) "Department", the department of revenue;

(5) "Claim", a claim by a provider to receive payment of fifty dollars or more for health care services provided by such provider to a patient that has not been paid in whole or in part by the patient or third-party payer for more than one hundred sixty days after the date the provider has exhausted all available means of

collecting the payment from the patient or the third-party payer, provided that in order to exhaust its available means of collecting the payment, the provider will not be required to file a legal claim against the patient or third-party payer in state or federal court;

(6) "Claim clearinghouse", the entity selected by the providers to receive and submit eligible claims on behalf of a provider in accordance with this section;

(7) "Financial hardship policy", a policy maintained by a provider to establish the circumstances in which a patient will be relieved of the obligation to pay a claim as a result of his or her financial condition. The terms of the provider's financial hardship policy shall be consistent with applicable Medicare guidelines regarding financial hardship. Each provider utilizing the claim clearinghouse to collect a claim shall maintain and utilize a financial hardship policy;

(8) "Health care services", any services that a provider renders to a patient in the course of such provider's furnishing of ambulance services to the patient. Health care services shall include, but not be limited to, treatment of patients and transporting of patients incidental or pursuant to the delivery of ambulance services by a provider or in furtherance of the purposes for which such provider is organized and licensed. With respect to ground ambulance services provided by a provider that is not owned and operated by a city, county, municipality, political subdivision, governmental entity, or an entity that is exempt from federal and state income taxation, health care services shall include only those ground ambulance services provided by the provider that qualify, and emergency services as defined in section 190.100 that are provided under the terms of an agreement between the provider and a city, county, municipality, political subdivision, or a governmental entity under section 190.105;

(9) "Patient", an individual who has received health care services from a provider and who was not, at the time such health care services were provided:

(a) Eligible to receive benefits under the state's medical assistance program for needy persons under chapter 208 and the health insurance for uninsured children under sections 208.631 to 208.657; and

(b) Eligible for relief from the claim pursuant to the provider's financial hardship policy;

(10) "Provider", any provider of ambulance services licensed by the Missouri department of health and senior services in accordance with chapter 190, to include, but not be limited to, any provider of air ambulance services licensed under section 190.108 and any provider of ground ambulance services licensed under section 190.109;

(11) "Refund", a patient's Missouri income tax refund that the department determines to be due under the provisions of this chapter;

(12) "Review officer", a person designated by a provider to review claims, at the request of a patient, to determine whether such provider has a valid claim, the amount of such claim, and whether such claim qualifies as an eligible claim under this section.

2. Prior to submission of a claim to the claim clearinghouse, a provider shall send written notice to a patient that such provider intends to submit a claim to the claim clearinghouse for collection by setoff under this section. The notice shall:

(1) Provide the basis for the claim;

(2) State that the provider intends to request that the department apply the patient's refund against the claim;

(3) State that a collection assistance fee will be added to the claim if it is submitted for setoff;

(4) Inform the patient of the right to contest the validity or amount of such claim by filing a request for a review with the provider; and

(5) State the time limit and procedure for requesting such review, and that failure to request a review within thirty days following receipt of the notice required under this section shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

3. Upon receipt of the notice required under subsection 2 of this section, any patient seeking review of a claim shall file a written request with the provider for review within thirty days of receipt of such notice. A request for a review shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing with postage prepaid. A review officer shall be appointed by the provider to review such claim. In reviewing a claim, any issue that has previously been litigated in a court proceeding shall not be considered by the review officer. If the patient seeks a review of the claim and the review officer finds either that the claim is invalid or the claim does not qualify as an eligible claim under this section, the review officer's determination shall be final and binding on the provider and such provider shall have no right to appeal such determination. If all or part of the claim is found by the review officer to be valid and eligible for setoff under this section, the review officer shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that he or she has the right to appeal the review officer's determination by filing an appeal with the appeals committee;

(2) State the time limit and procedure for requesting such an appeal; and

(3) State that failure to request the appeal within thirty days following receipt of the notice required under this subsection shall result in submission of the claim to the claim clearinghouse for setoff of the debt by the department.

4. Upon receipt of the notice required under subsection 3 of this section, any patient seeking an appeal of a determination of a review officer under this section shall file a written request with the appeals committee for such appeal within thirty days following receipt of such notice. An appeal shall be deemed filed when properly addressed and delivered to the United States Postal Service for mailing, with postage prepaid. An appeal of a review officer's determination shall be heard by an appeals committee. In an appeal under this section, any issue that has been previously litigated in a court proceeding shall not be considered. A decision made after an appeal under this section shall determine whether a claim is owed to the provider, the amount of the claim, and whether the claim is an eligible claim under this section.

5. If the appeals committee finds a claim to be invalid or otherwise ineligible under this section, the decision of the appeals committee shall be final and binding on the provider and may not be appealed by the provider. If all or part of the claim is found by the appeals committee to be valid and eligible for setoff under this section, the appeals committee shall notify the provider and the patient of such fact. Such notice shall:

(1) Inform the patient that he or she has the right to challenge the appeals committee determination by notifying the provider that he or she disagrees with the determination and advising the provider as to the basis of such disagreement;

(2) State that the patient must notify the provider of the challenge within ninety days of the patient's receipt of the notice from the appeals committee;

(3) Advise the patient that if he or she challenges the appeals committee's determination under this subsection, the provider will not be permitted to setoff the provider's claim against the patient's refund under this section, unless and until the provider files suit against the patient in court seeking a determination that the provider's claim is valid regarding the amount of the claim and that the claim is eligible for setoff under this section, and the court determines that the provider's claim is valid, the amount of the provider's claim, and that provider's claim is eligible for setoff under this section; and

(4) Advise the patient that if the patient does not challenge the appeals committee's determination under this subsection, the provider will submit the claim to the claim clearinghouse for setoff by the department under this subsection.

6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the provider may submit the claim to the claim clearinghouse for setoff by the department under this section. If the patient prevails in the lawsuit filed by the provider under subsection 5 of this section, the provider shall be:

(1) Forever barred from submitting the claim to the claim clearinghouse for setoff by the department under this section;

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient; and

(3) Obligated to reimburse the patient for court costs and attorney's fees associated with the lawsuit filed under subsection 5 of this section.

7. Any provider may submit a claim to the claim clearinghouse for review. In connection with its submission of a claim to the claim clearinghouse, the provider, whenever possible, shall provide the claim clearinghouse with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section. The provider shall also provide the claim clearinghouse with information demonstrating the provider's compliance with the requirements of this section with respect to the claim.

8. If the claim clearinghouse receives sufficient evidence that a provider has fully complied with the requirements of this section and finds the claim valid, the claim shall be deemed eligible for setoff by the department under this section and shall be forwarded to the department. In connection with its submission of the claim to the department, the claim clearinghouse, whenever possible, shall provide the department with the patient's full name, Social Security number, address, and any other identifying information that the department advises the claim clearinghouse is necessary for the department to setoff the claim under this section.

9. If the claim clearinghouse determines that the provider has failed to comply with any applicable requirements in this section or that the claim is not valid, the claim clearinghouse shall return the claim to the provider.

10. If the department determines that a patient identified by a provider in an eligible claim filed with the department is entitled to a refund, the department shall notify the claim clearinghouse that a refund is available for setoff and the amount of such refund, and whether the refund results from a joint or combined return. Notwithstanding any provision of section 32.057 and any other confidentiality statute of this state to the contrary, the department may provide the claim clearinghouse with all information necessary to accomplish and carry out the provisions of this section and section 143.789, but shall not provide the claim clearinghouse with any information whose disclosure is prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The information obtained by the claim clearinghouse from the department in accordance with this section and section 143.789 shall retain its confidentiality and shall only be used by the claim clearinghouse for the purpose described in this section and section 143.789.

11. (1) At that time, the department shall also notify the patient by regular mail that setoff against the patient's tax refund has been authorized under this section. The notice shall include the following information:

- (a) The amount of the eligible claim and the name of the provider seeking setoff;
- (b) That a setoff to the patient's refund against the eligible claim has been performed; and
- (c) Any amount of the refund remaining after the offset of the eligible claim.

(2) In the case of a joint or combined return, the notice shall also state the name of the nonobligated taxpayer named in the return, if any, against whom no claim is asserted, the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall apply in writing for an apportionment of the refund with the department within thirty days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's spouse's refund, such nonobligated taxpayer provided the department with a request for apportionment of the anticipated refund that was filed at the same time the original tax return was filed, in which case the department shall determine the apportionment of the refund and forward the determination of apportionment and the nonobligated taxpayer's portion of the refund to the nonobligated taxpayer within fifteen working days of the transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse. Unless a request for apportionment of the anticipated refund was provided to the department as provided in this section, within ninety days after the filing of such taxpayer's application for apportionment of the refund with the department, a determination of apportionment shall be mailed to the nonobligated taxpayer by the department. The apportionment of the refund shall be final upon the expiration of thirty days from the date on which the determination of apportionment is mailed to the nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer applies in writing for a hearing with the department.

12. The department shall then pay to the claim clearinghouse the amount that the department has setoff for such provider, which shall include the collection assistance allocable to the claim clearinghouse. In the event the department is unable to setoff the entire eligible claim and collection assistance fee under this section, the setoff of the collection assistance fee shall have priority over the setoff of the eligible claim. If, after the department has paid to the claim clearinghouse the amount that the department has setoff for the provider, and the provider is found not to have complied with any applicable requirement of this section, the provider shall send to the patient the entire amount of the claim offset by the department for the provider plus an amount equal to the collection assistance fee.

13. In addition to refunds, lottery prize payouts made under section 313.321 shall be subject to the setoff procedures established in this section.

14. The director of the department of revenue and the director of the department of health and senior services shall promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void." and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

Representative Hoskins requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

Representative Engler offered **House Amendment No. 1 to House Amendment No. 9**.

*House Amendment No. 1
to
House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for House Bill No. 335, Page 3, Line 22, by inserting after all of said line the following:

"2. Any licensed ambulance service using the debt setoff procedure provided for by this section shall, prior to preparation of any bill, comply with all billing procedures and coding systems mandated by the Centers for Medicare and Medicaid Services, and in the collection of the bill shall not engage in abusive collection practice in violation of the Fair Debt Collection Practices Act, 15 U.S.C. 1692, et seq., the Fair Debt Reporting Act, 15 U.S.C. 1681, et seq., the Fair and Accurate Transactions Act, 15 U.S.C. 1681c, or the Credit Billing Error Act, 15 U.S.C. 1666b."; and

Further amend said amendment by renumbering the remaining subsections accordingly; and

Further amend said amendment, Page 4, Line 44, by deleting "**review**" and inserting in lieu thereof the following:

"review, provided that the claim accrued within one year prior to the effective date of this section"; and

Further amend said amendment, Page 5, Line 12, by inserting the following at the end of said line:

"If the provider claims a debt was legitimate and that claim is in error, and the debt was submitted to the debt setoff clearinghouse, and the alleged debtor proves the debt was not legitimate because the debt had been paid, or the service was not rendered, the entity claiming the debt setoff would be required to pay to the alleged debtor:

(1) Twice the amount submitted to the debt setoff clearinghouse, if the alleged debtor has paid the bill in full and documentation to support the payment;

(2) The amount submitted to the debt setoff clearinghouse if the original charge was for a service not rendered."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Gatschenberger moved that **House Amendment No. 9, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 033

Brown	Conway 10	Cross	Diehl	Engler
Fitzwater	Fraker	Gannon	Gatschenberger	Grisamore
Hicks	Hummel	Kelly 45	Korman	LaFaver
Lauer	McManus	Messenger	Miller	Neely
Otto	Pfautsch	Reiboldt	Rhoads	Richardson
Rizzo	Rowland	Schieffer	Schupp	Shull
Spencer	Wilson	Wood		

NOES: 114

Allen	Anders	Anderson	Austin	Bahr
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	English	Englund
Entlicher	Fitzpatrick	Fowler	Frame	Franklin
Frederick	Funderburk	Gardner	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Kratky	Lair
Leara	Lichtenegger	Love	Lynch	Marshall
May	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McNeil	Meredith	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neth	Newman	Nichols	Norr	Pace
Peters	Phillips	Pierson	Pike	Pogue
Redmon	Remole	Ross	Rowden	Runions
Scharnhorst	Schatz	Schieber	Smith 85	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wright	Zerr	Mr Speaker	

PRESENT: 005

Higdon	Hinson	Mayfield	Roorda	Wieland
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ABSENT WITH LEAVE: 010

Barnes	Bernskoetter	Flanigan	Justus	Lant
Parkinson	Rehder	Riddle	Shumake	Smith 120

VACANCIES: 001

Representative Neth offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for House Bill No. 335, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

"94.841. 1. The governing body of any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, and bed and breakfast inns situated in the city or a portion thereof. The tax shall be not more than six percent per occupied room per night, and shall be imposed solely for the purpose of promoting tourism, cultural activities, business, and economic development, and for constructing related infrastructure and improvements. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. (1) No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The ballot language shall be in substantially the following form:

"Shall the City of (insert city name) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, and bed and breakfast inns in the city at a rate not to exceed six percent per occupied room per night for the sole purpose of promoting tourism, cultural activities, business, and economic development, and for constructing related infrastructure and improvements?"

(2) If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.

4. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

5. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Miller	Molendorp	Morris	Muntzel
Neely	Neth	Pfausch	Phillips	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schieber	Shull	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 054

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bernskoetter	Flanigan	Fraker	Justus	Lant
Messenger	Parkinson	Rehrer	Schatz	Shumake
Smith 120				

VACANCIES: 001

Speaker Jones resumed the Chair.

On motion of Representative Neth, **House Amendment No. 10** was adopted.

Representative Rowland offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said line the following:

"595.020. 1. Except as hereinafter provided, the following persons shall be eligible for compensation pursuant to sections 595.010 to 595.075:

- (1) A victim of a crime;
- (2) In the case of a sexual assault victim:
 - (a) A relative of the victim requiring counseling in order to better assist the victim in his recovery; [and]
- (3) In the case of the death of the victim as a direct result of the crime:
 - (a) A dependent of the victim;
 - (b) Any member of the family who legally assumes the obligation, or who pays the medical or burial expenses incurred as a direct result thereof; and
 - (c) A survivor of the victim requiring counseling as a direct result of the death of the victim; **and**
 - (4) The owner of property damaged by the arresting law enforcement agency during service of process, unless the damaged property is owned by the offender or an accomplice of an offender.**

2. An offender or an accomplice of an offender shall in no case be eligible to receive compensation with respect to a crime committed by the offender. No victim or dependent shall be denied compensation solely because he is a relative of the offender or was living with the offender as a family or household member at the time of the injury or death. However, the department may award compensation to a victim or dependent who is a relative, family or household member of the offender only if the department can reasonably determine the offender will receive no substantial economic benefit or unjust enrichment from the compensation.

3. No compensation of any kind may be made to a victim or intervenor injured while confined in any federal, state, county, or municipal jail, prison or other correctional facility, including house arrest or electronic monitoring.

4. No compensation of any kind may be made to a victim who has been finally adjudicated and found guilty, in a criminal prosecution under the laws of this state, of two felonies within the past ten years, of which one or both involves illegal drugs or violence. The department may waive this restriction if it determines that the interest of justice would be served otherwise.

5. In the case of a claimant who is not otherwise ineligible pursuant to subsection 4 of this section, who is incarcerated as a result of a conviction of a crime not related to the incident upon which the claim is based at the time of application, or at any time following the filing of the application:

- (1) The department shall suspend all proceedings and payments until such time as the claimant is released from incarceration;
- (2) The department shall notify the applicant at the time the proceedings are suspended of the right to reactivate the claim within six months of release from incarceration. The notice shall be deemed sufficient if mailed to the applicant at the applicant's last known address;
- (3) The claimant shall file an application to request that the case be reactivated not later than six months after the date the claimant is released from incarceration. Failure to file such request within the six-month period shall serve as a bar to any recovery.

6. Victims of crime who are not residents of the state of Missouri may be compensated only when federal funds are available for that purpose. Compensation for nonresident victims shall terminate when federal funds for that purpose are no longer available.

7. A Missouri resident who suffers personal physical injury or, in the case of death, a dependent of the victim or any member of the family who legally assumes the obligation, or who pays the medical or burial expenses incurred as a direct result thereof, in another state, possession or territory of the United States may make application for compensation in Missouri if:

- (1) The victim of the crime would be compensated if the crime had occurred in the state of Missouri;
- (2) The place that the crime occurred is a state, possession or territory of the United States, or location outside of the United States that is covered and defined in 18 U.S.C. Section 2331, that does not have a crime victims' compensation program for which the victim is eligible and which provides at least the same compensation that the victim would have received if he had been injured in Missouri.

595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; [or]

(2) As a result of personal property being seized in an investigation by law enforcement. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars; or

(3) As a result of damages incurred during service of process. Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to half of the reasonable reimbursement costs of the property.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the division of family services personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337; or

(4) Professional counselor licensed pursuant to chapter 337.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed two hundred dollars per week, resulting from such injury or death. In the event of death of the victim, an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 11** was adopted.

Representative Brattin offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said section and line, the following:

"Section 1. No law enforcement agency or organization representing law enforcement officers who are either members or nonmembers of a law enforcement agency shall require the payment of any dues or fees as a condition of employment or continued employment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised points of order that **House Amendment No. 12** is drafted as a substitute amendment and goes beyond the scope of the bill.

The Chair ruled the points of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Morris	Neely	Neth
Pfausch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters

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Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Berry	Conway 104	Dugger	Higdon
Hodges	Hoskins	Jones 50	Molendorp	Muntzel
Parkinson	Rehder	Shumake	Smith 120	Swearingen

VACANCIES: 001

On motion of Representative Brattin, **House Amendment No. 12** was adopted by the following vote:

AYES: 088

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hoskins	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Spencer
Stream	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 064

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Funderburk	Gannon	Gardner	Harris
Hinson	Hough	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Solon
Sommer	Swearingen	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 010

Berry	Gatschenberger	Higdon	Hodges	Hubbard
Korman	Molendorp	Rehder	Shumake	Smith 120

VACANCIES: 001

Representative Brown offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for House Bill No. 335, Page 12, Section 190.165, Line 102, by inserting after all of said section and line the following:

"191.238. 1. No health care professional or health care facility licensed under chapter 197 shall intentionally enter any disclosed information concerning firearm ownership into a patient's medical record if the professional knows that such information is not directly related to the patient's immediate medical care or safety.

2. For purposes of this section, a "health care professional" shall mean a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services for the diagnosis, treatment, cure, or relief of a health condition, injury, or disease.

3. Any violation of this section shall constitute grounds for disciplinary action under sections 334.100 to 334.103, section 197.070, section 197.220 or any other applicable provisions of law concerning the licensing, accreditation, or certification of other health care professionals by the state of Missouri."; and

Further amend said bill, Page 23, Section 321.210, Line 9, by inserting after all of said section and line the following:

"571.068. 1. No employee of a school district, or private or charter school shall ask a student under the age of eighteen whether such student's parent or guardian, or anyone residing with the student, owns a firearm.

2. A violation of this section is punishable as an infraction."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ross offered **House Amendment No. 1 to House Amendment No. 13.**

House Amendment No. 1

to

House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for House Bill No. 335, Page 1, Line 23, by inserting after all of said line the following:

‘Further amend House Committee Substitute for House Bill No. 335, Page 23, Section 321.210, Line 9, by inserting after all of said section and line the following:

"Section 1. An owner or operator of a business shall not restrict any person from lawfully possessing a firearm in a motor vehicle in possession of such person except a motor vehicle that is owned or leased by the owner or operator of such business."; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Neth assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Rowden	Rowland	Schatz	Schieber	Shull
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Cross	Curtman	Franklin	Hodges	Kratky
Love	Rehder	Riddle	Ross	Scharnhorst
Shumake	Smith 120			

VACANCIES: 001

On motion of Representative Ross, **House Amendment No. 1 to House Amendment No. 13** was adopted by the following vote:

AYES: 125

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Nichols	Norr	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 031

Anders	Colona	Curtis	Dunn	Ellinger
Ellington	Gardner	Hummel	Kirkton	LaFaver
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges	Kratky	Love	Rehder	Shumake
Smith 120				

VACANCIES: 001

Representative Guernsey offered **House Amendment No. 2 to House Amendment No. 13.**

House Amendment No. 2
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for House Bill No. 335, Page 1, Line 22, by inserting after all of said line, the following:

‘Further amend said bill, page, and section, Line 9, by inserting after all of said section and line, the following:

"610.205. 1. After an investigation is inactive, as defined in section 610.100, crime scene or death scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene, which depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person's genitalia are exposed, shall be considered open records for inspection, but closed records for purposes of copying under the provisions of this chapter. Unless dissemination is prohibited by 18 U.S.C. Section 2252, this section shall not prohibit disclosure of such material to:

(1) State and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services, or other state or local officials who need access to the photograph and video recordings in order to perform their duties; and

(2) The deceased's next of kin or to an individual who has secured a written release from the next of kin. It shall be the responsibility of the next of kin to show proof of the familial relationship. For purposes of such access, the deceased's next of kin shall:

(a) Be the spouse of the deceased if living;

(b) Be an adult child of the deceased if there is no living spouse of the deceased; or

(c) Be a parent of the deceased if there is no living spouse or adult child; and

(d) Not have pleaded guilty to or been found guilty of a crime that resulted in the deceased's death.

2. Subject to the provisions of subsection 3 of this section, in the case of closed criminal investigations a circuit court judge may order the disclosure of such photographs or video recordings, not otherwise prohibited by 18 U.S.C. Section 2252, upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's next of kin at least two weeks' notice. No court shall order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement. No court order or notification to the next of kin shall be required for the release or disclosure of information to state and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services, or other state or local officials who need access to the photograph and video recordings in order to perform their duties.

4. The provisions of this section shall apply to all undisclosed material which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a defendant. Unless otherwise prohibited by 18 U.S.C. Section 2252, counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 2 to House Amendment No. 13** was adopted.

On motion of Representative Brown, **House Amendment No. 13, as amended**, was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rowden	Rowland	Schatz	Schieber
Shull	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norris	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Flanigan	Hodges	Kratky	Love	Molendorp
Rehder	Ross	Scharnhorst	Shumake	Smith 120

VACANCIES: 001

On motion of Representative Hinson, **HCS HB 335, as amended**, was adopted.

On motion of Representative Hinson, **HCS HB 335, as amended**, was ordered perfected and printed.

HCS HB 589, relating to sexual offender registration, was taken up by Representative Hinson.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 589, Page 3, Section 43.650, Line 53, by deleting the word "**subsection**" on said line and inserting in lieu thereof the word "**subdivision**"; and

Further amend said bill, Page 5, Section 589.400, Line 91, by deleting the phrase "**subsection 6**" on said line and inserting in lieu thereof the phrase "**subsection 4**"; and

Further amend said bill, Page 21, Section 589.418, Line 9, by inserting a comma, ",", immediately after the number "**589.446**" on said line; and

Further amend said bill, Page 24, Section 589.442, Line 2, by deleting the word "**departments**" on said line and inserting in lieu thereof the phrase "**department to**"; and

Further amend said bill, page, and section, Line 28, by inserting a comma, ",", immediately after the word "**requested**" on said line; and

Further amend said bill, Page 31, Section 589.448, Line 93, by deleting the phrase "**I or II**" on said line and inserting in lieu thereof the phrase "**II or I**"; and

Further amend said bill, Page 37, Section 589.456, Line 79, by deleting the phrase "**589.430 to 589.456**" and inserting in lieu thereof the phrase "**589.416, 589.418, 589.440, 589.446, and 589.448**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Hinson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 589, Page 18, Section 589.416, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"receipt requested, to the department of mental health at the address designated by the"; and

Further amend said bill, Page 19, Section 589.416, Line 52, by deleting all of said line and inserting in lieu thereof the following:

"department of mental health and completed within the six months immediately preceding the"; and

Further amend said bill, Page 22, Section 589.440, Line 21, by deleting all of said line and inserting in lieu thereof the following:

"mental health. In addition the unclassified offender shall mail a file stamped copy of the"; and

Further amend said bill, Page 22, Section 589.440, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"receipt requested, to the department of mental health at the address designated by the"; and

Further amend said bill, Page 22, Section 589.440, Lines 33 and 34, by deleting all of said lines and inserting in lieu thereof the following:

"department of mental health. In addition the Offender Pending Classification shall, within ten business days of the date of filing the petition, deliver to the department of mental health,"; and

Further amend said bill, Page 22, Section 589.440, Line 39, by deleting all of said line and inserting in lieu thereof the following:

"approved by the department of mental health with the court within the six-month time limit"; and

Further amend said bill, Page 22, Section 589.440, Lines 41 and 42, by deleting all of said lines and inserting in lieu thereof the following:

"assessment report to the department of mental health within the ten-day time limit, the department of mental health shall automatically classify the offender as a Tier III offender"; and

Further amend said bill, Page 22, Section 589.440, Line 44, by deleting all of said line and inserting in lieu thereof the following:

"Offender Classification Form to the offender at the"; and

Further amend said bill, Page 23, Section 589.440, Line 57, by deleting all of said line and inserting in lieu thereof the following:

"registry and on the public website and mail a Tier III Offender's Packet to the offender at the address listed on the sex offender registry."; and

Further amend said bill, Page 23, Section 589.440, Line 72, by deleting all of said line and inserting in lieu thereof the following:

"health provider approved by the department of mental health. In addition the offender shall,"; and

Further amend said bill, Page 23, Section 589.440, Line 75, by deleting all of said line and inserting in lieu thereof the following:

"of mental health by sending them registered mail, return receipt requested, to the department"; and

Further amend said bill, Page 23, Section 589.440, Line 83, by deleting all of said line and inserting in lieu thereof the following:

"department of mental health within the ten-day time limit, the court shall dismiss the petition"; and

Further amend said bill, Page 24, Section 589.442, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"589.442. 1. The Missouri state highway patrol shall, prior to January 1, 2014, develop an Unclassified Offender Packet for the patrols use in notifying all offenders"; and

Further amend said bill, Page 24, Section 589.442, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"Missouri state highway patrol but at a minimum shall include the following:"; and

Further amend said bill, Page 24, Section 589.442, Line 22, by deleting all of said line and inserting in lieu thereof the following:

"provider who has been approved by the department of mental health to provide sex offender"; and

Further amend said bill, Page 24, Section 589.442, Line 28, by deleting all of said line and inserting in lieu thereof the following:

"receipt requested to the department of mental health within ten days of filing the petition, to"; and

Further amend said bill, Page 25, Section 589.442, Line 37, by deleting all of said line and inserting in lieu thereof the following:

"3. The Missouri state highway patrol shall, prior to January 15, 2014, notify the"; and

Further amend said bill, Page 25, Section 589.444, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"the department of mental health, and shall enter the offender's designation on their local sex"; and

Further amend said bill, Page 25, Section 589.446, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"department of mental health automatically classifying the petitioner as a Tier III offender"; and

Further amend said bill, Page 29, Section 589.448, Line 10, by deleting all of said line and inserting in lieu thereof the following:

"return receipt requested, to the department of mental health at the address designated by the"; and

Further amend said bill, Page 32, Section 589.450, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"589.450. 1. The Missouri state highway patrol shall, prior to January 1, 2014, develop a Sex Offender Classification Form to be used by the patrol, the department of mental health, and the courts to classify"; and

Further amend said bill, Page 32, Section 589.450, Lines 4 to 6, by deleting all of said lines and inserting in lieu thereof the following:

"an offender as an Offender Pending Classification. The Missouri state highway patrol shall, prior to January 1, 2014, provide the Sex Offender Classification Forms to the department of mental health, all registering law enforcement officials, and all circuit courts in this state."; and

Further amend said bill, Page 32, Section 589.450, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"patrol but at a minimum shall include the following:"; and

Further amend said bill, Page 33, Section 589.450, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"(4) A place for the department of mental health, the patrol, registering law enforcement official, or court to sign"; and

Further amend said bill, Page 33, Section 589.452, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"589.452. 1. The Missouri state highway patrol shall, prior to January 1, 2014, develop a Tier III Offender's Packet to be used by the department of mental health when it automatically classifies"; and

Further amend said bill, Page 33, Section 589.452, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"patrol but at a minimum shall include the following:"; and

Further amend said bill, Page 33, Section 589.452, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"You have been automatically classified by The Department of Mental Health as a"; and

Further amend said bill, Page 33, Section 589.452, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"provider who has been approved by the department of mental health to provide sex offender"; and

Further amend said bill, Page 33, Section 589.452, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"mental health, within ten days of filing the petition, to the address designated by the"; and

Further amend said bill, Page 34, Section 589.454, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"589.454. 1. The Missouri state highway patrol shall, prior to January 1, 2014, develop"; and

Further amend said bill, Page 34, Section 589.454, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"officials. The patrol shall, prior to January 1, 2014, provide the Offender Pending"; and

Further amend said bill, Page 34, Section 589.454, Line 6, by deleting all of said line and inserting in lieu thereof the following:

"by the Missouri state highway patrol but at a minimum shall include the following:"; and

Further amend said bill, Page 34, Section 589.454, Line 16, by deleting all of said line and inserting in lieu thereof the following:

"department of mental health as a Tier III offender."; and

Further amend said bill, Page 34, Section 589.454, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"provider who has been approved by the department of mental health to provide sex offender"; and

Further amend said bill, Page 34, Section 589.454, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"mental health, within ten days of filing the petition, to the address designated by the"; and

Further amend said bill, Page 34, Section 589.454, Line 34, by deleting all of said line and inserting in lieu thereof the following:

"within the six-month time limit or if you fail to send to the department of mental health a file"; and

Further amend said bill, Page 35, Section 589.454, Line 36, by deleting all of said line and inserting in lieu thereof the following:

"department of mental health will automatically classify you as a Tier III offender and any"; and

Further amend said bill, Page 35, Section 589.456, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"589.456. 1. The department of mental health shall, prior to January 1, 2014,"; and

Further amend said bill, Page 35, Section 589.456, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"2. The department of mental health shall, prior to January 1, 2014, develop an"; and

Further amend said bill, Page 35, Section 589.456, Line 21, by deleting all of said line and inserting in lieu thereof the following:

"the list. The department of mental health shall review the sexual offender mental health providers list on"; and

Further amend said bill, Page 35, Section 589.456, Line 23, by deleting all of said line and inserting in lieu thereof the following:

"3. The department of mental health shall, prior to January 1, 2014, determine the"; and

Further amend said bill, Page 36, Section 589.456, Line 36, by deleting all of said line and inserting in lieu thereof the following:

"4. The department of mental health shall, prior to January 1, 2014, evaluate existing"; and

Further amend said bill, Page 36, Section 589.456, Line 61, by deleting all of said line and inserting in lieu thereof the following:

"7. The department of mental health shall, prior to January 1, 2014, determine the"; and

Further amend said bill, Page 37, Section 589.456, Line 76, by deleting all of said line and inserting in lieu thereof the following:

"8. The department of mental health shall, prior to January 1, 2014, publish on its"; and

Further amend said bill, Page 37, Section 589.456, Line 80, by deleting all of said line and inserting in lieu thereof the following:

"9. The department of mental health shall, prior to January 1, 2014, develop and"; and

Further amend said bill, Page 37, Section 589.456, Line 86, by deleting all of said line and inserting in lieu thereof the following:

"10. Beginning January 1, 2014, the department of mental health shall accept and file"; and

Further amend said bill, Page 37, Section 589.456, Line 91, by deleting all of said line and inserting in lieu thereof the following:

"11. Beginning January 1, 2014, the department of mental health shall review, on an"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 2** was adopted.

Representative Barnes offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 589, Page 3, Section 43.650, Line 55, by inserting after all of said section and line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) [Forcible] Rape **in the first degree** under section 566.030;

- (6) [Forcible] Sodomy **in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse **in the first degree** pursuant to section 566.100;
- (24) Harassment under section 565.090; or
- (25) Stalking under section 565.225; committed on school property, including but not limited to actions on any

school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

- (1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;
- (2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school

parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school

personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

"167.115. 1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

(1) First degree murder under section 565.020;

- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) [Forcible] **Rape in the first degree** under section 566.030;
- (6) [Forcible] **Sodomy in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Robbery in the first degree under section 569.020;
- (9) Distribution of drugs under section 195.211;
- (10) Distribution of drugs to a minor under section 195.212;
- (11) Arson in the first degree under section 569.040;
- (12) Voluntary manslaughter under section 565.023;
- (13) Involuntary manslaughter under section 565.024;
- (14) Second degree assault under section 565.060;
- (15) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (16) Felonious restraint under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;
- (19) Child molestation in the first degree pursuant to section 566.067;
- (20) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (21) Sexual misconduct involving a child pursuant to section 566.083; or
- (22) Sexual abuse **in the first degree** pursuant to section 566.100.

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

4. The superintendent shall notify the appropriate division of the juvenile or family court upon any pupil's suspension for more than ten days or expulsion of any pupil that the school district is aware is under the jurisdiction of the court.

5. The superintendent or the superintendent's designee may be called to serve in a consultant capacity at any dispositional proceedings pursuant to section 211.031 which may involve reference to a pupil's academic treatment plan.

6. Upon the transfer of any pupil described in this section to any other school district in this state, the superintendent or the superintendent's designee shall forward the written notification given to the superintendent pursuant to subsection 2 of this section to the superintendent of the new school district in which the pupil has enrolled. Such written notification shall be required again in the event of any subsequent transfer by the pupil.

7. As used in this section, the terms "school" and "school district" shall include any charter, private or parochial school or school district, and the term "superintendent" shall include the principal or equivalent chief school officer in the cases of charter, private or parochial schools.

8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261 shall not be civilly liable for providing such information."; and

"167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the

action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:

- (a) First degree murder under section 565.020;
- (b) Second degree murder under section 565.021;
- (c) First degree assault under section 565.050;
- (d) [Forcible] Rape **in the first degree** under section 566.030;
- (e) [Forcible] Sodomy **in the first degree** under section 566.060;
- (f) Statutory rape under section 566.032;
- (g) Statutory sodomy under section 566.062;
- (h) Robbery in the first degree under section 569.020;
- (i) Distribution of drugs to a minor under section 195.212;
- (j) Arson in the first degree under section 569.040;
- (k) Kidnapping, when classified as a class A felony under section 565.110. Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or

attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll."; and

"168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: rape **in the first degree** under section 566.030; statutory rape in the first degree under section 566.032; statutory rape in the second degree under section 566.034; [sexual assault] **rape in the second degree** under section [566.040] **566.031**; [forcible] sodomy **in the first degree** under section 566.060; statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section 566.064; child molestation in the first degree under section 566.067; child molestation in the second degree under section 566.068; [deviate sexual assault] **sodomy in the second degree** under section [566.070] **566.061**; sexual misconduct involving a child under section 566.083; sexual contact with a student while on public school property under section 566.086; [sexual misconduct in the first degree under section 566.090;] sexual misconduct in the [second] **first degree** under section 566.093; sexual misconduct in the [third] **second degree** under section 566.095; sexual abuse **in the first degree** under section 566.100; **sexual abuse in the second degree under section 566.101**; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance under section 568.080; promoting sexual performance by a child under section 568.090; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree under section 573.020; promoting obscenity in the second degree when the penalty is enhanced to a class D felony under section 573.030; promoting child pornography in the first degree under section 573.025; promoting child pornography in the second degree under section 573.035; possession of child pornography under section 573.037; furnishing pornographic materials to minors under section 573.040; or coercing acceptance of obscene material under section 573.065.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting."; and

"188.023. Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including [forcible rape, sexual assault] **rape in the first or second degree**, or incest, shall be required to report such offenses in the same manner as provided for by section 210.115."; and

"211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, [forcible] **rape in the first degree** under section 566.030, [forcible] **sodomy in the first degree** under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child

misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171."; and

"211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within

thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter;

or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development. Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of [forcible] **rape in the first degree**. When the biological father has pled guilty to, or is convicted of, the [forcible] **rape in the first degree** of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child."; and

"217.010. As used in this chapter and chapter 558, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Administrative segregation unit", a cell for the segregation of offenders from the general population of a facility for relatively extensive periods of time;

(2) "Board", the board of probation and parole;

(3) "Chief administrative officer", the institutional head of any correctional facility or his designee;

(4) "Correctional center", any premises or institution where incarceration, evaluation, care, treatment, or rehabilitation is provided to persons who are under the department's authority;

(5) "Department", the department of corrections of the state of Missouri;

(6) "Director", the director of the department of corrections or his designee;

(7) "Disciplinary segregation", a cell for the segregation of offenders from the general population of a correctional center because the offender has been found to have committed a violation of a division or facility rule and other available means are inadequate to regulate the offender's behavior;

(8) "Division", a statutorily created agency within the department or an agency created by the departmental organizational plan;

(9) "Division director", the director of a division of the department or his designee;

(10) "Local volunteer community board", a board of qualified local community volunteers selected by the court for the purpose of working in partnership with the court and the department of corrections in a reparative probation program;

(11) "Nonviolent offender", any offender who is convicted of a crime other than murder in the first or second degree, involuntary manslaughter, kidnapping, [forcible] rape **in the first degree**, [forcible] sodomy **in the first degree**, robbery in the first degree or assault in the first degree;

(12) "Offender", a person under supervision or an inmate in the custody of the department;

(13) "Probation", a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the board;

(14) "Volunteer", any person who, of his own free will, performs any assigned duties for the department or its divisions with no monetary or material compensation."; and

"339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee's designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the

temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties executing the same where the instruments have been prepared by the licensee or under his or her supervision or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape **in the first degree**, statutory rape in the first degree, statutory rape in the second degree, [sexual assault, forcible] **rape in the second degree**, sodomy **in the first degree**, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, [deviate sexual assault] **sodomy in the second degree**, sexual misconduct involving a child, [sexual misconduct in the first degree,] sexual abuse **in the first or second degree**, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class D felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission."; and

"375.1312. 1. As used in this section, the following terms mean:

(1) "Domestic violence"[], the occurrence of stalking or one or more of the following acts between family or household members:

(a) Attempting to cause or intentionally or knowingly causing bodily injury or physical harm;

(b) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person under circumstances that place the person in reasonable fear of bodily injury or physical harm; or

(c) Knowingly committing forcible rape, sexual assault or forcible sodomy, as defined in chapter 566;

(2) "Family or household member", spouses, former spouses, adults related by blood or marriage, adults who are presently residing together or have resided together in the past and adults who have a child in common regardless of whether they have been married or have resided together at any time] **and "family" or "household member", as such terms are defined in section 455.010;**

[(3)] (2) "Innocent coinsured", an insured who did not cooperate in or contribute to the creation of a property loss and the loss arose out of a pattern of domestic violence;

[(4)] (3) "Sole", a single act or a pattern of domestic violence which may include multiple acts[;

(5) "Stalking", when an adult purposely and repeatedly harasses or follows with the intent of harassing another adult. As used in this subdivision, "harasses" means to engage in a course of conduct directed at a specific adult that serves no legitimate purpose, that would cause a reasonable adult to suffer substantial emotional distress. As used in this subdivision, "course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct"].

2. No insurer shall do any of the following on the sole basis of the status of an insured or prospective insured as a victim of domestic violence:

(1) Deny, cancel or refuse to issue or renew an insurance policy;

(2) Require a greater premium, deductible or any other payment;

(3) Exclude or limit coverage for losses or deny a claim;

(4) Designate domestic violence as a preexisting condition for which coverage will be denied or reduced;

(5) Terminate group coverage solely because of claims relating to the fact that any individual in the group is or has been a victim of domestic violence; or

(6) Fix any lower rate or discriminate in the fees or commissions of an agent for writing or renewing a policy insuring an individual solely because an individual is or has been a victim of domestic violence.

3. The fact that an insured or prospective insured has been a victim of domestic violence shall not be considered a permitted underwriting or rating criterion.

4. Nothing in this section shall prohibit an insurer from taking an action described in subsection 2 of this section if the action is otherwise permissible by law and is taken in the same manner and to the same extent with respect to all insureds and prospective insureds without regard to whether the insured or prospective insured is a victim of domestic violence.

5. If an innocent coinsured files a police report and completes a sworn affidavit for the insurer that indicates both the cause of the loss and a pledge to cooperate in any criminal prosecution of the person committing the act causing the loss, then no insurer shall deny payment to an innocent coinsured on a property loss claim due to any policy provision that excludes coverage for intentional acts. Payment to the innocent coinsured may be limited to such innocent coinsured's ownership interest in the property as reduced by any payment to a mortgagor or other secured interest; however, insurers shall not be required to make any subsequent payment to any other insured for the part of any loss for which the innocent coinsured has received payment. An insurer making payment to an insured shall have all rights of subrogation to recover against the perpetrator of the loss.

6. A violation of this section shall be subject to the provisions of sections 375.930 to 375.948, relating to unfair trade practices."; and

"455.010. As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Abuse" includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

(a) "Assault", purposely or knowingly placing or attempting to place another in fear of physical harm;

(b) "Battery", purposely or knowingly causing physical harm to another with or without a deadly weapon;

(c) "Coercion", compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;

(d) "Harassment", engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child. Such conduct might include, but is not limited to:

- a. Following another about in a public place or places;
- b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;
- (e) "Sexual assault", causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress;
- (f) "Unlawful imprisonment", holding, confining, detaining or abducting another person against that person's will;
- (2) "Adult", any person seventeen years of age or older or otherwise emancipated;
- (3) "Child", any person under seventeen years of age unless otherwise emancipated;
- (4) "Court", the circuit or associate circuit judge or a family court commissioner;
- (5) "Domestic violence", abuse or stalking **committed by a family or household member**, as [both] **such** terms are defined in this section;
- (6) "Ex parte order of protection", an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;
- (7) "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;
- (8) "Full order of protection", an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;
- (9) "Order of protection", either an ex parte order of protection or a full order of protection;
- (10) "Pending", exists or for which a hearing date has been set;
- (11) "Petitioner", a family or household member who has been a victim of domestic violence, or any person who has been the victim of stalking, or a person filing on behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the provisions of section 455.020 or section 455.505;
- (12) "Respondent", the family or household member alleged to have committed an act of domestic violence, or person alleged to have committed an act of stalking, against whom a verified petition has been filed or a person served on behalf of a child pursuant to section 455.503;
- (13) "Stalking" is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:
 - (a) "Alarm" means to cause fear of danger of physical harm;
 - (b) "Course of conduct" means a pattern of conduct composed of repeated acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact; and
 - (c) "Repeated" means two or more incidents evidencing a continuity of purpose.

455.015. The petition shall be filed in the county where the petitioner resides, where the alleged incident of [abuse] **domestic violence** occurred, or where the respondent may be served.

455.020. 1. Any [adult] **person** who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence or stalking by the respondent.

2. [An adult's] **A person's** right to relief under sections 455.010 to 455.085 shall not be affected by [his] **the person** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties."; and

"455.030. 1. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from [abuse] **domestic violence** or a motion for hearing on violation of any order of protection under sections 455.010 to 455.085 may be filed before any available court in the city or county having jurisdiction to hear the petition pursuant to the guidelines developed pursuant to subsection 4 of this section. An ex parte order may be granted pursuant to section 455.035.

2. All papers in connection with the filing of a petition or the granting of an ex parte order of protection or a motion for a hearing on a violation of an order of protection under this section shall be certified by such court or the clerk within the next regular business day to the circuit court having jurisdiction to hear the petition.

3. A petitioner seeking a protection order shall not be required to reveal any current address or place of residence except to the court in camera for the purpose of determining jurisdiction and venue. The petitioner may be required to provide a mailing address unless the petitioner alleges that he or she would be endangered by such disclosure, or that other family or household members would be endangered by such disclosure. Effective January 1, 2004, a petitioner shall not be required to provide his or her Social Security number on any petition or document filed in connection with a protection order; except that, the court may require that a petitioner's Social Security number be retained on a confidential case sheet or other confidential record maintained in conjunction with the administration of the case.

4. The supreme court shall develop guidelines which ensure that a verified petition may be filed on holidays, evenings and weekends.

455.032. In addition to any other jurisdictional grounds provided by law, a court shall have jurisdiction to enter an order of protection restraining or enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting or disturbing the peace of petitioner, pursuant to sections 455.010 to 455.085, if the petitioner is present, whether permanently or on a temporary basis within the state of Missouri and if the respondent's actions constituting [abuse] **domestic violence** have occurred, have been attempted or have been or are threatened within the state of Missouri. For purposes of this section, if the petitioner has been the subject of [abuse] **domestic violence** within or outside of the state of Missouri, such evidence shall be admissible to demonstrate the need for protection in Missouri.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence** to the petitioner **or the child on whose behalf the petition is filed** shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.020.**

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a **custodial** parent or guardian of the respondent, or upon a guardian ad litem appointed by the court, **requiring that the person appear and bring the respondent before the court at the time and place stated.**

3. If an ex parte order is entered and [the allegations in the petition would give rise to jurisdiction under section 211.031 because] the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian."; and

"455.040. 1. Not later than fifteen days after the filing of a petition [pursuant to sections 455.010 to 455.085] **that meets the requirements of section 455.020**, a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of [abuse] **domestic violence** or stalking by a preponderance of the evidence, the court shall issue a full order of protection for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year from the expiration date of the originally issued full order of protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. When an automatic renewal is not authorized, upon motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. For purposes of this subsection, a finding by the court of a subsequent act of [abuse] **domestic violence or stalking** is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent as provided by law or by any sheriff or police officer

at least three days prior to such hearing. [Such notice shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.] The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. **Notice of an ex parte or full order of protection shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.** Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted pursuant to sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted. The law enforcement agency responsible for maintaining MULES shall, for purposes of verification, within twenty-four hours from the time the order is granted, enter information contained in the order including but not limited to any orders regarding child custody or visitation and all specifics as to times and dates of custody or visitation that are provided in the order. A notice of expiration or of termination of any order of protection or any change in child custody or visitation within that order shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system within twenty-four hours of receipt of information evidencing such expiration or termination. The information contained in an order of protection may be entered in the Missouri uniform law enforcement system or comparable law enforcement system using a direct automated data transfer from the court automated system to the law enforcement system.

4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.

455.045. Any ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from [abuse] **domestic violence** or stalking and may include:

(1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;

(2) Restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit;

(3) Restraining the respondent from communicating with the petitioner in any manner or through any medium;

(4) A temporary order of custody of minor children where appropriate.

455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;

(2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:

(a) Jointly owned, leased or rented or jointly occupied by both parties; or

(b) Owned, leased, rented or occupied by petitioner individually; or

(c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or

(d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or

(3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Establish a visitation schedule that is in the best interests of the child;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

5. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452 and shall consider all other factors in accordance with chapter 452.

6. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further [abuse] **domestic violence**. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452 whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

7. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452.

8. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452."; and

"455.060. 1. After notice and hearing, the court may modify an order of protection at any time, upon subsequent motion filed by the guardian ad litem, the court-appointed special advocate or by either party together with

an affidavit showing a change in circumstances sufficient to warrant the modification. All full orders of protection shall be final orders and appealable and shall be for a fixed period of time as provided in section 455.040.

2. Any order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order upon the issuance of a subsequent order pursuant to chapter 452 or any other Missouri statute.

3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any subsequent proceeding, including, but not limited to, any action brought under chapter 452[, RSMo 1978, as amended].

4. All provisions of an order of protection shall terminate upon entry of a decree of dissolution of marriage or legal separation except as to those provisions which require the respondent to participate in a court-approved counseling program or enjoin the respondent from [abusing, molesting, stalking or disturbing the peace of] **committing an act of domestic violence against** the petitioner and which enjoin the respondent from entering the premises of the dwelling unit of the petitioner as described in the order of protection when the petitioner continues to reside in that dwelling unit unless the respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of marriage or legal separation.

5. Any order of protection or order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate upon the order of the court granting a motion to terminate the order of protection by the petitioner. [The court shall set the motion to dismiss for hearing and both parties shall have an opportunity to be heard.] Prior to terminating any order of protection, the court may [examine the circumstances of the motion to dismiss and may] inquire of the petitioner or others **in camera** in order to [assist the court in determining if] **determine whether the** dismissal is voluntary.

6. The order of protection may not change the custody of children when an action for dissolution of marriage has been filed or the custody has previously been awarded by a court of competent jurisdiction."; and

"455.080. 1. Law enforcement agencies may establish procedures to ensure that dispatchers and officers at the scene of an alleged incident of [abuse] **domestic violence or stalking** or violation of an order of protection can be informed of any recorded prior incident of [abuse] **domestic violence or stalking** involving the abused party and can verify the effective dates and terms of any recorded order of protection.

2. The law enforcement agency shall apply the same standard for response to an alleged incident of [abuse] **domestic violence or stalking** or a violation of any order of protection as applied to any like offense involving strangers, except as otherwise provided by law. Law enforcement agencies shall not assign lower priority to calls involving alleged incidents of [abuse] **domestic violence or stalking** or violation of protection orders than is assigned in responding to offenses involving strangers. Existence of any of the following factors shall be interpreted as indicating a need for immediate response:

- (1) The caller indicates that violence is imminent or in progress; or
- (2) A protection order is in effect; or
- (3) The caller indicates that incidents of domestic violence have occurred previously between the parties.

3. Law enforcement agencies may establish domestic crisis teams or, if the agency has fewer than five officers whose responsibility it is to respond to calls of this nature, individual officers trained in methods of dealing with [family and household quarrels] **domestic violence**. Such teams or individuals may be supplemented by social workers, ministers or other persons trained in counseling or crisis intervention. When an alleged incident of [family or household abuse] **domestic violence** is reported, the agency may dispatch a crisis team or specially trained officer, if available, to the scene of the incident.

4. The officer at the scene of an alleged incident of [abuse] **domestic violence or stalking** shall inform the abused party of available judicial remedies for relief from [adult abuse] **domestic violence** and of available shelters for victims of domestic violence.

5. Law enforcement officials at the scene shall provide or arrange transportation for the abused party to a medical facility for treatment of injuries or to a place of shelter or safety."; and

"455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to [abuse or assault] **domestic violence**, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for

this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest [he], **the officer** is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party [he] **the officer** believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims [of domestic violence] from continuing [abuse] **domestic violence**;
- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;
- (3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of [family] **domestic violence** shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether [he] **the officer** should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of [abuse] **domestic violence, stalking**, or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein."; and

"455.503. 1. A petition for an order of protection for a child shall be filed in the county where the child resides, where the alleged incident of [abuse] **domestic violence or stalking** occurred, or where the respondent may be served.

2. Such petition may be filed by any of the following:

- (1) A parent or guardian of the victim;
- (2) A guardian ad litem or court-appointed special advocate appointed for the victim; or
- (3) The juvenile officer."; and

"455.505. 1. An order of protection for a child who has been subject to domestic violence by a present or former [adult] household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such domestic violence **or stalking** by the respondent.

2. A child's right to relief under sections 455.500 to 455.538 shall not be affected by [his] **the child's** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties."; and

"455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that no prior order regarding custody is pending or has been made or that the respondent is less than seventeen years of age, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence or stalking** to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.505.**

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If [an ex parte order is entered and] the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court **may issue an ex parte order and** shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035."; and

"455.520. 1. Any ex parte order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence **or stalking** and may include such terms as the court reasonably deems necessary to ensure the [petitioner's] **victim's** safety, including but not limited to:

(1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;

(2) Restraining the respondent from entering the family home of the victim except as specifically authorized by the court;

(3) Restraining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court;

(4) A temporary order of custody of minor children.

2. No ex parte order of protection excluding the respondent from the family home shall be issued unless the court finds that:

(1) The order is in the best interests of the child or children remaining in the home;

(2) The verified allegations of domestic violence present a substantial risk to the child or children unless the respondent is excluded; and

(3) A remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party.

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence and **stalking** may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from [abusing] **committing domestic violence**, threatening to [abuse] **commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help [child abusers] stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence."; and

"455.538. 1. When a law enforcement officer has probable cause to believe that a party, against whom a protective order for a child has been entered, has committed an act [of abuse] in violation of that order, [he] **the officer** shall have the authority to arrest the respondent whether or not the violation occurred in the presence of the arresting officer.

2. When a person, against whom an order of protection for a child has been entered, fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

3. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

4. (1) Violation of the terms and conditions of an ex parte or full order of protection with regard to [abuse] **domestic violence, stalking**, child custody, communication initiated by the respondent, or entrance upon the premises of the victim's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of which the respondent has notice, shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of a prior plea of guilty or finding of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of a prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

(2) For purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection for a child if the law enforcement officer responding to a call of a reported incident of [abuse] **domestic violence or stalking** or violation of an order of protection for a child presents a copy of the order of protection to the respondent.

5. The fact that an act by a respondent is a violation of a valid order of protection for a child shall not preclude prosecution of the respondent for other crimes arising out of the incident in which the protection order is alleged to have been violated."; and

"527.290. 1. Public notice of such a change of name shall be given at least three times in a newspaper published in the county where such person is residing, within twenty days after the order of court is made, and if no newspaper is published in [his] **the person's** or any adjacent county, then such notice shall be given in a newspaper published in the City of St. Louis, or at the seat of government.

2. Public notice of such name change through publication as required in subsection 1 of this section shall not be required, **and any system operated by the judiciary that is designed to provide public case information electronically shall not post the name change**, if the petitioner is:

- (1) The victim of a crime, the underlying factual basis of which is found by the court on the record to include an act of domestic violence, as defined in section 455.010;
- (2) The victim of child abuse, as defined in section 210.110; or
- (3) The victim of [abuse] **domestic violence** by a family or household member, as defined in section 455.010."; and

"556.036. 1. A prosecution for murder, [forcible] rape **in the first degree**, attempted [forcible] rape **in the first degree**, [forcible] sodomy **in the first degree**, attempted [forcible] sodomy **in the first degree**, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

- (1) For any felony, three years, except as provided in subdivision (4) of this subsection;
- (2) For any misdemeanor, one year;
- (3) For any infraction, six months;
- (4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state; or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for [forcible] rape **in the first degree**, attempted [forcible] rape **in the first degree**, [forcible] sodomy **in the first degree**, kidnapping, or attempted [forcible] sodomy **in the first degree** in which case such prosecutions may be commenced at any time."; and

- (1) "Affirmative defense" has the meaning specified in section 556.056;
- (2) "Burden of injecting the issue" has the meaning specified in section 556.051;
- (3) "Commercial film and photographic print processor", any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;
- (4) "Confinement":
 - (a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:
 - a. A court orders the person's release; or
 - b. The person is released on bail, bond, or recognizance, personal or otherwise; or
 - c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;
 - (b) A person is not in confinement if:
 - a. The person is on probation or parole, temporary or otherwise; or
 - b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;
- (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
 - (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
 - (b) It is given by a person who by reason of youth, mental disease or defect, [or] intoxication, **a drug-induced state, or any other reason** is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - (c) It is induced by force, duress or deception;
- (6) "Criminal negligence" has the meaning specified in section 562.016;
- (7) "Custody", a person is in custody when the person has been arrested but has not been delivered to a place of confinement;
- (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first degree, attempted [forcible] rape **in the first degree** if physical injury results, attempted [forcible] sodomy **in the first degree** if physical injury results, [forcible] rape **in the first degree**, [forcible] sodomy **in the first degree**, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree [when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense], statutory sodomy in the first degree [when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense], and, abuse of a child [pursuant to subdivision (2) of subsection 3 of] **if the child dies as a result of injuries sustained from conduct chargeable under** section 568.060, child kidnapping, and parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153;
- (9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;
- (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;
- (11) "Felony" has the meaning specified in section 556.016;
- (12) "Forcible compulsion" means either:
 - (a) Physical force that overcomes reasonable resistance; or
 - (b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;
- (13) "Incapacitated" means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person's conduct, or unable to communicate unwillingness to an act[. A person is not incapacitated with respect to an act committed upon such person if he or she became unconscious, unable to appraise the nature of such person's conduct or unable to communicate unwillingness to an act, after consenting to the act];
- (14) "Infraction" has the meaning specified in section 556.021;
- (15) "Inhabitable structure" has the meaning specified in section 569.010;
- (16) "Knowingly" has the meaning specified in section 562.016;

(17) "Law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;

(18) "Misdemeanor" has the meaning specified in section 556.016;

(19) "Offense" means any felony, misdemeanor or infraction;

(20) "Physical injury" means physical pain, illness, or any impairment of physical condition;

(21) "Place of confinement" means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;

(22) "Possess" or "possessed" means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(23) "Public servant" means any person employed in any way by a government of this state who is compensated by the government by reason of such person's employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(24) "Purposely" has the meaning specified in section 562.016;

(25) "Recklessly" has the meaning specified in section 562.016;

(26) "Ritual" or "ceremony" means an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) "Sexual conduct" means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification;

(30) "Sexual contact" means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) "Sexual performance", any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) "Voluntary act" has the meaning specified in section 562.011.; and

"558.018. 1. The court shall sentence a person [who has pleaded guilty to or] **to an extended term of imprisonment if it finds the defendant is a persistent sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual offender] **attempting to commit or committing the following offenses:**

(1) **Statutory rape in the first degree or statutory sodomy in the first degree;**

(2) **Rape in the first degree or sodomy in the first degree attempted or committed on or after August 28, 2013;**

(3) **Forcible rape committed or attempted any time during the period of August 13, 1980 to August 27, 2013;**

(4) **Forcible sodomy committed or attempted any time during the period of January 1, 1995 to August 27, 2013;**

(5) **Rape committed or attempted before August 13, 1980;**

(6) **Sodomy committed or attempted before January 1, 1995.**

2. A "persistent sexual offender" is one who has previously [pleaded guilty to or has been found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection] **been found guilty of attempting to commit or committing any of the offenses listed in subsection 1 of this section.**

3. The term of imprisonment for one found to be a persistent sexual offender shall be imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019 shall not apply to any person imprisoned under this subsection, and "imprisonment for life" shall mean imprisonment for the duration of the person's natural life.

4. The court shall sentence a person [who has pleaded guilty to or has] **to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender and has** been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender.

5. For purposes of this section, a "predatory sexual offender" is a person who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony; or

(2) Has previously committed an act which would constitute an offense listed in subsection 4 of this section, whether or not the act resulted in a conviction; or

(3) Has committed an act or acts against more than one victim which would constitute an offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged with an additional offense or offenses as a result of such act or acts.

6. A person found to be a predatory sexual offender shall be imprisoned for life with eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be predatory sexual offenders for the purposes of determining the minimum prison term or the length of sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no event shall a person found to be a predatory sexual offender receive a final discharge from parole.

7. Notwithstanding any other provision of law, the court shall set the minimum time required to be served before a predatory sexual offender is eligible for parole, conditional release or other early release by the department of corrections. The minimum time to be served by a person found to be a predatory sexual offender who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the preceding crimes] **committing or attempting to commit any of the offenses listed in subsection 1 of this section and is found guilty of committing or attempting to commit any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than thirty years;

(2) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony and [pleads guilty to or] is found guilty of attempting to commit or committing [forcible rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree] **any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than fifteen years;

(3) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(4) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony, and pleads guilty to or is found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of subsection 5 of this section shall be any number of years within the range to which the person could have been sentenced pursuant to the applicable law if the person was not found to be a predatory sexual offender.

8. Notwithstanding any provision of law to the contrary, the department of corrections, or any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual offender or a predatory sexual offender."; and

"558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except [that,] in the case of multiple sentences of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy or] **any offense committed during or at the same time as, or multiple offenses of, the following felonies:**

- (1) **Rape in the first degree;**
- (2) **Statutory rape in the first degree;**
- (3) **Sodomy in the first degree;**
- (4) **Statutory sodomy in the first degree; or**

(5) An attempt to commit any of the [aforesaid and for other offenses committed during or at the same time as that rape, forcible rape, sodomy, forcible sodomy or an attempt to commit any of the aforesaid, the sentences of imprisonment imposed for the other offenses may run concurrently, but] **felonies listed in this subsection. In such case,** the sentence of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy] **any offense of rape in the first degree, statutory rape in the first degree, sodomy in the first degree, statutory sodomy in the first degree,** or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. **The sentences imposed for any other offense may run concurrently.**

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the start of his conditional release term, the court shall direct the manner in which the sentence or sentences imposed by the court shall run with respect to any resulting probation, parole or conditional release revocation term or terms. If the subsequent sentence to imprisonment is in another jurisdiction, the court shall specify how any resulting probation, parole or conditional release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

3. A court may cause any sentence it imposes to run concurrently with a sentence an individual is serving or is to serve in another state or in a federal correctional center. If the Missouri sentence is served in another state or in a federal correctional center, subsection 4 of section 558.011 and section 217.690 shall apply as if the individual were serving his sentence within the department of corrections of the state of Missouri, except that a personal hearing before the board of probation and parole shall not be required for parole consideration."; and

"559.115. 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection 5 of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this section or order such placement under subsection 4 of section 559.036. Upon the recommendation or order of the court, the department of corrections shall assess each offender to determine the appropriate program in which to place the offender, including shock incarceration or institutional treatment. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a treatment program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. The court shall release the offender unless such release constitutes an abuse of discretion. If the court determined that there is an abuse of discretion, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days of the offender's sentence. If the court does not respond when an offender successfully completes the program, the offender shall be released on probation. Upon successful completion of a shock incarceration program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred

twenty days of the offender's sentence. If the department determines that an offender is not successful in a program, then after one hundred days of incarceration the circuit court shall receive from the department of corrections a report on the offender's participation in the program and department recommendations for terms and conditions of an offender's probation. The court shall then release the offender on probation or order the offender to remain in the department to serve the sentence imposed.

4. If the department of corrections one hundred twenty-day program is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C or class D nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 558.018, the court shall request that the offender be placed in the sexual offender assessment unit of the department of corrections if the defendant has pleaded guilty to or has been found guilty of sexual abuse when classified as a class B felony.

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration for one hundred twenty days for participation in a department of corrections program prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; [forcible] rape **in the first degree** pursuant to section 566.030; [forcible] sodomy **in the first degree** pursuant to section 566.060; statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; an offender who has been found to be a predatory sexual offender pursuant to section 558.018; or any offense in which there exists a statutory prohibition against either probation or parole.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;
- (2) Have been found guilty of, or plead guilty to, [forcible] rape **in the first degree** under section 566.030;
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;
- (4) Have been found guilty of, or plead guilty to, [forcible] sodomy **in the first degree** under section 566.060;
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;
- (6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;
- (7) Have been found to be a predatory sexual offender under section 558.018; or
- (8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

"566.020. 1. [Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.

2.] Whenever in this chapter the criminality of conduct depends upon a child being thirteen years of age or younger, it is no defense that the defendant believed the child to be older.

[3.] 2. Whenever in this chapter the criminality of conduct depends upon a child being under seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

[4.] 3. Consent is not an affirmative defense to any offense under chapter 566 if the alleged victim is less than twelve years of age."; and

"566.030. 1. A person commits the [crime] **offense** of [forcible] **rape in the first degree** if [such person] **he or she** has sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of rape in the first degree** or an attempt to commit [forcible] **rape in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person **or the victim is a child and the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

(2) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] **rape in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] **rape in the first degree or attempt to commit rape in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] **rape in the first degree or attempt to commit rape in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] **rape in the first degree** or an attempt to commit [forcible] **rape in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.040.] **566.031.** 1. A person commits the [crime] **offense** of [sexual assault] **rape in the second degree** if he **or she** has sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Sexual assault] **The offense of rape in the second degree** is a class C felony.

566.032. 1. A person commits the crime of statutory rape in the first degree if he has sexual intercourse with another person who is less than fourteen years old.

2. Statutory rape in the first degree or an attempt to commit statutory rape in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, subjects the victim to sexual intercourse or deviate sexual intercourse with more than one

person, **the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, or the victim is less than twelve years of age in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

566.034. 1. A person commits the crime of statutory rape in the second degree if being twenty-one years of age or older, he has sexual intercourse with another person who is less than seventeen years of age.

2. Statutory rape in the second degree is a class C felony **unless the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020, in which case the crime is a class B felony.**"; and

"566.060. 1. A person commits the [crime] **offense of [forcible] sodomy in the first degree** if [such person] **he or she** has deviate sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of sodomy in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person **or the victim is a child and the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years [of age] **old**, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] sodomy **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] sodomy **in the first degree or attempt to commit sodomy in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] sodomy **in the first degree or an attempt to commit sodomy in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] sodomy **in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.070.] **566.061.** 1. A person commits the [crime of deviate sexual assault] **offense of sodomy in the second degree** if he **or she** has deviate sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Deviate sexual assault] **The offense of sodomy in the second degree** is a class C felony.

566.062. 1. A person commits the crime of statutory sodomy in the first degree if he has deviate sexual intercourse with another person who is less than fourteen years old.

2. Statutory sodomy in the first degree or an attempt to commit statutory sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, **the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, or the victim is less than twelve years of age, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

566.064. 1. A person commits the crime of statutory sodomy in the second degree if being twenty-one years of age or older, he has deviate sexual intercourse with another person who is less than seventeen years of age.

2. Statutory sodomy in the second degree is a class C felony **unless the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020, in which case the crime is a class B felony.**

566.067. 1. A person commits the crime of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact.

2. Child molestation in the first degree is a class B felony unless:

(1) The actor has previously been convicted of an offense under this chapter or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class A felony; [or]

(2) The victim is a child less than twelve years of age and:

(a) The actor has previously been convicted of an offense under this chapter; or

(b) In the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or if the offense is committed as part of a ritual or ceremony, in which case, the crime is a class A felony and such person shall serve his or her term of imprisonment without eligibility for probation or parole[.] ; or

(3) The actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020, in which case the crime is a class A felony.

566.068. 1. A person commits the crime of child molestation in the second degree if he or she subjects another person who is less than seventeen years of age to sexual contact.

2. Child molestation in the second degree is a class A misdemeanor unless the actor has previously been convicted of an offense under this chapter or in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, **the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class D felony."; and

"566.083. 1. A person commits the crime of sexual misconduct involving a child if such person:

(1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child;

(2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child;

(3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. The provisions of this section shall apply regardless of whether the person violates this section in person or via the internet or other electronic means.

3. It is not an affirmative defense to prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

4. Sexual misconduct involving a child or attempted sexual misconduct involving a child is a class D felony unless the actor has previously pleaded guilty to or been found guilty of an offense pursuant to this chapter, **the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, or the actor has previously pleaded guilty to or has been convicted of an offense against the laws of another state or jurisdiction which would constitute an offense under this chapter, in which case it is a class C felony."; and

"566.093. 1. A person commits the [crime] **offense** of sexual misconduct in the [second] **first** degree if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. **The offense of sexual misconduct in the [second] first degree** is a class B misdemeanor unless the [actor] **person** has previously been [convicted] **found guilty** of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the [crime] **offense** of sexual misconduct in the [third] **second degree** if he **or she** solicits or requests another person to engage in sexual conduct under circumstances in which he **or she** knows that [his requests] **such request** or solicitation is likely to cause affront or alarm.

2. **The offense of sexual misconduct in the [third] second degree** is a class C misdemeanor.

566.100. 1. A person commits the [crime] **offense** of sexual abuse **in the first degree** if he **or she** subjects another person to sexual contact **when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion.

2. **The offense of sexual abuse in the first degree** is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case [the crime] **it** is a class B felony.

[566.090.] **566.101.** 1. A person commits the [crime] **offense** of sexual [misconduct] **abuse** in the [first] **second degree** if [such person] **he or she** purposely subjects another person to sexual contact without that person's consent.

2. **The offense of sexual [misconduct] abuse in the [first] second degree** is a class A misdemeanor, unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony."; and

"566.212. 1. A person commits the crime of sexual trafficking of a child if the individual knowingly:

(1) Recruits, entices, harbors, transports, provides, or obtains by any means, including but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, a person under the age of eighteen to participate in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010, or benefits, financially or by receiving anything of value, from participation in such activities; or

(2) Causes a person under the age of eighteen to engage in a commercial sex act, a sexual performance, or the production of explicit sexual material as defined in section 573.010.

2. It shall not be a defense that the defendant believed that the person was eighteen years of age or older.

3. Sexual trafficking of a child is a felony punishable by imprisonment for a term of years not less than ten years or life and a fine not to exceed two hundred fifty thousand dollars if the child is under the age of eighteen. If a violation of this section was effected by force, abduction, or coercion, **or the actor has pled guilty to or has been convicted of the crime of incest against the victim under section 568.020**, the crime of sexual trafficking of a child shall be a felony for which the authorized term of imprisonment is life imprisonment without eligibility for probation or parole until the defendant has served not less than twenty-five years of such sentence."; and

"566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of [sexual assault] **rape in the second degree** under section [566.040 or forcible] **566.031 or rape in the first degree** under section 566.030 to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, that could be used to identify or locate any victim of [sexual assault,] domestic assault, stalking, or [forcible] **rape in the first or second degree** shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a [sexual assault,] domestic assault, stalking, or [forcible] **rape in the first or second degree** case shall have the discretion to publicly

disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure."; and

"568.060. 1. As used in this section, the following terms shall mean:

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is:

(1) A class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence; **or**

(2) **A class A felony if the child dies as a result of injuries sustained from conduct chargeable under the provisions of this section.**

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

"589.015. As used in sections 589.010 to 589.040:

(1) The term "center" shall mean the state center for the prevention and control of sexual assault established pursuant to section 589.030;

(2) The term "sexual assault" shall include:

(a) The acts of rape **in the first or second degree**, [forcible rape,] statutory rape in the first degree, statutory rape in the second degree, [sexual assault,] sodomy **in the first or second degree**, [forcible sodomy,] statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, [deviate sexual assault,] sexual misconduct and sexual abuse, or attempts to commit any of the aforesaid, as these acts are defined in chapter 566;

(b) The act of incest, as this act is defined in section 568.020;

(c) The act of abuse of a child, as defined in subdivision (1) of subsection 1 of section 568.060, which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;

(d) The act of use of a child in a sexual performance as defined in section 568.080; and

(e) The act of enticement of a child, as defined in section 566.151, or any attempt to commit such act."; and

Further amend said bill, Page 38, Section 589.456, Line 101, by inserting after all of said section and line the following:

"590.700. 1. As used in this section, the following terms shall mean:

(1) "Custodial interrogation", the questioning of a person under arrest, who is no longer at the scene of the crime, by a member of a law enforcement agency along with the answers and other statements of the person questioned. "Custodial interrogation" shall not include:

(a) A situation in which a person voluntarily agrees to meet with a member of a law enforcement agency;

(b) A detention by a law enforcement agency that has not risen to the level of an arrest;

(c) Questioning that is routinely asked during the processing of the arrest of the suspect;

(d) Questioning pursuant to an alcohol influence report;

(e) Questioning during the transportation of a suspect;

(2) "Recorded" and "recording", any form of audiotape, videotape, motion picture, or digital recording.

2. All custodial interrogations of persons suspected of committing or attempting to commit murder in the first degree, murder in the second degree, assault in the first degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, arson in the first degree, [forcible] rape **in the first degree**, [forcible] sodomy **in the first degree**, kidnapping, statutory rape in the first degree, statutory sodomy in the first degree, child abuse, or child kidnapping shall be recorded when feasible.

3. Law enforcement agencies may record an interrogation in any circumstance with or without the knowledge or consent of a suspect, but they shall not be required to record an interrogation under subsection 2 of this section:

(1) If the suspect requests that the interrogation not be recorded;

(2) If the interrogation occurs outside the state of Missouri;

(3) If exigent public safety circumstances prevent recording;

(4) To the extent the suspect makes spontaneous statements;

(5) If the recording equipment fails; or

(6) If recording equipment is not available at the location where the interrogation takes place.

4. Each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

5. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency if the governor finds that the agency did not act in good faith in attempting to comply with the provisions of this section.

6. Nothing in this section shall be construed as a ground to exclude evidence, and a violation of this section shall not have impact other than that provided for in subsection 5 of this section. Compliance or noncompliance with this section shall not be admitted as evidence, argued, referenced, considered or questioned during a criminal trial.

7. Nothing contained in this section shall be construed to authorize, create, or imply a private cause of action."; and

"632.480. As used in sections 632.480 to 632.513, the following terms mean:

- (1) "Agency with jurisdiction", the department of corrections or the department of mental health;
- (2) "Mental abnormality", a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree constituting such person a menace to the health and safety of others;
- (3) "Predatory", acts directed towards individuals, including family members, for the primary purpose of victimization;
- (4) "Sexually violent offense", the felonies of **rape in the first degree**, forcible rape, rape, statutory rape in the first degree, **sodomy in the first degree**, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes, or child molestation in the first or second degree, sexual abuse **in the first degree**, sexual assault, deviate sexual assault, **rape in the second degree**, **sodomy in the second degree**, or the act of abuse of a child as defined in subdivision (1) of subsection 1 of section 568.060 which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;
- (5) "Sexually violent predator", any person who suffers from a mental abnormality which makes the person more likely than not to engage in predatory acts of sexual violence if not confined in a secure facility and who:
 - (a) Has pled guilty or been found guilty, or been found not guilty by reason of mental disease or defect pursuant to section 552.030 of a sexually violent offense; or
 - (b) Has been committed as a criminal sexual psychopath pursuant to section 632.475 and statutes in effect before August 13, 1980."; and

Further amend said bill, Page 38, Section B, Line 4, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to protect children the repeal and reenactment of sections 556.061 and 568.060 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 556.061 and 568.060 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Colona raised a point of order that **House Amendment No. 3** is not germane to the bill.

Representative Neth requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman

Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Fitzwater	Guernsey	Hodges	Love	Marshall
Rehder	Richardson	Smith 120		

VACANCIES: 001

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch

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Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown	Cornejo	Guernsey	Hodges	Hoskins
Leara	Love	Mitten	Rehder	Richardson
Shumake	Smith 120			

VACANCIES: 001

On motion of Representative Hinson, **HCS HB 589, as amended**, was adopted.

On motion of Representative Hinson, **HCS HB 589, as amended**, was ordered perfected and printed.

HCS HB 252, relating to adoptions, was taken up by Representative Lauer.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 252, Page 8, Section 453.510, Lines 54-57, by deleting all of said lines; and

Further renumber said section accordingly; and

Further amend said bill, Page 9, Section 453.515, Lines 39-41, by deleting all of said lines; and

Further renumber said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Riddle	Ross	Rowland	Scharnhorst	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Guernsey	Haahr	Hodges	Miller	Mitten
Rehder	Richardson	Rowden	Schatz	Smith 120
Mr Speaker				

VACANCIES: 001

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowland	Scharnhorst	Schatz	Schieber	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 104	Haahr	Hansen	Hodges	Hubbard
Kelly 45	Miller	Mitten	Redmon	Rehder
Richardson	Rowden	Shull	Smith 120	Stream

VACANCIES: 001

On motion of Representative Lauer, **HCS HB 252, as amended**, was adopted.On motion of Representative Lauer, **HCS HB 252, as amended**, was ordered perfected and printed.

HB 339, relating to uninsured motorist cause of action, was taken up by Representative Wieland.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowland	Scharnhorst	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wood	Zerr	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Haahr	Hinson	Hodges	Miller	Mitten
Redmon	Rehder	Richardson	Rowden	Schatz
Smith 120	Wilson			

VACANCIES: 001

On motion of Representative Wieland, **HB 339** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 057

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Haahr	Harris	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Torpey	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Hodges	Molendorp	Rehder	Smith 120
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VACANCIES: 001

HCS HB 340, relating to daylight saving time, was taken up by Representative Johnson.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Morris	Muntzel	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Curtis	Hampton	Hinson	Hodges	Miller
Molendorp	Neely	Rehder	Richardson	Smith 120
Webb				

VACANCIES: 001

On motion of Representative Johnson, **HCS HB 340** was adopted by the following vote:

AYES: 093

Allen	Anders	Anderson	Austin	Berry
Black	Brattin	Burlison	Burns	Carpenter
Cierpiot	Conway 10	Cookson	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Mayfield
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Nichols	Otto	Pfausch
Pike	Redmon	Reiboldt	Remole	Richardson
Roorda	Ross	Rowland	Scharnhorst	Schatz
Shumake	Solon	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 061

Bahr	Barnes	Bernskoetter	Butler	Colona
Conway 104	Cornejo	Cross	Curtis	Dunn
Ellinger	Ellington	English	Englund	Fitzpatrick
Frederick	Gardner	Hicks	Hoskins	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Love
Marshall	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Neth	Newman	Norr
Pace	Parkinson	Peters	Phillips	Pierson
Pogue	Rhoads	Rizzo	Rowden	Runions
Schieber	Schieffer	Schupp	Shull	Smith 85
Sommer	Spencer	Swearingen	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Hinson	Hodges	Molendorp	Rehder
Riddle	Smith 120	Webb		

VACANCIES: 001

On motion of Representative Johnson, **HCS HB 340** was ordered perfected and printed.

HB 747, relating to gaming establishment transactions, was taken up by Representative Scharnhorst.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Hicks
Higdon	Hoskins	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Colona	Flanigan	Haahr	Hinson
Hodges	Hough	Molendorp	Rehder	Richardson
Smith 120				

VACANCIES: 001

On motion of Representative Scharnhorst, **HB 747** was ordered perfected and printed.

HCS HB 1035, relating to amended property tax rate filings, was taken up by Representative Kelley (127).

Representative Dohrman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1035, Page 10, Section 137.073, Line 317, by inserting after all of said section the following:

"137.720. 1. A percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750. The percentage shall be one-half of one percent for all counties of the first and second classification and cities not within a county and one percent for counties of the third and fourth classification.

2. Prior to July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-quarter of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred thousand dollars in any year for any county of the first classification and any county with a charter form of government and fifty thousand dollars in any year for any county of the second, third, or fourth classification.

3. Effective July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-half of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred twenty-five thousand dollars in any year for any county of the first classification and any county with a charter form of government and seventy-five thousand dollars in any year for any county of the second, third, or fourth classification.

4. The county shall bill any taxing authority collecting its own taxes. The county may also provide additional moneys for the fund. To be eligible for state cost-share funds provided pursuant to section 137.750, every county shall provide from the county general revenue fund an amount equal to an average of the three most recent years of the amount provided from general revenue to the assessment fund; provided, however, that capital expenditures and equipment expenses identified in a memorandum of understanding signed by the county's governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund shall be deducted from a year's contribution before computing the three-year average, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, the county governing body, and the state tax commission. The county shall deposit the county general revenue funds in the assessment fund as agreed to in its original or amended maintenance plan, state reimbursement funds shall be withheld until the amount due is properly deposited in such fund.

5. For all years beginning on or after January 1, 2010, any property tax collections deposited into the county assessment funds provided for in subsection 2 of this section shall be disallowed in any year in which the state tax commission notifies the county that state assessment reimbursement funds have been withheld from the county for three consecutive quarters due to noncompliance by the assessor or county commission with the county's assessment maintenance plan.

[6. The provisions of subsections 2, 3, and 5 of this section shall expire on December 31, 2015.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dohrman, **House Amendment No. 1** was adopted.

On motion of Representative Kelley (127), **HCS HB 1035, as amended**, was adopted.

On motion of Representative Kelley (127), **HCS HB 1035, as amended**, was ordered perfected and printed.

HCS HB 170, relating to firearms, was taken up by Representative Guernsey.

Representative Elmer assumed the Chair.

Representative Wilson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 170, Page 2, Section 571.048, Line 25, by inserting after all of said line the following:

"571.063. 1. As used in this section the following terms shall mean:

(1) "Ammunition", any cartridge, shell, or projectile designed for use in a firearm;
(2) "Licensed dealer", a person who is licensed under 18 U.S.C. Section 923 to engage in the business of dealing in firearms;

(3) "Materially false information", any information that portrays an illegal transaction as legal or a legal transaction as illegal;

(4) "Private seller", a person who sells or offers for sale any firearm, as defined in section 571.010, or ammunition;

(5) "Private transaction" a transaction to sell or transfer ownership of a firearm or ammunition between a person and his or her relative or friend.

2. A person commits the crime of fraudulent purchase of a firearm if such person:

(1) Knowingly solicits, persuades, encourages or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this state or the United States; or

(2) Provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition; or

(3) Willfully procures another to violate the provisions of subdivision (1) or (2) of this subsection.

3. Any person, who is not a licensed dealer, engaged in a private transaction shall be exempt from the national instant criminal background check system requirements of federal law.

4. Fraudulent purchase of a firearm is a class D felony.

[4.] 5. This section shall not apply to criminal investigations conducted by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, authorized agents of such investigations, or to a peace officer, as defined in section 542.261, acting at the explicit direction of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Colona	Gosen	Grisamore	Hough
Hubbard	Molendorp	Rehrer	Roorda	Smith 120
Torpey				

VACANCIES: 001

On motion of Representative Wilson, **House Amendment No. 1** was adopted by the following vote:

AYES: 121

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Morris	Muntzel	Neely	Neth
Nichols	Parkinson	Peters	Pfautsch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 037

Butler	Carpenter	Colona	Curtis	Dunn
Ellinger	Ellington	Englund	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Norr
Otto	Pace	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Molendorp	Rehder	Smith 120	Torpey
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VACANCIES: 001

Representative Gatschenberger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 170, Page 1, Section A, Line 2, by inserting after all of said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person [twenty-one] **nineteen** years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

Further amend said bill, Page 3, Section 571.048, Line 25, by inserting after all of said line the following:

"571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least [twenty-one] **nineteen** years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;

(2) Is at least [twenty-one] **nineteen** years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;

(b) Is a member of the Armed Forces stationed in Missouri; or

(c) The spouse of such member of the military stationed in Missouri and [twenty-one] **nineteen** years of age;

(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;

(5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other

than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

(7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

(8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

(9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least [twenty-one] **nineteen** years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION
OF CERTIFICATE OF QUALIFICATION
OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON

THAT APPLIES TO THIS DEFENDANT)

- ☐ Defendant is not at least [twenty-one] **nineteen** years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- ☐ Defendant is not a citizen of the United States.
- ☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- ☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.

- ☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- ☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
- ☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant failed to submit to or failed to clear the required background check.
- ☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 2** was adopted by the following vote:

AYES: 116

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton

Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 040

Anders	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	Englund
Gardner	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Hubbard	Molendorp	Rehder	Schieber	Smith 120
Stream				

VACANCIES: 001

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch

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Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 004

Conway 10	Molendorp	Rehder	Smith 120
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VACANCIES: 001

On motion of Representative Guernsey, **HCS HB 170, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 170, as amended**, was ordered perfected and printed by the following vote:

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGough
McKenna	Messenger	Miller	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross

Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 041

Anders	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Gardner
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Conway 10	Molendorp	Rehder	Smith 120
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VACANCIES: 001

HCS HB 436, relating to firearms, was taken up by Representative Funderburk.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by inserting after all of said line the following:

- "571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:
- (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or
 - (2) Sets a spring gun; or
 - (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or
 - (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
 - (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;
 - (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or
 - (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
 - (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or
 - (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person [twenty-one] **nineteen** years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any

school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been

suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least [twenty-one] **nineteen** years of age, is a citizen of the United States and either:
 - (a) Has assumed residency in this state; or
 - (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;
- (2) Is at least [twenty-one] **nineteen** years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:
 - (a) Has assumed residency in this state;
 - (b) Is a member of the Armed Forces stationed in Missouri; or
 - (c) The spouse of such member of the military stationed in Missouri and [twenty-one] **nineteen** years of age;
- (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
- (5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (6) Has not been discharged under dishonorable conditions from the United States Armed Forces;
- (7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- (8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
- (9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;
- (10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- (11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
- (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;
- (3) An affirmation that the applicant is at least [twenty-one] **nineteen** years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;
- (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license

application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF CERTIFICATE OF QUALIFICATION OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically

plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON
THAT APPLIES TO THIS DEFENDANT)

- ☐ Defendant is not at least [twenty-one] **nineteen** years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- ☐ Defendant is not a citizen of the United States.
- ☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- ☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- ☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- ☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
- ☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant failed to submit to or failed to clear the required background check.
- ☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated

in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Curtman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by inserting after all of said section and line, the following:

"21.750. 1. The general assembly hereby occupies and preempts the entire field of legislation touching in any way firearms, components, ammunition and supplies to the complete exclusion of any order, ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void except as provided in subsection 3 of this section.

2. No county, city, town, village, municipality, or other political subdivision of this state shall adopt any order, ordinance or regulation concerning in any way the sale, purchase, purchase delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permit, registration, taxation other than sales and compensating use taxes or other controls on firearms, components, ammunition, and supplies except as provided in subsection 3 of this section.

3. **(1) Except as provided in subdivision (2) of this subsection**, nothing contained in this section shall prohibit any ordinance of any political subdivision which conforms exactly with any of the provisions of sections 571.010 to 571.070, with appropriate penalty provisions, or which regulates the open carrying of firearms readily capable of lethal use or the discharge of firearms within a jurisdiction, provided such ordinance complies with the provisions of section 252.243.

(2) In any jurisdiction in which open carry of firearms is prohibited by ordinance, open carry of a firearm shall not be prohibited in accordance with the following:

(a) Any person with a valid concealed carry endorsement who is open carrying a firearm shall be required to have a valid concealed carry endorsement from this state or a permit from another state permit which is recognized by this state in his or her possession at all times;

(b) The open carrying of a firearm shall be limited to a firearm sixteen inches or less in overall length;

(c) Any person open carrying a firearm in such jurisdiction shall display his or her concealed carry endorsement upon demand of a law enforcement officer;

(d) In the absence of any reasonable and articular suspicion of criminal activity, no person carrying a concealed or unconcealed handgun shall be disarmed or physically restrained by a law enforcement officer unless under arrest; and

(e) Any person who violates this subdivision shall be subject to the penalty provided in section 571.121.

4. The lawful design, marketing, manufacture, distribution, or sale of firearms or ammunition to the public is not an abnormally dangerous activity and does not constitute a public or private nuisance.

5. No county, city, town, village or any other political subdivision nor the state shall bring suit or have any right to recover against any firearms or ammunition manufacturer, trade association or dealer for damages, abatement or injunctive relief resulting from or relating to the lawful design, manufacture, marketing, distribution, or sale of firearms or ammunition to the public. This subsection shall apply to any suit pending as of October 12, 2003, as well as any suit which may be brought in the future. Provided, however, that nothing in this section shall restrict the rights of individual citizens to recover for injury or death caused by the negligent or defective design or manufacture of firearms or ammunition.

6. Nothing in this section shall prevent the state, a county, city, town, village or any other political subdivision from bringing an action against a firearms or ammunition manufacturer or dealer for breach of contract or warranty as to firearms or ammunition purchased by the state or such political subdivision."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by inserting after all of said section and line, the following:

"571.011. 1. No person or entity shall publish the name, address, or other identifying information of any individual who owns a firearm or who is an applicant for or holder of any license, certificate, permit, or endorsement which allows such individual to own, acquire, possess, or carry a firearm.

2. For purposes of this section, "publish" means to issue information or material in printed or electronic form for distribution or sale to the public.

3. Any person or entity who violates the provisions of this section by publishing identifying information protected under this section is guilty of a class A misdemeanor.

571.012. 1. No health care professional licensed in this state shall be required by law to:

(1) Inquire as to whether a patient owns a firearm;

(2) Document or maintain in a patient's medical records whether such patient owns a firearm; or

(3) Notify any governmental entity of the identity of a patient based solely on the patient's status as an owner of a firearm.

2. Nothing in this section shall be construed as prohibiting or otherwise restricting a health care professional from inquiring, documenting, or otherwise disclosing a patient's status as an owner of a firearm if such inquiry, documentation, or disclosure is necessitated or medically indicated by the health care professional's scope of practice and such inquiry, documentation, or disclosure does not violate any other state or federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

Representative Brattin offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by inserting after all of said section and line, the following:

"160.665. 1. Any school district within the state may designate one or more elementary or secondary school teachers or administrators as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher or administrator. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.

2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms in any school in the district and shall be required to keep such firearm on his or her person at all times while on school property. Any school protection officer who violates this subsection shall be removed immediately from the classroom and subject to employment termination proceedings.

3. Any person designated as a school protection officer may detain, on view, any person the officer sees violating or who such officer has reasonable grounds to believe has violated any law of this state, including a misdemeanor or infraction, or any policy of the school.

4. Any person detained by a school protection officer for violation of any state law shall, as soon as practically possible, be turned over to a law enforcement officer. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

5. Any person detained by a school protection officer for violation of any school policy shall, as soon as practically possible, be turned over to a school administrator. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

6. Any teacher or administrator of an elementary or secondary school who seeks to be designated as a school protection officer shall request such designation, in writing, and submit it to the superintendent of the school district which employs him or her as a teacher or administrator. Along with this request the teacher or administrator shall also submit proof that he or she has a valid concealed carry endorsement and shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

7. No school district may designate a teacher or administrator as a school protection officer unless such person has a valid concealed carry endorsement and has successfully completed a school protection officer training program which has been approved by the director of the department of public safety.

8. Any school district which designates a teacher or administrator as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation which shall include the following:

- (1) The full name, date of birth, and address of the officer;
- (2) The name of the school district; and
- (3) The date such person was designated as a school protection officer.

Notwithstanding any other law, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a sunshine request made under chapter 610.

9. A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer, in writing, of the revocation. The school district shall also within thirty days of the revocation notify the director of the department of public safety, in writing, of the revocation of the designation of such person as a school protection officer.

10. The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies.

571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No driver's license or nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business

within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under section 17, article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, **unless the person with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required.** Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a driver's license or nondriver's license containing a concealed carry endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement and the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

590.010. As used in this chapter, the following terms mean:

(1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;

(2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;

(3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;

(4) "POST commission", the peace officer standards and training commission;

(5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week;

(6) "School protection officer", **an elementary or secondary school teacher or administrator who has been designated as a school protection officer by a school district.**

590.200. 1. The POST commission shall:

- (1) Establish minimum standards for the training of school protection officers;**
- (2) Set the minimum number of hours of training required for a school protection officer; and**
- (3) Set the curriculum for school protection officer training programs.**

2. At a minimum this training shall include:

- (1) Instruction specific to the prevention of incidents of violence in schools;**
- (2) The handling of emergency or violent crisis situations in school settings;**
- (3) A review of all state criminal laws;**
- (4) Training involving the use of defensive force; and**
- (5) Training involving the use of deadly force.**

590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety.

590.207. 1. Notwithstanding any other provision of law, any person designated as a school protection officer under the provisions of section 160.665 who fails to properly carry his or her concealed weapon on his or her person at all times while on school property as proscribed under subsection 2 of section 160.655 shall be guilty of a class A misdemeanor and shall be subject to employment termination proceedings within the school district.

2. Any school employee who discloses any information collected under subsection 8 of section 160.655 that contains identifying personal information about any person designated as a school protection officer to anyone other than those authorized to receive the information under subsection 8 of section 160.655 shall be guilty of a class B misdemeanor and shall be subject to employment termination proceedings within the school district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Elmer requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Hinson offered **House Amendment No. 1** to **House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 436, Page 7, Line 17, by inserting after said line the following:

‘AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, by inserting after all of said section and line, the following:

"571.018. 1. Any person who has been found guilty or pleaded guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense, regardless of whether use of a firearm is an element of the subsequent felony offense, and during the commission of such felony offense the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm is guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. Such offense shall be in addition to and not in lieu of any underlying felony offense or any other offense for which such person may be charged and found guilty of or plead guilty or nolo contendere to.

2. Any person who violates the provisions of this section shall be subject to the following terms of imprisonment:

- (1) For possession of a firearm during the commission of a felony, a term of imprisonment of ten years;**
- (2) For displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony, a term of imprisonment of twenty years; and**
- (3) For discharging a firearm during the commission of a felony, a term of imprisonment of life.**

The terms of imprisonment in this subsection shall be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

3. For purposes of this section, the following terms shall mean:

- (1) "Firearm", any weapon that is designed or adapted to expel a projectile by the action of an explosion;**
- (2) "Possession", with respect to a firearm, carrying it on the person. Possession may also be established by demonstrating that the person had a firearm within immediate physical reach with ready access and the intent to use the firearm during the commission of a felony.**

4. This section shall not apply to law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment to perform their lawful duties."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Houghton	Hurst

Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McNeil	Meredith	Mims	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Cornejo	Fitzwater	Gardner	Haahr
Hough	May	McManus	Mitten	Molendorp
Rehder	Rhoads	Roorda	Scharnhorst	Smith 120
Zerr				

VACANCIES: 001

On motion of Representative Brattin, **House Amendment No. 4, as amended**, was adopted by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger

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Miller	Morris	Muntzel	Neely	Neth
Norr	Otto	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 032

Butler	Curtis	Dunn	Ellinger	Ellington
Englund	Hummel	Kelly 45	Kirkton	LaFaver
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Smith 85	Walton Gray	Webb
Webber	Wright			

PRESENT: 001

Carpenter

ABSENT WITH LEAVE: 009

Colona	Gardner	Mitten	Molendorp	Rehder
Roorda	Scharnhorst	Smith 120	Stream	

VACANCIES: 001

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake

Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Hubbard	May	Mitten	Molendorp
Rehder	Riddle	Roorda	Scharnhorst	Smith 120
Wood				

VACANCIES: 001

On motion of Representative Funderburk, **HCS HB 436, as amended**, was adopted.

On motion of Representative Funderburk, **HCS HB 436, as amended**, was ordered perfected and printed by the following vote:

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Morris
Muntzel	Neely	Neth	Norr	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon

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Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 039

Anders	Butler	Carpenter	Curtis	Dunn
Ellinger	Ellington	Englund	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Colona	Molendorp	Rehder	Roorda	Smith 120
Torpey				

VACANCIES: 001

HB 808, relating to teaching certificates, was taken up by Representative Funderburk.

Representative Thomson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 808, Page 1, Line 3 of the Title, by deleting the words "teaching certificates" and inserting in lieu thereof the words "sunset provisions related to education"; and

Further amend said bill, Page 5, Section 168.021, Lines 146 through 148, by deleting all of said lines and inserting in lieu thereof the following:

"[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]

169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member's final average salary:

(1) Two and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) [Between July 1, 1998, and July 1, 2013,] Two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) [Between July 1, 1998, and July 1, 2013,] Two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) [Between July 1, 1998, and July 1, 2013,] Two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) [Between July 1, 1998, and July 1, 2013,] Two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) [Between July 1, 1998, and July 1, 2013,] Two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2013,] Two and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly

allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years

of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement

or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of

education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

169.670. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or whose creditable service is thirty years or more regardless of age, shall be the sum of the following items:

(1) For each year of membership service, one and sixty-one hundredths percent of the member's final average salary;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service;

(3) Eighty-five one-hundredths of one percent of any amount by which the member's average compensation for services rendered prior to July 1, 1973, exceeds the average monthly compensation on which federal Social Security taxes were paid during the period over which such average compensation was computed, for each year of membership service credit for services rendered prior to July 1, 1973, plus six-tenths of the amount payable for a year of membership service for each year of prior service credit;

(4) In lieu of the retirement allowance otherwise provided by subdivisions (1) to (3) of this subsection, [between July 1, 2001, and July 1, 2013,] a member may elect to receive a retirement allowance of:

(a) One and fifty-nine hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years and the member has not attained the age of fifty-five;

(b) One and fifty-seven hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained the age of fifty-five;

(c) One and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years and the member has not attained the age of fifty-five;

(d) One and fifty-three hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years and the member has not attained the age of fifty-five;

(e) One and fifty-one hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years and the member has not attained the age of fifty-five; and

(5) In addition to the retirement allowance provided in subdivisions (1) to (3) of this subsection, a member retiring on or after July 1, 2001, whose creditable service is thirty years or more or whose sum of age and creditable service is eighty years or more, shall receive a temporary retirement allowance equivalent to eight-tenths of one percent of the member's final average salary multiplied by the member's years of service until such time as the member reaches the minimum age for Social Security retirement benefits.

2. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases five percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by five percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; provided that, the increase provided in this subsection shall not become effective until the fourth January first following a member's retirement or January 1, 1982, whichever occurs later, and the total of the increases granted to a retired member or the beneficiary after December 31, 1981, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other provisions of law. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

3. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 2 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; provided that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1981.

4. (1) In lieu of the retirement allowance provided in subsection 1 of this section, called option 1, a member whose creditable service is twenty-five years or more or who has attained age fifty-five with five or more years of creditable service may elect, in the application for retirement, to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death, the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve for the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 7. A plan of variable monthly benefit payments which provides, in conjunction with the member's retirement benefits under the federal Social Security laws, level or near-level retirement benefit payments to the member for life during retirement, and if authorized, to an appropriate beneficiary designated by the member. Such a plan shall be actuarially equivalent to the retirement allowance under option 1 and shall be available for election only if established by the board of trustees under duly adopted rules.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after attaining age fifty-five and acquiring five or more years of creditable service or after acquiring twenty-five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship payments under option 2 or a payment of the member's accumulated contributions. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 of this section.

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the beneficiary has an insurable interest in the life of the deceased member or disability retiree, the designated beneficiary may elect to receive either a payment of the person's accumulated contributions or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the person's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 of this section.

5. If the total of the retirement or disability allowances paid to an individual before the person's death is less than the person's accumulated contributions at the time of the person's retirement, the difference shall be paid to the person's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or person's estate, in that order of precedence; provided, however, that if an optional benefit, as provided in option 2, 3 or 4 in subsection 4 of this section, had been elected and the beneficiary dies after receiving the optional benefit, then, if the total retirement allowances paid to the retired individual and the individual's beneficiary are less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

6. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

7. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the member's death shall be paid to the member's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the member's estate; provided, however, that no such payment shall be made if the beneficiary elects option 2 in subsection 4 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that

subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

8. If a member ceases to be an employee as defined in section 169.600 and certifies to the board of trustees that such cessation is permanent or if the person's membership is otherwise terminated, the person shall be paid the person's accumulated contributions with interest.

9. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, if a member ceases to be an employee as defined in section 169.600 after acquiring five or more years of creditable service, the member may, at the option of the member, leave the member's contributions with the retirement system and claim a retirement allowance any time after the member reaches the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.600 to 169.715 on the basis of the member's age and years of service.

10. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty.

11. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, any member who is a member prior to October 13, 1969, may elect to have the member's retirement allowance computed in accordance with sections 169.600 to 169.715 as they existed prior to October 13, 1969.

12. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

13. Notwithstanding any other provision of law, any person retired prior to August 14, 1984, who is receiving a reduced retirement allowance under option 1 or 2 of subsection 4 of this section, as the option existed prior to August 14, 1984, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have the person's retirement allowance increased to the amount the person would have been receiving had the person not elected the option actuarially adjusted to recognize any excessive benefits which would have been paid to the person up to the time of the application.

14. Benefits paid pursuant to the provisions of the public education employee retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code, except as provided under this subsection. Notwithstanding any other law, the board of trustees may establish a benefit plan under Section 415(m) of Title 26 of the United States Code. Such plan shall be credited solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

15. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and four-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

16. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to three and four-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

17. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and one-tenth percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Dunn	Ellinger	Ellington	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Cornejo	Curtis	Flanigan	Haahr
Hoskins	Lichtenegger	Molendorp	Rehder	Roorda
Scharnhorst	Schupp	Smith 120		

VACANCIES: 001

On motion of Representative Thomson, **House Amendment No. 1** was adopted.

On motion of Representative Funderburk, **HB 808, as amended**, was ordered perfected and printed.

HCS HBs 593 & 695, relating to cancer medications, was taken up by Representative Solon.

On motion of Representative Solon, **HCS HBs 593 & 695** was adopted.

On motion of Representative Solon, **HCS HBs 593 & 695** was ordered perfected and printed.

HCS#2 HB 698, relating to tax incentives, was taken up by Representative Zerr.

Speaker Jones resumed the Chair.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 1, Section A, Line 8, by inserting after all of said line the following:

“32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be

carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year. **Beginning August 28, 2013, no new tax credits shall be authorized for programs under section 32.111 as provided under section 620.2020. The provisions of this subdivision shall not be construed to limit or impair the ability of any administering agency to issue tax credits authorized prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits;**

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until

the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112.”; and

Further amend said substitute, Page 11, Section 100.850, Lines 21-25, by deleting all of said lines and inserting in lieu thereof the following:

“dollars annually. [Of such amount, nine hundred fifty thousand dollars shall be reserved for an approved project for a world headquarters of a business whose primary function is tax return preparation that is located in any home rule city with more than four hundred thousand inhabitants and located in more than one county, which amount reserved shall end in the year of the final maturity of the certificates issued for such approved project.]”; and

Further amend said substitute, Pages 75-76, Section 620.1039, Lines 7-14, by deleting all of said lines and inserting in lieu thereof the following:

“limited to those incurred in the research and development of agricultural biotechnology, plant genomics products, diagnostic and therapeutic medical devices, or prescription pharmaceuticals consumed by animals or those incurred in the research, development, or manufacture of power system technology for aerospace, space, defense, or implantable or wearable medical devices.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

Representative Messenger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 17, Section 135.535, Line 23, by inserting after the word "claimed." the following:

"This section and all referenced sections herein are subject to the provisions of section 196.1127."; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 64, Section 348.273, Line 188, by placing opening and closing brackets around the period "." on said line and inserting in lieu thereof the following:

“;

(n) This section and all referenced sections herein are subject to the provisions of section 196.1127.”; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 76, Section 620.1039, Line 14, by placing opening and closing brackets around the period "." on said line and insert in lieu thereof a ";" and inserting after all of such line the following:

"(6) This section and all referenced sections herein are subject to the provisions of section 196.1127."; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 89, Section 620.2005, Line 172, by placing opening and closing brackets around the period "." on said line and insert in lieu thereof a ";" and inserting after all of such line the following:

"(31) This section and all referenced sections herein are subject to the provisions of section 196.1127."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Messenger, **House Amendment No. 2** was adopted.

Representative Zerr offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 3, Line 41, by inserting after the words, "**pharmaceuticals consumed by**" the words, "**humans or**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 10, Section 99.1205, Line 231, by inserting after the number "9." the following:

"Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 4** was adopted.

Representative Jones (50) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 54, Section 253.557, Lines 12-13, by deleting the phrase "**to any other taxpayer including, but not limited to, a not-for-profit entity**"; and

Further amend said bill, page, and section, Lines 15-16, by deleting the phrase "**including, but not limited to, any not-for-profit entity that is a partner, member, or owner**"; and

Further amend said bill, page, and section, Line 16, by deleting the phrase "[the] **such**" on said line and inserting in lieu thereof the word "the"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 5** was adopted.

Representative Barnes offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 6, Section 99.1205, Line 85, by deleting all of said line and inserting in lieu thereof the following:

"as of January 1, 2011; or

d. Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants."; and

Futher amend said bill, Section 208.770, Page 50, Line 28, by inserting after said line the following:

"217.905. 1. The commission shall have the following powers:

(1) To acquire title to the property historically utilized as the Missouri state penitentiary and to acquire by gift or bequest from public or private sources property adjacent thereto and necessary or appropriate to the successful redevelopment of the Missouri state penitentiary property;

(2) To lease or sell real property to developers who will utilize the property consistent with the master plan for the property and to hold proceeds from such transactions outside the state treasury;

(3) To adopt bylaws for the regulation of its affairs and the conduct of its business;

(4) To hire employees necessary to perform the commission's work;

(5) To contract and to be contracted with, including, but without limitation, the authority to enter into contracts with cities, counties and other political subdivisions, agencies of the state of Missouri and public agencies pursuant to sections 70.210 to 70.325 and otherwise, and to enter into contracts with other entities, in connection with the acquisition by gift or bequest and in connection with the planning, construction, financing, leasing, subleasing, operation and maintenance of any real property or facility and for any other lawful purpose, and to sue and to be sued;

(6) To receive for its lawful activities contributions or moneys appropriated or otherwise designated for payment to the authority by municipalities, counties, state or other political subdivisions or public agencies or by the federal government or any agency or officer thereof or from any other sources and to apply for grants and other funding and deposit those funds in the Missouri state penitentiary redevelopment fund;

(7) To disburse funds for its lawful activities and fix salaries and wages of its employees;

(8) To invest any of the commission's funds in such types of investments as shall be determined by a resolution adopted by the commission;

(9) To borrow money for the acquisition, construction, equipping, operation, maintenance, repair, remediation or improvement of any facility or real property to which the commission holds title and for any other proper purpose, and to issue negotiable notes, bonds and other instruments in writing as evidence of sums borrowed;

(10) To perform all other necessary and incidental functions, and to exercise such additional powers as shall be conferred by the general assembly; and

(11) To purchase insurance, including self-insurance, of any property or operations of the commission or its members, directors, officers and employees, against any risk or hazard, and to indemnify its members, agents, independent contractors, directors, officers and employees against any risk or hazard. The commission is specifically authorized to purchase insurance from the Missouri public entity risk management fund and is hereby determined to be a public entity as defined in section 537.700.

2. In no event shall the state be liable for any deficiency or indebtedness incurred by the commission.

3. The Missouri state penitentiary redevelopment commission is a state commission for purposes of section 105.711 and all members of the commission shall be entitled to coverage under the state legal expense fund.

4. The state of Missouri shall sell at least seventy percent of the property utilized as the Missouri state penitentiary by December 31, 2014"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 6** was adopted.

Representative Guernsey offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 98, Section 620.2020, Line 185, by inserting after all of said section and line the following:

"Section 1. 1. The department of economic development through Missouri career centers shall partner with Missouri staffing agencies to accomplish their goals.

2. As used in this section, "Missouri staffing agencies" shall mean any person, firm, partnership, or corporation doing business within the state that supplies, on a temporary, temp-to hire or permanent basis, personnel to meet a client's staffing needs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 7** was adopted.

Representative Guernsey offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 13, Section 135.352, Line 41, by inserting after all of said line the following:

"9. Any entity that receives a tax credit under sections 135.350 through 135.363 shall be deemed to have waived their right to present evidence to the state tax commission in any appeal of their real estate property assessment relating to the ability of property for which the credits were issued to generate income."; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 13, Section 135.352, by renumbering the subsections accordingly; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 59, Section 253.559, Line 177, by inserting after all of said line the following:

"11. Any entity that receives a tax credit under sections 253.545 through 253.559 shall be deemed to have waived their right to present evidence to the state tax commission in any appeal of their real estate property assessment relating to the ability of property for which the credits were issued to generate income."; and

Further amend House Committee Substitute No. 2 for House Bill No. 698, Page 59, Section 253.559, by renumbering the subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 8** was adopted.

Representative Curtman offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute No. 2 for House Bill No. 698, Page 7, Section 99.1205, Line 144, by deleting all of said line and inserting in lieu thereof the following:

"entitled to receive such tax credits may transfer, sell, or assign the tax credits through December 31, 2013, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed. Tax credits"; and

Further amend said bill, Page 11, Section 100.850, Line 16, by inserting immediately after the word "made." the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 11, Section 135.305, Line 9, by inserting after all of said line the following:

"135.309. Through December 31, 2013, the wood energy producer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms must be filed with the Missouri department of revenue. **Beginning January 1, 2014, no tax credit issued under sections 135.300 to 135.311 shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed.";** and

Further amend said bill, Page 13, Section 135.352, Line 45, by inserting after all of said line the following:

"135.363. 1. Through December 31, 2013, all or any portion of tax credits issued in accordance with the provisions of sections 135.350 to 135.363 may be transferred, sold or assigned to parties who are eligible under the provisions of subsection 1 of section 135.352. **Beginning January 1, 2014, no tax credit issued under sections 135.350 to 135.363 shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed.**

2. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner or transferee desiring to make a transfer, sale or assignment as described in subsection 1 of this section shall submit to the director of the department of revenue a statement which describes the amount of credit for which such transfer, sale or assignment of credit is eligible. The owner shall provide to the director of revenue appropriate information so that the low-income housing tax credit can be properly allocated.

3. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director of the department of revenue as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each transferee subject to recapture and the amount of credit previously transferred to such transferee.

4. The director of the department of revenue may prescribe rules and regulations necessary for the administration of the provisions of this section.";

Further amend said bill, Page 14, Section 135.460, Line 27, by inserting after all of said line the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 16, Section 135.484, Line 11, by inserting immediately after the word "conveyed" the following:

"through December 31, 2013, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed"; and

Further amend said bill, Page 18, Section 135.535, Line 65, by inserting immediately after the word "transferee" the following:

"through December 31, 2013, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed"; and

Further amend said bill, Page 21, Section 135.679, Lines 78 to 81, by deleting all of said lines and inserting in lieu thereof the following:

"authority, the authority shall issue a tax credit certificate in the appropriate amount. Through December 31, 2013, tax credit certificates issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit certificate shall have the same rights in the tax credit as the original taxpayer, **but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed.** Whenever a tax credit certificate is assigned, transferred, sold or otherwise"; and

Further amend said bill, Page 27, Section 135.680, Line 206, by inserting immediately after the word "**market**" the following:

", nor shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed"; and

Further amend said bill, Page 31, Section 135.700, Line 11, by inserting at the end of said line the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 33, Section 135.710, Line 58, by inserting immediately after the word "conveyed" the following:

"through December 31, 2013, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed"; and

Further amend said bill, Page 36, Section 135.750, Line 67, by inserting immediately after the word "section" the following:

"through December 31, 2013, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed"; and

Further amend said bill, Page 39, Section 135.967, Line 92, by deleting the word "Certificates" and inserting in lieu thereof the following:

"Through December 31, 2013, certificates"; and

Further amend said bill, Page 39, Section 135.967, Line 96, by inserting at the end of said line the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 42, Section 135.1570, Line 7, by deleting all of said line and inserting in lieu thereof the following:

"to 135.1575 shall not in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed. Tax credits granted to a"; and

Further amend said bill, Page 49, Section 208.770, Line 15, by inserting at the end of said line the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 54, Section 253.557, Lines 11 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"under sections 253.545 to 253.559 for the same project. Through December 31, 2013, taxpayers eligible for such tax credits may transfer, sell or assign the credits to any other taxpayer including, but not limited to, a not-for-profit entity, but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed. Credits granted to a partnership, a limited liability company taxed"; and

Further amend said bill, Page 67, Section 348.274, Lines 76 to 84, by deleting all of said lines and inserting in lieu thereof the following:

"No tax credit issued under this section or section 348.273 shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 68, Section 348.274, Line 140, by inserting after all of said line the following:

"348.430. 1. The tax credit created in this section shall be known as the "Agricultural Product Utilization Contributor Tax Credit".

2. As used in this section, the following terms mean:

(1) "Authority", the agriculture and small business development authority as provided in this chapter;

(2) "Contributor", an individual, partnership, corporation, trust, limited liability company, entity or person that contributes cash funds to the authority;

(3) "Development facility", a facility producing either a good derived from an agricultural commodity or using a process to produce a good derived from an agricultural product;

(4) "Eligible new generation cooperative", a nonprofit cooperative association formed pursuant to chapter 274, or incorporated pursuant to chapter 357, for the purpose of operating within this state a development facility or a renewable fuel production facility;

(5) "Eligible new generation processing entity", a partnership, corporation, cooperative, or limited liability company organized or incorporated pursuant to the laws of this state consisting of not less than twelve members, approved by the authority, for the purpose of owning or operating within this state a development facility or a renewable fuel production facility in which producer members:

(a) Hold a majority of the governance or voting rights of the entity and any governing committee;

(b) Control the hiring and firing of management; and

(c) Deliver agricultural commodities or products to the entity for processing, unless processing is required by multiple entities;

(6) "Renewable fuel production facility", a facility producing an energy source which is derived from a renewable, domestically grown, organic compound capable of powering machinery, including an engine or power plant, and any by-product derived from such energy source.

3. For all tax years beginning on or after January 1, 1999, a contributor who contributes funds to the authority may receive a credit against the tax or estimated quarterly tax otherwise due pursuant to chapter 143, other than taxes withheld pursuant to sections 143.191 to 143.265, chapter [148 chapter] 147, **or chapter 148**, in an amount of up to one hundred percent of such contribution. Tax credits claimed in a taxable year may be done so on a quarterly basis and applied to the estimated quarterly tax pursuant to this subsection. If a quarterly tax credit claim or series of claims contributes to causing an overpayment of taxes for a taxable year, such overpayment shall not be refunded but shall be applied to the next taxable year. The awarding of such credit shall be at the approval of the authority, based on the least amount of credits necessary to provide incentive for the contributions. A contributor that receives tax credits for a contribution to the authority shall receive no other consideration or compensation for such contribution, other than a federal tax deduction, if applicable, and goodwill.

4. A contributor shall submit to the authority an application for the tax credit authorized by this section on a form provided by the authority. If the contributor meets all criteria prescribed by this section and the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credits issued pursuant to this section may be claimed in the taxable year in which the contributor contributes funds to the authority. For all fiscal years beginning on or after July 1, 2004, tax credits allowed pursuant to this section may be carried back to any of the contributor's three prior tax years and may be carried forward to any of the contributor's five subsequent taxable years. **Through December 31, 2013**, tax credits issued pursuant to this section may be assigned, transferred or sold and the new owner of the tax credit shall have the same rights in the credit as the contributor, **but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed.** Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit or the value of the credit.

5. The funds derived from contributions in this section shall be used for financial assistance or technical assistance for the purposes provided in section 348.407 to rural agricultural business concepts as approved by the authority. The authority may provide or facilitate loans, equity investments, or guaranteed loans for rural agricultural business concepts, but limited to two million dollars per project or the net state economic impact, whichever is less. Loans, equity investments or guaranteed loans may only be provided to feasible projects, and for an amount that is the

least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the loans, equity investments or guaranteed loans in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

6. In any given year, at least ten percent of the funds granted to rural agricultural business concepts shall be awarded to grant requests of twenty-five thousand dollars or less. No single rural agricultural business concept shall receive more than two hundred thousand dollars in grant awards from the authority. Agricultural businesses owned by minority members or women shall be given consideration in the allocation of funds.

348.432. 1. The tax credit created in this section shall be known as the "New Generation Cooperative Incentive Tax Credit".

2. As used in this section, the following terms mean:

- (1) "Authority", the agriculture and small business development authority as provided in this chapter;
- (2) "Development facility", a facility producing either a good derived from an agricultural commodity or using a process to produce a good derived from an agricultural product;
- (3) "Eligible new generation cooperative", a nonprofit cooperative association formed pursuant to chapter 274 or incorporated pursuant to chapter 357 for the purpose of operating within this state a development facility or a renewable fuel production facility and approved by the authority;
- (4) "Eligible new generation processing entity", a partnership, corporation, cooperative, or limited liability company organized or incorporated pursuant to the laws of this state consisting of not less than twelve members, approved by the authority, for the purpose of owning or operating within this state a development facility or a renewable fuel production facility in which producer members:
 - (a) Hold a majority of the governance or voting rights of the entity and any governing committee;
 - (b) Control the hiring and firing of management; and
 - (c) Deliver agricultural commodities or products to the entity for processing, unless processing is required by multiple entities;
- (5) "Employee-qualified capital project", an eligible new generation cooperative with capital costs greater than fifteen million dollars which will employ at least sixty employees;
- (6) "Large capital project", an eligible new generation cooperative with capital costs greater than one million dollars;
- (7) "Producer member", a person, partnership, corporation, trust or limited liability company whose main purpose is agricultural production that invests cash funds to an eligible new generation cooperative or eligible new generation processing entity;
- (8) "Renewable fuel production facility", a facility producing an energy source which is derived from a renewable, domestically grown, organic compound capable of powering machinery, including an engine or power plant, and any by-product derived from such energy source;
- (9) "Small capital project", an eligible new generation cooperative with capital costs of no more than one million dollars.

3. Beginning tax year 1999, and ending December 31, 2002, any producer member who invests cash funds in an eligible new generation cooperative or eligible new generation processing entity may receive a credit against the tax or estimated quarterly tax otherwise due pursuant to chapter 143, other than taxes withheld pursuant to sections 143.191 to 143.265 or chapter [148, chapter] 147, **or chapter 148**, in an amount equal to the lesser of fifty percent of such producer member's investment or fifteen thousand dollars.

4. For all tax years beginning on or after January 1, 2003, any producer member who invests cash funds in an eligible new generation cooperative or eligible new generation processing entity may receive a credit against the tax or estimated quarterly tax otherwise due pursuant to chapter 143, other than taxes withheld pursuant to sections 143.191 to 143.265, chapter 147 or chapter 148, in an amount equal to the lesser of fifty percent of such producer member's investment or fifteen thousand dollars. Tax credits claimed in a taxable year may be done so on a quarterly basis and applied to the estimated quarterly tax pursuant to subsection 3 of this section. If a quarterly tax credit claim or series of claims contributes to causing an overpayment of taxes for a taxable year, such overpayment shall not be refunded but shall be applied to the next taxable year.

5. A producer member shall submit to the authority an application for the tax credit authorized by this section on a form provided by the authority. If the producer member meets all criteria prescribed by this section and is approved by the authority, the authority shall issue a tax credit certificate in the appropriate amount. Tax credits issued pursuant to this section may be carried back to any of the producer member's three prior taxable years and carried forward to any of the producer member's five subsequent taxable years regardless of the type of tax liability to which such credits are applied as authorized pursuant to subsection 3 of this section. **Through December 31, 2013**, tax credits issued pursuant

to this section may be assigned, transferred, sold or otherwise conveyed and the new owner of the tax credit shall have the same rights in the credit as the producer member, **but beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed.** Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the authority specifying the name and address of the new owner of the tax credit or the value of the credit.

6. Ten percent of the tax credits authorized pursuant to this section initially shall be offered in any fiscal year to small capital projects. If any portion of the ten percent of tax credits offered to small capital costs projects is unused in any calendar year, then the unused portion of tax credits may be offered to employee-qualified capital projects and large capital projects. If the authority receives more applications for tax credits for small capital projects than tax credits are authorized therefor, then the authority, by rule, shall determine the method of distribution of tax credits authorized for small capital projects.

7. Ninety percent of the tax credits authorized pursuant to this section initially shall be offered in any fiscal year to employee-qualified capital projects and large capital projects. If any portion of the ninety percent of tax credits offered to employee-qualified capital projects and large capital costs projects is unused in any fiscal year, then the unused portion of tax credits may be offered to small capital projects. The maximum tax credit allowed per employee-qualified capital project is three million dollars and the maximum tax credit allowed per large capital project is one million five hundred thousand dollars. If the authority approves the maximum tax credit allowed for any employee-qualified capital project or any large capital project, then the authority, by rule, shall determine the method of distribution of such maximum tax credit. In addition, if the authority receives more tax credit applications for employee-qualified capital projects and large capital projects than the amount of tax credits authorized therefor, then the authority, by rule, shall determine the method of distribution of tax credits authorized for employee-qualified capital projects and large capital projects."; and

Further amend said bill, Page 74, Section 447.708, Line 199, by deleting all of said line and inserting in lieu thereof the following:

"9. **Through December 31, 2013**, the recipient of remediation tax credits, for the purpose of this subsection referred to"; and

Further amend said bill, Page 74, Section 447.708, Line 202, by inserting immediately after the word "assignee." the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 76, Section 620.1039, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"4. **Through December 31, 2013**, certificates of tax credit issued pursuant to this section may be transferred, sold or"; and

Further amend said bill, Page 76, Section 620.1039, Line 42, by inserting immediately after the word "transferred." the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 83, Section 620.1881, Line 224, by deleting all of said line and inserting in lieu thereof the following:

"9. **Through December 31, 2013**, tax credits authorized by this section may be transferred, sold, or assigned by filing"; and

Further amend said bill, Page 84, Section 620.1881, Line 227, by inserting at the end of said line the following:

"Beginning January 1, 2014, no tax credit issued under this section shall in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed."; and

Further amend said bill, Page 89, Section 620.2005, Line 168, by deleting the words **"sold or"**; and

Further amend said bill, Page 95, Section 620.2020, Lines 93 to 96, by deleting all of said lines and inserting in lieu thereof the following:

"provided under this program shall not in any manner be transferred, sold, assigned, exchanged, or otherwise conveyed. For a qualified company with flow-through tax"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Curtman moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Morris	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Curtis	Dunn	Ellinger	Ellington	English
Englund	Gardner	Harris	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

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Otto	Pace	Peters	Pierson	Rizzo
Runions	Schieffer	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Colona	Conway 10	Cox	Frame	Franklin
Higdon	Korman	Molendorp	Muntzel	Neth
Rehder	Roorda	Scharnhorst	Schupp	Smith 120
Spencer				

VACANCIES: 001

On motion of Representative Zerr, **HCS#2 HB 698, as amended**, was adopted.

On motion of Representative Zerr, **HCS#2 HB 698, as amended**, was ordered perfected and printed by the following vote:

AYES: 120

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Conway 10	Cookson	Cornejo
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hansen	Harris	Hicks	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Messenger	Mims	Morris
Neely	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Rowden	Rowland
Runions	Schatz	Schieffer	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Wieland	Zerr	Mr Speaker

NOES: 031

Anderson	Bahr	Brattin	Burlison	Conway 104
Fowler	Haahr	Hampton	Hummel	Hurst
Keeney	Kirkton	Koenig	Korman	Love
Marshall	McNeil	Meredith	Miller	Mitten

Montecillo	Morgan	Parkinson	Pogue	Ross
Schieber	Webber	White	Wilson	Wood
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Cox	Higdon	Molendorp	Muntzel
Neth	Rehder	Roorda	Scharnhorst	Schupp
Smith 120				

VACANCIES: 001

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 274 - Fiscal Review
HCS HBs 455 & 297 - Fiscal Review
HCS#2 HB 698 - Fiscal Review
HB 756 - Fiscal Review

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SCS SB 9**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 51**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 717**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 727**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 33**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 229**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SS SCS SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 258**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SS SCS SB 125**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SB 287**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 685**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 330**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 62**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 43**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 148**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SS SCS SB 241**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS#2 SCS SBs 26, 11 & 31**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 19**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 13**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 57**, entitled:

An act to repeal section 71.285, RSMo, and to enact in lieu thereof one new section relating to the removal of weeds or trash in certain cities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 67**, entitled:

An act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, 174.231, 174.700, 174.703, 174.706, 174.770, and 544.157, RSMo, and to enact in lieu thereof seventeen new sections relating to higher education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 112**, entitled:

An act to repeal section 135.680, RSMo, and to enact in lieu thereof one new section relating to the new markets tax credit, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 118**, entitled:

An act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 159**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 170**, entitled:

An act to repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to participation by members of public governmental bodies in roll call votes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 245**, entitled:

An act to repeal section 514.040, RSMo, and to enact in lieu thereof one new section relating to waiver of court costs and expenses in civil cases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 251**, entitled:

An act to repeal sections 578.375, 578.377, 578.379, 578.381, 578.383, 573.389, and 573.390, RSMo, and to enact in lieu thereof nine new sections relating to public assistance fraud and abuse, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 252**, entitled:

An act to repeal sections 50.535, 301.3031, 302.181, 302.183, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, and 571.121, and to enact in lieu thereof sixteen new sections relating to licenses issued by the department of revenue, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 303**, entitled:

An act to repeal section 338.220, RSMo, and to enact in lieu thereof one new section relating to pharmacy permits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 304**, entitled:

An act to repeal section 334.715, RSMo, and to enact in lieu thereof one new section relating to the restriction of athletic trainers' licenses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 327**, entitled:

An act to repeal sections 544.455 and 557.011, RSMo, and to enact in lieu thereof two new sections relating to the cost of electronic monitoring, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 373**, entitled:

An act to repeal sections 323.100 and 413.225, RSMo, and to enact in lieu thereof two new sections relating to agricultural weights and measures fees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 381**, entitled:

An act to amend chapter 178, RSMo, by adding thereto one new section relating to the innovation education campus fund.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Rehder.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 18, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fifty-first Day, Monday, April 15, 2013, Page 1157, Lines 8-10, by deleting said lines.

COMMITTEE HEARINGS

AGRI-BUSINESS

Thursday, April 18, 2013, Upon Morning Adjournment, House Hearing Room 7.

Public hearing will be held: SB 342

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 18, 2013, Upon Morning Adjournment, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Discussion of DSS revenue maximization and cost avoidance services related contracts and policies.

DOWNSIZING STATE GOVERNMENT

Thursday, April 18, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SB 265, SS SB 267, SCS SBs 289 & 314

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 18, 2013, 8:30 AM, House Hearing Room 3.

Executive session will be held: HB 253, HCS HB 468, HCS HB 813, HCS HB 389

Executive session may be held on any matter referred to the committee.

AMENDED

GENERAL LAWS

Thursday, April 18, 2013, 8:00 AM, House Hearing Room 1.
Public hearing will be held: SB 24, SB 23, HB 92, HB 276, HB 732
Executive session will be held: HJR 15, HB 350, HB 931, HJR 35
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Thursday, April 18, 2013, Upon Morning Adjournment, House Hearing Room 5.
Executive session will be held: HB 750, SCS SB 147, SB 161, SS SB 262
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.
Second quarter meeting

JUDICIARY

Thursday, April 18, 2013, 8:30 AM - 10:00 AM, House Hearing Room 6.
Public hearing will be held: HB 849, HB 623, HB 606, HB 539, HB 220, SB 100
Executive session will be held: HB 552
Executive session may be held on any matter referred to the committee.

JUDICIARY

Monday, April 22, 2013, 6:00 PM, 1426 Southridge Drive, Jefferson City.

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT COMMITTEE

Thursday, April 18, 2013, 9:00 AM, Room 308.
Executive session may be held on any matter referred to the committee.
Committee will discuss developments related to retention of source documents and privacy of citizens.

LOCAL GOVERNMENT

Thursday, April 18, 2013, 8:30 AM, House Hearing Room 5.
Public hearing will be held: HB 1021
Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.
Public hearing will be held: HB 897
Executive session may be held on any matter referred to the committee.

RULES

Thursday, April 18, 2013, 12:45 PM, South Gallery.
Executive session will be held: HB 616, HCS HB 675, SCS SCR 5, SS SCS SB 29, SCS SB 106, HCS SCS SB 117, HCS SCS SB 157 & SB 102, HCS SCS SB 186, SB 197, SB 230, SB 350, HB 185, HCS SS#2 SCS SBs 26, 11 & 31, HCS HB 75, HCS HB 927, HCS SCS SB 224
Executive session may be held on any matter referred to the committee.
AMENDED #4

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Thursday, April 18, 2013, Upon Morning Adjournment, House Hearing Room 1.

Executive session will be held: HB 936

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 18, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SB 72, SB 218, HB 944, HB 835

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FOURTH DAY, THURSDAY, APRIL 18, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HCS HJR 14 - Jones (110)
- 3 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 161 - Gatschenberger
- 13 HCS HB 285 - Pace
- 14 HCS HB 348 - Neth
- 15 HCS HB 372 - Cox
- 16 HCS HB 859 - Brattin
- 17 HCS HB 881 - Guernsey
- 18 HCS HB 275 - Brattin
- 19 HCS HB 76 - Rowland
- 20 HCS HB 78 - Johnson
- 21 HCS HB 344 - Molendorp
- 22 HCS HB 387 - Frederick
- 23 HCS HB 415 - Phillips
- 24 HCS HB 601 - Richardson
- 25 HCS HB 653 - Lauer

- 26 HB 421 - Curtman
- 27 HCS HB 541 - Hicks
- 28 HCS HB 543 - Hoskins

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HB 443 - Hubbard
- 4 HCS HB 470 - Barnes
- 5 HCS HB 813, (Fiscal Review 4/10/13) - Torpey
- 6 HCS HB 468, (Fiscal Review 4/10/13), E.C. - Higdon
- 7 HCS#2 HB 178 - Koenig
- 8 HB 253, (Fiscal Review 4/10/13) - Berry
- 9 HCS HB 389, (Fiscal Review 4/16/13) - Engler
- 10 HCS HBs 455 & 297, (Fiscal Review 4/17/13) - English
- 11 HCS HB 175 - Crawford
- 12 HCS HB 290 - Lichtenegger
- 13 HB 756, (Fiscal Review 4/17/13) - Hubbard
- 14 HB 510 - Torpey
- 15 HB 400 - Riddle
- 16 HCS HB 351 - Frederick
- 17 HB 274, (Fiscal Review 4/17/13) - Brattin
- 18 HB 733 - Berry
- 19 HCS HB 252 - Lauer
- 20 HB 339 - Wieland
- 21 HCS HB 340 - Johnson
- 22 HB 747 - Scharnhorst
- 23 HCS HB 1035 - Kelley (127)
- 24 HCS HB 436 - Funderburk
- 25 HCS#2 HB 698, (Fiscal Review 4/17/13) - Zerr

SENATE BILLS FOR SECOND READING

- 1 SB 57
- 2 SB 67
- 3 SB 112
- 4 SCS SB 118
- 5 SS SCS SB 159
- 6 SB 170
- 7 SS SB 245

- 8 SS SB 251
- 9 SS SB 252
- 10 SB 303
- 11 SB 304
- 12 SB 327
- 13 SS SCS SB 373
- 14 SCS SB 381

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2013)

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7 , as amended - Reiboldt

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, THURSDAY, APRIL 18, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that loveth not knoweth not God; for God is love. (1 John 4:8)

God of love and Lord of mercy, lay Your hand upon us and hold us steady amid the troubles of life during this session. The days come and go so fast that we lose our grip on life. We hurry here and there and wonder why we are weary and worn out. In fact, our work controls us - rather than in faith, we control our work.

Halt our haste, heal our ailing spirits, direct us in the doing of our duty, stay with us and we with You until we come to ourselves. Then let us arise with a strength born of Your spirit to face the tasks of this day with courage and to keep our faith even against the foolishness of a world which has lost, at times, its true purpose and real destiny.

Abide with us and encourage us to do Your will that we may be open channels through which Your redeeming love may flow to heal the difference between people and political parties.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Micah Bahr.

The Journal of the fifty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1903 through House Resolution No. 2017

HOUSE REMONSTRANCE

Representative Marshall, et al., offered House Remonstrance No. 1.

SECOND READING OF SENATE BILLS

SB 57, SB 67, SB 112, SCS SB 118, SS SCS SB 159, SB 170, SS SB 245, SS SB 251, SS SB 252, SB 303, SB 304, SB 327, SS SCS SB 373 and SCS SB 381 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 253**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 389**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 443, relating to visitation rights of children with incarcerated parents, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 443** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gardner
Gosen	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Keeney	Kelley 127	Kelly 45
Kirkton	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Morgan	Morris	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Redmon	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer

Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 006

Justus	Koenig	Mayfield	Pogue	Spencer
White				

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Carpenter	Curtis	Franklin	Gatschenberger
Grisamore	Guernsey	Hodges	Mitten	Muntzel
Neth	Pike	Rehder	Remole	Schieber
Schieffer				

VACANCIES: 001

Speaker Jones declared the bill passed.

HCS HB 813, relating to early stage development corporations, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HB 813** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Austin	Bernskoetter	Berry
Black	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Crawford
Cross	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Flanigan	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Schatz	Schupp
Shull	Shumake	Smith 85	Solon	Sommer

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Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wood	Zerr	Mr Speaker		

NOES: 024

Anderson	Bahr	Barnes	Brattin	Burlison
Conway 104	Cox	Curtman	Dugger	Ellington
Fitzpatrick	Fowler	Keeney	Kirkton	Koenig
Marshall	Parkinson	Pogue	Ross	Schieber
Smith 120	Spencer	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Curtis	Fitzwater	Grisamore	Hodges
Pike	Rehder	Scharnhorst	Schieffer	Wilson

VACANCIES: 001

Speaker Jones declared the bill passed.

HCS HB 468, relating to public safety, was taken up by Representative Higdon.

On motion of Representative Higdon, **HCS HB 468** was read the third time and passed by the following vote:

AYES: 124

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McManus	Messenger	Miller	Mims
Molendorp	Morris	Neely	Neth	Nichols
Norr	Pace	Parkinson	Pfautsch	Phillips
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer

Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 028

Burlison	Butler	Carpenter	Colona	Dunn
Ellinger	Ellington	Gardner	Hummel	Kirkton
LaFaver	Marshall	May	McDonald	McKenna
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Otto	Peters	Pierson	Runions
Schupp	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 010

Curtis	Curtman	Hicks	Hodges	Muntzel
Pike	Rehder	Roorda	Scharnhorst	Smith 85

VACANCIES: 001

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burns	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Morris	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

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NOES: 021

Anderson	Burlison	Butler	Carpenter	Curtis
Dunn	Ellington	Fitzpatrick	Gardner	Gatschenberger
Hummel	Marshall	May	McDonald	Mims
Montecillo	Peters	Pierson	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Ellinger	Flanigan	Hansen	Hicks	Hodges
McCann Beatty	Morgan	Muntzel	Pike	Rehder
Roorda	Scharnhorst			

VACANCIES: 001

Representative McCaherty assumed the Chair.

HB 253, relating to the establishment of the "Broad-Based Tax Relief Act of 2013," was taken up by Representative Berry.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Neth	Pfautsch	Phillips	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Funderburk	Hicks	Hodges	Molendorp	Morgan
Parkinson	Pike	Rehder		

VACANCIES: 001

On motion of Representative Berry, **HB 253** was read the third time and passed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Cierpiot	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	Messenger	Miller	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Butler	Carpenter	Colona
Conway 104	Curtis	Dunn	Ellinger	Ellington
Englund	Fowler	Frame	Gardner	Hampton
Harris	Hummel	Kelly 45	Kirkton	Kratky

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LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Flanigan	Hicks	Hodges	Lichtenegger	Molendorp
Parkinson	Pike	Rehder		

VACANCIES: 001

Representative McCaherty declared the bill passed.

HCS HB 389, relating to a qualified tax credit for research expenses, was taken up by Representative Engler.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Neth	Pfautsch	Phillips	Pogue	Redmon
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wood	Zerr	Mr Speaker

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil

Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Cornejo	Flanigan	Hicks	Hodges
Jones 50	Kolkmeier	Molendorp	Parkinson	Pike
Rehder	Richardson	Smith 120	Wilson	

VACANCIES: 001

On motion of Representative Engler, **HCS HB 389** was read the third time and passed by the following vote:

AYES: 118

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Fraker	Frame	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Morgan	Morris	Neely	Neth
Newman	Nichols	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wright	Zerr	Mr Speaker		

NOES: 037

Anderson	Bahr	Black	Brattin	Burlison
Conway 104	Curtman	Dugger	Ellington	Fitzpatrick
Fowler	Franklin	Guernsey	Haahr	Hampton
Harris	Hummel	Hurst	Keeney	Kirkton
Koenig	Marshall	McKenna	Mims	Montecillo
Muntzel	Norr	Pogue	Remole	Rhoads
Roorda	Ross	Schieber	Schieffer	Smith 120
White	Wood			

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PRESENT: 000

ABSENT WITH LEAVE: 007

Flanigan	Hodges	Kolkmeier	Parkinson	Pike
Rehder	Wilson			

VACANCIES: 001

Representative McCaherty declared the bill passed.

HCS HB 175, relating to property taxes and assessments, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 175** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pogue	Redmon	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 010

Burlison	Colona	Curtis	Ellington	Gardner
Marshall	Mims	Montecillo	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Flanigan	Funderburk	Hodges	Hough	Parkinson
Pierson	Pike	Rehder		

VACANCIES: 001

Representative McCaherty declared the bill passed.

HCS HB 290, relating to adoption investigations, was taken up by Representative Lichtenegger.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Pfausch	Phillips	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

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ABSENT WITH LEAVE: 009

Flanigan	Guernsey	Hicks	Hodges	Parkinson
Pierson	Pike	Rehder	Webber	

VACANCIES: 001

On motion of Representative Lichtenegger, **HCS HB 290** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Walker
Walton Gray	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 010

Butler	Colona	Cross	Curtis	Ellington
Gardner	Montecillo	Smith 85	Torpey	Webb

PRESENT: 000

ABSENT WITH LEAVE: 009

Curtman	Flanigan	Hodges	Parkinson	Pierson
Pike	Rehder	Schatz	Webber	

VACANCIES: 001

Representative Hummel requested a verification of the roll call on the motion to third read and pass **HCS HB 290**.

Representative McCaherty declared the bill passed.

Speaker Jones resumed the Chair.

HB 510, relating to limited liability companies, was taken up by Representative Torpey.

On motion of Representative Torpey, **HB 510** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pogue	Redmon	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Webb

PRESENT: 000

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ABSENT WITH LEAVE: 005

Hodges	Love	Pierson	Pike	Rehder
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VACANCIES: 001

Speaker Jones declared the bill passed.

HB 400, relating to the administration of abortion-inducing drugs, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 400** was read the third time and passed by the following vote:

AYES: 115

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 039

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Hubbard	Hummel	Kirkton
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Grisamore	Hansen	Hodges	Kelly 45	Pierson
Pike	Rehder	Shull		

VACANCIES: 001

Speaker Jones declared the bill passed.

HB 733, relating to the Port Improvement District Act, was taken up by Representative Berry.

Representative Bahr assumed the Chair.

On motion of Representative Berry, **HB 733** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pogue
Redmon	Reiboldt	Remole	Richardson	Rizzo
Roorda	Ross	Rowland	Runions	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 003

Burlison	Marshall	Webb
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PRESENT: 000

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ABSENT WITH LEAVE: 015

Flanigan	Funderburk	Grisamore	Haahr	Hodges
Lichtenegger	Miller	Pierson	Pike	Rehder
Rhoads	Riddle	Rowden	Scharnhorst	Schatz

VACANCIES: 001

Representative Bahr declared the bill passed.

HCS HB 252, relating to adoptions, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 252** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pogue	Redmon	Reiboldt	Remole	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 007

Butler	Colona	Ellington	Gardner	Marshall
Smith 85	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Flanigan	Funderburk	Grisamore	Guernsey
Haahr	Hodges	McManus	Pierson	Pike
Rehder	Rhoads	Scharnhorst		

VACANCIES: 001

Representative Bahr declared the bill passed.

HCS HB 351, relating to hospital licensure and inspections, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 351** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Ellington

PRESENT: 000

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ABSENT WITH LEAVE: 008

Hodges	Jones 50	Kelly 45	Pierson	Pike
Rehder	Scharnhorst	Sommer		

VACANCIES: 001

Representative Bahr declared the bill passed.

HCS HB 436, relating to firearms, was taken up by Representative Funderburk.

Speaker Jones resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Hodges	Hubbard	Pierson	Pike	Rehder
Smith 120	Torpey			

VACANCIES: 001

On motion of Representative Funderburk, **HCS HB 436** was read the third time and passed by the following vote:

AYES: 115

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 041

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Gardner	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Hodges
Torpey

Hubbard

Pierson

Pike

Rehder

VACANCIES: 001

Speaker Jones declared the bill passed.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 564**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **SB 342**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SB 208**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Agriculture, Chairman Johnson reporting:

Mr. Speaker: Your Committee on Emerging Issues in Agriculture, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 35**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 350**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 411**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 783**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 121**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Emerging Issues in Health Care, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **HB 936**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 75**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 75**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 185**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 616**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 675**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 927**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as HB 927**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SBs 26, 11 & 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 157 and SB 102**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 186**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 197**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 224**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as SCS SB 224**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 230**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 350**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 509** - General Laws
- HB 528** - Elementary and Secondary Education
- HB 649** - Insurance Policy
- HB 670** - Judiciary
- HB 799** - Crime Prevention and Public Safety
- HB 820** - Retirement
- HB 838** - Children, Families, and Persons with Disabilities
- HB 851** - Judiciary
- HB 855** - General Laws

- HB 866** - Crime Prevention and Public Safety
- HB 874** - Ways and Means
- HB 878** - Retirement
- HB 890** - Emerging Issues in Agriculture
- HB 947** - Government Oversight and Accountability
- HB 948** - Government Oversight and Accountability
- HB 949** - Government Oversight and Accountability
- HB 950** - Government Oversight and Accountability
- HB 951** - Government Oversight and Accountability
- HB 952** - Government Oversight and Accountability
- HB 953** - Government Oversight and Accountability
- HB 954** - Government Oversight and Accountability
- HB 955** - Government Oversight and Accountability
- HB 956** - Government Oversight and Accountability
- HB 957** - Government Oversight and Accountability
- HB 958** - Government Oversight and Accountability
- HB 959** - Government Oversight and Accountability
- HB 960** - Government Oversight and Accountability
- HB 961** - Government Oversight and Accountability
- HB 966** - Government Oversight and Accountability
- HB 967** - Government Oversight and Accountability
- HB 969** - Government Oversight and Accountability
- HB 970** - Insurance Policy
- HB 979** - Transportation
- HB 990** - General Laws
- HB 1000** - General Laws
- HB 1001** - General Laws
- HB 1006** - Utilities
- HB 1011** - Elementary and Secondary Education
- HB 1014** - Transportation
- HB 1015** - Higher Education
- HB 1016** - Elementary and Secondary Education
- HB 1022** - General Laws
- HB 1023** - Crime Prevention and Public Safety
- HB 1024** - Workforce Development and Workplace Safety
- HB 1026** - General Laws
- HB 1028** - Ways and Means
- HB 1029** - Ways and Means
- HB 1030** - Special Standing Committee on Emerging Issues in Health Care
- HB 1031** - Ways and Means
- HB 1032** - Elections
- HB 1034** - Insurance Policy
- HB 1036** - Workforce Development and Workplace Safety
- HB 1038** - Utilities
- HB 1042** - Ways and Means

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#2 SCS SBs 26, 11 & 31 - Fiscal Review

SB 112 - General Laws

HCS SCS SB 117 - Fiscal Review

SS SCS SB 159 - General Laws

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 205**, entitled:

An act to repeal section 211.036, RSMo, and to enact in lieu thereof two new sections relating to foster children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 226**, entitled:

An act to repeal sections 56.700, 631.165, 632.005, 632.150, 632.155, 632.300, 632.305, 632.330, 632.335, 632.337, 632.340, 632.350, 632.355, 632.375, 632.390, and 632.430, RSMo, and to enact in lieu thereof sixteen new sections relating to mental health services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 256**, entitled:

An act to repeal sections 160.2110, 174.335, 210.861, 210.950, 211.447, and 595.220, RSMo, and to enact in lieu thereof eight new sections relating to child abuse and neglect.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 282**, entitled:

An act to repeal sections 174.700, 174.703, 174.706, 302.302, and 544.157, RSMo, and to enact in lieu thereof ten new sections relating to the regulation of motor vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 366**, entitled:

An act to repeal sections 33.080, 144.030, 360.045, and 374.150, RSMo, and to enact in lieu thereof six new sections relating to rebuilding damaged infrastructure, with an existing penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

April 18, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol 317-A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Judy Morgan from the committee on International Trade and appoint Representative Josh Peters.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

COMMUNICATIONS

April 16, 2013

Dear Chief Clerk Crumbliss,

May this letter serve as notification that I have been asked to serve on the P.A.T. Advisory Board for Hannibal School District No. 60. The period of service is two years. This is a voluntary position only on the Advisory Board. I have chosen to serve on the board and ask that this letter become part of my file with your office. I will also keep a copy in my office.

Thank you for your assistance in this matter.

Sincerely,

/s/ Lindell F. Shumake
State Representative
District 5

April 16, 2013

Dear Chief Clerk Crumbliss,

May this letter serve as notification that I have been asked to serve on the CASA Advisory Board. This is a voluntary position only on the Advisory Board. I have chosen to serve on the board and ask that this letter become part of my file with your office. I will also keep a copy in my office.

Thank you for your assistance in this matter.

Sincerely,

/s/ Lindell F. Shumake
State Representative
District 5

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, April 22, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 23, 2013, 2:00 PM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

We will be looking at the 2009 audit of Corrections looking into the Canteen Program.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 24, 2013, 2:00 PM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

We will be looking at the 2009 audit of Corrections looking into the Canteen Program.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 23, 2013, 12:00 PM or Upon Adjournment, House Hearing Room 1.

Public hearing will be held: SCS SB 87, HB 838, HB 710, HB 720

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 23, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 812

Executive session will be held: HB 36, HB 296, HCS SCS SB 224

Executive session may be held on any matter referred to the committee.

Please note room change

AMENDED

ELECTIONS

Tuesday, April 23, 2013, 8:15 AM, House Hearing Room 5.

Public hearing will be held: SCS SB 2, SB 99, HB 865

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Monday, April 22, 2013, 1:00 PM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

FRESHMAN BIPARTISAN ISSUE DEVELOPMENT COMMITTEE

Tuesday, April 23, 2013, Upon Evening Adjournment, 612 East Capitol Avenue.

The committee will preview TrakBill, an innovative tool for tracking legislation.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 22, 2013, 1:00 PM, House Hearing Room 7.

Executive session will be held: HB 803, HB 840

Executive session may be held on any matter referred to the committee.

The committee will hear testimony on the contract the Department of Social Services has entered into with the Public Consulting Group.

HEALTH INSURANCE

Tuesday, April 23, 2013, 9:30 AM, House Hearing Room 3.

Executive session will be held: SCS SB 147, SB 161, SS SB 262

Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Monday, April 22, 2013, 1:00 PM, House Hearing Room 5.

Informational testimony from: Pat Graber, retired Deputy Director, Mental Health

Brent McGinty, Pathways - Coalition of Community Mental Health Center

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Monday, April 22, 2013, 6:00 PM, 1426 Southridge Drive, Jefferson City.

MISSOURI SPORTSMAN ISSUE DEVELOPMENT COMMITTEE

Monday, April 22, 2013, Upon Evening Adjournment,

4750 Henwick Lane, Jefferson City, MO 65109

Trap shoot and final training

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897

Executive session may be held on any matter referred to the committee.

RULES

Monday, April 22, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Tuesday, April 23, 2013, 6:00 PM or Upon Evening Adjournment,
330 Commerce Drive, Jefferson City, MO

TRANSPORTATION

Tuesday, April 23, 2013, 12:00 PM or Upon Morning Adjournment, House Hearing Room 7.
Public hearing will be held: HB 885, HB 1014, HB 979
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 5.
Public hearing will be held: HB 1024
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIFTH DAY, MONDAY, APRIL 22, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HCS HJR 14 - Jones (110)
- 3 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 161 - Gatschenberger
- 13 HCS HB 285 - Pace
- 14 HCS HB 348 - Neth
- 15 HCS HB 372 - Cox
- 16 HCS HB 859 - Brattin
- 17 HCS HB 881 - Guernsey
- 18 HCS HB 275 - Brattin
- 19 HCS HB 76 - Rowland
- 20 HCS HB 78 - Johnson
- 21 HCS HB 344 - Molendorp

- 22 HCS HB 387 - Frederick
- 23 HCS HB 415 - Phillips
- 24 HCS HB 601 - Richardson
- 25 HCS HB 653 - Lauer
- 26 HB 421 - Curtman
- 27 HCS HB 541 - Hicks
- 28 HCS HB 543 - Hoskins
- 29 HCS HB 234 - Gatschenberger
- 30 HCS HB 986 - Barnes
- 31 HB 616 - Bahr
- 32 HCS HB 675 - Grisamore
- 33 HB 185 - Kirkton

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HBs 455 & 297, (Fiscal Review 4/17/13) - English
- 6 HB 756, (Fiscal Review 4/17/13) - Hubbard
- 7 HB 274, (Fiscal Review 4/17/13) - Brattin
- 8 HB 339 - Wieland
- 9 HCS HB 340 - Johnson
- 10 HB 747 - Scharnhorst
- 11 HCS HB 1035 - Kelley (127)
- 12 HCS#2 HB 698, (Fiscal Review 4/17/13) - Zerr
- 13 HCS HB 335 - Hinson
- 14 HCS HB 589, E.C. - Hinson
- 15 HCS HB 170, E.C. - Guernsey
- 16 HB 808 - Funderburk
- 17 HCS HBs 593 & 695 - Solon

SENATE BILLS FOR SECOND READING

- 1 SB 205
- 2 SCS SB 226
- 3 SCS SB 256
- 4 SS SB 282
- 5 SS SB 366

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

(4/15/2013)

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117, (Fiscal Review 4/18/13) - Davis
- 3 HCS SCS SB 157 and SB 102 - Phillips
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS#2 SCS SBs 26, 11 & 31, E.C., (Fiscal Review 4/18/13) - Koenig

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7 , as amended - Reiboldt

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, MONDAY, APRIL 22, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Lindell Shumake.

Let us pray: Dear Lord, we come before You this morning acknowledging our utter and complete dependence upon You. Today we reach out to You for divine wisdom. As we learn from sacred scripture how King Solomon did not ask for riches, long life, or victory over his enemies, but rather, asked for wisdom to govern Your people, we ask for that kind of wisdom today.

Lord we ask that You remember our fellow Americans who have experienced tragedy in their lives, especially those in Boston and Texas. May their recovery be swift and total. Please remember our own House members and staff who are dealing with sickness, whether their own or that of a family member.

We ask for Your divine guidance as we begin our work week. We cannot thank You enough for the many blessings You have visited upon our great state through the grace of Your Son Jesus.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

OATH OF OFFICE

Representative-elect Mike Moon advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Timothy Jones, Speaker of the Missouri House of Representatives.

The Journal of the fifty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2018 through House Resolution No. 2101

SECOND READING OF SENATE BILLS

SB 205, SCS SB 226, SCS SB 256, SS SB 282, and SS SB 366 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 455 & 297**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 HB 698**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 756**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 339, relating to uninsured motorist cause of action, was taken up by Representative Wieland.

On motion of Representative Wieland, **HB 339** was read the third time and passed by the following vote:

AYES: 104

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCarthy	McGaugh	McKenna
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowland	Scharnhorst	Schieber	Schieffer	Shull
Shumake	Smith 120	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 055

Barnes	Burns	Butler	Carpenter	Colona
Conway 10	Cornejo	Curtis	Dunn	Ellinger
Ellington	Englund	Fowler	Frame	Gardner
Grisamore	Haahr	Hodges	Hubbard	Hummel
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Rowden
Runions	Schatz	Schupp	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Kelly 45	Redmon	Smith 85
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VACANCIES: 000

Speaker Jones declared the bill passed.

HB 274, relating to newborn screenings, was taken up by Representative Brattin.

On motion of Representative Brattin, **HB 274** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCahty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross

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Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 004

Fowler	Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Kelly 45	Redmon	Smith 85
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VACANCIES: 000

Speaker Jones declared the bill passed.

HCS HB 1035, relating to property taxes, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **HCS HB 1035** was read the third time and passed by the following vote:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120

Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Kelly 45	Redmon	Smith 85
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VACANCIES: 000

Speaker Jones declared the bill passed.

HB 747, relating to gaming establishment transactions, was taken up by Representative Scharnhorst.

Representative Leara assumed the Chair.

On motion of Representative Scharnhorst, **HB 747** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Brattin	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Crawford	Curtis
Curtman	Davis	Diehl	Dugger	Dunn
Ellington	Elmer	Engler	English	Englund
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Kratky	LaFaver	Lair	Lauer	Leara
Lichtenegger	Love	Lynch	May	McCann Beatty
McDonald	McGaugh	McKenna	McManus	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Rehder	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Shull
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	Wieland	Wright
Zerr	Mr Speaker			

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NOES: 025

Bahr	Berry	Black	Cox	Dohrman
Ellinger	Entlicher	Flanigan	Frederick	Korman
Lant	Marshall	Mayfield	McCaherty	McNeil
Moon	Pogue	Reiboldt	Remole	Schieber
Schupp	Shumake	White	Wilson	Wood

PRESENT: 000

ABSENT WITH LEAVE: 006

Cross	Funderburk	Kelly 45	Molendorp	Redmon
Smith 85				

VACANCIES: 000

Representative Leara declared the bill passed.

HCS HBs 593 & 695, relating to cancer medications, was taken up by Representative Solon.

On motion of Representative Solon, **HCS HBs 593 & 695** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Davis	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Gannon	Gardner
Gatschenberger	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	Wieland	Wood
Wright	Zerr	Mr Speaker		

NOES: 013

Bahr	Burlison	Curtman	Ellington	Fitzpatrick
Frederick	Gosen	Koenig	Marshall	Pogue
Schieber	White	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cross	Diehl	Funderburk	Kelly 45	Molendorp
Redmon	Smith 85			

VACANCIES: 000

Representative Leara declared the bill passed.

HCS HB 340, relating to daylight saving time, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 340** was read the third time and passed by the following vote:

AYES: 104

Allen	Anders	Anderson	Austin	Berry
Black	Brattin	Brown	Burlison	Burns
Carpenter	Cierpiot	Conway 10	Cox	Crawford
Curtman	Davis	Dohrman	Dugger	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	Mayfield	McCaherty	McDonald
McGaugh	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Norr	Otto
Pace	Pfautsch	Pike	Rehder	Reiboldt
Remole	Rhoads	Richardson	Roorda	Ross
Rowland	Scharnhorst	Schatz	Shull	Shumake
Smith 120	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 052

Bahr	Barnes	Bernskoetter	Butler	Colona
Conway 104	Cookson	Cornejo	Cross	Curtis
Dunn	Ellinger	Ellington	Gardner	Haahr
Hampton	Hodges	Hoskins	Hummel	LaFaver
Love	Marshall	May	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Moon	Morgan	Newman	Nichols
Parkinson	Peters	Phillips	Pierson	Pogue

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Rizzo	Rowden	Runions	Schieber	Schieffer
Schupp	Spencer	Walton Gray	Webb	Webber
Wright	Zerr			

PRESENT: 001

Engler

ABSENT WITH LEAVE: 006

Diehl	Funderburk	Kelly 45	Redmon	Riddle
Smith 85				

VACANCIES: 000

Representative Leara declared the bill passed.

HCS#2 HB 698, relating to tax incentives, was taken up by Representative Zerr.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith

Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Funderburk	Kelly 45	Redmon	Scharnhorst
Smith 85	Swearingen			

VACANCIES: 000

On motion of Representative Zerr, **HCS#2 HB 698** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cornejo
Crawford	Cross	Curtis	Davis	Dohrman
Dunn	Ellinger	Elmer	Engler	English
Englund	Fitzwater	Flanigan	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 50	Justus
Kelley 127	Kolkmeyer	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfausch	Phillips	Pierson	Pike
Reiboldt	Richardson	Riddle	Rizzo	Roorda
Rowden	Runions	Scharnhorst	Schieffer	Shull
Shumake	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Wieland	Zerr	Mr Speaker		

NOES: 043

Anderson	Bahr	Brattin	Burlison	Conway 104
Cookson	Cox	Curtman	Dugger	Ellington
Entlicher	Fitzpatrick	Fowler	Haahr	Hampton
Hodges	Hurst	Johnson	Keeney	Kirkton
Koenig	Korman	Love	Marshall	Montecillo
Moon	Parkinson	Pogue	Rehder	Remole
Rhoads	Ross	Rowland	Schatz	Schieber
Schupp	Smith 120	Spencer	Webber	White
Wilson	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl
Smith 85

Fraker
Swearingen

Funderburk

Kelly 45

Redmon

VACANCIES: 000

Representative Leara declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 589 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 57 - Local Government

SB 67 - Higher Education

SCS SB 118 - Judiciary

SB 170 - Downsizing State Government

SS SB 245 - Judiciary

SS SB 251 - Government Oversight and Accountability

SS SB 252 - Government Oversight and Accountability

SS SB 282 - Transportation

SB 303 - Professional Registration and Licensing

SB 304 - Professional Registration and Licensing

SB 327 - Crime Prevention and Public Safety

SS SCS SB 373 - Agri-Business

SCS SB 381 - Higher Education

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 126**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 178**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

SENATE CONSENT BILLS

Pursuant to Rule 45(c), the following bills have remained on the Senate Consent Calendar for Third Reading for five legislative days without any objection, and all committee substitutes and committee amendments are hereby adopted by consent: **SB 16, SB 59, SB 60, SB 80, HCS SB 188, SCS SB 191, SB 234, SB 235, SB 237, SB 306, SCS SB 324, SB 329** and **SCS SB 376**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 3**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Cierpiot, the House adjourned until 10:00 a.m., Tuesday, April 23, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 23, 2013, Upon Afternoon Adjournment, House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY

Tuesday, April 23, 2013, 12:00 PM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 23, 2013, Noon or Upon Morning Recess, House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
We will be looking at the 2009 audit of Corrections looking into the Canteen Program.
CORRECTED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 23, 2013, 2:00 PM, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
We will be looking at the 2009 audit of Corrections looking into the Canteen Program.
CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 24, 2013, 2:00 PM, House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
We will be looking at the 2009 audit of Corrections looking into the Canteen Program.

BUDGET

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 3.

Public hearing will be held: HB 930

Executive session will be held: HB 17, HB 18, HB 19, HB 930

Executive session may be held on any matter referred to the committee.

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Tuesday, April 23, 2013, 12:00 PM or Upon Adjournment, House Hearing Room 1.

Public hearing will be held: SCS SB 87, HB 838, HB 710, HB 720

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 23, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 812

Executive session will be held: HB 36, HB 296, HCS SCS SB 224

Executive session may be held on any matter referred to the committee.

Please note room change

AMENDED

ECONOMIC DEVELOPMENT

Tuesday, April 23, 2013, 5:00 PM, House Hearing Room 3.

Public hearing will be held: HB 827, SCS SB 248

Executive session may be held on any matter referred to the committee.

ELECTIONS

Tuesday, April 23, 2013, 8:15 AM, House Hearing Room 5.

Public hearing will be held: SCS SB 2, SB 99, HB 865

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SB 242, SB 211, HB 295, HB 681, HB 1016, HB 603

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 23, 2013, Upon Afternoon Adjournment or 4:45 PM (whichever is later), House Hearing Room 6.

Executive session will be held: HCS SS#2 SCS SBs 26, 11 & 31

FRESHMAN BIPARTISAN ISSUE DEVELOPMENT

Tuesday, April 23, 2013, Upon Evening Adjournment, 612 East Capitol Avenue.

The committee will preview TrakBill, an innovative tool for tracking legislation.

GENERAL LAWS

Tuesday, April 23, 2013, 12:00 PM, House Hearing Room 3.

Public hearing will be held: SCS SB 83, HB 872, SS SCS SB 159, HB 990

Executive session will be held: HB 92

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 24, 2013, Noon or Upon Morning Recess, House Hearing Room 6.

Public hearing will be held: HB 929, SB 127, SS SCS SB 129

Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE

Tuesday, April 23, 2013, 9:30 AM, House Hearing Room 3.

Executive session will be held: SCS SB 147, SB 161, SS SB 262

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, April 24, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier), House Hearing Room 1.

Public hearing will be held: HB 670, HB 851, SB 12

Executive session will be held: SB 110, HB 567, SCS SB 45, HB 594, SB 73

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 24, 2013, Upon Morning Recess, House Hearing Room 5.

Public hearing will be held: SCS SB 101, SCS SB 305

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897

Executive session may be held on any matter referred to the committee.

CANCELLED

RULES

Tuesday, April 23, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: HCS HB 132, HCS HB 210, HCS HB 630, HCS HB 641, HCS HB 781, HCS HB 936, HCS SCS SB 17, SS SB 28, HCS SS SB 34, HCS SS SCS SB 116, HCS SS SCS SB 125, SCS SB 254, SCS SB 287, HCR 34

Executive session may be held on any matter referred to the committee.

AMENDED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 24, 2013, 12 PM or Upon Morning Recess, House Hearing Room 7.

Public hearing will be held: HB 1033

Executive session will be held: HB 393, HB 71

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Tuesday, April 23, 2013, 6:00 PM or Upon Evening Adjournment,

Committee Dinner, 330 Commerce Drive, Jefferson City, MO

TRANSPORTATION

Tuesday, April 23, 2013, 12:00 PM or Upon Morning Adjournment, House Hearing Room 7.

Public hearing will be held: HB 885, HB 1014, HB 979

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SB 275, HB 1006, HB 1038, SB 294

Executive session may be held on any matter referred to the committee.

WAYS AND MEANS

Tuesday, April 23, 2013, 5:00 PM, House Hearing Room 1.

Public hearing will be held: HB 1029, HB 1031, HB 832

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 1024

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SIXTH DAY, TUESDAY, APRIL 23, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HCS HJR 14 - Jones (110)
- 3 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp

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- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 161 - Gatschenberger
- 13 HCS HB 285 - Pace
- 14 HCS HB 348 - Neth
- 15 HCS HB 372 - Cox
- 16 HCS HB 859 - Brattin
- 17 HCS HB 881 - Guernsey
- 18 HCS HB 275 - Brattin
- 19 HCS HB 76 - Rowland
- 20 HCS HB 78 - Johnson
- 21 HCS HB 344 - Molendorp
- 22 HCS HB 387 - Frederick
- 23 HCS HB 415 - Phillips
- 24 HCS HB 601 - Richardson
- 25 HCS HB 653 - Lauer
- 26 HB 421 - Curtman
- 27 HCS HB 541 - Hicks
- 28 HCS HB 543 - Hoskins
- 29 HCS HB 234 - Gatschenberger
- 30 HCS HB 986 - Barnes
- 31 HB 616 - Bahr
- 32 HCS HB 675 - Grisamore
- 33 HB 185 - Kirkton

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HBs 455 & 297 - English
- 6 HB 756 - Hubbard
- 7 HCS HB 335, E.C. - Hinson
- 8 HCS HB 589, (Fiscal Review 4/22/13), E.C. - Hinson
- 9 HCS HB 170, E.C. - Guernsey
- 10 HB 808 - Funderburk

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Engler
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS#2 SCS SBs 26, 11 & 31, (Fiscal Review 4/18/13), E.C. - Koenig

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HJR 11 & 7 , as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream

SENATE CONCURRENT RESOLUTIONS

- SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, TUESDAY, APRIL 23, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Teach me Thy way, O Lord, that I may walk in Thy truth. (Psalm 86:11)

Eternal God, Who is the refuge and strength of Your people in every age and our refuge and strength in this present hour, come into our hearts as we bow humbly in Your presence. Help us to realize our dependence upon You, our constant need of Your strength, Your guidance, and Your love. Give us knowledge that You are always with us and that with You we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for an end to terrorism, for good will among our people, and for a faith in You which makes us strong, gives us courage, and helps us on our upward way. Keep our firefighters safe and protect us from floods.

May Your spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our troubles, and send us out into this day strong in You and in the power of Your might.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alex Ricci, Miranda Nelson, Sabrina Drake, Anna Marie Harmon, Alex Loethen, Savannah Feltrop, Faith Koenig, Jacoby Lefort, Gage Rethorn, James Bomen, Johanna Shumake, Sadie Rowden and Stella Sides.

The Journal of the fifty-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2102 through House Resolution No. 2214

PERFECTION OF HOUSE BILLS

HCS HB 161, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said section and line the following:

"247.225. Notwithstanding any provision of law to the contrary, a water supply district under this chapter in a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants shall be under the auspices of the public service commission for rates, charges, or other fees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Lauer offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 161, Section 64.170, Page 3, Line 30, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county [of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants], the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or, **if applicable to that county, chapter 141, or**, [by judicial foreclosure proceeding,] at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.

67.2070. 1. Sections 67.2070 to 67.2073 shall be known and may be cited as the "STAR Bonds Financing Act".

2. As used in sections 67.2070 to 67.2073, the following terms mean:

(1) "Commence work", the manifest commencement of actual operations on the development site, such as erecting a building, excavating the ground to lay a foundation or a basement, or work of like description that a person with reasonable diligence can see and recognize as being done with the intention and purpose to continue work until the project is completed;

(2) "De minimus", an amount less than fifteen percent of the land area within a STAR bond project district;

(3) "Developer", any person, firm, corporation, partnership, or limited liability company other than a city and other than an agency, political subdivision, or instrumentality of the state;

(4) "Director", the director of the department of economic development;

(5) "Economic impact study", a study to project the financial benefit of the project to the local, regional, and state economies;

(6) "Eligible area", a historic theater, major tourism area, river walk canal facility, major multisport athletic complex, or a major commercial entertainment and tourism area as determined by the director;

(7) "Historic theater", a building constructed before the year 1940 that was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows, or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation office as eligible to be on the National Register of Historic Places;

(8) "Historic theater sales tax increment", the amount of any state and local sales tax revenue imposed under state law collected from taxpayers doing business within a historic theater that is in excess of the amount of such taxes collected before the designation of the building as a historic theater for purposes of the STAR bonds financing act;

(9) "Major commercial entertainment and tourism area", an area that may include, but not be limited to, a major multisport athletic complex;

(10) "Major multisport athletic complex", an athletic complex that is used for the training of athletes, the practice of athletic teams, the playing of athletic games, or the hosting of events. Such project may include playing fields, parking lots, and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage, and temporary hospitality facilities, but excluding hotels, motels, restaurants, and retail facilities, not directly related to or necessary to the operation of such facility;

(11) "Major tourism area", an area for which the director has made a finding that capital improvements costing not less than one hundred million dollars will be built in the state;

(12) "Market study", a study to determine the ability of the project to gain market share locally, regionally, and nationally, and the ability of the project to gain sufficient market share to:

(a) Remain profitable past the term of repayment; and

(b) Maintain status as a significant factor for travel decisions;

(13) "Market impact study", a study to measure the impact of the proposed project on similar businesses in the project's market area;

(14) "Museum facility", a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants, and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state, or a nonprofit

corporation, shall be managed by the state, a city, county, other political subdivision of the state, or a nonprofit corporation, and shall not be leased to any developer and shall not be located within any retail or commercial building;

(15) "Project", a STAR bond project;

(16) "Project costs":

(a) Costs necessary to implement a STAR bond project plan;

(b) Project costs includes costs incurred for:

a. Acquisition of real property within the STAR bond project area;

b. Payment of relocation assistance under a relocation assistance plan as provided in the STAR bonds financing act;

c. Site preparation including utility relocations;

d. Sanitary and storm sewers and lift stations;

e. Drainage conduits, channels, levees, and river walk canal facilities;

f. Street grading, paving, graveling, macadamizing, curbing, guttering, and surfacing;

g. Street light fixtures, connection, and facilities;

h. Underground gas, water, heating, and electrical services and connections located within the public right-of-way;

i. Sidewalks and pedestrian underpasses or overpasses;

j. Drives and driveway approaches located within the public right-of-way;

k. Water mains and extensions;

l. Plazas and arcades;

m. Parking facilities and multilevel parking structures devoted to parking only;

n. Landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations, and similar amenities;

o. Major multisport athletic complex;

p. Museum facility;

q. Related expenses to redevelop and finance the project, except that for a STAR bond project financed with special obligation bonds payable from the revenues described in paragraph (a) of subdivision (1) of subsection 1 of section 67.2072, such expenses shall require prior approval by the director;

(c) Project costs shall not include:

a. Costs incurred in connection with the construction of buildings or other structures;

b. Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a STAR bond project district;

c. Salaries for local government employees;

d. Moving expenses for employees of the businesses locating within the STAR bond project district;

e. Property taxes for businesses that locate in the STAR bond project district;

f. Lobbying costs;

g. Any bond origination fee charged by the city or county;

h. Any personal property that is subject to taxation under this state's laws; and

i. Travel, entertainment, and hospitality;

(17) "Projected market area", any area within the state in which the project is projected to have a substantial fiscal or market impact upon businesses in such area;

(18) "River walk canal facilities", a canal and related water features that flow through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to, pedestrian walkways and promenades, landscaping, and parking facilities;

(19) "Sales tax and revenue", those revenues available to finance the issuance of special obligation bonds as identified in the STAR bond financing act;

(20) "STAR bond", a sales tax and revenue bond;

(21) "STAR bond project", an approved project to implement a project plan for the development of the established STAR bond project district with a capital investment of at least fifty million dollars and fifty million dollars in projected gross annual sales, or for areas outside of metropolitan statistical areas as defined by the federal Office of Management and Budget, an area for which the director finds that the project is an eligible area and one of the following:

(a) Would be of regional or statewide importance; or

(b) Is a major tourism area;

(22) "STAR bond project area", the geographic area within the STAR bond project district in which there may be one or more projects;

(23) "STAR bond project district", the specific area declared to be an eligible area as determined by the director in which the city or county may develop one or more STAR bond projects;

(24) "STAR bond project district plan", the preliminary plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings, facilities, and improvements in each that are proposed to be constructed or improved in each STAR bond project area;

(25) "STAR bond project plan", the plan adopted by a city or county for the development of a STAR bond project or projects in a STAR bond project district;

(26) "Substantial change", as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the STAR bond project district plan was approved;

(27) "Tax increment", that portion of the revenue derived from state and local sales, use, and transient guest tax collected from taxpayers doing business within that portion of a STAR bond project district occupied by a project that is in excess of the amount of base year revenue. For purposes of this subsection, the base year shall be the twelve-month period immediately before the month in which the STAR bond project district is established. The director shall determine base year revenue by reference to the revenue collected during the base year from taxpayers doing business within the specific area in which a STAR bond project district is subsequently established. For purposes of this subsection, revenue collected from taxpayers doing business within a STAR bond project district, or within a specific area in which a STAR bond project district is subsequently established shall not include local sales and use tax revenue that is sourced to jurisdictions other than those in which the project is located;

(28) "Taxpayer", a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group, or other entity that is subject to the tax imposed in chapter 143, 147, 148, or 153.

67.2071. 1. (1) The governing body of any city may establish one or more STAR bond projects in any area within such city or wholly outside the boundaries of such city. A STAR bond project wholly outside the boundaries of such city shall be approved by the governing body of the county in which the city is located by the passage of a county resolution. The governing body of a county may establish one or more STAR bond projects in any unincorporated area of the county. Such projects shall be eligible for financing by special obligation bonds payable from revenues described by subdivision (1) of subsection 1 of section 67.2072.

(2) Each STAR bond project shall first be approved by the director, if the director determines that the proposed project or complex sufficiently promotes, stimulates, and develops the general and economic welfare of the state. Upon approving the project, the director may approve such financing in an amount not to exceed fifty percent of the total costs including all project costs and any other costs related to the project. The proceeds of such STAR bond financing shall only be used to pay for incurred project costs.

(3) A project shall not be granted to any business that proposes to relocate its business from another area of the state into such city or county for the purpose of consideration for a STAR bond project.

(4) A project shall not be approved by the director if the required market study indicates a substantial negative impact upon businesses in the project or complex market area or the granting of such project or complex would cause a default in the payment of any outstanding special obligation bond payable from revenues authorized under subdivision (1) of subsection 1 of section 67.2072.

(5) The maximum maturity of special obligation bonds payable primarily from revenues described in subdivision (1) of subsection 1 of section 67.2072 to finance STAR bond projects under this section shall not exceed twenty years.

(6) The director shall not approve any application for STAR bond project financing that is submitted by a city or county more than one year after the STAR bond project district in which the STAR bond project is located has been established.

2. (1) When a city or county proposes to establish a STAR bond project district within an eligible area, the city or county shall adopt a resolution stating that the city or county is considering the establishment of a STAR bond project district. Such resolution shall:

(a) Give notice that a public hearing will be held to consider the establishment of a STAR bond project district and fix the date, hour, and place of such public hearing;

(b) Describe the proposed boundaries of the STAR bond project district;

(c) Describe the STAR bond project district plan;

(d) State that a description and map of the proposed STAR bond project district are available for inspection at a time and place designated;

(e) State that the governing body will consider findings necessary for the establishment of a STAR bond project district.

(2) (a) The city or county shall submit the proposed STAR bond project district to the director for a determination that the district is an eligible area. Upon the conclusion of the public hearing and a finding by the director that the proposed project district is an eligible area, the governing body of the city or county shall pass an ordinance or resolution.

(b) An ordinance or resolution for a STAR bond project district may establish the STAR bond project district, and such ordinance shall:

a. Make findings that the STAR bond project district proposed to be developed is a historic theater or a STAR bond project;

b. Contain a STAR bond project district plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each STAR bond project area. The boundaries of such STAR bond project district shall not include any area not designated in the notice required by this subsection;

c. Contain the legal description of the STAR bond project district.

(c) If no ordinance or resolution is passed by the city or county within thirty days from the conclusion of the public hearing, then such STAR bond project district shall not be established.

(3) The governing body of a city or county may establish a STAR bond project district within that city or such city may establish a district inclusive of land outside the boundaries of the city or wholly outside the boundaries of such city upon written consent of the governing body of the county. The governing body of a county may establish a STAR bond project district within the unincorporated area of the county. Before providing written consent, the governing body of the county shall provide notice and hold a hearing as is required for the establishment of a STAR bond project district.

(4) One or more STAR bond projects may be undertaken by a city or county within a STAR bond project district after such STAR bond project district has been established in the manner provided by this section.

(5) No privately owned property subject to ad valorem taxes shall be acquired and redeveloped under the STAR bonds financing act if the governing body of the county or the school district levying taxes on such property determines by resolution adopted within thirty days following the conclusion of the hearing for the establishment of the STAR bond project district that the proposed STAR bond project district will have an adverse effect on such county or school district. The governing body of the county or the school district shall deliver a copy of such resolution to the city or county. The city or county shall within thirty days of receipt of such resolution pass an ordinance or resolution dissolving the STAR bond project district. The provisions of this subdivision shall not apply if the STAR bond project plan provides that ad valorem property tax revenues of the county or the school district levying taxes on such property will not be adversely impacted.

(6) No STAR bond project shall include a project for a gambling casino.

3. (1) One or more projects may be undertaken by a city or county within an established STAR bond project district. Any city or county proposing to undertake a STAR bond project shall prepare a STAR bond project plan in consultation with the planning commission of the city and in consultation with the planning commission of the county, if any, if such project is located wholly outside the boundaries of the city. Any such project plan may be implemented in separate development stages.

(2) Any city or county proposing to undertake a STAR bond project within a STAR bond project district shall prepare a feasibility study. The feasibility study shall contain the following, but the failure to include all information required in this subdivision shall not affect the validity of bonds issued under the STAR bonds financing act:

(a) Whether a STAR bond project's revenue and tax increment revenue and other available revenues under the STAR bonds financing act are expected to exceed or be sufficient to pay for the project costs;

(b) The effect, if any, a STAR bond project will have on any outstanding special obligation bonds payable from the revenues described in the STAR bonds financing act;

(c) A statement of how the jobs and taxes obtained from the STAR bond project will contribute significantly to the economic development of the state and region;

(d) Visitation expectations;

(e) The unique quality of the project;

(f) An economic impact study;

(g) A market study;

- (h) A market impact study;
 - (i) Integration and collaboration with other resources or businesses;
 - (j) The quality of service and experience provided, as measured against national consumer standards for the specific target market;
 - (k) Project accountability, measured according to best industry practices;
 - (l) The expected return on state and local investment that the project is anticipated to produce;
 - (m) A statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the STAR bond project. If a portion of local sales and use taxes is so committed, the applicant shall describe the percentage of city and county sales and use taxes collected that are so committed and the date or dates on which the city and county sales and use taxes pledged to other uses can be pledged for repayment of bonds;
 - (n) An anticipated principal and interest payment schedule on the bond issue.
- (3) If the city or county determines the project is feasible, the project plan shall include:
- (a) A summary of the feasibility study;
 - (b) A reference to the district plan that identifies the project area that is set forth in the project plan that is being considered;
 - (c) A description and map of the project area to be redeveloped;
 - (d) The relocation assistance plan as described in section 67.2073;
 - (e) A detailed description of the buildings and facilities proposed to be constructed or improved in such area;
 - (f) Any other information the governing body of the city or county deems necessary to advise the public of the intent of the project plan.
- (4) A copy of the STAR bond project plan prepared by a city shall be delivered to the governing body of the county and of any school district levying taxes on property within the STAR bond project area. A copy of the STAR bond project plan prepared by a county shall be delivered to any school district levying taxes on property within the STAR bond project area.
- (5) Upon a finding by the planning commission that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the city, and a finding by the planning commission of the county, if any, with respect to a STAR bond project located wholly outside the boundaries of the city, that the STAR bond project plan is consistent with the intent of the comprehensive plan for the development of the county, the governing body of the city or county shall adopt a resolution stating that the city or county is considering the adoption of the STAR bond project plan. Such resolution shall:
- (a) Give notice that a public hearing will be held to consider the adoption of the STAR bond project plan and fix the date, hour, and place of such public hearing;
 - (b) Describe the boundaries of the STAR bond project district within which the STAR bond project will be located and the date of establishment of such district;
 - (c) Describe the boundaries of the area proposed to be included within the STAR bond project area;
 - (d) State that the STAR bond project plan, including a summary of the feasibility study, market study, relocation assistance plan, financial guarantees of the prospective developer, and a description and map of the area to be redeveloped or developed are available for inspection during regular office hours in the office of the city clerk or county clerk, respectively.
- (6) (a) The date fixed for the public hearing to consider the adoption of the STAR bond project plan shall be not less than thirty nor more than seventy days following the date of the adoption of the resolution fixing the date of the hearing.
- (b) A copy of the city or county resolution providing for the public hearing shall be sent by the city by certified mail, return receipt requested, to the governing body of the county and by the city or county to any school district levying taxes on property within the proposed STAR bond project area. Copies also shall be sent by certified mail, return receipt requested, to each owner and occupant of land within the proposed STAR bond project area not more than ten days following the date of the adoption of the resolution. The resolution shall be published once in a newspaper within such city or county not less than one week nor more than two weeks preceding the date fixed for the public hearing. A sketch clearly delineating the area in sufficient detail to advise the reader of the particular land proposed to be included within the STAR bond project area shall be published with the resolution.
 - (c) At the public hearing, a representative of the city or county shall present the city's or county's proposed STAR bond project plan. Following the presentation of the STAR bond project area, all interested

persons shall be given an opportunity to be heard. The governing body may recess such hearing for good cause shown to a time and date certain, which shall be fixed in the presence of persons in attendance at the hearing.

(7) The public hearing records and feasibility study shall be a public record as defined in chapter 610.

(8) Upon conclusion of the public hearing, the governing body may adopt the STAR bond project plan by ordinance or resolution passed upon a two-thirds vote of the members.

(9) After the adoption by the city or county governing body of a STAR bond project plan, the clerk of the city or county shall transmit a copy of the description of the land within the STAR bond project district, a copy of the ordinance or resolution adopting the plan and a map or plat indicating the boundaries of the district to the clerk, assessor, and treasurer of the county in which the district is located, and to the governing bodies of the county and school district that levy taxes upon any property in the district. Such documents shall be transmitted following the adoption or modification of the plan or a revision of the plan on or before January first of the year in which the increment is first allocated to the taxing subdivision.

(10) If the STAR bond project plan is approved, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meetings of any city or county whose bonding authority will be used in the STAR bond project, evidencing that a STAR bond project plan has been created, discussed, and adopted by the city or county in a regularly scheduled open public meeting.

(11) Any substantial changes to the STAR bond project plan as adopted shall be subject to a public hearing following publication of notice thereof at least twice in a newspaper located within such city or county.

(12) Any STAR bond project shall be completed within twenty years from the date of the approval of the STAR bond project plan. The maximum maturity on bonds issued to finance projects under the STAR bonds financing act shall not exceed twenty years.

(13) Residents of this state shall be given priority consideration for employment in construction projects located in a STAR bond project area.

(14) Any developer of a STAR bond project shall commence work on the project within two years from the date of adoption of the STAR bond project plan. If the developer fails to commence work on the STAR bond project within the two-year period, funding for such project shall cease and the developer of such project or complex shall have one year to appeal to the director for reapproval of such project and the funding for it. If the project is reapproved, the two-year period for commencement shall apply.

4. (1) The director shall review the STAR bond project plan, feasibility study, and market study, along with other supporting documentation, and determine whether to approve a request and, if approved, issue an approval letter for a STAR bond project based upon the requirements within the STAR bonds financing act and rules and regulations developed by the director.

(2) A special obligation bond issue shall bear interest at a reasonable rate as of the time of sale of the bonds, taking into account such factors as current market conditions, the nature and degree of risk associated with repayment of the bonds, and other relevant factors.

5. (1) Any city or county that has received approval for a STAR bond project may request STAR bond issuance authority to issue additional STAR bonds in an amount in excess of the amount previously approved by the director. Any city or county requesting such additional STAR bond issuance authority shall make application for approval to the director. Such application shall include all information required to be submitted to the director for initial approval of a STAR bond project.

(2) The director shall review all of the information submitted by the city or county in the request for additional STAR bond issuance authority and determine whether to approve a request and, if approved, issue an approval letter for additional STAR bond issuance authority based upon the requirements within this act, and rules and regulations developed by the director.

(3) The director may approve such additional STAR bond issuance authority in an amount not to exceed fifty percent of the total costs of the addition or expansion to the STAR bond project for which the additional STAR bond issuance authority is sought, including all project costs and any other costs related to the project addition or expansion. The proceeds of such additional STAR bond financing shall only be used to pay for incurred project costs of such addition or expansion.

67.2072. 1. (1) Any city or county shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the STAR bonds financing act. Such special obligation bonds shall be made payable, both as to principal and interest:

(a) From revenues of the city or county derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under the STAR bonds financing act, including historic theater sales tax increments;

(b) From any private sources, contributions, or other financial assistance from the state or federal government;

(c) From a pledge of one hundred percent of the tax increment revenue received by the city from any local sales and use taxes, including the city's share of any county sales tax, that are collected from taxpayers doing business within that portion of the city's STAR bond project district occupied by a STAR bond project, except for amounts committed to other uses by election of voters or pledged to bond repayment before the approval of the STAR bond project;

(d) At the option of the county in a city STAR bond project district, from a pledge of all of the tax increment revenues received by the county from any local sales and use taxes that are collected from taxpayers doing business within that portion of the city's STAR bond project district, except for amounts committed to other uses by election of voters or pledged to bond repayment before the approval of a STAR bond project;

(e) In a county STAR bond project district, from a pledge of one hundred percent of the tax increment revenue received by the county from any county sales and use tax, but excluding any portions of such taxes that are allocated to the cities in such county under state law, that are collected from taxpayers doing business within that portion of the county's STAR bond project district occupied by a STAR bond project;

(f) From a pledge of all of the tax increment revenue received from any state sales taxes that are collected from taxpayers doing business within that portion of the city's or county's STAR bond project district occupied by a STAR bond project;

(g) At the option of the city or county and with approval of the director, from all or a portion of the transient guest tax of such city or county;

(h) At the option of the city or county and with approval of the director:

a. From a pledge of all or a portion of increased revenue received by the city or county from franchise fees collected from utilities and other businesses using public right-of-way within the STAR bond project district; or

b. From a pledge of all or a portion of the revenue received by a city or county from local sales taxes or local transient guest and local use taxes; or

(i) By any combination of these methods.

(2) The city or county may pledge such revenue to the repayment of such special obligation bonds before, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(3) Bonds issued under subdivision (1) of this subsection shall not be general obligations of the city or the county, nor in any event shall they give rise to a charge against the city's or county's general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in subdivision (1) of this subsection, and such bonds shall so state on their face. Bonds issued under the provisions of subdivision (1) of this subsection shall be special obligations of the city or county and are declared to be negotiable instruments. Such bonds shall be executed by the mayor and clerk of the city or the presiding commissioner and the county clerk and sealed with the corporate seal of the city or county. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city or by resolution of the county. All special obligation bonds issued under the STAR bonds financing act and all income or interest therefrom shall be exempt from all state taxes. Such special obligation bonds shall not be required to contain any recital that when such bonds have been duly registered, such registration shall import absolute verity and shall be conclusive in favor of all persons purchasing such bonds, or that all proceedings and conditions precedent have been had and performed to authorize the issuance of such bonds and that such bonds shall be negotiable, but such bonds shall contain the following recitals:

(a) The authority under which such special obligation bonds are issued;

(b) Such bonds are in conformity with the provisions, restrictions, and limitations thereof; and

(c) That such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in subdivision (1) of this subsection.

(4) Any city or county issuing special obligation bonds under the STAR bonds financing act may refund all or part of such issue as provided in state law.

2. For each project financed with special obligation bonds payable from the revenues described in subdivision (1) of subsection 1 of this section, the city or county shall prepare and submit to the director by October first of each year a report describing the status of any projects within such STAR bond project area, any expenditures of the proceeds of special obligation bonds that have occurred since the last annual report, and any expenditures of the proceeds of such bonds expected to occur in the future, including the amount of sales tax revenue, how such revenue has been spent, the projected amount of such revenue, and the anticipated use of such

revenue. The department of economic development shall compile this information and submit a report annually to the governor and the legislature by February first of each year.

3. A city or county may use the proceeds of special obligation bonds or any uncommitted funds derived from sources set forth in this section to pay the bond project to implement the STAR bond project plan.

67.2073. 1. In the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in subdivision (1) of subsection 1 of section 67.2072, no public funds shall be used to pay the holders thereof except as otherwise specifically authorized in the STAR bonds financing act.

2. (1) Any addition of area to the STAR bond project district, or any substantial change to the STAR bond project district plan, shall be subject to the same procedure for public notice and hearing as is required for the establishment of the STAR bond project district.

(2) A city or county may remove real property from a STAR bond project district by an ordinance or resolution of the governing body respectively.

(3) A city or county may divide the real property in a STAR bond project district, including real property in different project areas within a STAR bond project district, into separate STAR bond project districts. Any division of real property within a STAR bond project district into more than one STAR bond project district shall be subject to the same procedure of public notice and hearing as is required for the establishment of the STAR bond project district.

(4) If a city or county has undertaken a STAR bond project within a STAR bond project district, and either the city or county wishes to subsequently remove more than a de minimus amount of real property from the STAR bond project district, or the city or county wishes to subsequently divide the real property in the STAR bond project district into more than one STAR bond project district, then before any such removal or division the city or county shall provide a feasibility study that shows that the tax revenue from the resulting STAR bond project district within which the STAR bond project is located is expected to be sufficient to pay the project costs.

(5) Removal of real property from one STAR bond project district and addition of all or a portion of that real property to another STAR bond project district may be accomplished by the adoption of an ordinance or resolution, and in such event the determination of the existence or nonexistence of an adverse effect on the county or school district under subsection 2 of section 67.2071 shall apply to both such removal and such addition of real property to a STAR bond project district.

3. (1) Any city or county that has adopted a STAR bond project plan may purchase or otherwise acquire real property in connection with such project plan. Upon a two-thirds vote of the members of the governing body thereof, a city or county may acquire by condemnation any interest in real property, including a fee simple title thereto, that it deems necessary for or in connection with any project plan of an area located within the project district; however, eminent domain shall be used only as provided in state law. Any such city or county may exercise the power of eminent domain in the manner provided in state law. In addition to any compensation or damages allowed under provisions governing eminent domain, such city or county shall also provide for the payment of relocation assistance as provided in subsection 4 of this section.

(2) No real property shall be taken using eminent domain by any municipal or county government for any economic development project, as defined in section 523.271, funded by Star Bonds if such property is acquired in order to be transferred to any private entity prior to the expiration of the Star Bond project.

4. Before any STAR bond project shall be initiated, a relocation assistance plan shall be approved by the governing body of the city or county proposing to undertake the project. Such relocation assistance plan shall:

(1) Provide for relocation payments to be made to persons, families, and businesses who move from real property located in the STAR bond project district, or who move personal property from real property located in the STAR bond project district as a result of the acquisition of the real property by the city or county in carrying out the provisions of the STAR bonds financing act. With respect to any STAR bond project, such payments shall not be less than five hundred dollars;

(2) Provide that no persons or families residing in the STAR bond project district shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents within the person's or family's ability to pay. Such housing units shall be suitable to the needs of such displaced persons or families and must be a decent, safe, sanitary, and otherwise standard dwelling; and

(3) Provide for the payment of any damages sustained by a seller, as defined in section 144.010, by reason of the liquidation of inventories necessitated by relocation from the STAR bond project district.

5. (1) Notwithstanding any other provision of law to the contrary, copies of all sales, use, and transient guest tax returns of sellers, as defined in section 144.010, filed with the director in connection with a STAR bond project area or STAR bond project, for which sales, use, and transient guest tax revenues are pledged or

otherwise intended to be used in whole or in part for the payment of bonds issued to finance project costs in such STAR bond project area, shall be provided by the director to the bond trustee, escrow agent, or paying agent for such bonds upon the written request of the city or county within fifteen days of receipt by the director. The bond trustee, escrow agent, or paying agent shall keep such sales, use, and transient guest tax returns of sellers and the information contained therein confidential, but may use such information for purposes of allocating and depositing such sales, use, and transient guest tax revenues in connection with the bonds used to finance project costs in such STAR bond project area. Except as otherwise provided herein, the sales, use, and transient guest tax returns received by the bond trustee, escrow agent, or paying agent shall be subject to the confidentiality provisions in chapter 32.

(2) The director shall determine when the amount of sales tax and other revenues that have been collected and distributed to the bond debt service or reserve fund is sufficient to satisfy all principal and interest costs to the maturity date or dates of any special obligation bonds issued by a city or county to finance a STAR bond project. Thereafter, all sales tax and other revenues shall be collected and distributed in accordance with applicable law.

6. For projects involving the use of financing under paragraph (e) of subdivision (1) of subsection 1 of section 67.2072, the director shall set a limit on the total amount of such special obligation bonds that may be issued for a STAR bond project. An issue of special obligation bonds shall bear interest at a reasonable rate as of the time of sale of the bonds, taking into account such factors as current market conditions, the nature and degree of risk associated with repayment of the bonds, and other relevant factors.

7. (1) STAR bond projects using state sales tax financing under section 67.2072 shall be audited by an independent certified public accountant annually at the expense of the city or county. The audit report shall supplement the required annual report required.

(2) Such audits shall determine whether bond financing obtained under section 67.2072 is being used only for authorized purposes. Audit results shall be reported to the governor, the director of the department of economic development, the senate committee on commerce, consumer protection, energy and the environment, the house committee on economic development, and any successor committees thereto, and the director, during the legislative session immediately following the audit.

(3) If audit findings indicate that bond funds have been used for unauthorized or ineligible purposes, the city or county shall repay to the bond fund all such unauthorized or ineligible expenditures. Such city or county shall enter into a repayment agreement with the director specifying the terms of such repayment obligation.

8. The STAR bonds financing act shall expire on June 30, 2018."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 2** was adopted.

Representative Davis offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting immediately after said line the following:

"184.800. Sections 184.800 to 184.880 shall be known as the "Missouri Museum **and Cultural** District Act".

184.805. 1. As used in sections 184.800 to 184.880, the following terms mean:

(1) "Board", the board of directors of a district;

(2) "Cultural asset", a building or area used for the purposes of promoting community culture and the arts, recreation and knowledge, including for purposes of supporting or promoting the performing arts, theater, music, entertainment, public spaces, public libraries or other public assets;

(3) "Disaster area", an area located within a municipality for which public and individual assistance has been declared by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts or has adopted an ordinance approving a redevelopment plan within three years after the President declares such disaster;

(4) "District", a museum and cultural district organized pursuant to sections 184.800 to 184.880;

[(3)] (5) "Museum", a building or area used for the purpose of exhibiting and/or preserving objects or specimens of interest to the public, including but not limited to **photographs**, art, **historical** items, **items** of natural history, and items connected with wildlife [and], conservation, **and historical events**;

[(4)] (6) "Owner of real property", the owner of the fee interest in the real property[, except that when the real property is subject to a lease of ten or more years, the lessee rather than the owner of the fee interest shall be considered as the "owner of real property"]. An owner may be either a natural person or a [juridical] **legal** entity.

2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, and as used in sections 184.800 to 184.880, the following terms shall have the meanings given:

(1) "Approval of the required majority" [or "direct voter approval"], a simple majority;

(2) "Qualified voters", the owners of real property located within the proposed district [or any person residing in the district who is a legal voter within the district].

184.810. 1. A district **where the majority of the property is located within a disaster area** may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to [a museum] **one or more museums and cultural assets** or to assist in such activity.

2. A district is a political subdivision of the state.

3. No structures operated by a museum **and cultural** district board pursuant to sections 184.800 to 184.880 shall be named for a commercial venture.

184.815. 1. Whenever the creation of a district is desired, the owners of real property who own at least two-thirds of the real property within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located. Any petition to create a museum **and cultural** district pursuant to the provisions of sections 184.800 to 184.880 shall be filed [on or before December 31, 1998] **within five years after the Presidential declaration establishing the disaster area**.

2. The proposed district area [shall be contiguous and] may contain **one or more parcels of real property, which may or may not be contiguous and may further include** any portion of one or more municipalities.

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district [or who is a legal voter resident within the proposed district];

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed, including a description of the proposed museum or museums **and cultural asset or cultural assets** and a general plan for [its] operation **of each museum and each cultural asset within the district**; and

(4) The name of the proposed district.

4. In the event any owner of real property within the proposed district who is named in the petition [or any legal voter resident within the district] shall not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon said owner [or legal voter] in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

184.820. 1. Any owner of real property within the proposed district [and any legal voter who is a resident within the proposed district] may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall determine and declare the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be deemed a final judgment for purposes of appeal.

184.827. A museum **and cultural** district created pursuant to sections 184.800 to 184.880 shall be governed by a board of directors consisting of [eight] **five** members[. Five of the members] **who** shall be elected as provided in section 184.830. [Three members of the board of directors shall be appointed by the governor with the advice and consent of the senate for a three-year term. Not more than two of the three members appointed by the governor shall

be of the same political party. The governor shall appoint an interim director to complete the unexpired term of a director caused by resignation or disqualification who was appointed by the governor.]

184.830. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, call a meeting of the owners of real property within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, to be composed of owners or representatives of owners of real property in the district.

2. The owners of real property, when assembled, shall organize by the election of a chairman and secretary of the meeting who shall conduct the election. At the election, each acre of real property within the district shall be considered as a voting interest, and each owner of real property shall have one vote in person or by proxy for every acre of real property owned within the district for each director to be elected. A director need not be a legal voter of the district.

3. Each director shall serve for a term of three years and until his **or her** successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the owners of real property called by the board. Each successor director shall serve a three-year term. The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

184.835. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors, the board shall meet. At its first meeting and after each election of new board members the board shall elect a chairman, a secretary, a treasurer and such other officers as it deems necessary from its members. A director may fill more than one office, except that a director may not fill both the office of chairman and secretary.

3. [The board may employ such employees as it deems necessary; provided, however, that the board shall not employ any employee who is related within the fourth degree by blood or marriage to a member of the board.

4.] At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

[5.] 4. A simple majority of the board shall constitute a quorum. If a quorum exists, a **simple** majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

[6.] 5. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

184.840. 1. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating [a museum] **one or more museums and cultural assets**, conducting educational programs in connection therewith [for any public purpose] which is reasonably connected with the museum **or cultural asset** and for any other purposes authorized by sections 184.840 to 184.880. Such funds may be derived from any funding method which is authorized by sections 184.800 to 184.880 and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency thereof, a political subdivision of the state or private sources.

2. The general assembly may annually for a period of twenty years after [July 7, 1997] **January 1, 2013**, make appropriations from general revenue to a district which is created pursuant to the provisions of sections 184.800 to 184.880.

184.845. 1. The board of the district may impose a museum **and cultural** district sales tax by resolution on all retail sales made in such museum **and cultural** district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum **and cultural** district sales tax may be imposed for any museum **or cultural** purpose designated by the board of the museum **and cultural** district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to [either the legal voters of the district and/or to the owners of real property within the district] **the qualified voters**, who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter following adoption of the tax by the **board or qualified voters, if the board elects to submit the question of whether to impose a sales tax to the** qualified voters.

3. In each museum **and cultural** district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum **and cultural** district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum **and cultural** district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section [144.825] **144.285**.

5. All revenue received by a museum **and cultural** district from the tax authorized by this section which has been designated for a certain museum **or cultural** purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum **or cultural** purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum **or cultural** district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum **and cultural** district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum **and cultural** district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the museum **and cultural** district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the museum **and cultural** district.

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the museum **and cultural** district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum **and cultural** district shall be deposited by the museum **and cultural** district in a special fund to be expended for the purposes authorized in this section. The museum **and cultural** district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum **and cultural** district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum **and cultural** district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has

incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects.

184.847. 1. The board of a district may impose an admissions fee on every person, firm, association, company or partnership of whatever form offering or managing any form of entertainment, amusement, athletic or other commercial or nonprofit event or venue for which admission is charged and which is presented within the district. The fee shall be at a rate of no more than one dollar per seat or admission sold. This fee is in addition to any state or local tax. Such admission fee may be imposed for any museum and cultural purpose designated by the board of the museum and cultural district. If the resolution is adopted, the board of the district may submit the question of whether to impose such admission fee authorized by this section to the qualified voters, who shall have the same voting interests as with the election of members of the board of the district. The question shall specify the particular types of events or venues that shall be subject to such admission fee.

2. The admission fee authorized by this section shall become effective on the first day of the second calendar quarter following the adoption of the admission fee by the qualified voters.

3. All revenue received by a museum and cultural district from the admission fee authorized by this section shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum or cultural purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum and cultural district funds.

4. On and after the effective date of any admission fee imposed pursuant to this section, the museum and cultural district shall perform all functions incident to the administration, collection, enforcement, and operation of the admission fee. The admission fee imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the museum and cultural district.

184.850. 1. A district may contract and incur obligations appropriate to accomplish its purposes.

2. A district may enter into any lease or lease-purchase agreement for or with respect to any real or personal property necessary or convenient for its purposes.

3. A district may enter into operating agreements and/or management agreements [with not-for-profit corporations] to operate [the] **a museum or cultural asset** or carry out any other authorized purposes or functions of the district.

4. A district may borrow money for its purposes at such rates of interest as the district may determine.

5. A district may issue bonds, notes and other obligations, and may secure any of such obligations by mortgage, pledge, assignment, security agreement or deed of trust of any or all of the property and income of the district, subject to the restrictions provided in sections 184.800 to 184.880. The district shall also have the power and authority to secure financing on the issuance of bonds for financing through another political subdivision or an agency of the state.

6. A district may enter into labor agreements, establish all bid conditions, decide all contract awards, pay all contractors and generally supervise the construction of [the] **a museum or cultural asset** project.

7. A district may hire employees, enter leases and contracts and otherwise take such actions and enter into such agreements as are necessary or incidental to the ownership, operation, and maintenance of each museum and each cultural asset within the district.

184.865. The district may contract with a federal agency, a state or its agencies and political subdivisions, a corporation, partnership **or limited partnership, limited liability company**, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating [a project] **any museum or cultural asset within the district** or to assist in such activity[]; provided, however, that any contract providing for the overall management and operation of the museum for the district shall only be with a governmental entity or a not-for-profit corporation]."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 3** was adopted.

Representative Korman offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 161, Page 3, Section 64.170, Line 30, by inserting after all of said section and line the following:

"67.1368. 1. The governing body of any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants as the county seat may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the county for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of county) at a rate of (insert rate of percent) percent for the promotion of the county, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Section 77.675, Page 12, Line 15, by inserting after all of said section and line the following:

"94.1060. 1. The governing body of any city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the promotion of the city, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 4** was adopted.

Representative Fraker offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"321.320. **1.** If any property, located within the boundaries of a fire protection district, is included within a city having a population of forty thousand inhabitants or more, which city is not wholly within the fire protection district, and which city maintains a city fire department, the property is excluded from the fire protection district.

2. The provisions of this section shall not apply where the fire protection district's boundaries are located within any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants and in any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than six thousand but fewer than seven thousand inhabitants as the county seat when such district serves any city of the fourth classification with more than two thousand one hundred but fewer than two thousand four hundred inhabitants and located in any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants. When any city having a population of forty thousand inhabitants or more annexes property located within the boundaries of such district, the provision of fire and emergency medical services following annexation shall be governed by subsections 2 and 3 of section 72.418."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 5** was adopted.

Representative Roorda offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"321.017. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board **in the same county or an adjacent fire or ambulance district where such person is employed** while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 6** was adopted.

Representative Pfautsch offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 161, Page 12, Section 77.675, Line 15, by inserting after all of said line the following:

"238.272. The state auditor [shall] **may** audit each district not [less] **more** than once every three years[, and may audit more frequently if the state auditor deems appropriate]. The costs of this audit shall be paid by the district **and shall not exceed the greater of three percent of the gross revenues received by the transportation district or three percent of the expenditures made by the transportation district.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pfautsch, **House Amendment No. 7** was adopted.

On motion of Representative Gatschenberger, **HCS HB 161, as amended**, was adopted.

On motion of Representative Gatschenberger, **HCS HB 161, as amended**, was ordered perfected and printed.

HCS HB 348, relating to Kansas City school board elections, was taken up by Representative Neth.

Representative Dugger offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 348, Page 13, Section 115.300, Lines 1-2, by deleting the phrase: "[fifth] **fourteenth**" on said line and inserting in lieu thereof the phrase:

"fifth"; and

Further amend said section and page, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"party. [Absentee ballots shall not"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 348, Section 115.115, Pages 4 and 5, Section 115.277, Pages 6 and 7, and Section 115.283, Pages 7 to 12, by removing all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted.

Representative Cierpiot offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 348, Page 21, Section 115.601, Line 48, by inserting after all of said section and line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person's election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, [two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city] **members of the committee shall be elected from the districts of each state representative that are in any way contained in the county in the following manner: within six months after each legislative reapportionment, each portion of a legislative district contained in the county shall constitute a single committee district. Two men and two women shall be elected from each committee district formed from a legislative district that is wholly contained in the county as members of the committee, two men and two women shall be elected from each committee district formed from a legislative district that is predominantly contained in the county as members of the committee, and one man and one woman shall be elected from each committee district formed from a legislative district that is partially but not predominantly contained in the county as members of the committee.**

3. [In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4.] In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

[5.] 4. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

[6.] 5. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

[7.] 6. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt

a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 3** was adopted.

Representative McGaugh offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 348, Page 5, Section 115.115, Line 61, by inserting after all of said section and line the following:

"115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration. **Any documentation presented under this subsection must contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted.**

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 4** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer

Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Cox	Flanigan	Hansen	Jones 50
Pierson	Redmon	Scharnhorst	Smith 85	

On motion of Representative Neth, **HCS HB 348, as amended**, was adopted.

On motion of Representative Neth, **HCS HB 348, as amended**, was ordered perfected and printed.

HCS HB 859, relating to concealed carry permits, was taken up by Representative Brattin.

Representative Funderburk assumed the Chair.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, by inserting after all of said section and line the following:

"160.665. 1. Any school district within the state may designate one or more elementary or secondary school teachers or administrators as a school protection officer. The responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher or administrator. Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose.

2. Any person designated by a school district as a school protection officer shall be authorized to carry concealed firearms in any school in the district and shall be required to keep such firearm on his or her person at all times while on school property. Any school protection officer who violates this subsection shall be removed immediately from the classroom and subject to employment termination proceedings.

3. Any person designated as a school protection officer may detain, on view, any person the officer sees violating or who such officer has reasonable grounds to believe has violated any law of this state, including a misdemeanor or infraction, or any policy of the school.

4. Any person detained by a school protection officer for violation of any state law shall, as soon as practically possible, be turned over to a law enforcement officer. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

5. Any person detained by a school protection officer for violation of any school policy shall, as soon as practically possible, be turned over to a school administrator. However, in no case shall a person detained under the provisions of this section be detained by a school protection officer for more than four hours.

6. Any teacher or administrator of an elementary or secondary school who seeks to be designated as a school protection officer shall request such designation, in writing, and submit it to the superintendent of the school district which employs him or her as a teacher or administrator. Along with this request the teacher or administrator shall also submit proof that he or she has a valid concealed carry endorsement and shall submit a certificate of school protection officer training program completion from a training program approved by the director of the department of public safety which demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

7. No school district may designate a teacher or administrator as a school protection officer unless such person has a valid concealed carry endorsement and has successfully completed a school protection officer training program which has been approved by the director of the department of public safety.

8. Any school district which designates a teacher or administrator as a school protection officer shall, within thirty days, notify, in writing, the director of the department of public safety of the designation which shall include the following:

- (1) The full name, date of birth, and address of the officer;
- (2) The name of the school district; and
- (3) The date such person was designated as a school protection officer.

Notwithstanding any other law, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a sunshine request made under chapter 610.

9. A school district may revoke the designation of a person as a school protection officer for any reason and shall immediately notify the designated school protection officer, in writing, of the revocation. The school district shall also within thirty days of the revocation notify the director of the department of public safety, in writing, of the revocation of the designation of such person as a school protection officer.

10. The director of the department of public safety shall maintain a listing of all persons designated by school districts as school protection officers and shall make this list available to all law enforcement agencies."; and

Further amend said bill, Section 571.030, Page 7, Line 151, by inserting after all of said section and line the following:

"571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No driver's license or nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(5) Any meeting of the governing body of a unit of local government; or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid concealed carry endorsement from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under section 17, article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid concealed carry endorsement, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

(6) The general assembly, supreme court, county or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by endorsement holders in that portion of a building owned, leased or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

(7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry endorsement to possess any firearm while intoxicated;

(8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(9) Any place where the carrying of a firearm is prohibited by federal law;

(10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, **unless the person**

with the concealed carry endorsement or permit is a teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a driver's license or nondriver's license containing a concealed carry endorsement;

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(14) Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(15) Any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a concealed carry endorsement from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a concealed carry endorsement from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a concealed carry endorsement from carrying a concealed firearm in vehicles owned by the employer;

(16) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of subsection 1 of this section by any individual who holds a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement and the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing."; and

Further amend said bill, Section 571.198, Page 25, Line 2, by inserting after all of said section and line the following:

"590.010. As used in this chapter, the following terms mean:

- (1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;
- (2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;
- (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;
- (4) "POST commission", the peace officer standards and training commission;
- (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week;
- (6) **"School protection officer", an elementary or secondary school teacher or administrator who has been designated as a school protection officer by a school district.**

590.200. 1. The POST commission shall:

- (1) Establish minimum standards for the training of school protection officers;**
- (2) Set the minimum number of hours of training required for a school protection officer; and**
- (3) Set the curriculum for school protection officer training programs.**

2. At a minimum this training shall include:

- (1) Instruction specific to the prevention of incidents of violence in schools;**
- (2) The handling of emergency or violent crisis situations in school settings;**
- (3) A review of all state criminal laws;**
- (4) Training involving the use of defensive force; and**
- (5) Training involving the use of deadly force.**

590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety.

590.207. 1. Notwithstanding any other provision of law, any person designated as a school protection officer under the provisions of section 160.665 who fails to properly carry his or her concealed weapon on his or her person at all times while on school property as proscribed under subsection 2 of section 160.655 shall be guilty of a class A misdemeanor and shall be subject to employment termination proceedings within the school district.

2. Any school employee who discloses any information collected under subsection 8 of section 160.655 that contains identifying personal information about any person designated as a school protection officer to

anyone other than those authorized to receive the information under subsection 8 of section 160.655 shall be guilty of a class B misdemeanor and shall be subject to employment termination proceedings within the school district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Conway 10	Conway 104	English	Lair	Leara
Molendorp	Smith 85			

On motion of Representative Brattin, **House Amendment No. 1** was adopted by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Otto	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 039

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	English	Englund
Gardner	Hodges	Hummel	Kelly 45	Kirkton
Kratky	May	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Pace
Peters	Pierson	Rizzo	Runions	Schupp
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Conway 10	Conway 104	Leara	Molendorp	Roorda
Smith 85				

HCS HB 859, as amended, was laid over.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Cox.

PERFECTION OF HOUSE JOINT RESOLUTION

Representative Kelly (45) moved that **HCS HJR 14** be recommitted to the Committee on Budget.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 859, as amended, relating to concealed carry permits, was again taken up by Representative Brattin.

Representative Brattin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.196, Line 15, by inserting after all of said line the following:

"3. The department of revenue shall surrender to the Missouri state highway patrol all state-owned identification processing equipment, including electronics, copiers, printers, computers, monitors, and cameras, the department no longer uses in processing applications for permits, driver licenses or non-driver licenses. The Missouri state highway patrol shall disburse any and all such equipment to any county sheriff as deemed necessary. The county sheriff or his or her agent is authorized to dispose of any such equipment in any manner he or she finds necessary. The proceeds from the sale of any such equipment shall be deposited into the County Sheriff's Revolving Fund established in section 50.535."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 2** was adopted.

Representative Brown offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.198, Line 2, by inserting after all of said line the following:

"Section 1. Notwithstanding any other state law to the contrary, no state agency shall disclose to the federal government the statewide list of conceal carry holders. Nothing in this section shall be construed to restrict the use of the Missouri uniform law enforcement system for criminal investigations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown, **House Amendment No. 3** was adopted.

Representative Hinson offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, by inserting after all of said section and line, the following:

"571.018. 1. Any person who has been found guilty or pleaded guilty or nolo contendere to a prior felony offense and who commits a subsequent felony offense, regardless of whether use of a firearm is an element of the subsequent felony offense, and during the commission of such felony offense the person possesses, displays, brandishes, threatens to use, attempts to use, or discharges any firearm is guilty of the offense of unlawful possession or use of a firearm during the commission of a felony. Such offense shall be in addition to and not in lieu of any underlying felony offense or any other offense for which such person may be charged and found guilty of or plead guilty or nolo contendere to.

2. Any person who violates the provisions of this section shall be subject to the following terms of imprisonment:

- (1) For possession of a firearm during the commission of a felony, a term of imprisonment of ten years;**
- (2) For displaying, brandishing, threatening to use, or attempting to use a firearm during the commission of a felony, a term of imprisonment of twenty years; and**
- (3) For discharging a firearm during the commission of a felony, a term of imprisonment of life.**

The terms of imprisonment in this subsection shall be imposed consecutively to any other terms of imprisonment imposed for any other felony offense.

3. For purposes of this section, the following terms shall mean:

- (1) "Firearm", any weapon that is designed or adapted to expel a projectile by the action of an explosion;**
- (2) "Possession", with respect to a firearm, carrying it on the person. Possession may also be established by demonstrating that the person had a firearm within immediate physical reach with ready access and the intent to use the firearm during the commission of a felony.**

4. This section shall not apply to law enforcement officers or United States military personnel who are performing their lawful duties or who are traveling to or from their places of employment or assignment to perform their lawful duties."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 4** was adopted.

Representative Schatz offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 859, Page 2, Section 50.535, Line 2, by deleting the words "subsections 10 and 11" and inserting in lieu thereof the following:

"[subsections] subsection 10 [and 11]"; and

Further amend said page and section, Line 11, by inserting an opening and closing bracket around the words "or renewals"; and

Further amend said page and section, Line 25, by inserting an opening and closing bracket around the words "and renewal"; and

Further amend said section, Page 3, Line 35, by deleting the number "12" and inserting in lieu thereof the words "[12] 11"; and

Further amend said section, Page 3, Line 41, by inserting after said line the following:

"302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240 the name and address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the Armed Forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. [Notwithstanding any other provision of this chapter, a nondriver's license containing a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to section 571.101.] The fee for nondriver's licenses issued for a period exceeding three years is six dollars [or three dollars for nondriver's licenses issued for a period of three years or less]. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license.

In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a [U.S.] **United States** citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536."; and

Further amend said bill, Page 7, Section 571.030, Line 151, by inserting after said line the following:

"571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for [a period of three years from the date of issuance or renewal] **life unless it is suspended or revoked**. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:
 (a) Has assumed residency in this state; or
 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;
 (2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;
 (b) Is a member of the Armed Forces stationed in Missouri; or
 (c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;
 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a

controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;

(5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

(7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

(8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

(9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the

requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

- (1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and
- (2) A nonrefundable certificate of qualification fee as provided by subsection 10 [or 11] of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. [Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.] The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. [For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12.] For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible for such concealed carry endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) The official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the order, warrant, discharge, or commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding the driver's license or nondriver's license containing the concealed carry endorsement shall return it to the individual.

(4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the driver's license or nondriver's license with the concealed carry endorsement to the department of revenue. The department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and shall report the change in status of the concealed carry endorsement to the Missouri uniform law enforcement system. The director of revenue shall immediately remove the endorsement issued pursuant to sections 571.101 to 571.121 from the individual's driving record within three days of the receipt of the notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

2. [A concealed carry endorsement shall be renewed for a qualified applicant upon receipt of the properly completed renewal application and the required renewal fee by the sheriff of the county of the applicant's residence. The renewal application shall contain the same required information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his or her current driver's license or nondriver's license containing a concealed carry endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a certificate of qualification which contains the date such certificate was renewed.

3. A person who has been issued a certificate of qualification for a concealed carry endorsement who fails to file a renewal application on or before its expiration date must pay an additional late fee of ten dollars per month for each month it is expired for up to six months. After six months, the sheriff who issued the expired certificate shall notify the director of revenue that such certificate is expired. The director of revenue shall immediately cancel the concealed carry endorsement and remove such endorsement from the individual's driving record and notify the individual of such cancellation. The notice of cancellation of the endorsement shall be conducted in the same manner as described in subsection 1 of this section. Any person who has been issued a certificate of qualification for a concealed carry

endorsement pursuant to sections 571.101 to 571.121 who fails to renew his or her application within the six-month period must reapply for a new certificate of qualification for a concealed carry endorsement and pay the fee for a new application. The director of revenue shall not issue an endorsement on a renewed driver's license or renewed nondriver's license unless the applicant for such license provides evidence that he or she has renewed the certification of qualification for a concealed carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to 571.121.] If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the director shall renew the driver's license or nondriver's license without the endorsement appearing on the license if the applicant is otherwise qualified for such renewal.

[4.] 3. Any person issued a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the department of revenue and the sheriffs of both the old and new jurisdictions of the endorsement holder's change of residence within thirty days after the changing of a permanent residence. The endorsement holder shall furnish proof to the department of revenue and the sheriff in the new jurisdiction that the endorsement holder has changed his or her residence. The sheriff of the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with notification of a change in residence. The change of residence shall be made by the department of revenue onto the individual's driving record and the new address shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

[5.] 4. Any person issued a driver's license or nondriver's license containing a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her designee of the endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall furnish a statement to the sheriff that the driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a driver's license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue a new certificate of qualification within three working days of being notified by the concealed carry endorsement holder of its loss or destruction. The reissued certificate of qualification shall contain the same personal information, including expiration date, as the original certificate of qualification. The applicant shall then take the certificate to the department of revenue, and the department of revenue shall proceed on the certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, the director of revenue shall issue a driver's license or nondriver's license containing a concealed carry endorsement if the applicant is otherwise eligible to receive such license.

[6.] 5. If a person issued a concealed carry endorsement changes his or her name, the person to whom the endorsement was issued shall obtain a corrected certificate of qualification for a concealed carry endorsement with a change of name from the sheriff who issued such certificate upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected certificate of qualification. The endorsement holder shall furnish proof of the name change to the department of revenue and the sheriff within thirty days of changing his or her name and display his or her current driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall apply for a new driver's license or nondriver's license containing his or her new name. Such application for a driver's license or nondriver's license shall be made pursuant to chapter 302. The director of revenue shall issue a driver's license or nondriver's license with concealed carry endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such license. The director of revenue shall take custody of the old driver's license or nondriver's license. The name change shall be made by the department of revenue onto the individual's driving record and the new name shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

[7.] 6. A concealed carry endorsement shall be automatically invalid after thirty days if the endorsement holder has changed his or her name or changed his or her residence and not notified the department of revenue and sheriff of a change of name or residence as required in subsections 4 and 6 of this section.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF CERTIFICATE OF QUALIFICATION
OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- ☐ Defendant is not at least twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- ☐ Defendant is not a citizen of the United States.
- ☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- ☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- ☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- ☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- ☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
- ☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.
- ☐ Defendant failed to submit to or failed to clear the required background check.
- ☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at the time of issuance [or renewal] or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 5** was adopted.

Representative Rowden offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 859, Page 25, Section 571.198, Line 2, by inserting after all of said section and line the following:

"Section 1. An owner or operator of a business shall not restrict any person from lawfully possessing a firearm in a motor vehicle in possession of such person except a motor vehicle owned or leased by such person.";
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowden, **House Amendment No. 6** was adopted.

Representative Burlison offered **House Amendment No. 7**.

House Amendment No. 7 was withdrawn.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Cierpiot	Cross	Funderburk	Hinson
McCaherty	McGaugh	Molendorp	Schatz	Smith 85

On motion of Representative Brattin, **HCS HB 859, as amended**, was adopted.

On motion of Representative Brattin, **HCS HB 859, as amended**, was ordered perfected and printed.

HCS HB 275, relating to illegal aliens, was taken up by Representative Brattin.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Colona	Funderburk	Jones 50	McGaugh
Mims	Reiboldt	Riddle	Scharnhorst	Schatz
Smith 85	Smith 120			

On motion of Representative Brattin, **HCS HB 275** was adopted.

On motion of Representative Brattin, **HCS HB 275** was ordered perfected and printed.

HCS HB 76, relating to the Missouri School Improvement Program standards, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCS HB 76** was adopted.

On motion of Representative Rowland, **HCS HB 76** was ordered perfected and printed.

HCS HB 78, relating to the Missouri Jobs for Education Program, was taken up by Representative Johnson.

Representative Hinson moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	McCaherty	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Cornejo	Cross	Flanigan	Funderburk
Haahr	Leara	McGaugh	McKenna	Parkinson
Reiboldt	Rowden	Smith 85		

On motion of Representative Johnson, **HCS HB 78** was adopted.

On motion of Representative Johnson, **HCS HB 78** was ordered perfected and printed.

HCS HB 344, relating to MO HealthNet reimbursement, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 344** was adopted.

On motion of Representative Molendorp, **HCS HB 344** was ordered perfected and printed.

HCS HB 387, relating to physician assistants, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 387, Page 2, Section 334.735, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"facility as the] **with a** supervising physician [sixty-six percent of the time a physician assistant"; and

Further amend said bill, page, and section, Line 32, by deleting the word "**supervision**" and inserting in lieu thereof the word "**supervising**"; and

Further amend said bill, Page 3, Section 334.735, Line 86, by deleting the phrase "**(2) A**" and inserting in lieu thereof the phrase "**(2) For a**"; and

Further amend said bill, Page 4, Section 334.735, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

"to the minimum federal law shall be required [for the physician-physician assistant team in a rural health clinic if a waiver has been granted by the board. However, the board shall be able to void"; and

Further amend said bill, page, and section, Line 114, by deleting the word "**and**"; and

Further amend said bill, page, and section, Line 116, by inserting immediately after the word "perform;" the word "**and**"; and

Further amend said bill, Page 6, Section 334.735, Line 185, by deleting the first instance of the word "**a**" and inserting in lieu thereof the word "**the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Burlison offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 387, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017 for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, **except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics and provider-based rural health clinics where the main location of the hospital sponsor is more than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts if requested;** and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice

registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating

physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 2** was adopted.

Representative Hinson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 387, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"190.098. 1. In order for a person to be eligible for certification by the department as a community paramedic, an individual shall:

- (1) Be currently certified as a paramedic;**
- (2) Successfully complete or have successfully completed a community paramedic certification program from a college, university, or educational institution that has been approved by the department or accredited by a national accreditation organization approved by the department; and**
- (3) Complete an application form approved by the department.**

2. A community paramedic shall practice in accordance with protocols and supervisory standards established by the medical director. A community paramedic shall provide services of a health care plan if the plan has been developed by the patient's physician or by an advanced practice registered nurse or a physician assistant and there is no duplication of services to the patient from another provider.

3. Any ambulance service shall enter into a written contract to provide community paramedic services in another ambulance service area, as that term is defined in section 190.100. The contract that is agreed upon may be for an indefinite period of time, as long as it includes at least a sixty-day cancellation notice by either ambulance service.

4. A community paramedic is subject to the provisions of sections 190.001 to 190.245 and rules promulgated under sections 190.001 to 190.245.

5. No person shall hold himself or herself out as a community paramedic or provide the services of a community paramedic unless such person is certified by the department.

6. The medical director shall approve the implementation of the community paramedic program.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective

date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

(1) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric patient such as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(2) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed, constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who require the presence of medical equipment being used on such individuals, but the term does not include any motor vehicle specially designed, constructed or converted for the regular transportation of persons who are disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used within airports;

(3) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules promulgated by the department pursuant to sections 190.001 to 190.245;

(4) "Ambulance service area", a specific geographic area in which an ambulance service has been authorized to operate;

(5) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as defined by national curricula, and any modifications to that curricula specified in rules adopted by the department pursuant to sections 190.001 to 190.245;

(6) "Council", the state advisory council on emergency medical services;

(7) "Department", the department of health and senior services, state of Missouri;

(8) "Director", the director of the department of health and senior services or the director's duly authorized representative;

(9) "Dispatch agency", any person or organization that receives requests for emergency medical services from the public, by telephone or other means, and is responsible for dispatching emergency medical services;

(10) "Emergency", the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her unborn child, in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part;

(d) Inadequately controlled pain;

(11) "Emergency medical dispatcher", a person who receives emergency calls from the public and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(12) "Emergency medical response agency", any person that regularly provides a level of care that includes first response, basic life support or advanced life support, exclusive of patient transportation;

(13) "Emergency medical services for children (EMS-C) system", the arrangement of personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical services required in prevention and management of incidents which occur as a result of a medical emergency or of an injury event, natural disaster or similar situation;

(14) "Emergency medical services (EMS) system", the arrangement of personnel, facilities and equipment for the effective and coordinated delivery of emergency medical services required in prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar situation;

(15) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department pursuant to sections 190.001 to 190.245;

(16) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a course of instruction in basic life support as prescribed by the department and is licensed by the department in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

(17) **"Emergency medical technician-community paramedic", "community paramedic", or "EMT-CP", a person who is certified as an emergency medical technician-paramedic and is licensed by the department in accordance with standards prescribed in section 190.098;**

(18) "Emergency medical technician-intermediate" or "EMT-I", a person who has successfully completed a course of instruction in certain aspects of advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and regulations adopted by the department pursuant to sections 190.001 to 190.245;

[(18)] (19) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully completed a course of instruction in advanced life support care as prescribed by the department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

[(19)] (20) "Emergency services", health care items and services furnished or required to screen and stabilize an emergency which may include, but shall not be limited to, health care services that are provided in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or emergency medical response agency;

[(20)] (21) "First responder", a person who has successfully completed an emergency first response course meeting or exceeding the national curriculum of the United States Department of Transportation and any modifications to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245 and who provides emergency medical care through employment by or in association with an emergency medical response agency;

[(21)] (22) "Health care facility", a hospital, nursing home, physician's office or other fixed location at which medical and health care services are performed;

[(22)] (23) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of section 197.020, or a hospital operated by the state;

[(23)] (24) "Medical control", supervision provided by or under the direction of physicians to providers by written or verbal communications;

[(24)] (25) "Medical direction", medical guidance and supervision provided by a physician to an emergency services provider or emergency medical services system;

[(25)] (26) "Medical director", a physician licensed pursuant to chapter 334 designated by the ambulance service or emergency medical response agency and who meets criteria specified by the department by rules pursuant to sections 190.001 to 190.245;

[(26)] (27) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

[(27)] (28) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

[(28)] (29) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

[(29)] (30) "Physician", a person licensed as a physician pursuant to chapter 334;

[(30)] (31) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

[(31)] (32) "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, EMT-B's, nurses, EMT-P's, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

[(32)] (33) "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

[(33)] (34) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

[(34)] (35) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

[(35)] (36) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

[(36)] (37) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

[(37)] (38) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

[(38)] (39) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

[(39)] (40) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

[(40)] (41) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

[(41)] (42) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

[(42)] (43) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

[(43)] (44) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

[(44)] (45) "Stroke center", a hospital that is currently designated as such by the department;

[(45)] (46) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

[(46)] (47) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

[(47)] (48) "Trauma center", a hospital that is currently designated as such by the department."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 3** was adopted.

On motion of Representative Frederick, **HCS HB 387, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 387, as amended**, was ordered perfected and printed.

HCS HB 415, relating to special license plates, was taken up by Representative Phillips.

Representative Crawford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.327, Line 2, by inserting immediately after, "**James R. Ledbetter Memorial Bridge**." the following sentence, "**The department of transportation shall erect and maintain appropriate signs designating the bridge, with the costs for such designation to be paid for by private donation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Crawford, **House Amendment No. 1** was adopted.

Representative Franklin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.517, Line 4, by inserting after all of said section and line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no

registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section.

The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[11.] **12.** The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

[301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2** was adopted.

Representative Gosen offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 415, Pages 83 and 84, Section 301.3142, Lines 1 through 41, by deleting all of said section and lines and inserting in lieu thereof the following:

"301.3142. 1. Any immediate family member, including stepsiblings or stepchildren, who wishes to pay tribute to a member of the United States military who was a resident of this state and who was killed in the line of duty may receive special **personalized** license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. **Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of eligibility as the director may require.**

3. Upon [annual application payment of a fifteen dollar fee in addition to the registration fee, and presentation of any other documents which may be required by law or upon biennial application, payment of a thirty dollar fee in addition to the registration fee and] presentation of **such** proof of eligibility [for such plates] **and payment of the regular registration fees**, and presentation of any [other] documents which may be required by law, the [department] **director** of revenue [may] **shall** issue to the vehicle owner a **special** personalized license plate which shall bear the initials of the member of the United States military killed while in the line of duty, a gold star on the left side of the plates, followed by a three-letter description of the relative's relation to the veteran, provided such license plate configuration is not currently in use, and [which shall bear] the words "WE SHALL NOT FORGET" [in place of the words "SHOW-ME STATE"] **at the bottom of the plate, in a manner prescribed by the director of revenue**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

5. **There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.**

[3.] 6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director [of revenue] shall make **all** necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rule making authority and any rule proposed or adopted after August 28, [2004] **2013**, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 3** was adopted.

Representative McCaherty offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 415, Page 108, Section 301.3172, Line 37, by after all of said section and line inserting the following:

"Section 1. 1. Any person who has been awarded the military service award known as the "Korea Defense Service Medal" may apply for special motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Korea Defense Service Medal as the director may require.

3. Upon presentation of such proof of eligibility and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words "KOREA DEFENSE SERVICE MEDAL" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Such plates shall also bear an image of the Korea Defense Service Medal.

5. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

6. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

7. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

8. The director may consult with any organization which represents the interests of persons receiving the Korea Defense Service Medal when formulating the design for the special license plates described in this section.

9. The director shall make all necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 4** was adopted.

Representative Bahr offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 415, Page 10, Section 301.145, Line 10, by inserting after all of said section and line the following:

"301.216. Department investigators licensed as peace officers by the director of the department of public safety under chapter 590 shall be deemed to be peace officers within the state of Missouri while acting in an investigation to

enforce the provisions of this chapter and any provisions regarding fees, licenses, or taxes administered by the director. The power of arrest of a department investigator acting as a peace officer shall be limited to offenses involving fees, licenses, taxes, **other than taxes under chapters 143 or 147**, or in situations of imminent danger to the investigator or another person."; and

Further amend said bill, Page 29, Section 301.481, Line 15, by inserting after all of said section and line the following:

"301.562. 1. The department may refuse to issue or renew any license required pursuant to sections 301.550 to 301.573 for any one or any combination of causes stated in subsection 2 of this section. The department shall notify the applicant or licensee in writing at his or her last known address of the reasons for the refusal to issue or renew the license and shall advise the applicant or licensee of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license issued under sections 301.550 to 301.573 for any one or any combination of the following causes:

(1) The applicant or license holder was previously the holder of a license issued under sections 301.550 to 301.573, which license was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of suspension have not been fulfilled;

(2) The applicant or license holder was previously a partner, stockholder, director or officer controlling or managing a partnership or corporation whose license issued under sections 301.550 to 301.573 was revoked for cause and never reissued or was suspended for cause and the terms of suspension have not been fulfilled;

(3) The applicant or license holder has, within ten years prior to the date of the application, been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any business licensed under sections 301.550 to 301.573; for any offense, an essential element of which is fraud, dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;

(4) Use of fraud, deception, misrepresentation, or bribery in securing any license issued pursuant to sections 301.550 to 301.573;

(5) Obtaining or attempting to obtain any money, commission, fee, barter, exchange, or other compensation by fraud, deception, or misrepresentation;

(6) Violation of, or assisting or enabling any person to violate any provisions of this chapter and chapters 143, 144, 306, 307, 407, 578, and 643 or of any lawful rule or regulation adopted pursuant to this chapter and chapters 143, 144, 306, 307, 407, 578, and 643;

(7) The applicant or license holder has filed an application for a license which, as of its effective date, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(8) The applicant or license holder has failed to pay the proper application or license fee or other fees required pursuant to this chapter or chapter 306 or fails to establish or maintain a bona fide place of business;

(9) Uses or permits the use of any special license or license plate assigned to the license holder for any purpose other than those permitted by law;

(10) The applicant or license holder is finally adjudged insane or incompetent by a court of competent jurisdiction;

(11) Use of any advertisement or solicitation which is false;

(12) Violations of sections 407.511 to 407.556, section 578.120, which resulted in a conviction or finding of guilt or violation of any federal motor vehicle laws which result in a conviction or finding of guilt.

3. Any such complaint shall be filed within one year of the date upon which the department receives notice of an alleged violation of an applicable statute or regulation. After the filing of such complaint, the proceedings shall, except for the matters set forth in subsection 5 of this section, be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the department may, singly or in combination, refuse to issue the person a license, issue a license for a period of less than two years, issue a private reprimand, place the person on probation on such terms and conditions as the department deems appropriate for a period of one day to five years, suspend the person's license from one day to six days, or revoke the person's license for such period as the department deems appropriate. The applicant

or licensee shall have the right to appeal the decision of the administrative hearing commission and department in the manner provided in chapter 536.

4. Upon the suspension or revocation of any person's license issued under sections 301.550 to 301.573, the department shall recall any distinctive number plates that were issued to that licensee. If any licensee who has been suspended or revoked shall neglect or refuse to surrender his or her license or distinctive number license plates issued under sections 301.550 to 301.580, the director shall direct any [agent or employee of the department or any] law enforcement officer, to secure possession thereof and return such items to the director. For purposes of this subsection, a "law enforcement officer" means any member of the highway patrol, any sheriff or deputy sheriff, or any peace officer certified under chapter 590 acting in his or her official capacity. Failure of the licensee to surrender his or her license or distinctive number license plates upon demand by the director[, any agent or employee of the department,] or any law enforcement officer shall be a class A misdemeanor.

5. Notwithstanding the foregoing provisions of this section, the following events or acts by the holder of any license issued under sections 301.550 to 301.580 are deemed to present a clear and present danger to the public welfare and shall be considered cause for suspension or revocation of such license under the procedure set forth in subsection 6 of this section, at the discretion of the director:

(1) The expiration or revocation of any corporate surety bond or irrevocable letter of credit, as required by section 301.560, without submission of a replacement bond or letter of credit which provides coverage for the entire period of licensure;

(2) The failure to maintain a bona fide established place of business as required by section 301.560;

(3) Criminal convictions as set forth in subdivision (3) of subsection 2 of this section; or

(4) Three or more occurrences of violations which have been established following proceedings before the administrative hearing commission under subsection 3 of this section, or which have been established following proceedings before the director under subsection 6 of this section, of this chapter and chapters 143, 144, 306, 307, 578, and 643 or of any lawful rule or regulation adopted under this chapter and chapters 143, 144, 306, 307, 578, and 643, not previously set forth herein.

6. (1) Any license issued under sections 301.550 to 301.580 shall be suspended or revoked, following an evidentiary hearing before the director or his or her designated hearing officer, if affidavits or sworn testimony by an authorized agent of the department alleges the occurrence of any of the events or acts described in subsection 5 of this section.

(2) For any license which the department believes may be subject to suspension or revocation under this subsection, the director shall immediately issue a notice of hearing to the licensee of record. The director's notice of hearing:

(a) Shall be served upon the licensee personally or by first class mail to the dealer's last known address, as registered with the director;

(b) Shall be based on affidavits or sworn testimony presented to the director, and shall notify the licensee that such information presented therein constitutes cause to suspend or revoke the licensee's license;

(c) Shall provide the licensee with a minimum of ten days' notice prior to hearing;

(d) Shall specify the events or acts which may provide cause for suspension or revocation of the license, and shall include with the notice a copy of all affidavits, sworn testimony or other information presented to the director which support discipline of the license; and

(e) Shall inform the licensee that he or she has the right to attend the hearing and present any evidence in his or her defense, including evidence to show that the event or act which may result in suspension or revocation has been corrected to the director's satisfaction, and that he or she may be represented by counsel at the hearing.

(3) At any hearing before the director conducted under this subsection, the director or his or her designated hearing officer shall consider all evidence relevant to the issue of whether the license should be suspended or revoked due to the occurrence of any of the acts set forth in subsection 5 herein. Within twenty business days after such hearing, the director or his or her designated hearing officer shall issue a written order, with findings of fact and conclusions of law, which either grants or denies the issuance of an order of suspension or revocation. The suspension or revocation shall be effective ten days after the date of the order. The written order of the director or his or her hearing officer shall be the final decision of the director and shall be subject to judicial review under the provisions of chapter 536.

(4) Notwithstanding the provisions of this chapter or chapter 610 or 621 to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 5** was adopted.

Representative Korman offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 415, Page 108, Section 301.3172, Line 37, by inserting after said line the following:

"Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the "Graham's Picnic Rock Highway". The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 6** was adopted.

Representative Webber offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 415, Page 16, Section 301.451, Line 20, by inserting after all of said section and line, the following:

"301.453. 1. [Any member of the general assembly of the state of Missouri while holding office, upon application and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, may apply for special personalized license plates bearing the state seal in gold and black colors along with the words "Representative" or "Senator" in preference to the words "SHOW-ME STATE". The director of revenue shall annually set aside special personalized license plates bearing the letters and numbers S-1 to S-34 and S01 to S034, R-1 to R-163 and R01 to R0163 to be issued to a member of the general assembly of the state of Missouri while such member is holding that office, upon such member's written request. For the first set of special personalized license plates issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district for a member of the state senate or the letter "R" and the number of the representative's district for a member of the house of representatives and for the second set of plates issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district preceded by the numeral "0" for a member of the state senate or the letter "R" and the number of the representative's district preceded by the numeral "0" for a member of the house of representatives. Only two sets of such plates may be issued to any one member of the general assembly.

2.] Any member of the United States Congress while he or she is holding that office, upon his or her written request and upon a payment of the additional fee required for personalized plates in section 301.144, may apply for special personalized license plates bearing the state seal in gold and black along with the words "Member of Congress" instead of the words "SHOW-ME STATE" and either the letters and numbers "USS-1, USS-01" and "USS-2, USS-02" for the senior and junior United States Senators from Missouri, respectively, or, in the case of members of the United States House of Representatives, bearing the letters "USC-1 to USC-9 and USC-01 to USC-09". Only two sets of such plates may be issued to any one individual congressman.

[3.] 2. The director shall annually set aside special personalized license plates bearing the state seal in gold and black and the numbers 1, 2, 3, 4, 5, and 6 along with the words "Governor", "Lieutenant Governor", "Secretary of State", "State Auditor", "State Treasurer" and "Attorney General" in preference to the words "SHOW-ME STATE" to be issued to the governor, lieutenant governor, secretary of state, state auditor, state treasurer, and attorney general, respectively, upon written request and upon payment of the fee required for personalized license plates in section 301.144, and other fees and documents as may be required by law. These plates shall be held by the appropriate public official only while such person remains in that office. Upon leaving that office the public official shall surrender the personalized license plates to the director, who shall make them available as provided in this subsection to the succeeding public official.

[4.] 3. All special license plates issued under this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Cornejo	Flanigan	Fraker	Funderburk
Haahr	Roorda	Rowden	Scharnhorst	Smith 85

Representative Webber moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Love offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 415, Page 4, Section 227.517, Line 4, by inserting after all of said section and line the following:

"227.520. The portion of U.S. Highway 54 from the Kansas/Missouri state line east to the Missouri/Illinois state line shall be designated the "Discover More on Route 54" Highway. The department of transportation shall erect and maintain appropriate signs designating such highway, with the cost to be paid for by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Love, **House Amendment No. 8** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton

Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Flanigan	Frame	Funderburk	Jones 50
McManus	Molendorp	Roorda	Scharnhorst	Schieffer
Smith 85				

On motion of Representative Phillips, **HCS HB 415, as amended**, was adopted.

On motion of Representative Phillips, **HCS HB 415, as amended**, was ordered perfected and printed.

HCS HB 601, relating to telecommunications, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 601, Page 2, Section 392.461, Line 22, by inserting after the phrase: "accessible website." on said line the following:

"A telecommunications company may include in a tariff filed with the commission any, all, or none of the rates, terms, or conditions for any, all, or none of its retail telecommunications services."; and

Further amend said bill, Section 392.611, Page 3, Line 10, by deleting the word: **"its"** on said line and inserting in lieu thereof the word:

"their"; and

Further amend said section, Page 3, Line 12, by inserting after the phrase: **"voice over"** the phrase:

"internet"; and

Further amend said section, Page 3, Line 18, by deleting from said line the word: **"providing"** and inserting in lieu thereof the phrase:

"to the provision"; and

Further amend said section, Page 3, Lines 20-23, by deleting all of said lines and inserting in lieu thereof the following:

"2. Broadband and other Internet protocol-enabled services shall not be subject to regulation under chapter 386 or this chapter, except that interconnected voice over Internet protocol service shall continue to be subject to section 392.550. Nothing in this subsection extends, modifies, or restricts the provisions of subsection 3 of section 392.611. As used in this subsection, "other internet"; and

Further amend said section, Page 3, Lines 31-32, by deleting the phrase: "**Nothing in this section is intended to extend, modify, or restrict**" and inserting in lieu thereof the following:

"Notwithstanding any other provision of this section, nothing in this section extends, modifies, or restricts"; and

Further amend said section, Page 3, Lines 35-36, by deleting the phrase: "**Nor is this section intended to extend, modify, or restrict**" and inserting in lieu thereof the following:

"Notwithstanding any other provision of this section, nothing in this section extends, modifies, or restricts"; and

Further amend said section, Page 3, Line 44, by deleting the word: "**requirement**" and inserting in lieu thereof the word:

"requirements"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

On motion of Representative Richardson, **HCS HB 601, as amended**, was adopted.

On motion of Representative Richardson, **HCS HB 601, as amended**, was ordered perfected and printed.

Speaker Jones resumed the Chair.

HCS HB 653, relating to emergency communications services, was taken up by Representative Lauer.

Representative Lauer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 653, Page 12, Section 190.451, Line 54, by deleting the words "**For the first thirty days after**" and inserting in lieu thereof the following:

"Beginning on October 1, 2013, and ending on October 31, 2013, when"; and

Further amend said bill, Page 12, Section 190.451, Lines 57 and 58, by deleting all of said lines and inserting in lieu thereof the following:

"service charges that are collected by the seller from the consumer. Beginning on November 1, 2013, a seller shall be permitted to deduct and retain two percent of prepaid"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 1** was adopted.

Representative Haefner offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 653, Page 1, Section A, Line 4, by inserting after all of said section and line, the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in

the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund

in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

- (o) The anticipated type and terms of the obligations to be issued;
 - (p) The most recent equalized assessed valuation of the property within the development project area;
 - (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
 - (r) The general land uses to apply in the development area;
 - (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
 - (t) The total number of full-time equivalent positions in the development area;
 - (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
 - (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
 - (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
 - (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
 - (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
 - (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
 - (aa) A list of other community and economic benefits to result from the project;
 - (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
 - (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
 - (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
 - (gg) A market study for the development area;
 - (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haefner, **House Amendment No. 2** was adopted.

Representative Guernsey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 653, Page 9, Section 190.450, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"or ordinance, a monthly fee on each customer account to which any device capable of contacting 911 is assigned. The fee authorized in this section shall not exceed one dollar and fifty cents per any such customer account, and shall be imposed solely for the purpose of funding 911 service in such"; and

Further amend said bill, Page 9, Section 190.450, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"customer account to which any device capable of contacting 911 is assigned for the purpose of funding 911"; and

Further amend said bill, Page 10, Section 190.450, Line 68, by inserting after all of said line the following:

"9. No county of the third classification shall submit a proposal to the voters of the county under this section until all providers of emergency telephone service as defined in section 190.300 within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county.

10. Each county of the third classification that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall form an emergency telephone services district in conjunction with any adjoining county of the third classification with a public agency that provides emergency telephone service within such adjoining county. The governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section. No county of the third classification that adjoins a county of the third classification that does not have a public agency that provides emergency telephone service for the county shall submit a proposal to impose the fee under this section until the adjoining county with no emergency telephone service provided for the county forms an emergency telephone services district with an adjoining county as provided in this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Engler offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

*House Substitute Amendment No. 1
for
House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 653, Page 10, Section 190.450, Line 68, by inserting after all of said line the following:

"9. No county of the third classification shall submit a proposal to the voters of the county under this section until either:

(1) All providers of emergency telephone service as defined in section 190.300 within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; or

(2) The county develops a plan for implementation of emergency telephone service as defined in section 190.300 within the county that considers either consolidation or entering into a shared services agreement for such service if such an agreement is feasible.

10. Each county of the third classification that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall either:

(1) Enter into a shared services agreement for providing emergency telephone services with an adjoining county with a public agency that provides emergency telephone service within such adjoining county, if such an agreement is feasible; or

(2) Form an emergency telephone services district in conjunction with any adjoining county with a public agency that provides emergency telephone service within such adjoining county. If such a district is formed under this paragraph, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

On motion of Representative Lauer, **HCS HB 653, as amended**, was adopted.

On motion of Representative Lauer, **HCS HB 653, as amended**, was ordered perfected and printed.

HCS HB 881, relating to the Department of Natural Resources, was taken up by Representative Guernsey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 881, Pages 13-15, Section 253.010, 253.032, 253.035, 253.040 and 253.412, by deleting all of said sections from the bill; and

Further amend said bill, Page 17, Section 258.010, by deleting all of said section from the bill; and

Further amend said bill, Pages 18-19, Section 260.200, Lines 40-79, by deleting all of said lines and inserting in lieu thereof the following:

- "(a) The full names and business address of key personnel;**
 - (b) The full name and business address of any entity, other than a natural person, that collects, transfers, processes, stores, or disposes of solid waste in which key personnel holds an equity interest of seven percent or more;**
 - (c) A description of the business experience of key personnel listed in the disclosure statement;**
 - (d) The full name business address of permits or licenses from federal, state, or county required for the collection, transfer, treatment, processing, storage, or disposal of solid waste issued to or held by key personnel for the five-year period ending on the date of the sworn disclosure statement or affirmation is signed;**
 - (e) The full name and business address of a permitted or licensed facility which has received the following for the five-year period ending on the date the sworn disclosure statement or affirmation is signed;**
 - (f) A listing and explanation of any administrative, civil, or criminal notice of violation, citation, felony conviction or adjudication from federal, state, or county jurisdictions dealing with solid waste or other environmental matters;**
 - (g) The full name and business address of any facility which has a permit or license suspended, revoked, or denied for the five-year period ending on the date of the sworn disclosure statement or affirmation is signed;"**
- and

Further amend bill and section, by renumbering the paragraphs accordingly; and

Further amend said bill, Page 46, Section 319.129, Lines 30-32, by deleting all of said lines and inserting in lieu thereof the following:

"designee, the director of the department of agriculture or the director's designee, and eight citizens appointed by the governor with the advice and consent"; and

Further amend said bill, page and section, Line 60, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 61, by inserting a comma "," after the word "**registration**"; and

Further amend said bill, page and section, Line 62, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 63, by inserting a comma "," after the word "**registration**"; and

Further amend said bill and section, Page 47, Line 65, by deleting the words "[natural resources]" and inserting in lieu thereof the following:

"natural resources, **department of**"; and

Further amend said bill, page and section, Line 66, by inserting a comma "," after the word "**registration**"; and

Further amend said bill and section, Page 47, Line 98, by deleting the words "**and the**"; and

Further amend said bill, page, and section, Line 99, by deleting the word "**are**" and inserting in lieu thereof the word "**is**"; and

Further amend said bill, Pages 49-52, Sections 536.021 and 536.024, by deleting all of said sections from the bill; and

Further amend said bill, Pages 55-56, Section 640.019, Lines 1-38, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 56, Section 640.065, Line 6, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said bill, Page 67, Section 644.057, Line 5, by inserting immediately before the word "**private**" the words "**public and**"; and

Further amend said bill, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. 1. Upon public notice, the division of state parks shall once each year hold a stakeholder meeting in each park district.

2. A stakeholder may petition the director of state parks regarding any policy or park issue that has been presented to the relevant facility manager and district supervisor. The director or his designee shall respond to the stakeholder within fourteen days and may schedule a stakeholder meeting to help determine what action is warranted in response to the petition. Whether the response is that no action is warranted or that specific action will be undertaken, the director shall so notify the stakeholder in writing within thirty days. The decision of the director shall be final and not subject to review.

3. For purposes of this section, "stakeholder" shall mean any person with an interest in the subject matter of the petition who has visited the park in the past sixty days."; and

Further amend said bill, Pages 70-71, Section 309.130, Lines 1-42, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Hurst offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 881, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. The department of natural resources shall, by December 1, 2013, and annually thereafter, develop a list of all documents the department uses in determining the issuance and conditions of environmental permits, certifications, or modifications under state statute or authority delegated by other state or federal agencies. The list and all documents referenced shall be provided to the joint committee on administrative rules for the purpose of a review, in consultation with the department, to determine if the documents are statements of general applicability that implement, interpret, or prescribe law or policy that should be subject to the rulemaking process prescribed in chapter 536."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hurst, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 881, Page 2, Section 260.205, Line 343, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Smith assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Cierpiot	Flanigan	Funderburk	Higdon
Hubbard	Leara	Mims	Molendorp	Montecillo
Neth	Schieffer	Smith 85	Thomson	

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Ross offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 881, Page 8, Section 60.560, Line 5, by inserting after all of said section and line the following:

"60.570. **1.** The permanent headquarters of the land survey program shall be at or near to the principal office of the Missouri state geological survey. [Until such time as other headquarters can be obtained by the land survey program, the state geologist shall assign such space in the state geological survey building as may be available.] **If the land survey program headquarters are located in any building owned by a state agency or department, the land survey program shall not be liable to that agency or department for rent or any other costs associated with the office space.** The land survey program may also establish and maintain regional offices in the metropolitan areas of the state for the storage and distribution of local survey record information.

2. The building that occupies the permanent headquarters of the land survey program shall be named and referred to as the "Robert E. Myers Building".; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ross, **House Amendment No. 4** was adopted.

Representative Miller offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 881, Page 57, Section 640.075, Line 7, by inserting after all of said section and line the following:

"**640.080. 1. For Missouri state parks' designated swim beaches, a standard that measures E. coli using the Environmental Protection Agency's Method 1603, or any other equivalent method that measures culturable E. coli, at a geometric mean (GM) based on weekly sampling over a thirty-day period of one hundred ninety colony forming units per one hundred milliliters shall be utilized.**

2. If beaches exceed the GM standard established in subsection 1 of this section, the department of natural resources shall post the beach with signs that state "Swimming is Not Recommended".

3. The department reserves the right to close a beach in the event of a documented health risk including things such as but not limited to wastewater by-pass, extremely high sampling values, spills of hazardous chemicals, or localized outbreaks of an infectious disease."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Flanigan
Fowler	Fraker	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton

Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Lichtenegger	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Cierpiot	Ellinger	Fitzwater	Franklin
Funderburk	Gatschenberger	Hansen	Leara	Love
Marshall	Molendorp	Neth	Parkinson	Schieffer
Smith 85	Stream	Zerr		

On motion of Representative Miller, **House Amendment No. 5** was adopted.

Representative Wieland offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 881, Page 52, Section 536.024, Line 19, by inserting after all of said line the following:

"537.556. In all civil actions involving claims that arise from the ownership, maintenance, management, or control of underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975, or that arise from chat or tailings generated at those sites, brought against persons or entities alleged to have owned, maintained, managed, or controlled such sites, chat, or tailings at any time, such persons and entities shall be exempt from punitive or exemplary damages with respect to all claims that relate in any way to the ownership, maintenance, management, or control of such sites, chat, or tailings, so long as such persons or entities or their employees, agents, owners, parent, subsidiary, or any related companies have made or are making good faith efforts to remediate such sites. Any evidence may be introduced to demonstrate good faith efforts to remediate; however, substantial compliance with an order or permit issued by or negotiated with either the state of Missouri or the United States concerning remediation or closure shall be deemed to be good faith efforts to remediate. The exemption from punitive damages provided for in this section shall not apply if the trier of fact

finds that the injury that is the subject of the civil action is attended by circumstances of fraud, malice, or willful and wanton conduct. In the event that good faith efforts to remediate a site have not been made or the injury is found to be attended by circumstances of fraud, malice, or willful and wanton conduct, then the total of any awards of punitive or exemplary damages shall not exceed five hundred thousand dollars in the aggregate as to all defendants in a civil action within this section. The provision of section 537.675 shall not apply to such action, and one-half of any such awards for punitive or exemplary damages shall be paid into the Missouri lead abatement loan fund established under section 701.337. Nothing in this section shall be construed as precluding any party from pursuing compensatory damages, including claims for natural resource damages."; and

Further amend said bill, Page 57, Section 640.075, Line 7, by inserting after all of said line the following:

"640.230. 1. Natural resources damages authorized to be recovered by the natural resources trustee designated by the Governor of the State of Missouri to carry out trustee responsibilities under any state or federal law, shall be modified as follows:

(1) It is the policy of the State of Missouri to acquire land for future generations. However, nothing in this section shall compel the State to accept a donation of land.

(2) Any claim of natural resources damages against a potentially responsible party for a release shall be offset by a credit for the full value of any economic and ecological benefits to the State of Missouri and its citizens of any land or other property rights donated to the State of Missouri by that potentially responsible party or its predecessor in interest calculated from the later of (1) the date of the donation of land or property rights; (2) the initial date of the release; or (3) the earliest date for which natural resources damages are assessed or claimed.

(3) In determining the economic benefits of any land or other property rights donated to the State of Missouri, the trustee shall include any fees and other revenues directly received or to be received by the State of Missouri as well as indirect economic benefits to the State of Missouri and its citizens, including recognition of user spending in the area and the economic multiplier effects on the geographic region, household income, and jobs.

(4) In determining the ecological benefits of land or other property rights donated to the State of Missouri, the trustee shall include the full value of all past, present, and future ecological benefits related to the biota, including any values calculated consistent with the valuation of damages by the trustees or the National Contingency Plan.

2. Any assessment or claim for natural resources damages of the State of Missouri shall be governed by this section, and the natural resources trustee designated by the Governor of the State of Missouri shall not transfer any such authority to assess or recover damages to such natural resources, whether by agreement or otherwise, to any federal or other trustee of natural resources."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Burlison	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh

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Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown	Cierpiot	Funderburk	Gatschenberger
Haahr	Jones 50	Kelly 45	Mitten	Molendorp
Parkinson	Riddle	Scharnhorst	Schieffer	Smith 85
Stream	Wood			

On motion of Representative Wieland, **House Amendment No. 6** was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Burlison	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McGaugh	McKenna
Messenger	Miller	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120

Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 053

Anders	Barnes	Burns	Butler	Carpenter
Colona	Conway 10	Cornejo	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Rowden	Runions
Schupp	Solon	Swearingen	Torpey	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Cierpiot	Curtman	Funderburk	Gatschenberger
Haahr	Jones 50	McCahty	Molendorp	Moon
Scharnhorst	Schieffer	Smith 85	Wood	

Representative Schatz offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 881, Page 61, Section 643.079, Line 122, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission."; and

Further amend said bill, Page 68, Section 644.062, Line 33, by inserting after all of said section and line the following:

"Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jones resumed the Chair.

On motion of Representative Schatz, **House Amendment No. 7** was adopted.

Representative Fraker offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 881, Page 15, Section 253.040, Line 15, by inserting after all of said line the following:

"253.090. 1. All revenue derived from privileges, conveniences, contracts or otherwise, all moneys received by gifts, bequests or contributions or from county or municipal sources and all moneys received from the operation of concessions, projects or facilities and from resale items shall be paid into the state treasury to the credit of the "State Park Earnings Fund", which is hereby created. **The state treasurer is authorized to deposit all of the moneys in the fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided by law relative to state deposits. Interest received on such deposits shall be credited to the fund.** In the event any state park or any part thereof is taken under the power of eminent domain by the federal government the moneys paid for the taking shall be deposited in the state park earnings fund. The fund shall be used solely for the payment of the expenditures of the department of natural resources in the administration of this law, except that in any fiscal year the department may expend a sum not to exceed fifty percent of the preceding fiscal year's deposits to the state park earnings fund for the purpose of:

- (1) Paying the principal and interest of revenue bonds issued;
- (2) Providing an interest and sinking fund;
- (3) Providing a reasonable reserve fund;
- (4) Providing a reasonable fund for depreciation; and
- (5) Paying for feasibility reports necessary for the issuing of revenue bonds.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. A good and sufficient bond conditioned upon the faithful performance of the contract and compliance with this law shall be required of all contractors.

4. Any person who contracts pursuant to this section with the state shall keep true and accurate records of his or her receipts and disbursements arising out of the performance of the contract and shall permit the department of natural resources and the state auditor to audit such records."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 8** was adopted.

Representative Hough offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 881, Page 32, Section 260.205, Line 343, by inserting after all of said line the following:

"29. No permit to construct or permit to operate shall be required pursuant to this section for the expansion of an existing permitted utility waste landfill. The expansion shall comply with applicable utility landfill design requirements. Siting requirements shall not constitute design requirements. The expansion plans designs and drawings shall be submitted to the department on the behalf of the permittee by a registered professional engineer licensed by the state of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 9** was adopted by the following vote:

AYES: 089

Anderson	Austin	Bahr	Bernskoetter	Brattin
Brown	Burlison	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Haefner	Hampton	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 061

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Curtis	Dunn	Ellinger	Ellington	Engler
English	Englund	Frame	Gannon	Gardner
Guernsey	Hansen	Harris	Higdon	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieber
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Cierpiot	Flanigan	Funderburk	Gatschenberger
Haahr	Mitten	Molendorp	Neth	Scharnhorst
Schieffer	Smith 85	Torpey		

Representative Reiboldt offered **House Amendment No. 10**.

Representative Roorda raised a point of order that the distribution of **House Amendment No. 10** was not timely.

The Chair ruled the point of order well taken.

On motion of Representative Guernsey, **HCS HB 881, as amended**, was adopted.

On motion of Representative Guernsey, **HCS HB 881, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Reiboldt reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 262**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 222**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 129**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Corrections, Chairman Fitzwater reporting:

Mr. Speaker: Your Special Standing Committee on Corrections, to which was referred **HB 814**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SBs 26, 11 & 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 132**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 641**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 781**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 936**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 125**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 287**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 924 - International Trade

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SCS SB 125 - Fiscal Review

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SB 57 - General Laws

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 4**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 5**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 6**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Substitute Amendment No. 2 for Senate Amendment No. 1.

*Senate Substitute Amendment No. 2
for
Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 11, Section 6.230, Line 42, by inserting immediately after said line, the following "provided that \$700,000 shall be used by the department"; and

Further amend said section, Lines 43-44, by striking all of said lines from the bill; and

Further amend said page and section, Line 45, by striking the number "1,600,000" and inserting in lieu thereof the number "4,050,000"; and

Further amend said page and section, Line 46, by striking the number "1,600,000" and inserting in lieu thereof the number "3,000,000"; and

Further amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 7**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 5, Section 7.035, Line 9, by deleting the number "\$1,360,000" and inserting in lieu thereof the following:

"\$6,360,000"; and

Further amend said bill and page, Section 7.036, Lines 1-3, by striking all of said section from the bill; and

Further amend said bill and page, Section 7.040, Line 5, by deleting the number "\$1,360,000" and inserting in lieu thereof the following:

"\$6,360,000"; and

Further amend said bill and page, Section 7.042, Lines 1-5, by striking all of said section from the bill; and

Further amend section and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 8**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 9**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 10**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 11**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 1, Section 11.005, Line 2, by inserting immediately after the word "Director", the following:

", provided that no funds shall be used for the salary of the legislative liaison"; and

Further amend said page and section, Line 3, by deleting the number: "\$178,541" and insert in lieu thereof the number:

"\$106,041"; and

Further amend said section, Page 2, Line 14, by deleting the number: "4.25" and insert in lieu thereof the number:

"3.25"; and

Further amend said bill, Page 12, Section 11.200, Line 4, by deleting the number: "\$27,542,105" and insert in lieu thereof the number:

"\$27,614,605"; and

Further amend said section, Page 13, Line 20, by deleting the number: "1,931.38" and insert in lieu thereof the number:

"1,933.38"; and

Further amend sections and bill totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 12**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2013 and ending June 30, 2014.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 13**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 68**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of pancreatic cancer awareness month.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 68, Page 1, Section Title, Lines 2-3, by striking the following: "the designation of pancreatic cancer awareness month" and inserting in lieu thereof the following:

"state designations"; and

Further amend said bill and page, Section 9.155, Line 5, by inserting after all of said line the following:

"9.190. The last full week in October is hereby designated as "Respiratory Syncytial Virus (RSV) Awareness Week" in the state of Missouri. The citizens of this state are encouraged to observe the week with appropriate activities and events."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 163**, entitled:

An act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND House Bill No. 163, Page 1, Section A, Line 2, by inserting after all of said line the following:

"77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 163, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend Page 2, Section 78.090, Line 23, by inserting immediately after all of said line the following:

"96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120, shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

"Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?"

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.

Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Bill No. 163 , Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting after all of said line the following:

"473.730. 1. Every county in this state, [and] **except** the city of St. Louis, shall elect a public administrator at the general election in the year 1880, and every four years thereafter, who shall be ex officio public guardian and conservator in and for the public administrator's county. A candidate for public administrator shall be at least twenty-one years of age and a resident of the state of Missouri and the county in which he or she is a candidate for at least one year prior to the date of the general election for such office. The candidate shall also be a registered voter and shall be current in the payment of all personal and business taxes. Before entering on the duties of the public administrator's office, the public administrator shall take the oath required by the constitution, and enter into bond to the state of Missouri in a sum not less than ten thousand dollars, with two or more securities, approved by the court and conditioned that the public administrator will faithfully discharge all the duties of the public administrator's office, which bond shall be given and oath of office taken on or before the first day of January following the public administrator's election, and it shall be the duty of the judge of the court to require the public administrator to make a statement annually, under oath, of the amount of property in the public administrator's hands or under the public administrator's control as such administrator, for the purpose of ascertaining the amount of bond necessary to secure such property; and such court may from time to time, as occasion shall require, demand additional security of such administrator, and, in default of giving the same within twenty days after such demand, may remove the administrator and appoint another.

2. The public administrator in all counties, in the performance of the duties required by chapters 473, 474, and 475, is a public officer. The duties specified by section 475.120 are discretionary. The county shall defend and indemnify the public administrator against any alleged breach of duty, provided that any such alleged breach of duty arose out of an act or omission occurring within the scope of duty or employment.

3. After January 1, 2001, all salaried public administrators shall be considered county officials for purposes of section 50.333, subject to the minimum salary requirements set forth in section 473.742.

4. The public administrator for the city of St. Louis shall be appointed by a majority of the circuit judges and associate circuit judges of the twenty-second judicial circuit, en banc. Such public administrator shall meet the same qualifications and requirements specified in subsection 1 of this section for elected public administrators. The elected public administrator holding office on the effective date of this section shall continue to hold such office for the remainder of his or her term.

473.733. The public administrator's certificate of election, **if applicable**, official oath and bond shall be filed and recorded with the probate clerk, and copies thereof, certified under the seal of such court, shall be evidence. Any person injured by the breach of such bond may sue upon the same in the name of the state for his own use.

473.737. 1. Each public administrator elected **or appointed**, as now or as hereafter provided for in sections 473.730 to 473.767, is hereby declared to be an officer for the county in which such administrator is elected [and for the city of St. Louis, if elected therein] **or appointed**. The county commissions of each county in this state shall make suitable provision for an office for the public administrator in the courthouse of the county if suitable space may be had for such an office, and shall be provided as soon as the county commission shall be of the opinion that the business in charge of the public administrator is such as to reasonably require a separate office for the convenience of the public.

The public administrator of the city of St. Louis shall have suitable and convenient offices provided for him or her in the civil courts building by that city.

2. Each public administrator of a county, except a county of the first classification having a charter form of government, in which a state mental hospital is located, or any county of the second classification which contains a habilitation center operated by the department of mental health and which does not adjoin a county of the first classification shall be entitled to one secretary for one hundred cases or more handled by the office of the public administrator in the immediately preceding calendar year. Each secretary employed pursuant to the provisions of this subsection shall be paid in the same pay range as a court clerk II in the circuit court personnel system. All compensation paid secretaries employed pursuant to the provisions of this subsection shall be paid out of the county treasury and the commissioner of administration shall annually reimburse each county for the compensation so paid upon proper demand being made out of appropriations made for that purpose. The public administrator in such counties may also appoint a person to act as public administrator to serve during the absence of the public administrator.

3. The governing bodies of each county and each city not within a county of this state may provide clerical personnel, not qualifying as status of deputy, for the public administrator of the county, and such personnel shall be provided when the governing body is of the opinion that the business in charge of the public administrator is such as to reasonably require such personnel for the welfare of the public."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND House Bill No. 163, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting immediately after said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. **Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.**

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 303 & 304**, entitled:

An act to repeal section 227.303, RSMo, and to enact in lieu thereof nine new sections relating to highway designations, with a contingent effective date for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 303 & 304, Page 1, Section 227.314, Line 5, by inserting immediately after "Clay" the following:

" , Sr. ".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 303 & 304, Page 1, Section Title, Lines 3-4, by striking the following:

", with a contingent effective date for a certain section"; and

Further amend said bill, Page 2, Section 227.421, Line 1, by inserting immediately after "The" the following:

"Missouri portion of the"; and

Further amend said bill, Page 3, Section B, Lines 1-4, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 315**, entitled:

An act to repeal sections 334.040, 334.715, 334.735, 335.066, 338.150, 338.220, RSMo, and to enact in lieu thereof ten new sections relating to health care services.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

April 23, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Ave.
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss,

Pursuant to Section 105.461 RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am an Incorporator of "Discover More on Route 54" (N01304598) - a Nonprofit Missouri Corporation registered with the Missouri Secretary of State.

In compliance with Section 105.461 RSMo, please publish this letter in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Warren D. Love
Representative District 125

COMMITTEE CHANGES

April 23, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- Rep. T.J. McKenna removed from the Missouri Sportsmen Issue Development Standing Committee
- Rep. T.J. McKenna removed from the Freshman Bipartisan Issue Development Standing Committee

Sincerely,

/s/ Representative Dwight Scharnhorst
Administration and Accounts, Chair

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, April 24, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 25, 2013, 9:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

We will be discussing and voting on changes to member's expense accounts.

Please look for information in your email.

No breakfast provided

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 25, 2013, 1:00 PM or Upon Morning Adjournment, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Demonstration of FQHC Data Warehouse

Continued discussion of DSS Revenue Maximization Policy

DMH review of CMHC's role in healthcare delivery

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, April 24, 2013, 2:00 PM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Looking into the Canteen program in the Corrections 2009 audit.

CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 30, 2013, Noon or Upon Morning Recess, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued conversation about Canteen and then onto MVE both in 2009 audit

Lunch provided

BUDGET

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 3.

Public hearing will be held: HB 930

Executive session will be held: HB 17, HB 18, HB 19, HB 930

Executive session may be held on any matter referred to the committee.

BUDGET

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 3.

Executive session will be held: HCS HJR 14

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SB 170

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SB 242, SB 211, HB 295, HB 681, HB 1016, HB 603

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

All bills referred to committee may be considered.

CORRECTED

GENERAL LAWS

Wednesday, April 24, 2013, 12:00 PM, House Hearing Room 4.

Public hearing will be held: SCS SB 42, SS SB 357, SB 35, HB 1000, HB 390

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, April 24, 2013, Noon or Upon Morning Recess, House Hearing Room 6.

Public hearing will be held: HB 929, SB 127, SS SCS SB 129

Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE

Wednesday, April 24, 2013, 1:00 PM, House Hearing Room 3.

Public hearing will be held: HB 924, SB 257

Executive session may be held on any matter referred to the committee.

Please note change in time and hearing location.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 24, 2013, 1:30 PM, House Hearing Room 7.

Business meeting

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, April 24, 2013, 12:00 PM or Upon Morning Adjournment (whichever is earlier) House Hearing Room 1.

Public hearing will be held: HB 670, HB 851, SB 12

Executive session will be held: SB 110, HB 567, SCS SB 45, HB 594, SB 73

Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 5.

Public hearing will be held: SB 57

Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, April 24, 2013, Upon Morning Recess, House Hearing Room 5.

Public hearing will be held: SCS SB 101, SCS SB 305

Executive session may be held on any matter referred to the committee.

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897

Executive session may be held on any matter referred to the committee.

CANCELLED

RULES

Wednesday, April 24, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: HCS HB 350, HCS HB 371, HCS HB 464, HCS HJR 15, HCS HJR 35, SCS SB 36, HCS SCS SB 88, HCS SB 90, HCS SCS SB 126, HCS SS SCS SJR 16, HCS SS#2 SCS SB 1

Executive session may be held on any matter referred to the committee.

Possible executive session on SS SCS SB 159, AMENDED #2

AMENDED

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, April 24, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 7.

Public hearing will be held: HB 1033

Executive session will be held: HB 393, HB 71

Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 871

Executive session will be held: SB 72, SB 218, HB 944, HB 835

Executive session may be held on any matter referred to the committee.

Breakfast will not be served.

UTILITIES

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SB 275, HB 1006, HB 1038, SB 294

Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, April 24, 2013, 8:00 AM, House Hearing Room 5.

Public hearing will be held: HB 1024

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 24, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HCS HJR 26 - Richardson
- 2 HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 285 - Pace
- 13 HCS HB 372 - Cox
- 14 HB 421 - Curtman
- 15 HCS HB 541 - Hicks
- 16 HCS HB 543 - Hoskins
- 17 HCS HB 234 - Gatschenberger
- 18 HCS HB 986 - Barnes
- 19 HB 616 - Bahr
- 20 HCS HB 675 - Grisamore
- 21 HB 185 - Kirkton

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HBs 455 & 297 - English
- 6 HB 756 - Hubbard
- 7 HCS HB 335, E.C. - Hinson
- 8 HCS HB 589, (Fiscal Review 4/22/13), E.C. - Hinson
- 9 HCS HB 170, E.C. - Guernsey
- 10 HB 808 - Funderburk

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS#2 SCS SBs 26, 11 & 31, E.C. - Koenig
- 8 HCS SS SCS SB 125, (Fiscal Review 4/23/13) - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HJR 11 & 7 , as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11 , as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 SS HCS HB 315 - Rowland
- 16 HB 68, SA 1 - Kelley (127)
- 17 HB 163, SA 1, SA 2, SA 4, SA 5 - Fitzpatrick
- 18 SCS HCS HBs 303 & 304, as amended - Scharnhorst

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, WEDNESDAY, APRIL 24, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let not your heart be troubled; believe in God. (John 14:1)

O Loving God, Who is ever seeking to strengthen Your children, make us strong as we face the arduous tasks of this day and as we carry the heavy responsibilities placed upon us - keeping common sense alive and promoting justice and good will among our citizens. Give to us the faith which will enable us to meet fearlessly the forces of confusion, which threaten to engulf us.

Bless the members of this body. Lead them in their labors, direct them in their decisions, fortify their faith, strengthen their spirits, and elevate their endeavors that they may lead Missouri into wider areas of truth and righteousness.

Finally, bless our men and women in the service of our country - many exposed to danger and death. Heal the wounded, strengthen their families, relieve the suffering, and comfort the sorrowing. Hasten the day when everyone will learn to live in peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Justice Hoard, Nia Montgomery, Kori Roach, Jack Vollmer, Madisen Schieber, Alysa Schieber, Rachel Schieber, Eli Meniffee, Joy Farrar and Seth Rothermich.

The Journal of the fifty-sixth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2215 through House Resolution No. 2283

THIRD READING OF HOUSE BILLS

HCS HBs 455 & 297, relating to food stamp eligibility, was taken up by Representative English.

On motion of Representative English, **HCS HBs 455 & 297** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Norr	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 035

Butler	Carpenter	Colona	Dunn	Ellinger
Englund	Gardner	Hubbard	Hummel	Kelly 45
Kirkton	LaFaver	May	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Otto	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Curtis	Ellington	Flanigan	Hodges	Lichtenegger
Molendorp	Smith 85	Wright		

Speaker Jones declared the bill passed.

HCS HB 335, relating to public safety, was taken up by Representative Hinson.

On motion of Representative Hinson, **HCS HB 335** was read the third time and passed by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Thomson
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 055

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Johnson	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Pogue	Rizzo	Roorda	Rowden
Runions	Schieber	Schieffer	Schupp	Swan
Swearingen	Torpey	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Cornejo	Curtis	Flanigan	Molendorp	Smith 85
Wright				

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 010

Curtis	Dunn	Ellinger	Ellington	Gardner
Marshall	Nichols	Pierson	Pogue	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 006

Diehl	Flanigan	Hummel	Molendorp	Smith 85
Wright				

HB 756, relating to a prisoner re-entry program, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 756** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Barnes	Bernskoetter	Berry
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fraker	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	McCaherty
McCann Beatty	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfausch	Phillips	Pierson
Pike	Reiboldt	Remole	Richardson	Riddle
Rizzo	Rowden	Rowland	Runions	Schupp
Shull	Shumake	Solon	Sommer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	Wieland	Wood
Zerr	Mr Speaker			

NOES: 037

Anderson	Austin	Bahr	Black	Brattin
Burlison	Curtman	Elmer	Fitzpatrick	Fowler
Frame	Franklin	Guernsey	Haahr	Hampton
Hodges	Hurst	Johnson	Koenig	Marshall
Mayfield	McDonald	McKenna	Moon	Pogue
Redmon	Rehder	Rhoads	Roorda	Ross
Schatz	Schieber	Schieffer	Smith 120	Spencer
White	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 004

Molendorp	Scharnhorst	Smith 85	Wright
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Speaker Jones declared the bill passed.

HB 808, relating to teaching certificates, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HB 808** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 001

Leara

PRESENT: 000

ABSENT WITH LEAVE: 006

Colona	May	Molendorp	Scharnhorst	Smith 85
Wright				

Speaker Jones declared the bill passed.

HCS HB 170, relating to firearms, was taken up by Representative Guernsey.

Representative Elmer assumed the Chair.

On motion of Representative Guernsey, **HCS HB 170** was read the third time and passed by the following vote:

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 043

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
Englund	Gardner	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 003

Molendorp	Smith 85	Zerr
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Representative Elmer declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 113

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Lera	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 043

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 003

Black	English	McKenna
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ABSENT WITH LEAVE: 004

May	Molendorp	Smith 85	Zerr
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PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 26, relating to parental rights, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 26, Page 2, Section 35, Line 33, by deleting all of said line and inserting in lieu thereof the following:

"6. Nothing contained in this section shall be construed to empower a parent to enroll his or her minor child in a public school outside of the area of that child's residence, except as otherwise provided by law.

7. As used in this section, the following terms shall mean:"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

On motion of Representative Richardson, **HCS HJR 26, as amended**, was adopted.

On motion of Representative Richardson, **HCS HJR 26, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 543, relating to the Office of the State Auditor, was taken up by Representative Hoskins.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 543, Page 1, Section 29.005, Line 10, by deleting the second occurrence of the word "**and**" on said line and inserting in lieu thereof the word "**as**"; and

Further amend said bill, Page 3, Section 29.005, Line 52, by deleting the phrase "**but not be limited to**" on said line and inserting in lieu thereof the phrase "**, but not be limited to,**"; and

Further amend said bill and page, Section 29.185, Line 6, by deleting the word "**types**" on said line and inserting in lieu thereof the word "**type**"; and

Further amend said bill, Page 6, Section 29.200, Line 91, by deleting the word "**some**" on said line and inserting in lieu thereof the word "**a**"; and

Further amend said bill and page, Section 29.216, Line 2, by deleting the word "**systems**" on said line and inserting in lieu thereof the word "**system**"; and

Further amend said bill, Page 9, Section 29.235, Line 20, by deleting the word "**comply**" on said line and inserting in lieu thereof the word "**complies**"; and

Further amend said bill, Page 10, Section 29.235, Line 49, by deleting the word "**representative**" on said line and inserting in lieu thereof the word "**representatives**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 543, Page 23, Section 169.020, Line 131, by inserting immediately after said line the following:

"Section 1. The state auditor may have the power to audit a community action agency as defined under 10 C.F.R. 440.3. The term "community action agency" as used in this section shall mean a private corporation or public agency established under the Economic Opportunity Act of 1964, Pub. L. 88-452, which is authorized to administer funds received from federal, state, local, or private funding entities to assess, design, operate, finance, and oversee antipoverty programs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

Representative Kelly (45) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 543, Page 11, Section 29.351, Lines 1-3, by deleting all of said lines and inserting in lieu thereof, the following:

"[21.760.] 29.351. 1. During the regular legislative session which convenes in an odd-numbered year, the general assembly shall, by concurrent resolution,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), **House Amendment No. 3** was adopted.

On motion of Representative Hoskins, **HCS HB 543, as amended**, was adopted.

On motion of Representative Hoskins, **HCS HB 543, as amended**, was ordered perfected and printed.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Scharnhorst.

PERFECTION OF HOUSE BILLS

HCS HB 372, relating to the establishment of the Business Premises Safety Act, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 372** was adopted.

On motion of Representative Cox, **HCS HB 372** was ordered perfected and printed.

HB 421, relating to legal tender, was taken up by Representative Curtman.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 421, Page 1, Section 143.111, Line 10, by inserting after all of said section the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection**:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] **(c)** For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] **a.** "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

[(b)] **b.** "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

[(c)] **c.** Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state[;].

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale[;]; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access

to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total

mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

- (1) The income from all sources shall be determined as provided;
- (2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** is not germane to the bill.

Representative Scharnhorst requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Burlison moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Curtman, **HB 421** was ordered perfected and printed.

HCS HB 541, relating to juvenile offenders, was taken up by Representative Hicks.

Speaker Jones resumed the Chair.

On motion of Representative Hicks, **HCS HB 541** was adopted.

On motion of Representative Hicks, **HCS HB 541** was ordered perfected and printed.

HCS HB 986, relating to MO HealthNet benefits, was taken up by Representative Barnes.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 986, Page 11, Section 208.993, Lines 1 through 36, by deleting all of said section and lines and inserting in lieu thereof the following:

"208.993. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Medicaid Transformation".

2. The joint committee shall be composed of twelve members. Six members shall be from the senate, with four members appointed by the president pro tem of the senate and two members appointed by the minority leader of the senate. Six members shall be from the house of representatives, with four members appointed by the speaker of the house of representatives and two members appointed by the minority leader of the house of representatives. All members of the Missouri general assembly not appointed in this subsection may be nonvoting, ex officio members of the joint committee. A majority of the appointed members of the joint committee shall constitute a quorum.

3. The joint committee shall meet within thirty days after it becomes effective and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The joint committee may meet at locations other than Jefferson City when the committee deems it necessary.

4. The committee shall prepare a final report together with its recommendations for any legislative action deemed necessary for submission to the speaker of the house of representatives, president pro tem of the senate, and the governor by December 31, 2013. The report shall study and make recommendations regarding improvements that can be made to the state medical assistance health care delivery system in this state and shall examine the following:

- (1) More efficient and cost-effective ways to provide coverage for MO HealthNet participants;
- (2) How coverage for MO HealthNet participants can resemble that of commercially available health plans while complying with federal Medicaid requirements;
- (3) Possibilities for promoting healthy behaviors by encouraging patients to take ownership of their health care and seek early preventative care;
- (4) The best manner in which to provide incentives, including a shared risk and savings to health plans and providers to encourage cost-effective delivery of care; and
- (5) Ways that individuals who currently receive medical care coverage through the MO HealthNet program can transition to obtaining their health coverage through the private sector.

5. The committee shall hold a minimum of one meeting at three urban regions in the state of Missouri to seek public input. The committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the committee considers advisable to carry out the provisions of this section.

6. The joint committee may solicit input and information necessary to fulfill its obligations from the general public, any state department, state agency, political subdivision of this state, or anyone else it deems advisable.

7. Members of the committee and subcommittee shall serve without compensation but may be reimbursed for necessary expenses pertaining to the duties of the committee.

8. The staffs of senate research, the joint committee on legislative research, and house research may provide such legal, research, clerical, technical, and bill drafting services as the joint committee may require in the performance of its duties.

9. Any actual and necessary expenses of the joint committee, its members, and any staff assigned to the joint committee incurred by the joint committee shall be paid by the joint contingent fund.

10. The provisions of this section shall expire on January 1, 2014."; and

Further amend said bill, Page 14, Section 208.995, Line 67, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to ensure access to health care the enactment of section 208.993 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 208.993 of section A of this act shall be in full force and effect as of May 29, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 986, Page 8, Section 208.151, Line 170, by deleting all of said line and inserting in lieu thereof the following:

"2. **Beginning July 1, 2014, eligibility for MO HealthNet benefits shall be amended as follows:**

(1) **Persons eligible under subdivisions (3) and (25) of subsection 1 of this section shall no longer be eligible for MO HealthNet benefits as provided in this section, except for those persons eligible under subdivision (25) who do not have access to employer-sponsored health insurance coverage or subsidized insurance coverage through an exchange at any point after diagnosis, whose income is above one hundred percent of the federal poverty level;**

(2) **Pregnant women who are eligible under subdivision (12) of subsection 1 of this section, with income that does not exceed one hundred eighty-five percent of the federal poverty level shall be eligible for MO HealthNet benefits. Pregnant women with income between one hundred thirty-three and one hundred eighty-five percent of the federal poverty level may, at the discretion of the department, receive MO HealthNet benefits in the form of a premium subsidy as established by rule of the department in order for them to enroll in a plan offered by a health care exchange, whether federally facilitated, state based, or operated on a partnership basis. The department may direct the pregnant women to choose an exchange plan and the department may provide a premium subsidy equal to the amount of the percentage of income required for premium payments or coinsurance to the pregnant women by federal rule. The department may encourage and incentivize eligible pregnant women to receive MO HealthNet benefits through an exchange plan;**

(3) **Beginning October 1, 2019, infants under one year of age who are eligible under subdivision (12) of subsection 1 of this section and whose family income does not exceed one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services or its successor agency shall be eligible for MO HealthNet benefits. An infant under one year of age born to a woman who was covered under subdivision (2) of this subsection with family income between one hundred thirty-three and one hundred eighty-five percent of the federal poverty level shall only be eligible if, in addition to the other requirements, his or her parents do not have access to health insurance coverage for the child through a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis, and the parents are not eligible for a premium subsidy for the child or family through such exchange because the parents have been determined to have access to affordable health insurance as defined by the exchange;**

(4) **The changes in eligibility under subdivisions (1) to (3) of this subsection shall not take place unless and until:**

(a) **There are health insurance premium tax credits under Section 36B of the Internal Revenue Code of 1986, as amended, available to persons through the purchase of a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis. The director of the department of revenue shall certify to the director of the department that health insurance premium tax credits are available, and the director of the department shall notify the revisor of statutes;**

(b) **Eligibility of persons set out in subsection 3 of section 208.995 has been approved by the federal Department of Health and Human Services, has been implemented by the department, and notice of implementation has been provided to the revisor of statutes; and**

(c) The federal Department of Health and Human Services grants any necessary waivers and state plan amendments to implement this subsection, federal funding is received for the premium subsidies to be paid, and notice has been provided to the revisor of statutes.

3. Rules and regulations to implement this section shall be promulgated in accordance"; and

Further amend said bill and section, Pages 8 to 9, Lines 179 to 221, by renumbering all of the following subsections accordingly; and

Further amend said bill and section, Page 9, Line 221, by inserting after all of said line the following:

"8. The department shall notify any potential exchange-eligible participant who may be eligible for services due to spenddown that the participant may qualify for more cost-effective private insurance and premium tax credits under Section 36B of the Internal Revenue Code of 1986, as amended, available through the purchase of a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis and the benefits that would be potentially covered under such insurance.

208.186. 1. Any person participating in the MO HealthNet program who has pled guilty to or been found guilty of a crime involving alcohol or a controlled substance or any crime in which alcohol or substance abuse was, in the opinion of the court, a contributing factor to the person's commission of the crime shall be required to obtain an assessment by a treatment provider approved by the department of mental health to determine the need for services. Recommendations of the treatment provider may be used by the court in sentencing.

2. Any person participating in the MO HealthNet program who is a parent of a child subject to proceedings in juvenile court under subsection 1 or 2 of section 211.031, whose misuse of controlled substances or alcohol is found to be a significant, contributing factor to the reason the child was adjudicated, shall be required to obtain an assessment by a treatment provider approved by the department of mental health to determine the need for services. Recommendations of the treatment provider shall be included in the child's permanency plan. The court may order the parent or guardian to successfully complete treatment before the child is reunified with the parent or guardian.

3. The MO HealthNet division shall certify a MO HealthNet participant's enrollment in MO HealthNet if requested by the court under this section. A letter signed by the director of the MO HealthNet division or his or her designee or the family support division certifying that the individual is a participant in the MO HealthNet program shall be prima facie evidence of such participation and shall be admissible into evidence without further foundation for that purpose. The letter may specify additional information such as anticipated dates of coverage as may be deemed necessary by the department.

208.631. 1. Notwithstanding any other provision of law to the contrary, the MO HealthNet division shall establish a program to pay for health care for uninsured children. Coverage pursuant to sections 208.631 to 208.659 is subject to appropriation. The provisions of sections 208.631 to 208.659, health care for uninsured children, shall be void and of no effect if there are no funds of the United States appropriated by Congress to be provided to the state on the basis of a state plan approved by the federal government under the federal Social Security Act. If funds are appropriated by the United States Congress, the department of social services is authorized to manage the state children's health insurance program (CHIP) allotment in order to ensure that the state receives maximum federal financial participation. Children in households with incomes up to one hundred fifty percent of the federal poverty level may meet all Title XIX program guidelines as required by the Centers for Medicare and Medicaid Services. Children in households with incomes of one hundred fifty percent to three hundred percent of the federal poverty level shall continue to be eligible as they were and receive services as they did on June 30, 2007, unless changed by the Missouri general assembly.

2. For the purposes of sections 208.631 to 208.659, "children" are persons up to nineteen years of age. "Uninsured children" are persons up to nineteen years of age who are emancipated and do not have access to affordable employer-subsidized health care insurance or other health care coverage or persons whose parent or guardian have not had access to affordable employer-subsidized health care insurance or other health care coverage for their children for six months prior to application, are residents of the state of Missouri, and have parents or guardians who meet the requirements in section 208.636. A child who is eligible for MO HealthNet benefits as authorized in section 208.151 is not uninsured for the purposes of sections 208.631 to 208.659.

3. Beginning October 1, 2019, a child eligible under sections 208.631 to 208.658 shall only remain eligible if, in addition to the other requirements, his or her parents do not have access to health insurance coverage for the child through their employment or through a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis because the parents are not eligible for a

premium subsidy for the child or family through such exchange. This subsection shall not go into effect unless and until, for a six-month period preceding the additional requirements, there are health insurance premium tax credits available for children and family coverage under Section 36B of the Internal Revenue Code of 1986, as amended, available to persons through the purchase of a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis, which have been in place for a six-month period.

4. The department shall inform participants six months prior to coverage being discontinued under subsection 3 of this section as to the possibility of insurance coverage through the purchase of a subsidized health insurance plan available through a health care exchange.

208.659. 1. The MO HealthNet division shall revise the eligibility requirements for the uninsured women's health program, as established in 13 CSR Section 70-4.090, to include women who are at least eighteen years of age and with a net family income of at or below one hundred eighty-five percent of the federal poverty level. In order to be eligible for such program, the applicant shall not have assets in excess of two hundred and fifty thousand dollars, nor shall the applicant have access to employer-sponsored health insurance. Such change in eligibility requirements shall not result in any change in services provided under the program.

2. Beginning July 1, 2014, the provisions of this section shall no longer be in effect. Such change in eligibility shall not take place unless and until:

(1) For a six-month period preceding the discontinuance of benefits under this subsection there are health insurance premium tax credits available for children and family coverage under Section 36B of the Internal Revenue Code of 1986, as amended, available to persons through the purchase of a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis, which have been in place for a six-month period, and notice has been provided to the revisor of statutes; and

(2) Eligibility of persons set out in subsection 3 of section 208.995 has received any necessary approvals from the federal Department of Health and Human Services, has been implemented by the department, and notice has been provided to the revisor of statutes.

3. The department shall inform participants six months prior to coverage being discontinued under subsection 2 of this section as to the possibility of insurance coverage through the purchase of a subsidized health insurance plan available through a health care exchange.

208.661. 1. The department shall develop incentive programs, submit state plan amendments and apply for necessary waivers to permit rural health clinics, federally-qualified health centers, or other primary care practices to co-locate on the property of public elementary and secondary schools with fifty percent or more students who are eligible for free or reduced price lunch.

2. No school-based health care clinic established under this section shall perform or refer for abortion services, or provide or refer for contraceptive drugs or devices.

3. The consent of a parent or legal guardian shall be required before a minor may receive health care services under this section.

4. The provisions of this section shall be null and void unless and until any waivers necessary to the implementation of subsections 2 and 3 of this section are granted by the federal government.

208.662. 1. There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for any low-income, unborn child, neither of whose parents have access to affordable health insurance coverage for the unborn child through his or her employment or through a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 CFR 457.1.

2. For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child including any health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis.

3. Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child and that promote healthy labor, delivery, and birth, as determined by regulations of the department. Coverage shall not include services

that are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child.

4. There shall be no waiting period before an unborn child may be enrolled in the show-me healthy babies program. In accordance with the definition of child in 42 CFR 457.10, coverage shall include the period from conception to birth. The department shall develop a presumptive eligibility procedure for enrolling an unborn child.

5. Coverage for the child shall continue for up to one year after birth, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations.

6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the pregnancy ends and extend through the last day of the month that includes the sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations. Coverage for the mother shall be limited to pregnancy-related and postpartum care.

7. Nothing in this section shall be construed to prohibit an unborn child from being enrolled in the show-me healthy babies program at the same time his or her mother is enrolled in MO HealthNet, the children's health insurance program (CHIP), Medicare, or other governmental or government-subsidized health care program. The department shall ensure that there is no duplication of payments for services for an unborn child enrolled in the show-me healthy babies program that are payable under a governmental or nongovernmental health care program for services to an eligible pregnant woman.

8. The department may provide coverage for an unborn child enrolled in the show-me healthy babies program through:

(1) Direct coverage whereby the state pays health care providers directly or by contracting with a managed care organization or with a group or individual health insurance provider;

(2) A premium assistance program whereby the state assists in payment of the premiums, co-payments, coinsurance, or deductibles for a person who is eligible for health coverage through an employer, former employer, labor union, credit union, church, spouse, other organizations, other individuals, or through an individual health insurance policy that includes coverage for the unborn child, when such person needs assistance in paying such premiums, co-payments, coinsurance, or deductibles;

(3) A combination of direct coverage, such as when the unborn child is first enrolled, and premium assistance, such as after the child is born; or

(4) Any other similar arrangement whereby there:

(a) Are lower program costs without sacrificing health care coverage for the unborn child or the child up to one year after birth;

(b) Are greater covered services for the unborn child or the child up to one year after birth;

(c) Is a similar cost for coverage of the participant and also will provide coverage for siblings or other family members; or

(d) Will be an ability for the child to transition more easily to nongovernment or less government-subsidized group or individual health insurance coverage after the child is no longer enrolled in the show-me healthy babies program.

9. The department shall provide information about the show-me healthy babies program to maternity homes as defined in section 135.600, pregnancy resource centers as defined in section 135.630, and other similar agencies and programs in the state that assist unborn children and their mothers. The department shall consider allowing such agencies and programs to assist in the enrollment of unborn children in the program and in making determinations about presumptive eligibility.

10. Within sixty days after the effective date of this section, the department shall submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the show-me healthy babies program.

11. At least annually, the department shall prepare and submit a report to the governor, the speaker of the house of representatives, and the president pro tem of the senate analyzing the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the show-me healthy babies program. The analysis of cost savings and benefits, if any, shall include but not be limited to:

(1) The higher federal matching rate for having an unborn child enrolled in the show-me healthy babies program versus the lower federal matching rate for a pregnant woman being enrolled in MO HealthNet or other federal programs;

(2) The efficacy in providing services through managed care organizations, group or individual health insurance providers or premium assistance, or through other nontraditional arrangements of providing health care;

(3) The change in the proportion of unborn children who receive care in the first trimester of pregnancy due to a lack of waiting periods, presumptive eligibility, or removal of other barriers, and the attendant decrease in health problems and other problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and during infancy and childhood;

(4) The change in healthy behaviors by pregnant women, such as the cessation of the use of tobacco, alcohol, illicit drugs, or other harmful practices, and the attendant short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing problems; breathing and respiratory problems; feeding and digestive problems; and other physical, mental, educational, and behavioral problems; and

(5) The change in infant and maternal mortality, preterm births and low birth weight babies and the attendant decrease in short-term and long-term medical and other interventions.

12. The show-me healthy babies program shall not be deemed an entitlement program, but instead shall be subject to a federal allotment or other federal appropriations and matching state appropriations.

13. Nothing in this section shall be construed as obligating the state to continue the show-me healthy babies program if the allotment or payments from the federal government end or are not sufficient for the program to operate, or if the general assembly does not appropriate funds for the program.

14. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state."; and

Further amend said bill and page, Section 208.990, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"208.990. 1. The provisions of sections 208.146, 208.151, 208.186, 208.631, 208.659, 208.661, 208.662, 208.990, 208.995, 208.997, 208.998, 208.999, 376.961, 376.962, 376.964, 376.966, 376.968, 376.970, 376.973, 1 and 2 shall be known and may be cited as the "Show-Me Transformation Act".

2. Notwithstanding any other provisions of law to the contrary, to be"; and

Further amend said bill and section, Page 10, Lines 14 to 33, by renumbering all of the following subsections accordingly; and

Further amend said bill and section, Page 11, Line 48, by inserting after all of said line the following:

"7. The MO HealthNet program shall not provide MO HealthNet coverage under subsection 3 of section 208.995 to a parent or other caretaker relative living with a dependent child unless the child is receiving benefits under the MO HealthNet program, the Children's Health Insurance Program (CHIP) under 42 CFR Chapter IV, Subchapter D, or otherwise is enrolled in minimum essential coverage as defined in 42 CFR 435.4.

8. (1) The provisions of the show-me transformation act shall be null and void unless and until:

(a) There are health insurance premium tax credits under Section 36B of the Internal Revenue Code of 1986, as amended, available to persons through the purchase of a health insurance plan in a health care exchange, whether federally facilitated, state based, or operated on a partnership basis;

(b) Eligibility of persons set out in subsection 3 of section 208.995 has been approved by the federal Department of Health and Human Services and has been implemented by the department;

(c) The federal Department of Health and Human Services grants the required waivers, state plan amendments, and enhanced federal funding rate for persons newly eligible under subsection 3 of section 208.995 whereby the federal government agrees to pay the percentages specified in Section 2001 of PL 111-148, as that section existed on March 23, 2010. The provisions of subsections 3 to 8 of section 208.995 shall not be implemented unless such waivers and enhanced federal funding rates are granted by the federal government;

(2) If the federal funds at the disposal of the state shall at any time become less than ninety percent of the funds necessary or are not appropriated to pay the percentages specified in Section 2001 of Public Law 111-148, as that section existed on March 23, 2010, the provisions of this act shall be null and void. If the director is notified that federal funding will fall below ninety percent of the funds necessary, participants will be notified as soon as practicable that the benefits they receive will terminate on the date that federal funding falls below ninety percent;

(3) The provisions of subdivisions (1) and (2) of this subsection shall not apply to: the MO HealthNet transformation task force under section 2; subdivision (26) of subsection 1 of section 208.151; subsections 2, 3, 4, 5, and 6 of this section; and subdivision (2) of subsection 2 of section 208.995.

9. As MO HealthNet or other expenditures are reduced or savings achieved pursuant to the show-me transformation act, the portion of the state share of those expenditures that is funded by provider taxes described

in 42 CFR 433.56 shall be credited or otherwise shall accrue to the depository account in which the proceeds of such a provider tax are deposited."; and

Further amend said bill, Page 12, Section 208.995, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"208.995. 1. For purposes of sections 208.990 to 208.998, the following terms mean:

(1) "Caretaker relative", a relative of a dependent child by blood, adoption, or marriage with whom the child is living, who assumes primary responsibility for the child's care, which may, but is not required to, be indicated by claiming the child as a tax dependent for federal income tax purposes, and who is one of the following:

(a) The child's father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece; or

(b) The spouse of such parent or relative, even after the marriage is terminated by death or divorce;"; and

Further amend said bill, page, and section, Lines 3 to 15, by renumbering all of the following subdivisions accordingly; and

Further amend said bill, page, and section, Line 17, by deleting all of said line and inserting in lieu thereof the following:

"were in effect prior to the enactment of Public Law 111-148 and Public Law 111-152;

(7) "Medically frail", individuals with:

(a) Serious emotional disturbances;

(b) Disabling mental disorders;

(c) Substance use disorders or chronic medical conditions who are at high risk for significant medical and social costs;

(d) Serious and complex medical conditions, including children who are deemed medically complex;

(e) Physical or mental disabilities that significantly impair the person's ability to perform one or more activities of daily living; or

(f) An adjudicated level of care of twenty-one points or greater as determined by the screening process under 42 CFR 483.100 to 483.138, or deemed eligible for skilled nursing facility placement, but who are not currently residing in a nursing facility."; and

Further amend said bill and section, Page 13, Line 55, by deleting all of said line and inserting in lieu thereof the following:

"3. (1) Effective January 1, 2014, and subject to the receipt of appropriate waivers and approval of state plan amendments, individuals who meet the following qualifications shall be eligible for the alternative package of MO HealthNet benefits as set forth in subsection 4 of this section, subject to the other requirements of this section:

(a) Are nineteen years of age or older and under sixty-five years of age;

(b) Are not pregnant;

(c) Are not entitled to or enrolled for Medicare benefits under Part A or B of Title XVIII of the Social Security Act;

(d) Are not otherwise eligible for and enrolled in mandatory coverage under Missouri's MO HealthNet program in accordance with 42 CFR 435, Subpart B; and

(e) Have household income that is at or below one hundred percent of the federal poverty level for the applicable family size for the applicable year under the MAGI equivalent net income standard.

(2) The department shall immediately seek any necessary waivers from the federal Department of Health and Human Services to implement the provisions of this subsection. The waivers shall:

(a) Promote healthy behavior and reasonable requirements that patients take ownership of their health care by seeking early preventative care in appropriate settings, including no co-payments for preventive care services;

(b) Require personal responsibility in the payment of health care by establishing appropriate co-payments based on family income that shall discourage the use of emergency room visits for non-emergent health situations and promote responsible use of other health care services;

(c) Promote the adoption of healthier personal habits including limiting tobacco use or behaviors that lead to obesity;

(d) Allow recipients to receive an annual cash incentive to promote responsible behavior and encourage efficient use of health care services;

(e) Allow health plans to offer a health savings account option; and

(f) Include a request for an enhanced federal funding rate consistent with subsection 10 of this section for newly eligible participants.

(3) If such waivers and enhanced federal funding rate are not granted by the federal government, the provisions of this subsection shall be null and void.

4. Except for those individuals who meet the definition of medically frail, individuals eligible for MO HealthNet benefits under subsection 3 of this section shall receive only a package of alternative minimum benefits. The MO HealthNet division of the department of social services shall promulgate regulations to be effective January 1, 2014, that provide an alternative benefit package that complies with the requirements of federal law and is subject to limitations as established in regulations of the MO HealthNet division.

5. Except for those individuals who meet the definition of medically frail, individuals who qualify for coverage under subsections 2 and 3 of this section shall receive covered services through health plans authorized by the department under section 208.998.

6. The department shall provide premium subsidy and other cost supports for individuals eligible for MO HealthNet under subsections 2 and 3 of this section to enroll in employer-provided health plans or other private health plans based on cost-effective principles determined by the department.

7. Individuals eligible for MO HealthNet benefits under subsections 2 and 3 of this section who meet the definition of medically frail shall receive all benefits they are eligible to receive under sections 208.152, 208.900, 208.903, 208.909, and 208.930.

8. The department shall establish a screening process in conjunction with the department of mental health and the department of health and senior services for determining whether an individual is medically frail and shall enroll all eligible individuals who meet the definition of medically frail and whose care management would benefit from being assigned a health home in the health home program or other care coordination as established by the department. Any eligible individual may opt out of the health home program.

9. The department or appropriate divisions of the department shall promulgate"; and

Further amend said bill and section, Pages 13 and 14, Lines 55 to 64, by renumbering all of the following subsections accordingly; and

Further amend said bill and section, Page 14, Line 67, by deleting all of said line and inserting in lieu thereof the following:

"of this section. The department shall request of the federal government an enhanced federal funding rate for persons newly eligible under subsection 3 of this section whereby the federal government agrees to pay the percentages specified in Section 2001 of Public Law 111-148, as that section existed on March 23, 2010. The provisions of subsections 3 to 8 of this section shall not be implemented unless such waivers and enhanced federal funding rates are granted by the federal government.

11. If at any time the director receives notice that the federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under subsection 3 of this section shall at any time become less than ninety percent of the funds necessary or are not appropriated to pay the percentages specified in Section 2001 of Public Law 111-148, as that section existed on March 23, 2010, subsections 3 to 8 of this section shall no longer be effective for the individuals whose benefits are no longer matchable at the specified percentages. The date benefits cease shall be stated in a notice sent to the affected individuals.

208.997. 1. The MO HealthNet division shall develop and implement the "Health Care Homes Program" as a provider-directed care coordination program for MO HealthNet recipients who are not enrolled in a prepaid MO HealthNet benefits option and who are receiving services on a fee-for-service basis. The health care homes program shall provide payment to primary care clinics for care coordination for individuals who are deemed medically frail. Clinics shall meet certain criteria, including but not limited to the following:

(1) The capacity to develop care plans;

- (2) A dedicated care coordinator;
- (3) An adequate number of clients, evaluation mechanisms, and quality improvement processes to qualify for reimbursement; and
- (4) The capability to maintain and use a disease registry.

2. For purposes of this section, "primary care clinic" means a medical clinic designated as the patient's first point of contact for medical care, available twenty-four hours a day, seven days a week, that provides or arranges the patient's comprehensive health care needs and provides overall integration, coordination, and continuity over time and referrals for specialty care. A primary care clinic may include a community mental health center.

3. The health care home for recipients of MO HealthNet services defined in paragraph (f) of subdivision (7) of subsection 1 of section 208.995 shall be the primary provider of home- and community-based services received by the recipient if such provider has a qualified, licensed designee to serve as the recipient's care coordinator and the provider can demonstrate the ability to meet the requirements in subsections 1 and 2 of this section. The qualifications for such designees shall be defined by the department by rule.

4. Providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems and screening and brief intervention shall be reimbursed for utilizing the behavior assessment and intervention, and screening and brief intervention reimbursement codes 96150 to 96155 and 99408 to 99409 or their successor codes under the Current Procedural Terminology (CPT) coding system. Location of service may be limited to NCQA Level 3 Patient-Centered Medical Homes and CARF-accredited health homes.

5. The department may designate that the health care homes program be administered through an organization with a statewide primary care presence, experience with Medicaid population health management, and an established health homes outcomes monitoring and improvement system.

6. This section shall be implemented in such a way that it does not conflict with federal requirements for health care home participation by MO HealthNet participants.

7. The department or appropriate divisions of the department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

8. Nothing in this section shall be construed to limit the department's ability to create health care homes for participants in a managed care plan.

208.998. 1. Except for individuals who meet the definition of medically frail, individuals who qualify for coverage under subsections 2 and 3 of section 208.995 shall receive covered services through health plans offered by managed care entities which are authorized by the department. Health plans authorized by the department:

- (1) Shall resemble commercially available health plans while complying with federal Medicaid requirements as authorized by federal law or through a federal waiver, and may include accountable care organizations, administrative service organizations, or managed care organizations paid on a capitated basis;
- (2) Shall promote, to the greatest extent possible, the opportunity for children and their parents to be covered under the same plan;
- (3) Shall offer plans statewide;
- (4) Shall include cost sharing for outpatient services to the maximum extent allowed by federal law;
- (5) May include other co-payments and provide incentives that encourage and reward the prudent use of the health benefit provided;
- (6) Shall encourage access to care through provider rates that include pay-for-performance and are comparable to commercial rates;
- (7) Shall provide incentives, including shared risk and savings, to health plans and providers to encourage cost-effective delivery of care;
- (8) May provide multiple plan options and reward participants for choosing a low-cost plan; and
- (9) Shall include the services of health providers as defined in 42 U.S.C. Section 1396d(l)(1) and (2) and meet the payment requirements for such health providers as provided in 42 U.S.C. Sections 1396a(a)(15) and 1396a(bb).

2. The department may designate that certain health care services be excluded from such health plans if it is determined cost effective by the department.

3. (1) The department may accept regional plan proposals as an additional option for beneficiaries. Such proposals may be submitted by accountable care organizations or other organizations and entities.

(2) The department shall advance the development of systems of care for medically complex children who are recipients of MO HealthNet benefits by accepting cost-effective regional proposals from and contracting with appropriate pediatric care networks, pediatric centers for excellence, and medical homes for children to provide MO HealthNet benefits when the department determines it is cost effective to do so. Such entities shall be treated as accountable care organizations.

(3) The provisions of subsection 1 of this section shall not apply to this subsection.

4. The department shall establish, in collaboration with plans and providers, uniform utilization review protocols to be used by all authorized health plans.

5. The department shall establish a competitive bidding process for contracting with managed care plans.

(1) The department shall solicit bids only from bidders who offer, or through an associated company offer, an identical or substantially similar plan, in services provided and network, within a health care exchange in this state, whether federally facilitated, state based, or operated on a partnership basis. The bidder, if the bidder offers an identical or similar plan, in services provided or network continuity, including primary care providers, or the bidder and the associated company, if the bidder has formed a partnership for purposes of its bid, shall include a process in its bid by which MO HealthNet recipients who choose its plan will be automatically enrolled in the corresponding plan offered within the health care exchange if the recipient's income increases resulting in the recipient's ineligibility for MO HealthNet benefits. The bidder also shall include in its bid a process by which an individual enrolled in an identical or substantially similar plan, in services provided or network continuity, including primary care providers, within a health care exchange in this state, whether federally facilitated, state based, or operated on a partnership basis whose income decreases resulting in eligibility for MO HealthNet benefits shall be enrolled in MO HealthNet after an application is received and the participant is determined eligible for MO HealthNet benefits.

(2) The department shall select a minimum of three winning bids and may select up to a maximum number of bids equal to the quotient derived from dividing the total number of participants anticipated by the department in a region by one hundred thousand.

(3) The department shall accept the lowest conforming bid. For determining other accepted bids, the department shall consider the following factors:

- (a) The cost to Missouri taxpayers;
- (b) The extent of the network of health care providers offering services within the bidder's plan;
- (c) Additional services offered to recipients under the bidder's plan;
- (d) The bidder's history of providing managed care plans for similar populations in Missouri or other states;
- (e) Any other criteria the department deems relevant to ensuring MO HealthNet benefits are provided to recipients in such manner as to save taxpayer money and improve health outcomes of recipients.

6. Any managed care organization that enters into a contract with the state to provide managed care plans shall be required to fulfill the terms of the contract and provide such plans for at least twelve months, or longer if the contract so provides. The state shall not increase the reimbursement rate provided to the managed care organization during the contract period above the rate included in the contract. If the managed care organization breaches the contract, the state shall be entitled to bring an action against the managed care organization for any remedy allowed by law or equity and shall also recover any and all damages provided by law, including liquidated damages in an amount determined by the department during the bidding process. Nothing in this subsection shall be construed to preclude the department or the state of Missouri from terminating the contract as specified in the terms of the contract, including for breach of contract, lack of appropriated funds, or exercising any remedies for breach as may be provided in the contract.

7. (1) Participants enrolling in managed care plans under this section shall have the ability to choose their plan. In the enrollment process, participants shall be provided a list of all plans available ranked by the relative actuarial value of each plan. Each participant shall be informed in the enrollment process that he or she will be eligible to receive a portion of the amount saved by Missouri taxpayers if he or she chooses a lower cost plan offered in his or her region. The portion received by a participant shall be determined by the department according to the department's best judgment as to the portion which will bring the maximum savings to Missouri taxpayers.

(2) If a participant fails or refuses to choose a plan as set forth in subdivision (1) of this subsection, the department shall determine rules for auto-assignment, which shall include incentives for low-cost bids and improved health outcomes as determined by the department.

8. This section shall not be construed to require the department to terminate any existing managed care contract or to extend any managed care contract.

9. All MO HealthNet plans under this section shall provide coverage for the following services unless they are specifically excluded under subsection 2 of this section and instead are provided by an administrative services organization:

- (1) Ambulatory patient services;
- (2) Emergency services;
- (3) Hospitalization;
- (4) Maternity and newborn care;
- (5) Mental health and substance abuse treatment, including behavioral health treatment;
- (6) Prescription drugs;
- (7) Rehabilitative and habilitative services and devices;
- (8) Laboratory services;
- (9) Preventive and wellness care, and chronic disease management;
- (10) Pediatric services, including oral and vision care; and
- (11) Any other services required by federal law.

10. No MO HealthNet plan or program shall provide coverage for an abortion unless a physician certifies in writing to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term.

11. The MO HealthNet program shall provide a high deductible health plan option for uninsured adults nineteen years of age or older and under sixty-five years of age with incomes of less than one hundred percent of the federal poverty level. The high deductible health plan shall include:

(1) After meeting a one thousand dollar deductible, coverage for benefits as specified by rule of the department;

(2) An account, funded by the department, of at least one thousand dollars per adult to pay medical costs for the initial deductible funded by the department;

(3) Preventive care, as defined by the department by rule, that is not subject to the deductible and does not require a payment of moneys from the account described in subdivision (2) of this subsection;

(4) A basic benefits package if annual medical costs exceed one thousand dollars;

(5) A minimum deductible of one thousand dollars;

(6) As soon as practicable, the establishment and maintenance of a record-keeping system for each health care visit or service received by recipients under this subsection. The plan shall require that the recipient's prepaid card number be entered, or electronic strip be swiped, by the health care provider for purposes of maintaining a record of every health care visit or service received by the recipient from such provider, regardless of any balance on the recipient's card. Such information shall include only the date, provider name, and general description of the visit or service provided. The plan shall maintain a complete history of all health care visits and services for which the recipient's prepaid card is entered or swiped in accordance with this subdivision. If required under the federal Health Insurance Portability and Accountability Act (HIPAA) or other relevant state or federal law or regulation, a recipient shall, as a condition of participation in the prepaid card incentive, be required to provide a written waiver for disclosure of any information required under this subdivision;

(7) The determination of a proportion of the amount left in a participant's account described in subdivision (2) of this subsection which shall be paid to the participant for saving taxpayer money. The amount and method of payment shall be determined by the department; and

(8) The determination of a proportion of a participant's account described in subdivision (2) of this subsection which shall be used to subsidize premiums to facilitate a participant's transition from health coverage under MO HealthNet to private health insurance based on cost-effective principles determined by the department.

12. All participants with chronic conditions, as specified by the department, shall be included in an incentive program for MO HealthNet recipients who obtain specified primary care and preventive services, and who participate or refrain from participation in specified activities to improve the overall health of the recipient. Recipients who complete the requirements of the program shall be eligible to receive an annual cash payment for successful completion of the program. The department shall establish, by rule, the specific primary care and preventive services, activities to be included in the incentive program, and the amount of any annual cash payments to recipients.

13. A MO HealthNet recipient shall be eligible for participation in only one of either the high deductible health plan under subsection 11 of this section or the incentive program under subsection 12 of this section.

14. No cash payments, incentives, or credits paid to or on behalf of a MO HealthNet participant under a program established by the department under this section shall be deemed to be income to the participant in any means-tested benefit program unless otherwise specifically required by law or rule of the department.

15. Managed care entities shall inform participants who choose the high deductible health plan under subsection 11 of this section that the participant may lose his or her incentive payment under subdivision (7) of subsection 11 of this section if the participant utilizes visits to the emergency department for non-emergent purposes. Such information shall be included on every electronic and paper correspondence between the managed care plan and the participant.

16. The department shall provide participants formerly enrolled in the Ticket to Work Health Assurance Program any services formerly received under the program that are not provided through health insurance plans purchased through a health insurance exchange. These services shall include home health services, consumer directed services, Medicare Part D co-payments, durable medical equipment, psychiatric rehabilitation services, comprehensive substance treatment and rehabilitation, division of developmental disabilities waiver services, and targeted case management for mental health services.

17. The department shall seek all necessary waivers and state plan amendments from the federal Department of Health and Human Services necessary to implement the provisions of this section. The provisions of this section shall not be implemented unless such waivers and state plan amendments are approved. If this section is approved in part by the federal government, the department is authorized to proceed on those sections for which approval has been granted; except that, any increase in eligibility shall be contingent upon the receipt of all necessary waivers and state plan amendments. The provisions of this section shall not be implemented until eligibility of persons set out in subsection 3 of section 208.995 has been approved by the federal Department of Health and Human Services and has been implemented by the department. However, nothing shall prevent the department from expanding managed care for populations under other granted authority.

18. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

208.999. Subject to appropriations, the department shall develop incentive programs to encourage the construction and operation of urgent care clinics which operate outside normal business hours and are in or adjoining emergency room facilities which receive a high proportion of patients who are participating in MO HealthNet, to the extent that the incentives are eligible for federal matching funds.

376.961. 1. There is hereby created a nonprofit entity to be known as the "Missouri Health Insurance Pool". All insurers issuing health insurance in this state and insurance arrangements providing health plan benefits in this state shall be members of the pool.

2. Beginning January 1, 2007, the board of directors shall consist of the director of the department of insurance, financial institutions and professional registration or the director's designee, and eight members appointed by the director. Of the initial eight members appointed, three shall serve a three-year term, three shall serve a two-year term, and two shall serve a one-year term. All subsequent appointments to the board shall be for three-year terms. Members of the board shall have a background and experience in health insurance plans or health maintenance organization plans, in health care finance, or as a health care provider or a member of the general public; except that, the director shall not be required to appoint members from each of the categories listed. The director may reappoint members of the board. The director shall fill vacancies on the board in the same manner as appointments are made at the expiration of a member's term and may remove any member of the board for neglect of duty, misfeasance, malfeasance, or nonfeasance in office.

3. Beginning August 28, 2007, the board of directors shall consist of fourteen members. The board shall consist of the director and the eight members described in subsection 2 of this section and shall consist of the following additional five members:

(1) One member from a hospital located in Missouri, appointed by the governor, with the advice and consent of the senate;

(2) Two members of the senate, with one member from the majority party appointed by the president pro tem of the senate and one member of the minority party appointed by the president pro tem of the senate with the concurrence of the minority floor leader of the senate; and

(3) Two members of the house of representatives, with one member from the majority party appointed by the speaker of the house of representatives and one member of the minority party appointed by the speaker of the house of representatives with the concurrence of the minority floor leader of the house of representatives.

4. The members appointed under subsection 3 of this section shall serve in an ex officio capacity. The terms of the members of the board of directors appointed under subsection 3 of this section shall expire on December 31, 2009. On such date, the membership of the board shall revert back to nine members as provided for in subsection 2 of this section.

5. Beginning on August 28, 2013, the board of directors on behalf of the pool, the executive director, and any other employees of the pool shall have the authority to provide assistance or resources to any department, agency, public official, employee, or agent of the federal government for the specific purpose of transitioning individuals enrolled in the pool to coverage outside of the pool beginning on or before January 1, 2014. Such authority does not extend to authorizing the pool to implement, establish, create, administer, or otherwise operate a state-based exchange.

376.962. 1. The board of directors on behalf of the pool shall submit to the director a plan of operation for the pool and any amendments thereto necessary or suitable to assure the fair, reasonable and equitable administration of the pool. After notice and hearing, the director shall approve the plan of operation, provided it is determined to be suitable to assure the fair, reasonable and equitable administration of the pool, and it provides for the sharing of pool gains or losses on an equitable proportionate basis. The plan of operation shall become effective upon approval in writing by the director consistent with the date on which the coverage under sections 376.960 to 376.989 becomes available. If the pool fails to submit a suitable plan of operation within one hundred eighty days after the appointment of the board of directors, or at any time thereafter fails to submit suitable amendments to the plan, the director shall, after notice and hearing, adopt and promulgate such reasonable rules as are necessary or advisable to effectuate the provisions of this section. Such rules shall continue in force until modified by the director or superseded by a plan submitted by the pool and approved by the director.

2. In its plan, the board of directors of the pool shall:

- (1) Establish procedures for the handling and accounting of assets and moneys of the pool;
- (2) Select an administering insurer **or third-party administrator** in accordance with section 376.968;
- (3) Establish procedures for filling vacancies on the board of directors; **and**

(4) Establish procedures for the collection of assessments from all members to provide for claims paid under the plan and for administrative expenses incurred or estimated to be incurred during the period for which the assessment is made. The level of payments shall be established by the board pursuant to the provisions of section 376.973. Assessment shall occur at the end of each calendar year and shall be due and payable within thirty days of receipt of the assessment notice[;

(5) Develop and implement a program to publicize the existence of the plan, the eligibility requirements, and procedures for enrollment, and to maintain public awareness of the plan].

3. On or before September 1, 2013, the board shall submit such amendments to the plan of operation as are necessary or suitable to ensure a reasonable transition period to allow for the termination of issuance of policies by the pool.

4. The amendments to the plan of operation submitted by the board shall include all of the requirements outlined in subsection 2 of this section and shall address the transition of individuals covered under the pool to alternative health insurance coverage as it is available after January 1, 2014. The plan of operation shall also address procedures for finalizing the financial matters of the pool, including assessments, claims expenses, and other matters identified in subsection 2 of this section.

5. The director shall review the plan of operation submitted under subsection 3 of this section and shall promulgate rules to effectuate the transitional plan of operation. Such rule shall be effective no later than October 1, 2013. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

376.964. The board of directors and administering insurers of the pool shall have the general powers and authority granted under the laws of this state to insurance companies licensed to transact health insurance as defined in section 376.960, and, in addition thereto, the specific authority to:

(1) Enter into contracts as are necessary or proper to carry out the provisions and purposes of sections 376.960 to 376.989, including the authority, with the approval of the director, to enter into contracts with similar pools of other states for the joint performance of common administrative functions, or with persons or other organizations for the performance of administrative functions;

(2) Sue or be sued, including taking any legal actions necessary or proper for recovery of any assessments for, on behalf of, or against pool members;

(3) Take such legal actions as necessary to avoid the payment of improper claims against the pool or the coverage provided by or through the pool;

(4) Establish appropriate rates, rate schedules, rate adjustments, expense allowances, agents' referral fees, claim reserve formulas and any other actuarial function appropriate to the operation of the pool. Rates shall not be unreasonable in relation to the coverage provided, the risk experience and expenses of providing the coverage. Rates and rate schedules may be adjusted for appropriate risk factors such as age and area variation in claim costs and shall take into consideration appropriate risk factors in accordance with established actuarial and underwriting practices;

(5) Assess members of the pool in accordance with the provisions of this section, and to make advance interim assessments as may be reasonable and necessary for the organizational and interim operating expenses. Any such interim assessments are to be credited as offsets against any regular assessments due following the close of the fiscal year;

(6) **Prior to January 1, 2014, issue policies of insurance in accordance with the requirements of sections 376.960 to 376.989. In no event shall new policies of insurance be issued on or after January 1, 2014;**

(7) Appoint, from among members, appropriate legal, actuarial and other committees as necessary to provide technical assistance in the operation of the pool, policy or other contract design, and any other function within the authority of the pool;

(8) Establish rules, conditions and procedures for reinsuring risks of pool members desiring to issue pool plan coverages in their own name. Such reinsurance facility shall not subject the pool to any of the capital or surplus requirements, if any, otherwise applicable to reinsurers;

(9) Negotiate rates of reimbursement with health care providers on behalf of the association and its members;

(10) Administer separate accounts to separate federally defined eligible individuals and trade act eligible individuals who qualify for plan coverage from the other eligible individuals entitled to pool coverage and apportion the costs of administration among such separate accounts.

376.966. 1. No employee shall involuntarily lose his or her group coverage by decision of his or her employer on the grounds that such employee may subsequently enroll in the pool. The department shall have authority to promulgate rules and regulations to enforce this subsection.

2. **Prior to January 1, 2014,** the following individual persons shall be eligible for coverage under the pool if they are and continue to be residents of this state:

(1) An individual person who provides evidence of the following:

(a) A notice of rejection or refusal to issue substantially similar health insurance for health reasons by at least two insurers; or

(b) A refusal by an insurer to issue health insurance except at a rate exceeding the plan rate for substantially similar health insurance;

(2) A federally defined eligible individual who has not experienced a significant break in coverage;

(3) A trade act eligible individual;

(4) Each resident dependent of a person who is eligible for plan coverage;

(5) Any person, regardless of age, that can be claimed as a dependent of a trade act eligible individual on such trade act eligible individual's tax filing;

(6) Any person whose health insurance coverage is involuntarily terminated for any reason other than nonpayment of premium or fraud, and who is not otherwise ineligible under subdivision (4) of subsection 3 of this section. If application for pool coverage is made not later than sixty-three days after the involuntary termination, the effective date of the coverage shall be the date of termination of the previous coverage;

(7) Any person whose premiums for health insurance coverage have increased above the rate established by the board under paragraph (a) of subdivision (1) of subsection 3 of this section;

(8) Any person currently insured who would have qualified as a federally defined eligible individual or a trade act eligible individual between the effective date of the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 and the effective date of this act.

3. The following individual persons shall not be eligible for coverage under the pool:

(1) Persons who have, on the date of issue of coverage by the pool, or obtain coverage under health insurance or an insurance arrangement substantially similar to or more comprehensive than a plan policy, or would be eligible to have coverage if the person elected to obtain it, except that:

(a) This exclusion shall not apply to a person who has such coverage but whose premiums have increased to one hundred fifty percent to two hundred percent of rates established by the board as applicable for individual standard risks;

(b) A person may maintain other coverage for the period of time the person is satisfying any preexisting condition waiting period under a pool policy; and

(c) A person may maintain plan coverage for the period of time the person is satisfying a preexisting condition waiting period under another health insurance policy intended to replace the pool policy;

(2) Any person who is at the time of pool application receiving health care benefits under section 208.151;

(3) Any person having terminated coverage in the pool unless twelve months have elapsed since such termination, unless such person is a federally defined eligible individual;

(4) Any person on whose behalf the pool has paid out one million dollars in benefits;

(5) Inmates or residents of public institutions, unless such person is a federally defined eligible individual, and persons eligible for public programs;

(6) Any person whose medical condition which precludes other insurance coverage is directly due to alcohol or drug abuse or self-inflicted injury, unless such person is a federally defined eligible individual or a trade act eligible individual;

(7) Any person who is eligible for Medicare coverage.

4. Any person who ceases to meet the eligibility requirements of this section may be terminated at the end of such person's policy period.

5. If an insurer issues one or more of the following or takes any other action based wholly or partially on medical underwriting considerations which is likely to render any person eligible for pool coverage, the insurer shall notify all persons affected of the existence of the pool, as well as the eligibility requirements and methods of applying for pool coverage:

(1) A notice of rejection or cancellation of coverage;

(2) A notice of reduction or limitation of coverage, including restrictive riders, if the effect of the reduction or limitation is to substantially reduce coverage compared to the coverage available to a person considered a standard risk for the type of coverage provided by the plan.

6. Coverage under the pool shall expire on January 1, 2014.

376.968. The board shall select an insurer [or] , insurers, or **third-party administrators** through a competitive bidding process to administer the pool. The board shall evaluate bids submitted based on criteria established by the board which shall include:

(1) The insurer's proven ability to handle individual accident and health insurance;

(2) The efficiency of the insurer's claim-paying procedures;

(3) An estimate of total charges for administering the plan;

(4) The insurer's ability to administer the pool in a cost-efficient manner.

376.970. 1. The administering insurer shall serve for a period of three years subject to removal for cause. At least one year prior to the expiration of each three-year period of service by an administering insurer, the board shall invite all insurers, including the current administering insurer, to submit bids to serve as the administering insurer for the succeeding three-year period. Selection of the administering insurer for the succeeding period shall be made at least six months prior to the end of the current three-year period.

2. The administering insurer shall:

(1) Perform all eligibility and administrative claim-payment functions relating to the pool;

(2) Establish a premium billing procedure for collection of premium from insured persons. Billings shall be made on a period basis as determined by the board;

(3) Perform all necessary functions to assure timely payment of benefits to covered persons under the pool including:

(a) Making available information relating to the proper manner of submitting a claim for benefits to the pool and distributing forms upon which submission shall be made;

(b) Evaluating the eligibility of each claim for payment by the pool;

(4) Submit regular reports to the board regarding the operation of the pool. The frequency, content and form of the report shall be determined by the board;

(5) Following the close of each calendar year, determine net written and earned premiums, the expense of administration, and the paid and incurred losses for the year and report this information to the board and the department on a form prescribed by the director;

(6) Be paid as provided in the plan of operation for its expenses incurred in the performance of its services.

3. On or before September 1, 2013, the board shall invite all insurers and third-party administrators, including the current administering insurer, to submit bids to serve as the administering insurer or third-party administrator for the pool. Selection of the administering insurer or third-party administrator shall be made prior to January 1, 2014.

4. Beginning January 1, 2014, the administering insurer or third-party administrator shall:

(1) Submit to the board and director a detailed plan outlining the winding down of operations of the pool. The plan shall be submitted no later than January 31, 2014, and shall be updated quarterly thereafter;

(2) Perform all administrative claim-payment functions relating to the pool;

(3) Perform all necessary functions to assure timely payment of benefits to covered persons under the pool including:

(a) Making available information relating to the proper manner of submitting a claim for benefits to the pool and distributing forms upon which submission shall be made; and

(b) Evaluating the eligibility of each claim for payment by the pool;

(4) Submit regular reports to the board regarding the operation of the pool. The frequency, content and form of the report shall be determined by the board;

(5) Following the close of each calendar year, determine the expense of administration, and the paid and incurred losses for the year, and report such information to the board and department on a form prescribed by the director; and

(6) Be paid as provided in the plan of operation for its expenses incurred in the performance of its services.

376.973. 1. Following the close of each fiscal year, the pool administrator shall determine the net premiums (premiums less administrative expense allowances), the pool expenses of administration and the incurred losses for the year, taking into account investment income and other appropriate gains and losses. Health insurance premiums and benefits paid by an insurance arrangement that are less than an amount determined by the board to justify the cost of collection shall not be considered for purposes of determining assessments. The total cost of pool operation shall be the amount by which all program expenses, including pool expenses of administration, incurred losses for the year, and other appropriate losses exceeds all program revenues, including net premiums, investment income, and other appropriate gains.

2. Each insurer's assessment shall be determined by multiplying the total cost of pool operation by a fraction, the numerator of which equals that insurer's premium and subscriber contract charges for health insurance written in the state during the preceding calendar year and the denominator of which equals the total of all premiums, subscriber contract charges written in the state and one hundred ten percent of all claims paid by insurance arrangements in the state during the preceding calendar year; provided, however, that the assessment for each health maintenance organization shall be determined through the application of an equitable formula based upon the value of services provided in the preceding calendar year.

3. Each insurance arrangement's assessment shall be determined by multiplying the total cost of pool operation calculated under subsection 1 of this section by a fraction, the numerator of which equals one hundred ten percent of the benefits paid by that insurance arrangement on behalf of insureds in this state during the preceding calendar year and the denominator of which equals the total of all premiums, subscriber contract charges and one hundred ten percent of all benefits paid by insurance arrangements made on behalf of insureds in this state during the preceding calendar year. Insurance arrangements shall report to the board claims payments made in this state on an annual basis on a form prescribed by the director.

4. If assessments exceed actual losses and administrative expenses of the pool, the excess shall be held at interest and used by the board to offset future losses or to reduce pool premiums. As used in this subsection, "future losses" include reserves for incurred but not paid claims.

5. Assessments shall continue until such time as the director of the pool provides notice to the board and director that all claims have been paid.

6. Any assessment funds remaining at the time the director provides notice that all claims have been paid shall be deposited in the state general revenue fund.

Section 1. 1. Notwithstanding any other provision of law to the contrary, beginning July 1, 2014, any MO HealthNet recipient who elects to receive medical coverage through a private health insurance plan instead of through the MO HealthNet program shall be eligible for a private insurance premium subsidy to assist the recipient in paying the costs of such private insurance if it is determined to be cost effective by the department.

The subsidy shall be provided on a sliding scale based on income, with a graduated reduction in subsidy over a period of time not to exceed two years.

2. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

House Amendment No. 2 was withdrawn.

On motion of Representative Barnes, **HCS HB 986, as amended**, was adopted.

On motion of Representative Barnes, **HCS HB 986, as amended**, was ordered perfected and printed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HJR 11 & 7, as amended, relating to the right to farm, was taken up by Representative Reiboldt.

Representative Reiboldt moved that the House refuse to adopt **SS HCS HJR 11 & 7, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SS#2 SCS SB 26, 11 & 31, relating to taxation, was taken up by Representative Koenig.

Representative Keeney assumed the Chair.

Representative Kelley (127) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 7, Section 32.383, Line 9, by deleting the word, "**investigations**" and inserting in lieu thereof the word, "**investigation**"; and

Further amend said bill, Page 96, Section 143.011, Line 3, by inserting after the date, "**December 31, 2013**" the following words, "**or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest**"; and

Further amend said bill, Page 97, section, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the following words:

"(2) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate"; and

Further amend said bill, page, section, Lines 50-51, by deleting all of said lines and inserting in lieu thereof the following words:

"(3) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate"; and

Further amend said bill, Page 98, section, Lines 74-75, by deleting all of said lines and inserting in lieu thereof the following words:

"(4) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate"; and

Further amend said bill, Page 99, section, Lines 98-99, by deleting all of said lines and inserting in lieu thereof the following words:

"(5) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be determined by applying the tax table or the rate"; and

Further amend said bill, page, section, Line 120, by deleting all of said line and inserting in lieu thereof the following words:

"(6) For all tax years after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, the tax shall be"; and

Further amend said bill, Page 100, Section 143.021, Line 1, by inserting after the date, "**December 31, 2013**" the following words, "**or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest**"; and

Further amend said bill, page, section, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following words:

"2. For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand"; and

Further amend said bill, Pages 100-102, section, Lines 12, 22, 29, 32, 39, 42, 49, 51, and 58, by inserting immediately after the word, "his" the words, "or her"; and

Further amend said bill, Page 101, section, Lines 20-21, by deleting all of said lines and inserting in lieu thereof the following words:

"3. For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand six"; and

Further amend said bill, page, section, Lines 30-31, by deleting all of said lines and inserting in lieu thereof the following words:

"4. For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand four"; and

Further amend said bill, page, section, Lines 40-41, by deleting all of said lines and inserting in lieu thereof the following words:

"5. For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a taxable income of less than eight thousand two"; and

Further amend said bill, page, section, Line 50, by deleting all of said line and inserting in lieu thereof the following words:

"6. For all tax years beginning after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, every resident having a"; and

Further amend said bill, Page 102, Section 143.022, Lines 10-19, by deleting all of said lines and inserting in lieu thereof the following:

"(1) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, ten percent of the amount of business income;

(2) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, twenty percent of the amount of business income;

(3) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, thirty percent of the amount of business income;

(4) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, forty percent of the amount of business income;

(5) For all tax years beginning after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, fifty percent of the amount of business income."; and

Further amend said bill, Page 103, Section 143.071, Line 5, by inserting after the date, "**December 31, 2013**" the following words, "**or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest**"; and

Further amend said bill, page, section, Lines 7-8, by deleting all of said lines and inserting in lieu thereof the following words:

"3. (1) For the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of"; and

Further amend said bill, page, section, Lines 10-11, by deleting all of said lines and inserting in lieu thereof the following words:

"(2) For the second tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of"; and

Further amend said bill, page, section, Lines 14-15, by deleting all of said lines and inserting in lieu thereof the following words:

"(3) For the third tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of"; and

Further amend said bill, page, section, Lines 17-18, by deleting all of said lines and inserting in lieu thereof the following words:

"(4) For the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed upon the Missouri taxable income of"; and

Further amend said bill, page, section, Line 21, by deleting all of said line and inserting in lieu thereof the following words:

"(5) For all tax years beginning after the fourth tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, a tax is hereby imposed"; and

Further amend said bill, page, Section 143.151, Line 8, by inserting after the date, "**January 1, 2014**" the following words, "**or on or before the first tax year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, whichever is latest**"; and

Further amend said bill, Page 104, Section 144.010, Lines 25-27, by deleting all of said lines and inserting in lieu thereof the following:

"(7) "Appliance", clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator, and freezer"; and

Further amend said bill, Page 105, section, Line 66, by deleting the first occurrence of the word, "**of**" and inserting in lieu thereof the word, "**or**"; and

Further amend said bill, Page 106, section, Line 78, by deleting the word, "**included**" and inserting in lieu thereof the word, "**includes**"; and

Further amend said bill, Page 108, section, Line 146, by deleting the words, "**shoe laces**" and inserting in lieu thereof the word, "**shoelaces**"; and

Further amend said bill, page, section, Line 150, by deleting the words, "**Steel toed**" and inserting in lieu thereof the word, "**Steel-toed**"; and

Further amend said bill, page, section, Line 163, by deleting the second occurrence of the word, "**or**" and inserting in lieu thereof the word, "**and**"; and

Further amend said bill, Page 109, section, Line 208, by deleting the word, "**are**" and inserting in lieu thereof the word, "**is**"; and

Further amend said bill, Page 110, section, Line 220, by deleting the word, "**and**" and inserting in lieu thereof the word, "**or**"; and

Further amend said bill, Page 111, section, Line 248, by deleting the word, "**are**" and inserting in lieu thereof the word, "**is**"; and

Further amend said bill, Page 112, section, Line 294, by deleting the words, "**vending machines**" and inserting in lieu thereof the words, "**a vending machine**"; and

Further amend said bill, page, section, Line 298, by deleting the words, "**over-the-counter-drugs**" and inserting in lieu thereof the words, "**over-the-counter drugs**"; and

Further amend said bill, Page 116, section, Line 441, by deleting the word, "**or**" and inserting in lieu thereof the word, "**of**"; and

Further amend said bill, Page 118, section, Line 523, by deleting the word, "**protections**" and inserting in lieu thereof the word, "**protection**"; and

Further amend said bill, page, section, Line 524, by deleting the word, "**are**" and inserting in lieu thereof the word, "**is**"; and

Further amend said bill, Page 122, section, Line 657, by deleting the word, "**service**" and inserting in lieu thereof the word, "**services**"; and

Further amend said bill, Page 123, section, Line 699, by deleting the word, "**telecommunication**" and inserting in lieu thereof the word, "**telecommunications**"; and

Further amend said bill, page, section, Line 705, by deleting the word, "**charges**" and inserting in lieu thereof the word, "**charge**"; and

Further amend said bill, Page 128, Section 144.020, Lines 54-59, by deleting all of said lines and inserting in lieu thereof the following words:

"(1) In the first calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and one-fifth percent;

(2) In the second calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and three-tenths percent;

(3) In the third calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and two-fifths percent;

(4) In the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and one-half percent;

(5) For all tax years after the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, four and three-fifths percent."; and

Further amend said bill, page, Section 144.021, Lines 11-17, by deleting all of said lines and inserting in lieu thereof the words, **"imposed under this section shall be the rate imposed under 144.020."**; and

Further amend said bill, Page 133, Section 144.030, Line 124, by inserting a comma, ",", after the word, "disabilities"; and

Further amend said bill, Page 139, Section 144.040, Line 58, by deleting the words, **"the previous rules of"**; and

Further amend said bill, Page 155, Section 144.110, Line 3, by deleting the word, **"Section"** and inserting in lieu thereof the word, **"section"**; and

Further amend said bill, Page 160, Section 144.212, Line 32, by inserting immediately after the word, **"use"** the word, **"is"**; and

Further amend said bill, Page 163, Section 144.440, Lines 37-43, by deleting all of said lines and inserting in lieu thereof the words, **"imposed under this section shall be the rate imposed under 144.020."**; and

Further amend said bill, page, Section 144.522, Line 9, by inserting immediately after the word, **"Code"** the words, **"of 1986, as amended"**; and

Further amend said bill, Pages 165-166, Section 144.605, Lines 29, 30, 31, 40, 44-45, 46, and 48, by deleting the words, **"the state"** and inserting in lieu thereof the words, **"this state"**; and

Further amend said bill, Page 165, section, Line 31, by deleting the word, **"sales;"** and inserting in lieu thereof the words, **"vendor's sales."**; and

Further amend said bill, Page 169, Section 144.700, Line 8, by inserting after the date, **"January 1, 2014"** the following words, **"or the first calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars"**; and

Further amend said bill, Page 170, Section 144.700, Line 16, by inserting after the word, **"fund"** the following:

";

(3) The revenue derived from the rate for the second calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; the revenue derived from the rate for the third calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent; and the revenue derived from the rate for all calendar years after the fourth calendar year after the tax revenues collected in the current year exceed the highest annual level of revenues collected in the prior three years by at least one hundred million dollars, one-tenth percent. The revenue derived from the rates specified in this subdivision shall be deposited in the state school moneys fund under section 166.051."; and

Further amend said bill, Page 181, Section 630.1100, Line 8, by deleting the number, **"2"** and inserting in lieu thereof the number, **"(2)"**; and

Further amend said bill, Page 187, Section B, Lines 10-14, by deleting all of said lines and inserting in lieu thereof the words, **"144.124, 144.125, 144.212, and 144.522 shall become effective on January 1, 2015."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (127), **House Amendment No. 1** was adopted.

Representative Hough offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 3, Section 32.087, Line 8, by inserting after the word, "section" the following words, "**and shall be imposed on all transactions on which the Missouri state sales tax is imposed**"; and

Further amend said bill, Page 128, Section 144.021, Line 3, by inserting after the number, "144.020" the following words, "**and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2** was adopted.

Representative Burlison offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill Nos. 26, 11 & 31, Page 104, Section 143.151, Line 13, by inserting after all of said section and line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection**:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] **a.** "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

[(b)] **b.** "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

[(c)] **c.** Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state[;].

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale[;]; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;
 (g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation

using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jones resumed the Chair.

Representative Haefner offered **House Amendment No. 1 to House Amendment No. 3.**

Representative Hummel raised a point of order that the distribution of **House Amendment No. 1 to House Amendment No. 3** was not timely.

The Chair ruled the point of order well taken.

On motion of Representative Burlison, **House Amendment No. 3** was adopted.

MOTION

Representative Hummel moved that further discussion of **HCS SS#2 SCS SBs 26, 11 & 31, as amended**, be postponed until such time that the formal challenge to the fiscal note, made on Monday, April 22, 2013, pursuant to Section 23.140.3 RSMo, has been evaluated and heard in front of the Joint Committee on Legislative Research; further, that discussion of the bill be postponed until such time that the fiscal note has been re-evaluated and re-submitted by the Oversight Division within Legislative Research.

Which motion was defeated by the following vote:

AYES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webber	Wright

NOES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Guernsey	May	Neth	Phillips	Smith 85
Smith 120	Webb			

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Cross	May	McKenna	Mitten	Roorda
Smith 85	Smith 120	Webb		

On motion of Representative Koenig, **HCS SS#2 SCS SBs 26, 11 & 31, as amended**, was adopted.

On motion of Representative Koenig, **HCS SS#2 SCS SBs 26, 11 & 31, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Fitzwater	Flanigan
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Jones 50	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Zerr	Mr Speaker

NOES: 068

Anders	Black	Brown	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Entlicher
Fitzpatrick	Fowler	Fraker	Frame	Gannon
Gardner	Haahr	Hampton	Harris	Hodges
Hoskins	Hubbard	Hummel	Johnson	Justus
Kelly 45	Kirkton	Kratky	LaFaver	Marshall
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Phillips	Pierson
Pogue	Rizzo	Rowden	Rowland	Runions
Schieffer	Schupp	Swearingen	Torpey	Walton Gray
Webber	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

May	Roorda	Smith 85	Smith 120	Webb
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Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pace	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pierson
Pogue	Rizzo	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

May	Roorda	Smith 85	Smith 120	Webb
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PERFECTION OF HOUSE BILLS

HCS HB 675, relating to diabetes training in public schools, was taken up by Representative Grisamore.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 675, Page 5, Section 167.824, Line 11, by inserting after all of said line the following:

"Section 1. The Missouri state training center for the D.A.R.E. program shall develop the curriculum and certification requirements for school resource officers. At a minimum, school resource officers must complete forty hours of basic school resource officer training to include legal operations within an educational environment, intruder training and planning, juvenile law, and any other relevant topics relating to the job and functions of a school resource officer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey assumed the Chair.

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

Representative Scharnhorst offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 675, Page 1, Section A, Line 3, by inserting after all of said line the following:

"161.450. 1. This section shall be known as "Cade's Law".

2. The department of elementary and secondary education shall develop and adopt rules relating to a physical fitness challenge for elementary, middle, and high school level students. The challenge shall include, but not be limited to, elements that address physical conditioning, flexibility, strength, and aerobic capacity and shall recognize individual, team, and school-wide performance.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 2** was adopted.

On motion of Representative Grisamore, **HCS HB 675, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 675, as amended**, was ordered perfected and printed.

HCS HB 285, relating to controlled substance distribution, was taken up by Representative Pace.

Representative McGaugh offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

On motion of Representative Pace, **HCS HB 285** was adopted.

On motion of Representative Pace, **HCS HB 285** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 26 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 78 - Fiscal Review

HB 421 - Fiscal Review

HCS HB 653 - Fiscal Review

HCS HB 859 - Fiscal Review

HCS HB 986 - Fiscal Review

COMMITTEE REPORTS

Committee on Budget, Vice-Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Stream reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 19**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SB 248**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Entlicher reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 2**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 99**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 23**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on International Trade, Chairman McCaherty reporting:

Mr. Speaker: Your Committee on International Trade, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SB 240**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 275**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Lant reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 350**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 371**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS#2 SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 88**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 90**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 126**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGE

April 24, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- Rep. Craig Redmon added to the Issue Development Standing Committee on Missouri Ports

Sincerely,

/s/ Representative Dwight Scharnhorst
Administration and Accounts, Chair

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, April 25, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, April 25, 2013, 9:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

We will be discussing and voting on changes to member's expense accounts.

Please look for information in your email.

AGRI-BUSINESS

Thursday, April 25, 2013, Upon Morning Adjournment, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, April 30, 2013, Upon Afternoon Adjournment, House Hearing Room 5.

Committee will review fee fund balances with the Department of Agriculture and the Department of Natural Resources

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, April 25, 2013, 1:00 PM or Upon Morning Adjournment, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Demonstration of FQHC Data Warehouse

Continued discussion of Department of Social Services Revenue Maximization Policy

Department of Mental Health review of CMHC's role in healthcare delivery

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 30, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued conversation about Canteen and then onto MVE both in 2009 audit

BUDGET

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 3.

Executive session will be held: HCS HJR 14

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SB 170

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 6.

Executive session will be held: HCS HB 589, HCS HB 653, HCS SS SCS SB 125

Executive session may be held on any matter referred to the committee.

All bills referred to committee may be considered.

AMENDED#2

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 29, 2013, 12:00 PM, House Hearing Room 7.

Public hearing will be held: SS SB 251, SS SB 252

Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI PORTS

Wednesday, May 1, 2013, 7:00 PM, House Hearing Room 1.

This will be an informational meeting.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

LOCAL GOVERNMENT

Thursday, April 25, 2013, 8:30 AM, House Hearing Room 5.

Executive session may be held on any matter referred to the committee.

AMENDED

RETIREMENT

Thursday, April 25, 2013, 9:00 AM, House Hearing Room 1.

Public hearing will be held: HB 897

Executive session may be held on any matter referred to the committee.

CANCELLED

RULES

Thursday, April 25, 2013, Upon Morning Adjournment, South Gallery.

Executive session will be held: HCS HB 402, HB 427, HCS HB 430, HCS HB 484, HCS HB 513, HB 555, HCS HB 564, HCS SCS SB 9, SB 77, HCS SB 148, HCS SB 161, SB 216, HCS SB 222, SCS SB 224, HCS SS SCS SB 241, HCS SS SB 262, HCS SB 330, HCS SCS SB 33, HCS SB 51, HCS HB 717, HCS HB 727, HCS SB 23

Executive session may be held on any matter referred to the committee.

AMENDED#2

TOURISM AND NATURAL RESOURCES

Thursday, April 25, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 871

Executive session will be held: SB 72, SB 218, HB 944, HB 835

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, THURSDAY, APRIL 25, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 19 - Bahr

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 234 - Gatschenberger
- 13 HB 616 - Bahr
- 14 HB 185 - Kirkton
- 15 HCS HB 210 - Cox
- 16 HCS HB 630 - McCaherty
- 17 HB 336 - Hinson

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 26, (Fiscal Review 4/24/13) - Richardson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HB 589, (Fiscal Review 4/22/13), E.C. - Hinson
- 6 HCS HB 161 - Gatschenberger
- 7 HCS HB 348 - Neth
- 8 HCS HB 859, (Fiscal Review 4/24/13) - Brattin
- 9 HCS HB 275 - Brattin
- 10 HCS HB 76 - Rowland
- 11 HCS HB 78, (Fiscal Review 4/24/13) - Johnson
- 12 HCS HB 344, E.C. - Molendorp
- 13 HCS HB 387 - Frederick
- 14 HCS HB 415 - Phillips
- 15 HCS HB 601 - Richardson
- 16 HCS HB 653, (Fiscal Review 4/24/13) - Lauer
- 17 HCS HB 881, E.C. - Guernsey
- 18 HCS HB 543, E.C. - Hoskins
- 19 HCS HB 372 - Cox
- 20 HB 421, (Fiscal Review 4/24/13) - Curtman
- 21 HCS HB 541, E.C. - Hicks
- 22 HCS HB 986, (Fiscal Review 4/24/13), E.C. - Barnes

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger

- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS SCS SB 125, (Fiscal Review 4/23/13) - Barnes
- 8 SS SB 28 - Cierpiot
- 9 SCS SB 254 - Crawford
- 10 SCS SB 287 - Gosen

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1 - Stream
- 2 SCS HCS HB 2 - Stream
- 3 SCS HCS HB 3 - Stream
- 4 SCS HCS HB 4 - Stream
- 5 SCS HCS HB 5 - Stream
- 6 SCS HCS HB 6, as amended - Stream
- 7 SCS HCS HB 7, as amended - Stream
- 8 SCS HCS HB 8 - Stream
- 9 SCS HCS HB 9 - Stream
- 10 SCS HCS HB 10 - Stream
- 11 SCS HCS HB 11 , as amended - Stream
- 12 SCS HCS HB 12 - Stream
- 13 SCS HCS HB 13 - Stream
- 14 SS HCS HB 315 - Rowland
- 15 HB 68, SA 1 - Kelley (127)
- 16 HB 163, SA 1, SA 2, SA 4, SA 5, E.C. - Fitzpatrick
- 17 SCS HCS HBs 303 & 304, as amended - Scharnhorst

BILLS CARRYING REQUEST MESSAGES

SS HCS HJR 11 & 7, as amended (request Senate recede/grant conference) - Reiboldt

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, THURSDAY, APRIL 25, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they that hear the word of God and keep it. (Luke 11:28)

Eternal God, so high above us that we cannot comprehend You and yet so deep within us that we cannot escape You, make Yourself real to us as we pray today.

We are tired of our smallness and pray that You will lift us into the fellowship of great minds. Tired are we of our thoughts of discouragement and pray that You will lift us into the companionship of great hearts. In this fellowship and from this companionship may our faith be renewed, our hope strengthened, and our courage confirmed.

Bless these Representatives of our people. During these days may they be wise with Your wisdom, strong in Your power, and faithful through Your faithfulness to them. According to our needs may the riches of Your grace enter the heart of every one of us.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Catherine Perlik, Claire Giefer, Alec Tapia, Emma Schroeder, Connor Gibbs, Mason Gibbs and Adalyn Gibbs.

The Journal of the fifty-seventh day was approved as printed.

Representative Barnes assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2284 through House Resolution No. 2313

THIRD READING OF HOUSE BILLS

HCS HB 601, relating to telecommunications, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 601** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 006

Colona	Curtis	Gardner	Kirkton	Marshall
Moon				

PRESENT: 000

ABSENT WITH LEAVE: 011

Carpenter	Grisamore	Hampton	Hodges	Koenig
May	McDonald	McManus	Pace	Smith 85
Webb				

Representative Barnes declared the bill passed.

HCS HB 881, relating to the Department of Natural Resources, was taken up by Representative Guernsey.

Speaker Jones resumed the Chair.

On motion of Representative Guernsey, **HCS HB 881** was read the third time and passed by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Lauer	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Hampton	May	Pace	Smith 85
Webb				

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 000

NOES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Ellington	Hampton	Hough	May	Pace
Smith 85	Webb			

HCS HB 275, relating to illegal aliens, was taken up by Representative Brattin.

On motion of Representative Brattin, **HCS HB 275** was read the third time and passed by the following vote:

AYES: 104

Allen	Barnes	Bernskoetter	Berry	Black
Brattin	Brown	Cierpiot	Conway 10	Conway 104
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Keeney
Kelley 127	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Anderson	Austin	Bahr	Burlison
Burns	Butler	Carpenter	Colona	Curtis
Curtman	Dunn	Ellinger	Fitzpatrick	Gardner
Hubbard	Hummel	Justus	Kelly 45	Kirkton
Koenig	Kolkmeyer	LaFaver	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Moon	Morgan	Neth	Newman
Nichols	Norr	Otto	Peters	Pierson
Pogue	Rizzo	Ross	Runions	Schupp
Swearingen	Torpey	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Cookson	Ellington	Hampton	Jones 50	Korman
May	Pace	Smith 85	Webb	

Speaker Jones declared the bill passed.

HCS HB 76, relating to Missouri School Improvement Program standards, was taken up by Representative Rowland.

Representative Leara assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Conway 104	Funderburk	Hampton	May	Pace
Smith 85	Webb	Zerr		

On motion of Representative Rowland, **HCS HB 76** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Ellinger Schupp

PRESENT: 000

ABSENT WITH LEAVE: 007

Hampton	Kelly 45	May	Mims	Pace
Smith 85	Webb			

Representative Leara declared the bill passed.

HCS HB 344, relating to MO HealthNet reimbursement, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 344** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Fraker	Hampton	Hoskins	May
Moon	Pace	Smith 85	Torpey	Webb

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wood	Wright
Zerr	Mr Speaker			

NOES: 007

Burlison	Curtis	Fitzpatrick	Gardner	Marshall
Moon	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 009

Elmer	Fraker	Hampton	Kelly 45	May
Pace	Smith 85	Stream	Webb	

HCS HB 387, relating to physician assistants, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 387** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 004

Curtis	Gardner	Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 009

Cookson	Grisamore	Hampton	May	Molendorp
Pace	Ross	Smith 85	Webb	

Representative Leara declared the bill passed.

HCS HB 415, relating to special license plates, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS HB 415** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Miller	Mims	Montecillo
Moon	Muntzel	Neely	Neth	Nichols
Otto	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 010

LaFaver	Marshall	McNeil	Meredith	Mitten
Morgan	Newman	Norr	Pogue	Schupp

PRESENT: 000

ABSENT WITH LEAVE: 016

Ellinger	Ellington	Flanigan	Grisamore	Hampton
Kelly 45	May	Messenger	Molendorp	Morris
Pace	Pierson	Ross	Smith 85	Stream
Webb				

Representative Leara declared the bill passed.

HCS HB 348, relating to the Kansas City school board elections, was taken up by Representative Neth.

MOTION

Representative LaFaver moved that the House indefinitely postpone discussion on **HCS HB 348** pursuant to Rule 76.

Which motion was defeated.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Conway 104
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Carpenter	Cierpiot	Cookson	Flanigan
Grisamore	Hampton	May	Molendorp	Pace
Rowland	Smith 85	Stream	Webb	

On motion of Representative Neth, **HCS HB 348** was read the third time and passed by the following vote:

AYES: 112

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 042

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bernskoetter	Carpenter	Grisamore	Hampton	May
Molendorp	Pace	Smith 85	Webb	

Representative Leara declared the bill passed.

HCS HB 543, relating to the Office of the State Auditor, was taken up by Representative Hoskins.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Brown	Flanigan	Fraker	Gardner
Grisamore	Hampton	Hough	May	Mims
Molendorp	Pace	Parkinson	Smith 85	Stream
Webb				

On motion of Representative Hoskins, **HCS HB 543** was read the third time and passed by the following vote:

AYES: 111

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Norr	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 034

Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	Frame
Gardner	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Marshall	McDonald	McKenna	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Otto	Peters	Rizzo
Runions	Schupp	Swearingen	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Brown	Cierpiot	Diehl	Flanigan
Fraker	Grisamore	Hampton	May	McCann Beatty
Mims	Molendorp	Pace	Parkinson	Pierson
Smith 85	Stream	Webb		

Representative Leara declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 004

Bahr	Pierson	Rowland	Torpey
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NOES: 146

Allen	Anders	Anderson	Austin	Bernskoetter
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Peters	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Runions	Scharnhorst	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brown	Fraker	Grisamore	Hampton
May	Molendorp	Pace	Parkinson	Schatz
Smith 85	Stream	Webb		

HCS HB 372, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Fitzwater	Flanigan	Fowler	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Entlicher	Fraker	Franklin	Funderburk	Gardner
Grisamore	Hampton	Jones 50	May	Molendorp
Pace	Parkinson	Smith 85	Webb	

On motion of Representative Cox, **HCS HB 372** was read the third time and passed by the following vote:

AYES: 119

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Moon	Morris	Muntzel	Neely
Nichols	Norr	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Walker	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 036

Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Ellington	Gardner
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Neth
Newman	Otto	Peters	Pierson	Rizzo
Runions	Schupp	Swearingen	Torpey	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 008

Funderburk	Grisamore	Hampton	May	Molendorp
Pace	Smith 85	Webb		

Representative Leara declared the bill passed.

HCS HB 161, relating to political subdivisions, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 161** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 019

Brattin	Burlison	Colona	Curtman	Ellinger
Ellington	Fitzpatrick	Gardner	Kirkton	Koenig
Love	Marshall	McNeil	Mitten	Newman
Pogue	Schieber	Walton Gray	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 009

Curtis	Grisamore	Hampton	May	Molendorp
Pace	Parkinson	Smith 85	Webb	

Representative Leara declared the bill passed.

HCS HB 541, relating to juvenile offenders, was taken up by Representative Hicks.

On motion of Representative Hicks, **HCS HB 541** was read the third time and passed by the following vote:

AYES: 149

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Colona	Conway 104	Cox	Curtis
Flanigan	Grisamore	Hampton	May	Molendorp
Pace	Smith 85	Swearingen	Webb	

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Parkinson	Peters	Pfausch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 002

Curtman	Neth
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PRESENT: 000

ABSENT WITH LEAVE: 010

Cox	Gatschenberger	Grisamore	Hampton	Hough
May	Molendorp	Pace	Smith 85	Webb

HOUSE BILLS WITH SENATE AMENDMENTS

HB 163, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4 and Senate Amendment No. 5, relating to third class city primary elections, was taken up by Representative Fitzpatrick.

On motion of Representative Fitzpatrick, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4 and Senate Amendment No. 5** by the following vote:

AYES: 149

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gosen	Guernsey	Haahr	Haefner	Hansen
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Conway 104	Cox	Funderburk	Gatschenberger
Grisamore	Hampton	Hicks	May	Molendorp
Pace	Redmon	Smith 85	Webb	

On motion of Representative Fitzpatrick, **HB 163, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 146

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gosen
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Curtis

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Cox	Fitzwater	Funderburk	Gatschenberger
Grisamore	Hampton	Hoskins	Lichtenegger	May
McNeil	Molendorp	Pace	Redmon	Smith 85
Webb				

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Anders	Anderson	Austin	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gosen	Guernsey	Haahr	Haefner
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Otto	Pfausch	Phillips	Pierson
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Wright	Zerr		

NOES: 009

Bahr	Curtis	Frame	Gardner	Hummel
Marshall	Norr	Parkinson	Peters	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Colona	Cox	Funderburk	Gatschenberger
Grisamore	Hampton	Hansen	May	Molendorp
Pace	Redmon	Scharnhorst	Smith 85	Webb
Mr Speaker				

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 366 - Economic Development

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 880**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Stream reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 930**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 863**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 975**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 35**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Frederick reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 608**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 929**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 127**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 129**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 12**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 41**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 45**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 73**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 110**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 427**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 430**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 484**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 513**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 564**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 717**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 9**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 33**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin as SCS SB 33**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 77**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 148**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 216**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 222**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 224**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 262**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 330**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 673**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 317 & 319**, entitled:

An act to repeal sections 301.301 and 303.024, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 432**, entitled:

An act to amend chapter 196, RSMo, by adding thereto one new section relating to the preparation of food for a charitable purpose.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

April 25, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Denny Hoskins and Representative Jeffrey Messenger from the Committee on Fiscal Review and appoint Representative Sonya Anderson and Representative Kathy Swan.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

April 25, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Elaine Gannon and Representative Mike Thomson from the Committee on Elementary and Secondary Education and appoint Representative Michael Moon.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, April 29, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Monday, April 29, 2013, 3:30 PM, House Hearing Room 1.

Executive session may be held on any matter referred to the committee.

We will be voting on the amendments to the House Policy Book as discussed in committee on Thursday the 25th.

AGRI-BUSINESS

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SS SCS SB 373

Executive session may be held on any matter referred to the committee.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, April 30, 2013, Upon Afternoon Adjournment, House Hearing Room 5.

Committee will review fee fund balances with Department of Agriculture and Department of Natural Resources.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 30, 2013, Noon or Upon Morning Recess, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued conversation about Canteen and then onto MVE both in 2009 audit

Lunch provided

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Monday, April 29, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: SCS SB 33

Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 799, SB 327

Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT

Monday, April 29, 2013, Upon Evening Adjournment, 120 E High, Jefferson City, MO.

Committee dinner

FISCAL REVIEW

Monday, April 29, 2013, 2:00 PM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

All bills referred to Fiscal Review may be considered

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Monday, April 29, 2013, 12:00 PM, House Hearing Room 7.

Public hearing will be held: SS SB 251, SS SB 252

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SB 67, SCS SB 381, HB 1015

Executive session will be held: SB 67, SCS SB 381

Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Monday, April 29, 2013, 1:00 PM, House Hearing Room 5.

Zane Yates of Centene Corporation will present on Managed Care in Missouri

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI PORTS

Wednesday, May 1, 2013, 7:00 PM, House Hearing Room 1.

This will be an informational meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - OVERSIGHT SUBCOMMITTEE
Monday, April 29, 2013, Upon Senate Adjournment, Senate Committee Room 2.
Contested Fiscal Note - HCS SS#2 SCS SBs 26, 11 & 31

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - REVISIONS SUBCOMMITTEE
Thursday, May 2, 2013, 8:00 AM, Room 117A, State Capitol Building
On-line and print versions of the Revised Statutes

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.
Second quarter meeting

SPECIAL STANDING COMMITTEE ON URBAN ISSUES
Monday, April 29, 2013, Upon Evening Adjournment (only if after 5:00 PM), House Hearing Room 5.
Public hearing will be held: HB 264, HB 540
Executive session will be held: HB 419
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-NINTH DAY, MONDAY, APRIL 29, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 234 - Gatschenberger
- 13 HB 616 - Bahr
- 14 HB 185 - Kirkton
- 15 HCS HB 210 - Cox
- 16 HCS HB 630 - McCaherty

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- 17 HB 336 - Hinson
- 18 HCS HB 641 - Korman
- 19 HCS HB 781 - Hough
- 20 HCS HB 936 - Swan
- 21 HCS HB 371 - Cox
- 22 HB 427 - Schatz
- 23 HCS HB 430 - Schatz
- 24 HCS HB 513 - Bahr
- 25 HB 555 - Burlison

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 771 - Schatz
- 3 HCS HB 611 - Lant

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 26, (Fiscal Review 4/24/13) - Richardson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HB 589, (Fiscal Review 4/22/13), E.C. - Hinson
- 6 HCS HB 859, (Fiscal Review 4/24/13) - Brattin
- 7 HCS HB 78, (Fiscal Review 4/24/13) - Johnson
- 8 HCS HB 653, (Fiscal Review 4/24/13) - Lauer
- 9 HB 421, (Fiscal Review 4/24/13) - Curtman
- 10 HCS HB 986, (Fiscal Review 4/24/13), E.C. - Barnes
- 11 HCS HB 675 - Grisamore
- 12 HCS HB 285 - Pace

SENATE BILLS FOR SECOND READING

- 1 SCS SBs 317 & 319
- 2 SS SCS SB 432

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS SCS SB 125, (Fiscal Review 4/23/13) - Barnes
- 8 SS SB 28 - Cierpiot
- 9 SCS SB 254 - Crawford
- 10 SCS SB 287 - Gosen
- 11 HCS SCS SB 17 - Thomson
- 12 HCS SS SB 34 - Fraker
- 13 HCS SS SCS SB 116 - Davis
- 14 HCS SS#2 SCS SB 1, E.C. - Richardson
- 15 SCS SB 36 - Hicks
- 16 HCS SCS SB 88 - Frederick
- 17 HCS SB 90 - Dugger
- 18 HCS SCS SB 126 - Morris
- 19 HCS SCS SB 9 - Guernsey
- 20 SB 77 - Allen
- 21 HCS SB 222 - Kelly (45)
- 22 SCS SB 224 - Rizzo
- 23 HCS SS SB 262 - Molendorp
- 24 HCS SB 330 - Burlison

- 25 HCS SB 51 - Guernsey
- 26 HCS SB 23, E.C. - Jones (50)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 1 - Stream
- 2 SCS HCS HB 2 - Stream
- 3 SCS HCS HB 3 - Stream
- 4 SCS HCS HB 4 - Stream
- 5 SCS HCS HB 5 - Stream
- 6 SCS HCS HB 6, as amended - Stream
- 7 SCS HCS HB 7, as amended - Stream
- 8 SCS HCS HB 8 - Stream
- 9 SCS HCS HB 9 - Stream
- 10 SCS HCS HB 10 - Stream
- 11 SCS HCS HB 11 , as amended - Stream
- 12 SCS HCS HB 12 - Stream
- 13 SCS HCS HB 13 - Stream
- 14 SS HCS HB 315 - Rowland
- 15 HB 68, SA 1 - Kelley (127)
- 16 SCS HCS HBs 303 & 304, as amended - Scharnhorst

BILLS CARRYING REQUEST MESSAGES

SS HCS HJR 11 & 7, as amended (request Senate recede/grant conference) - Reiboldt

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

FIFTY-NINTH DAY, MONDAY, APRIL 29, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative John A. Mayfield.

Please join me in a word of prayer.

Dear Heavenly Father, we come to You today to offer our thanks for the many blessings You have bestowed on us. We are thankful for our families and our friends, we are thankful for the opportunity to serve, and we are thankful for the opportunity to seek Your divine guidance today.

We are grateful for Your love and grace to each of us. You have given us many freedoms and privileges. You have been good to us - Your children.

Please grant us wisdom and peace as we work together for the people of Missouri. Please give us strength to do what is pleasing in Your sight.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2314 through House Resolution No. 2458

SECOND READING OF SENATE BILLS

SCS SBs 317 & 319 and SS SCS SB 432 were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 78**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 589**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 653**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 859**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 986**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 125**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 635, relating to correctional treatment programs, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 635** was ordered perfected and printed.

HCS HB 611, relating to unemployment compensation, was taken up by Representative Lant.

Representative Leara assumed the Chair.

On motion of Representative Lant, **HCS HB 611** was adopted.

On motion of Representative Lant, **HCS HB 611** was ordered perfected and printed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 1** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 2, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 2** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 3, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 3** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 4, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 4** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 5, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 5** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 6, as amended, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 6, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 7, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 8, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 8** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 9, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 9** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 10, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 10** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Roorda made a substitute motion that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference to allow the conferees to exceed the differences on Section 11.505, Line 22, for the specific purpose of expanding Medicaid.

Which motion was defeated by the following vote:

AYES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelley 127
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

NOES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Engler	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Houghton
Hurst	Johnson	Justus	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Elmer	Entlicher	Hough	Jones 50	Keeney
Schieber	Smith 85	Smith 120		

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull

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Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Cornejo	Entlicher	Keeney	Molendorp	Peters
Smith 85	Smith 120			

Representative Stream again moved that the House refuse to adopt **SCS HCS HB 11, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 12, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 12** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 13, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the House refuse to adopt **SCS HCS HB 13** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILLS

HCS HB 589, relating to sexual offender registration, was taken up by Representative Hinson.

On motion of Representative Hinson, **HCS HB 589** was read the third time and passed by the following vote:

AYES: 101

Allen	Bahr	Barnes	Bernskoetter	Berry
Brattin	Burlison	Burns	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Elmer	Engler
English	Fitzpatrick	Fitzwater	Flanigan	Fowler
Frame	Frederick	Funderburk	Gannon	Gosen
Grisamore	Haahr	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	May
McDonald	McGaugh	McKenna	Meredith	Mims
Molendorp	Muntzel	Neely	Neth	Pace
Peters	Pfautsch	Pike	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Roorda
Schatz	Schieber	Shumake	Sommer	Spencer
Stream	Swan	Thomson	Walker	Walton Gray
Webber	Wieland	Wood	Wright	Zerr
Mr Speaker				

NOES: 052

Anders	Anderson	Austin	Black	Brown
Butler	Carpenter	Curtis	Dugger	Ellington
Englund	Fraker	Franklin	Gardner	Haefner
Hummel	Kirkton	Kratky	LaFaver	Lichtenegger
Mayfield	McCaherty	McCann Beatty	McManus	McNeil
Messenger	Miller	Mitten	Montecillo	Moon
Morgan	Morris	Newman	Nichols	Norr
Otto	Phillips	Pierson	Pogue	Reiboldt
Rizzo	Ross	Rowden	Rowland	Runions
Schupp	Shull	Solon	Torpey	Webb
White	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 010

Entlicher	Gatschenberger	Guernsey	Keeney	Parkinson
Scharnhorst	Schieffer	Smith 85	Smith 120	Swearingen

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Colona
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morris
Muntzel	Neth	Newman	Norr	Parkinson
Peters	Pfautsch	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schupp	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 013

Butler	Carpenter	Curtis	Ellington	Gardner
Morgan	Nichols	Otto	Pace	Phillips
Pogue	Shull	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Conway 10	Entlicher	Gatschenberger	Guernsey	Keeney
May	Neely	Schieffer	Smith 85	Smith 120
Swearingen	Webb			

HCS HB 78, relating to the Missouri Jobs for Education Program, was taken up by Representative Johnson.

On motion of Representative Johnson, **HCS HB 78** was read the third time and passed by the following vote:

AYES: 108

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Haefner	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Mims	Molendorp	Morris	Muntzel
Neely	Neth	Nichols	Norr	Peters
Pfautsch	Phillips	Pike	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Rowland	Runions	Schatz	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 044

Anderson	Bahr	Brattin	Burlison	Colona
Curtman	Dunn	Ellinger	Ellington	Fitzpatrick
Frame	Gardner	Haahr	Hampton	Hummel
Kirkton	Koenig	Marshall	McCann Beatty	McDonald
McManus	McNeil	Meredith	Mitten	Montecillo
Moon	Morgan	Newman	Otto	Pace
Parkinson	Pierson	Pogue	Rehder	Roorda
Ross	Rowden	Schieber	Schupp	Walton Gray
Webb	Webber	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Entlicher	Gatschenberger	Guernsey	Hinson	Keeney
Kelly 45	Scharnhorst	Schieffer	Smith 85	Smith 120
Swearingen				

Representative Leara declared the bill passed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 771, relating to commercial drivers' licenses, was taken up by Representative Schatz.

Representative Schatz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 771, Page 17, Section 302.755, Line 78, by inserting after said line the following:

"302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver's license testing and commercial learner's permit standards rule issued by the federal motor carrier safety administration."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1** was adopted.

On motion of Representative Schatz, **HCS HB 771, as amended**, was adopted.

On motion of Representative Schatz, **HCS HB 771, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SCS SB 287, relating to captive insurance companies, was taken up by Representative Gosen.

On motion of Representative Gosen, **SCS SB 287** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger

Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Entlicher	Gatschenberger	Hinson	Keeney
McManus	Schieffer	Smith 85	Smith 120	Swearingen

Representative Leara declared the bill passed.

SS SB 28, relating to unemployment benefits, was taken up by Representative Cierpiot.

SS SB 28 was laid over.

REFERRAL OF HOUSE REMONSTRANCE

The following House Remonstrance was referred to the Committee indicated:

HRM 1 - Rules

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 13 - Veterans

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

HCS SS#2 SCS SJR 16 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS#2 SCS SB 1 - Fiscal Review
HCS SB 23 - Fiscal Review
HCS SB 51 - Fiscal Review
HCS SS SCS SB 116 - Fiscal Review
SB 205 - Children, Families, and Persons with Disabilities
SCS SB 256 - Crime Prevention and Public Safety
SCS SBs 317 & 319 - Insurance Policy
HCS SB 330 - Fiscal Review
SS SCS SB 432 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 222**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 72**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 402**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGE

April 25, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following change to the current Issue Development Standing Committee:

- Rep. Jon Carpenter removed from the Freshman Bipartisan Issue Development Standing Committee

Sincerely,

/s/ Rep. Dwight Scharnhorst
Administration and Accounts, Chair
District 98

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, April 30, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: SS SCS SB 373

Executive session may be held on any matter referred to the committee.

CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, April 30, 2013, Upon Afternoon Adjournment, House Hearing Room 5.

Committee will review fee fund balances with Department of Agriculture and Department of Natural Resources

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Tuesday, April 30, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Continued conversation about Canteen and then onto MVE both in 2009 audit

Lunch provided

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: HB 799, SB 327

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 1, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: HB 743, HB 942, HB 603

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, April 30, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 1, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 2, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, April 30, 2013, 12:00 PM, House Hearing Room 4.

Public hearing will be held: SCR 2, SB 57

Executive session will be held: SS SCS SB 159, HB 92, HB 915

Executive session may be held on any matter referred to the committee.

AMENDED

HEALTH CARE POLICY

Wednesday, May 1, 2013, 12:00 PM or Upon Afternoon Recess, House Hearing Room 7.

Public hearing will be held: HB 359, HB 549, HB 856

Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION

Tuesday, April 30, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SB 67, SCS SB 381, HB 1015

Executive session will be held: SB 67, SCS SB 381

Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI PORTS

Wednesday, May 1, 2013, 7:00 PM, House Hearing Room 1.

This will be an informational meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - REVISIONS SUBCOMMITTEE

Thursday, May 2, 2013, 8:00 AM, Room 117A, State Capitol Building

On-line and print versions of the Revised Statutes

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, May 1, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.

Public hearing will be held: SCS SB 118, SS SB 245

Executive session will be held: HB 851

Executive session may be held on any matter referred to the committee.

JUDICIARY

Monday, May 6, 2013, 6:30 PM, 516 S. Country Club Drive, Jefferson City, MO.

House Judiciary Committee dinner

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 1, 2013, Upon Morning Recess, House Hearing Room 5.

Public hearing will be held: HB 796

Executive session will be held: SCS SB 101

Executive session may be held on any matter referred to the committee.

RULES

Tuesday, April 30, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: HCS HB 83, SB 138, HCS SS SCS SB 241, HCS SB 43, SCS SB 47, SS SCS SB 114, SS SCS SB 121, SCS SB 302, HCS HB 1041, HJR 17, HB 18, SCS SB 240, HCS HB 17, HCS HB 19, HCS#2 HJR 14, HCS SCS SB 45

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, May 1, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Director George Lombardi and Ian Dunlap will be present to answer questions from committee members and may offer suggestions on how the committee may be of service to the Department of Corrections.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, May 1, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 7.

Executive session will be held: HB 1033

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, April 30, 2013, 12:00 PM or Upon Adjournment, House Hearing Room 7.

Public hearing will be held: SS SB 282

Executive session will be held: SS SB 282

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, May 1, 2013, 9:00 AM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTIETH DAY, TUESDAY, APRIL 30, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HB 162 - Sommer
- 12 HCS HB 234 - Gatschenberger
- 13 HB 616 - Bahr
- 14 HB 185 - Kirkton
- 15 HCS HB 210 - Cox
- 16 HCS HB 630 - McCaherty
- 17 HB 336 - Hinson
- 18 HCS HB 641 - Korman
- 19 HCS HB 781 - Hough
- 20 HCS HB 936 - Swan
- 21 HCS HB 371 - Cox
- 22 HB 427 - Schatz
- 23 HCS HB 430 - Schatz
- 24 HCS HB 513 - Bahr
- 25 HB 555 - Burlison
- 26 HCS HB 402 - Shumake
- 27 HCS HB 717 - Grisamore
- 28 HCS HB 727 - Grisamore

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 26 - Richardson

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HCS HB 859 - Brattin
- 6 HCS HB 653 - Lauer
- 7 HB 421 - Curtman
- 8 HCS HB 986, E.C. - Barnes
- 9 HCS HB 675 - Grisamore
- 10 HCS HB 285 - Pace

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16, (Fiscal Review 4/29/13) - Hinson

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen
- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Dugger
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS SCS SB 125 - Barnes
- 8 SS SB 28 - Cierpiot
- 9 SCS SB 254 - Crawford
- 10 HCS SCS SB 17 - Thomson
- 11 HCS SS SB 34 - Fraker
- 12 HCS SS SCS SB 116, (Fiscal Review 4/29/13) - Davis
- 13 HCS SS#2 SCS SB 1, (Fiscal Review 4/29/13), E.C. - Richardson
- 14 SCS SB 36 - Hicks
- 15 HCS SCS SB 88 - Frederick
- 16 HCS SB 90 - Dugger
- 17 HCS SCS SB 126 - Morris
- 18 HCS SCS SB 9 - Guernsey
- 19 SB 77 - Allen

- 20 HCS SB 222 - Kelly (45)
- 21 SCS SB 224 - Rizzo
- 22 HCS SS SB 262 - Molendorp
- 23 HCS SB 330, (Fiscal Review 4/29/13) - Burlison
- 24 HCS SB 51, (Fiscal Review 4/29/13) - Guernsey
- 25 HCS SB 23, (Fiscal Review 4/29/13), E.C. - Jones (50)
- 26 HCS SB 148 - Schatz

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS HCS HB 315 - Rowland
- 2 HB 68, SA 1 - Kelley (127)
- 3 SCS HCS HBs 303 & 304, as amended - Scharnhorst

BILLS CARRYING REQUEST MESSAGES

- 1 SS HCS HJRs 11 & 7, as amended (request Senate recede/grant conference) - Reiboldt
- 2 SCS HCS HB 1, (request Senate recede/grant conference) - Stream
- 3 SCS HCS HB 2, (request Senate recede/grant conference) - Stream
- 4 SCS HCS HB 3, (request Senate recede/grant conference) - Stream
- 5 SCS HCS HB 4, (request Senate recede/grant conference) - Stream
- 6 SCS HCS HB 5, (request Senate recede/grant conference) - Stream
- 7 SCS HCS HB 6, as amended, (request Senate recede/grant conference) - Stream
- 8 SCS HCS HB 7, as amended, (request Senate recede/grant conference) - Stream
- 9 SCS HCS HB 8, (request Senate recede/grant conference) - Stream
- 10 SCS HCS HB 9, (request Senate recede/grant conference) - Stream
- 11 SCS HCS HB 10, (request Senate recede/grant conference) - Stream
- 12 SCS HCS HB 11, as amended, (request Senate recede/grant conference) - Stream
- 13 SCS HCS HB 12, (request Senate recede/grant conference) - Stream
- 14 SCS HCS HB 13, (request Senate recede/grant conference) - Stream

SENATE CONCURRENT RESOLUTIONS

- SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTIETH DAY, TUESDAY, APRIL 30, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative John McCaherty.

Father, Your word tells that this is the day which You have made, let us be glad and rejoice in it. We bow before Your throne of grace this morning asking You for Your help, Your wisdom, and Your foresight. What an honor and privilege You have given us to serve You and the people of Missouri in these great chambers. We ask that You grant us boldness when it is time to speak, humility when it is time to listen and learn, mercy when it is time to forgive, and courage when it is time to act.

And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Jack Hanaway.

The Journal of the fifty-ninth day was approved as printed.

HOUSE RESOLUTION

Representative Butler, et al. offered House Resolution No. 2594.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2459 through House Resolution No. 2559

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SJR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS#2 SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 330**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 163** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 163** was delivered to the Governor by the Chief Clerk of the House.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HJRs 11 & 7, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Parson, Munzlinger, Brown, Justus and Sifton.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HCS HJRs 11 & 7: Representatives Smith (120), Reiboldt and Black

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 26, relating to parental rights, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HJR 26** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman

Dugger	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McGaugh
McKenna	McManus	Messenger	Miller	Mims
Molendorp	Moon	Morris	Neely	Neth
Norr	Parkinson	Peters	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 023

Butler	Colona	Curtis	Dunn	Gardner
Hubbard	Kirkton	LaFaver	Marshall	McCann Beatty
McDonald	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Otto	Pace
Pierson	Schupp	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 009

Carpenter	Grisamore	Keeney	Muntzel	Smith 85
Smith 120	Swearingen	Webb	Webber	

Speaker Jones declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 315, relating to prescription eye drop refills, was taken up by Representative Rowland.

Representative Hoskins assumed the Chair.

On motion of Representative Rowland, **SS HCS HB 315** was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo

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Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr			

NOES: 004

Burlison	Gardner	Marshall	Pogue
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PRESENT: 001

Scharnhorst

ABSENT WITH LEAVE: 006

Grisamore	Keeney	McDonald	Smith 85	Smith 120
Mr Speaker				

On motion of Representative Rowland, **SS HCS HB 315** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson

Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Kelley 127
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr		

NOES: 004

Burlison	Gardner	Marshall	Pogue
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PRESENT: 001

Scharnhorst

ABSENT WITH LEAVE: 015

Conway 104	Cookson	Funderburk	Grisamore	Jones 50
Keeney	Kelly 45	Kirkton	McDonald	Molendorp
Neth	Smith 85	Smith 120	Swearingen	Mr Speaker

Representative Hoskins declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HB 653, relating to emergency communications services, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 653** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Austin	Barnes	Berry
Black	Brown	Burns	Butler	Carpenter
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges

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Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Jones 50	Justus	Kelley 127	Kelly 45
Kirkton	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Walker	Walton Gray	Webb
Webber	White	Wilson	Wood	Wright
Zerr				

NOES: 026

Anderson	Bahr	Bernskoetter	Brattin	Burlison
Cierpiot	Curtman	Dugger	Fitzpatrick	Guernsey
Haahr	Hinson	Johnson	Koenig	Leara
Lichtenegger	Marshall	Moon	Parkinson	Redmon
Rowden	Schieber	Solon	Torpey	Wieland
Mr Speaker				

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 005

Keeney	Molendorp	Rowland	Smith 85	Smith 120
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Representative Hoskins declared the bill passed.

HB 421, relating to legal tender, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 421** was read the third time and passed by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger

Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Berry	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 001

Meredith

ABSENT WITH LEAVE: 008

Cookson	Flanigan	Hough	Keeney	Redmon
Smith 85	Smith 120	Stream		

Representative Hoskins declared the bill passed.

HCS HB 986, relating to MO HealthNet benefits, was taken up by Representative Barnes.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller

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Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Cox	Fitzwater	Keeney	Smith 85
Smith 120	Stream			

On motion of Representative Barnes, **HCS HB 986** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Messenger
Miller	Mims	Mitten	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Norr
Pfausch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland

Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Stream
Swan	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 027

Burns	Butler	Carpenter	Colona	Curtis
Curtman	Ellington	Gardner	Hubbard	Marshall
May	McDonald	Meredith	Montecillo	Morgan
Newman	Nichols	Otto	Pace	Parkinson
Peters	Pierson	Pogue	Schieber	Spencer
Swearingen	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 003

Keeney	Smith 85	Smith 120
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Representative Hoskins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Norr	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Solon	Sommer
Stream	Swan	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

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NOES: 023

Burns	Butler	Carpenter	Curtis	Ellington
Fitzpatrick	Gardner	Hubbard	Marshall	May
McDonald	Newman	Nichols	Otto	Pace
Parkinson	Peters	Pogue	Remole	Schieber
Spencer	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 006

Gosen	Keeney	Kelly 45	Shumake	Smith 85
Smith 120				

Representative Neth assumed the Chair.

HCS HB 675, relating to diabetes training in public schools, was taken up by Representative Grisamore.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield

McCann Beatty	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Keeney	Marshall	McDonald	Mims
Schieffer	Smith 85	Smith 120	Stream	Wood

On motion of Representative Grisamore, **HCS HB 675** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Jones 50	Justus	Kelley 127	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schupp	Shull
Shumake	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wood	Wright
Zerr	Mr Speaker			

NOES: 019

Berry	Burlison	Conway 104	Curtman	Frame
Guernsey	Hinson	Johnson	Kirkton	Koenig
Marshall	Moon	Neely	Pogue	Rehder
Schieber	Spencer	Swearingen	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Keeney	Kelly 45	Leara	Schieffer
Smith 85	Smith 120			

Representative Neth declared the bill passed.

HCS HB 285, relating to controlled substance distribution, was taken up by Representative Pace.

On motion of Representative Pace, **HCS HB 285** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 012

Colona	Curtman	Ellington	Gardner	Kirkton
McDonald	Mitten	Moon	Newman	Pierson
Schupp	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ellinger	Keeney	McNeil	Parkinson
Smith 85	Smith 120			

Representative Neth declared the bill passed.

HCS HB 859, relating to concealed carry permits, was taken up by Representative Brattin.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Walton Gray	Webb	Webber	Wright

PRESENT: 000

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ABSENT WITH LEAVE: 006

Anders	Keeney	Lynch	Smith 85	Smith 120
Swearingen				

On motion of Representative Brattin, **HCS HB 859** was read the third time and passed by the following vote:

AYES: 123

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Nichols	Otto
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 034

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Gardner
Hummel	Kelly 45	Kirkton	LaFaver	May
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Norr	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Keeney	Molendorp	Smith 85	Smith 120
Swearingen				

Representative Neth declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 210, relating to the Missouri Criminal Code, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 210, Page 93, Section 197.1002, Line 18, by inserting after the word "**neglect.**" on said line the following:

"Notwithstanding any other provision of this section, a duly ordained minister, clergy, religious worker, or Christian Science practitioner while functioning in his or her ministerial capacity shall not be required to report concerning a privileged communication made to him or her in his or her professional capacity."; and

Further amend said bill, Page 356, Section 565.184, Line 22, by inserting after all of said line the following:

"Nothing in this section shall be construed to mean that an elderly or disabled person is abused solely because such person chooses to rely on spiritual means through prayer, in lieu of medical care, for his or her health care, as evidence by such person's explicit consent, advance directive for health care, or practice."; and

Further amend said bill, Page 586, Section 630.162, Line 30, by inserting after all of said line the following:

"3. Nothing in this section shall be construed to mean that a vulnerable person is abused or neglected solely because such person chooses to rely on spiritual means through prayer, in lieu of medical care, for his or her health care, as evidenced by such person's explicit consent, advance directive for health care, or practice."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Kratky offered **House Amendment No. 2**.

Representative Cox raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Neth requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cox, **HCS HB 210, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 210, as amended**, was ordered perfected and printed.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

PERFECTION OF HOUSE BILLS

HCS HB 630, relating to the Manufacturing Jobs Act, was taken up by Representative McCaherty.

Representative White offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 630, Page 1, Section A, Line 2, by inserting after all of said section the following:

"620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (19) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this subdivision. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may

retain an amount equal to the withholding tax as calculated under subdivision (33) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement.

The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

(5) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

(6) A manufacturer of firearms, ammunition, or parts thereof that relocates to Missouri or an existing manufacturer of firearms, ammunition, or parts thereof that expands in Missouri, in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the relocation or expansion, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision (33) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage. The maximum amount that may be retained by a qualifying company under this subsection is three million dollars annually. This subsection shall sunset six years after this subsection becomes effective.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Swearingen	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Cierpiot	Crawford	Ellington	Entlicher	Franklin
Frederick	Gardner	Grisamore	Keeney	Lichtenegger
Lynch	Mims	Moon	Riddle	Schupp
Smith 85	Smith 120	Torpey	Wright	

On motion of Representative White, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 630, Page 6, Section 620.1910, Line 167, by inserting immediately after said line the following:

"620.1915. 1. There is hereby created in the state treasury the "Missouri International Business Advertising Fund", which shall consist of appropriated moneys, gifts, contributions, grants, or bequests to be used solely for the purpose of attracting international businesses to Missouri. The fund shall be used for advertising the benefits of relocating an international business to Missouri and may be used to advertise in international business magazines, international social media sites, or any search engine that receives international traffic. The fund may be used to promote the existence and purpose of the fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The Missouri international advertising fund shall be administered and managed by the Missouri small business technology and development center and its coordinator, with the primary goal of encouraging any business located outside of the United States to relocate to Missouri.

3. The Missouri small business technology and development center shall establish a committee consisting of no fewer than three but no more than five persons for the purpose of reviewing which international markets are seeing an increase of business relocating to the United States and specifically use the funds that are deposited into the Missouri international advertising fund to create a marketing campaign directed toward the international companies in these markets. The coordinator shall establish its own rules of procedure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Johnson, **House Amendment No. 2** was adopted.

On motion of Representative McCaherty, **HCS HB 630, as amended**, was adopted.

On motion of Representative McCaherty, **HCS HB 630, as amended**, was ordered perfected and printed.

HB 162, relating to the establishment of the Missouri Firearms Freedom Act, was taken up by Representative Sommer.

Representative Kelley (127) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 162, Page 1, Lines 2-3 in the Title, by deleting the words "the Missouri firearms freedom act" and inserting in lieu there of the word "firearms"; and

Further amend said bill, Page 3, Section 21.755, Line 74, by inserting after all of said section and line the following:

"571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection [7] 8 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection [7] 8 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

- (1) Is at least twenty-one years of age, is a citizen of the United States and either:
 - (a) Has assumed residency in this state; or
 - (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;
- (2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:
 - (a) Has assumed residency in this state;
 - (b) Is a member of the Armed Forces stationed in Missouri; or
 - (c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;
- (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
- (5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
- (6) Has not been discharged under dishonorable conditions from the United States Armed Forces;
- (7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- (8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
- (9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

(10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

(11) Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; [and]

(2) A nonrefundable certificate of qualification fee as provided by subsection [10 or] 11 **or 12** of this section; **and**

(3) A nonrefundable anonymous fingerprint background check fee as provided for in subsection 11 of this section, if an anonymous fingerprint background check is requested by the applicant.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry

endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. An applicant may request that the fingerprint background check be done anonymously. If such request is made the sheriff shall submit the fingerprint background check with a tracking number instead of any personal identifying information. The appropriate law enforcement agencies shall report the results of anonymous fingerprint background checks to the sheriff in the same manor as those submitted with personal identifying information. The sheriff may charge an additional fee for the anonymous fingerprint background check as provided in subsection 11 of this section.

7. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

[7.] 8. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

[8.] 9. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

[9.] 10. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

[10.] 11. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund. **For processing an anonymous fingerprint background check requested under subsection 6 of this section, the sheriff in each county may charge an additional nonrefundable fee in an amount not to exceed one hundred dollars, which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.**

[11.] **12.** For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

13. The Missouri state highway patrol is hereby authorized to conduct anonymous fingerprint background checks under this section and to charge up to, but no more than, the same fee charged for the complete criminal background check required under this section.

14. Whenever an applicant has requested an anonymous fingerprint background check and the results of that check do not disqualify the applicant for a certificate of qualification for a concealed carry endorsement, all records of the fingerprints submitted anonymously, including all methods of storage or archiving shall be purged of any record of the applicant's fingerprints in both the sheriff's records and the records of any law enforcement agency to which the fingerprints were submitted.

[12.] **15.** For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (127), **House Amendment No. 1** was adopted by the following vote:

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Cross	Curtman	Davis
Diehl	Dohrman	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	Lant	Lauer
Leara	Lichtenegger	Love	Marshall	Mayfield
McCaherty	McGaugh	McKenna	McManus	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Nichols	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 031

Anders	Burns	Butler	Carpenter	Curtis
Dunn	Ellinger	Ellington	Englund	Gardner
Hummel	Kirkton	LaFaver	May	McCann Beatty
McDonald	McNeil	Meredith	Mims	Mitten

Montecillo	Morgan	Newman	Norr	Otto
Pace	Peters	Pierson	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 015

Colona	Crawford	Dugger	Flanigan	Franklin
Frederick	Grisamore	Hansen	Keeney	Lair
Lynch	Schupp	Smith 85	Smith 120	Stream

Representative Gatschenberger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 162, Page 1, in the Title, Lines 2 and 3, by deleting the words, "the Missouri firearms freedom act" and inserting in lieu thereof the word, "firearms"; and

Further amend said bill, Page 3, Section 21.755, Line 74, by inserting after all of said line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and

who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the Armed Forces or National Guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person [twenty-one] **nineteen** years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least [twenty-one] **nineteen** years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the military;

(2) Is at least [twenty-one] **nineteen** years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:

(a) Has assumed residency in this state;

- (b) Is a member of the Armed Forces stationed in Missouri; or
 - (c) The spouse of such member of the military stationed in Missouri and [twenty-one] **nineteen** years of age;
 - (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
 - (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
 - (5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
 - (6) Has not been discharged under dishonorable conditions from the United States Armed Forces;
 - (7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
 - (8) Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
 - (9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;
 - (10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
 - (11) Is not the respondent of a valid full order of protection which is still in effect.
3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:
- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
 - (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen of the United States;
 - (3) An affirmation that the applicant is at least [twenty-one] **nineteen** years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;
 - (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;
 - (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;
 - (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
 - (7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States Armed Forces;
 - (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of, Missouri

....., PLAINTIFF

)

)

vs.) Case Number

)

....., DEFENDANT,

Carry Endorsement Holder

....., DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF CERTIFICATE OF QUALIFICATION OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant,, has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- ☐ Defendant is not at least [twenty-one] **nineteen** years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- ☐ Defendant is not a citizen of the United States.
- ☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- ☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws

of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been discharged under dishonorable conditions from the United States Armed Forces.

☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.

☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.

☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant failed to submit to or failed to clear the required background check.

☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LaFaver raised a point of order that **House Amendment No. 2** amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Gatschenberger, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 162, Page 3, Section 21.755, Line 74, by inserting after all of said section and line the following:

"571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall not apply to or affect any of the following when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 10 of this section, and who carry the identification defined in subsection 11 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;
 (6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner; [and]

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; [and]

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties; **and**

(12) Any member of an ambulance service, who is employed on a full-time basis as an emergency medical technician or paramedic and who has met the training requirements for a concealed carry endorsement under section 571.111.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

11. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Kelley 127	Koenig	Kolkmeyer	Korman
Lant	Lauer	Leara	Lichtenegger	Love
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

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NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 016

Crawford	Curtman	Franklin	Frederick	Guernsey
Justus	Keeney	Lair	Lynch	Molendorp
Neth	Schatz	Schupp	Shull	Smith 85
Smith 120				

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Crawford	Franklin	Frederick	Funderburk
Guernsey	Hoskins	Keeney	Korman	Lynch
Neth	Schatz	Schupp	Smith 85	Smith 120

On motion of Representative Sommer, **HB 162, as amended**, was ordered perfected and printed.

HB 555, relating to motorcycle helmets, was taken up by Representative Burlison.

Representative Hurst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 555, Page 1, Line 3 in the Title, by deleting the words "protective headgear for" and inserting in lieu thereof the word "the"; and

Further amend said bill, Page 2, Section 302.020, Line 37, by inserting after all of said section and line the following:

"302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit. **An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months.**

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and persons under the age of sixteen shall be subject to the following restrictions:

(1) The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2) The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise;

(3) The operator shall not carry any passengers; and

(4) The operator shall not travel over fifty miles from the operator's home address."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Crawford	Flanigan	Franklin	Frederick
Keeney	Lynch	Mims	Reiboldt	Scharnhorst
Schupp	Shull	Smith 85	Smith 120	Stream

On motion of Representative Hurst, **House Amendment No. 1** was adopted by the following vote:

AYES: 130

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Burlison
Burns	Butler	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Cross
Davis	Diehl	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pike	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 021

Brattin	Brown	Colona	Curtis	Curtman
Dohrman	Ellington	Fitzpatrick	Gardner	Koenig
Korman	Marshall	Montecillo	Neth	Peters
Pierson	Pogue	Roorda	Schatz	Schieber
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Crawford	Franklin	Frederick	Keeney	Lynch
Mims	Redmon	Reiboldt	Scharnhorst	Schupp
Smith 85	Smith 120			

Representative Conway (104) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Bill No. 555, Page 2, Section 302.020, Line 37, by inserting after all of said section and line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town [or], village, **or county** receives more than [thirty-five] **twenty** percent of its annual general operating revenue from fines and court costs for traffic violations, **including amended charges from any traffic violation**, occurring [on state highways] **within the city, town, village, or county**, all revenues from such violations in excess of [thirty-five] **twenty** percent of the annual general operating revenue of the city, town [or], village, **or county** shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. [For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number.] The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, [or] village, **or county** disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, [or], village, **or county** may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. **An accounting of the percent of annual general operating revenue from fines and court costs for traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county shall be included in the Comprehensive Annual Financial Report submitted to the state auditor by the city, town, village, or county under section 105.145. Any city, town, village, or county which fails to make an accurate or timely report, or to send excess revenues from such violations to the director of the department of revenue by the date on which the report is due to the state auditor shall suffer an immediate loss of jurisdiction of the municipal court of said city, town, village, or county on all traffic-related charges until all requirements of this section are satisfied.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. **As used in subsection 2 of this section, traffic violations shall include all ordinance violations which are detected through the use of an automated traffic enforcement system, regardless of whether the ordinance violation is prosecuted as a civil infraction or not. An "automated traffic enforcement system" means a camera, optical device, electronic system, or other surveillance system designed to record and produce photographic images, video, or other digital data of a motor vehicle, a motor vehicle's operator, or both, violating a traffic**

control signal, speed restriction, or other traffic law, ordinance or regulation. Automated traffic enforcement systems shall also include automated speed enforcement systems. The term "automated speed enforcement system" means a device with one or more motor vehicle sensors, including, but not limited to, photographic devices, radar devices, laser devices, or other electrical or mechanical devices, designed to record the speed of a motor vehicle and to obtain a clear photograph or other recorded image of the motor vehicle and the motor vehicle's license plate, which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded image of a motor vehicle at the time it is used or operated in violation of the posted speed limit."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Rehder	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols

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Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Crawford	Elmer	Flanigan	Franklin
Frederick	Jones 50	Keeney	Lynch	May
Mims	Redmon	Reiboldt	Schupp	Smith 85
Smith 120	Stream			

Representative Conway (104) moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Conway 104
Cookson	Cornejo	Cox	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols

Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Cierpiot	Crawford	Flanigan	Franklin
Frederick	Keeney	Lynch	May	Mims
Molendorp	Reiboldt	Riddle	Schupp	Smith 85
Smith 120	Stream			

On motion of Representative Burlison, **HB 555, as amended**, was ordered perfected and printed by the following vote:

AYES: 114

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Ellington
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Marshall	Mayfield	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Norr	Otto
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Solon
Sommer	Spencer	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wright	Zerr	Mr Speaker	

NOES: 036

Anders	Burns	Butler	Colona	Curtis
Dunn	Ellinger	Englund	Gardner	Hampton
Hodges	Hummel	Kirkton	Kratky	LaFaver
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Stream	Swan	White
Wood				

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 012

Crawford	Franklin	Frederick	Keeney	Lynch
May	Mims	Molendorp	Reiboldt	Schupp
Smith 85	Smith 120			

HCS HB 781, relating to MO HealthNet-funded home- and community-based care, was taken up by Representative Hough.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 781, Page 4, Section 208.895, Line 114, by inserting after all of said section and line the following:

"208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Barnes assumed the Chair.

On motion of Representative Hough, **HCS HB 781, as amended**, was adopted.

On motion of Representative Hough, **HCS HB 781, as amended**, was ordered perfected and printed.

HCS HB 936, relating to the provision of health care services, was taken up by Representative Swan.

Representative Swan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 936, Page 1, Section 335.175, Line 4, by deleting the words **"the protocols of"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swan, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Marshall
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 021

Cierpiot	Conway 10	Crawford	Flanigan	Franklin
Frederick	Gardner	Gatschenberger	Haefner	Jones 50
Keeney	Lynch	McCaherty	McDonald	Parkinson
Reiboldt	Riddle	Schupp	Smith 85	Smith 120
Stream				

On motion of Representative Swan, **HCS HB 936, as amended**, was adopted.

On motion of Representative Swan, **HCS HB 936, as amended**, was ordered perfected and printed.

Speaker Jones resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 3** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 4** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 5** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 6, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 7, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 8** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 9** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 10** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 11, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 12** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 13** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Rupp, Kehoe, Curls and Walsh.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1: Representatives Stream, Flanigan and Kirkton
SCS HCS HB 2: Representatives Stream, Lair and Montecillo
SCS HCS HB 3: Representatives Stream, Flanigan and Montecillo
SCS HCS HB 4: Representatives Stream, Hoskins and McCann Beatty
SCS HCS HB 5: Representatives Stream, Parkinson and McCann Beatty
SCS HCS HB 6: Representatives Stream, Redmon and Kirkton
SCS HCS HB 7: Representatives Stream, Flanigan and McManus
SCS HCS HB 8: Representatives Stream, Haefner and Kelly (45)
SCS HCS HB 9: Representatives Stream, Flanigan and Schupp
SCS HCS HB 10: Representatives Stream, Allen and Kirkton
SCS HCS HB 11: Representatives Stream, Flanigan and Kirkton
SCS HCS HB 12: Representatives Stream, Flanigan and Kelly (45)
SCS HCS HB 13: Representatives Stream, Flanigan and Kirkton

PERFECTION OF HOUSE BILLS

HCS HB 371, relating to judicial procedures, was taken up by Representative Cox.

Representative Barnes resumed the Chair.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 371, Section 432.047, Page 32, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"2. A debtor may not maintain an action upon or a defense, regardless of"; and

Further amend said bill, Pages 44-45, Section 488.5320, Lines 1-46, by deleting all of said section and lines and inserting in lieu thereof the following:

"488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, [excluding] **including** cases disposed of by a [traffic] violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020

and shall be payable to the county treasury; **except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.**

2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[3.] 4. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[4.] 5. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

6. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the Peace Officers Standards and Training Commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill, Page 56, Section 558.026, Line 32, by inserting after all of said section and line the following:

"559.100. 1. The circuit courts of this state shall have power, herein provided, to place on probation or to parole persons convicted of any offense over which they have jurisdiction, except as otherwise provided in sections 195.275 to 195.296, section 558.018, section 559.115, section 565.020, sections 566.030, 566.060, 566.067, 566.151, and 566.213, section 571.015, and subsection 3 of section 589.425.

2. The circuit court shall have the power to revoke the probation or parole previously granted under section 559.036 and commit the person to the department of corrections. The circuit court shall determine any conditions of probation or parole for the defendant that it deems necessary to ensure the successful completion of the probation or parole term, including the extension of any term of supervision for any person while on probation or parole. The circuit court may require that the defendant pay restitution for his crime. The probation or parole may be revoked under section 559.036 for failure to pay restitution or for failure to conform his behavior to the conditions imposed by the circuit court. The circuit court may, in its discretion, credit any period of probation or parole as time served on a sentence.

3. Restitution, whether court ordered as provided in subsection 2 of this section or agreed to by the parties, or as enforced under section 558.011, shall be paid through the office of the prosecuting attorney or circuit attorney. When ordered by the court, interest shall be allowed under subsection 1 of section 408.040. In addition to all other costs and fees allowed by law, each prosecuting attorney or circuit attorney who takes any action to collect restitution shall collect an administrative handling cost from the person paying restitution. The cost shall

be twenty-five dollars for restitution less than one hundred dollars and fifty dollars for restitution of one hundred dollars but less than two hundred fifty dollars. For restitution of two hundred fifty dollars or more an additional fee of ten percent of the total restitution shall be assessed, with a maximum fee for administrative handling costs not to exceed seventy-five dollars total. In addition to the administrative handling costs, an installment cost shall be assessed in the amount of two dollars per installment, excepting the first installment, until such total amount of restitution is paid in full. Notwithstanding the provisions of sections 50.525 to 50.745, the costs provided for in this subsection shall be deposited by the county treasurer into a separate interest-bearing fund to be expended by the prosecuting attorney or circuit attorney. This fund shall be known as the "Administrative Handling Cost Fund", and it shall be the fund for deposits under this section and under section 570.120. The funds shall be expended, upon warrants issued by the prosecuting attorney or circuit attorney directing the treasurer to issue checks thereon, only for purposes related to that authorized by subsection 4 of this section. Notwithstanding the provisions of any other law, in addition to the administrative handling cost, the prosecuting attorney or circuit attorney shall collect an additional cost of five dollars per each crime victim to whom restitution is paid for deposit to the Missouri office of prosecution services fund established in subsection 2 of section 56.765. All moneys collected under this section which are payable to the Missouri office of prosecution services fund shall be transmitted at least monthly by the county treasurer to the director of revenue who shall deposit the amount collected to the credit of the Missouri office of prosecution services fund under the procedure established under subsection 2 of section 56.765. As used in this subsection, "crime victim" means any natural person or his or her survivors or legal guardians, the estate of a deceased person, a for-profit corporation or business entity, a nonprofit corporation or entity, a charitable entity, or any governmental body or a political subdivision thereof.

4. The moneys deposited in the fund may be used by the prosecuting attorney or circuit attorney for office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional employees for the staff of the prosecuting or circuit attorney, employees' salaries, and for other lawful expenses incurred by the prosecuting or circuit attorney in the operation of that office.

5. This fund may be audited by the state auditor's office or the appropriate auditing agency.

6. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

7. Nothing in this section shall be construed to prohibit a crime victim from pursuing other lawful remedies against a defendant for restitution.

559.105. 1. Any person who has been found guilty of or has pled guilty to [a violation of subdivision (2) of subsection 1 of section 569.080 or paragraph (a) of subdivision (3) of subsection 3 of section 570.030] **an offense** may be ordered by the court to make restitution to the victim for the victim's losses due to such offense. Restitution pursuant to this section shall include, but not be limited to[, the following:

- (1)] a victim's reasonable expenses to participate in the prosecution of the crime[;
- (2) A victim's payment for any repairs or replacement of the motor vehicle, watercraft, or aircraft; and
- (3) A victim's costs associated with towing or storage fees for the motor vehicle caused by the acts of the defendant].

2. No person ordered by the court to pay restitution pursuant to this section shall be released from probation until such restitution is complete. If full restitution is not made within the original term of probation, the court shall order the maximum term of probation allowed for such offense.

3. Any person eligible to be released on parole [for a violation of subdivision (2) of subsection 1 of section 569.080 or paragraph (a) of subdivision (3) of subsection 3 of section 570.030 may] **shall** be required, as a condition of parole, to make restitution pursuant to this section. The board of probation and parole shall not release any person from any term of parole for such offense until the person has completed such restitution, or until the maximum term of parole for such offense has been served.

4. **The court may set an amount of restitution to be paid by the defendant. Said amount may be taken from the inmate's account at the department of corrections while the defendant is incarcerated. Upon conditional release or parole, if any amount of such court-ordered restitution is unpaid, the payment of the unpaid balance may be collected as a condition of conditional release or parole by the prosecuting attorney or circuit attorney under section 559.100. The prosecuting attorney or circuit attorney may refer any failure to make such restitution as a condition of conditional release or parole to the parole board for enforcement.**"; and

Further amend said bill, Section 566.226, Page 62, Line 18, by inserting after all of said section and line the following:

"570.120. 1. A person commits the crime of passing a bad check when:

(1) With purpose to defraud, the person makes, issues or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money, knowing that it will not be paid by the drawee, or that there is no such drawee; or

(2) The person makes, issues, or passes a check or other similar sight order or any other form of presentment involving the transmission of account information for the payment of money, knowing that there are insufficient funds in or on deposit with that account for the payment of such check, sight order, or other form of presentment involving the transmission of account information in full and all other checks, sight orders, or other forms of presentment involving the transmission of account information upon such funds then outstanding, or that there is no such account or no drawee and fails to pay the check or sight order or other form of presentment involving the transmission of account information within ten days after receiving actual notice in writing that it has not been paid because of insufficient funds or credit with the drawee or because there is no such drawee.

2. As used in subdivision (2) of subsection 1 of this section, "actual notice in writing" means notice of the nonpayment which is actually received by the defendant. Such notice may include the service of summons or warrant upon the defendant for the initiation of the prosecution of the check or checks which are the subject matter of the prosecution if the summons or warrant contains information of the ten-day period during which the instrument may be paid and that payment of the instrument within such ten-day period will result in dismissal of the charges. The requirement of notice shall also be satisfied for written communications which are tendered to the defendant and which the defendant refuses to accept.

3. The face amounts of any bad checks passed pursuant to one course of conduct within any ten-day period may be aggregated in determining the grade of the offense.

4. Passing bad checks is a class A misdemeanor, unless:

(1) The face amount of the check or sight order or the aggregated amounts is five hundred dollars or more; or

(2) The issuer had no account with the drawee or if there was no such drawee at the time the check or order was issued, in which cases passing bad checks is a class C felony.

5. (1) In addition to all other costs and fees allowed by law, each prosecuting attorney or circuit attorney who takes any action pursuant to the provisions of this section shall collect from the issuer in such action an administrative handling cost. The cost shall be twenty-five dollars for checks of less than one hundred dollars, and fifty dollars for checks of one hundred dollars but less than two hundred fifty dollars. For checks of two hundred fifty dollars or more an additional fee of ten percent of the face amount shall be assessed, with a maximum fee for administrative handling costs not to exceed seventy-five dollars total. Notwithstanding the provisions of sections 50.525 to 50.745, the costs provided for in this subsection shall be deposited by the county treasurer into a separate interest-bearing fund to be expended by the prosecuting attorney or circuit attorney. **This fund shall be known as the "Administrative Handling Cost Fund", and it shall be the fund for deposits under this section and under section 559.100.** The funds shall be expended, upon warrants issued by the prosecuting attorney or circuit attorney directing the treasurer to issue checks thereon, only for purposes related to that previously authorized in this section. Any revenues that are not required for the purposes of this section may be placed in the general revenue fund of the county or city not within a county. Notwithstanding any law to the contrary, in addition to the administrative handling cost, the prosecuting attorney or circuit attorney shall collect an additional cost of five dollars per check for deposit to the Missouri office of prosecution services fund established in subsection 2 of section 56.765. All moneys collected pursuant to this section which are payable to the Missouri office of prosecution services fund shall be transmitted at least monthly by the county treasurer to the director of revenue who shall deposit the amount collected pursuant to the credit of the Missouri office of prosecution services fund under the procedure established pursuant to subsection 2 of section 56.765.

(2) The moneys deposited in the fund may be used by the prosecuting or circuit attorney for office supplies, postage, books, training, office equipment, capital outlay, expenses of trial and witness preparation, additional employees for the staff of the prosecuting or circuit attorney, employees' salaries, and for other lawful expenses incurred by the circuit or prosecuting attorney in operation of that office.

(3) This fund may be audited by the state auditor's office or the appropriate auditing agency.

(4) If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year.

6. Notwithstanding any other provision of law to the contrary:

(1) In addition to the administrative handling costs provided for in subsection 5 of this section, the prosecuting attorney or circuit attorney may collect from the issuer, in addition to the face amount of the check, a reasonable service

charge, which along with the face amount of the check, shall be turned over to the party to whom the bad check was issued;

(2) If a check that is dishonored or returned unpaid by a financial institution is not referred to the prosecuting attorney or circuit attorney for any action pursuant to the provisions of this section, the party to whom the check was issued, or his or her agent or assignee, or a holder, may collect from the issuer, in addition to the face amount of the check, a reasonable service charge, not to exceed twenty-five dollars, plus an amount equal to the actual charge by the depository institution for the return of each unpaid or dishonored instrument.

7. When any financial institution returns a dishonored check to the person who deposited such check, it shall be in substantially the same physical condition as when deposited, or in such condition as to provide the person who deposited the check the information required to identify the person who wrote the check."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Cornejo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 371, Section 476.057, Page 42, Line 29, by inserting after all of said line the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the department of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. In no case shall any person be rejected from participating in DWI court for the reason that the person does not reside in the city or county where the applicable DWI court is located."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 2** was adopted.

Representative Cornejo offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 371, Page 26, Section 217.010, Line 32, by inserting after all of said section and line the following:

"304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised points of order that **House Amendment No. 3** is in violation of Rule 84 and goes beyond the scope of the bill.

Representative Barnes requested a parliamentary ruling.

The Parliamentary Committee ruled the points of order not well taken.

On motion of Representative Cornejo, **House Amendment No. 3** was adopted.

Representative Mayfield offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 371, Page 33, Section 443.723, Line 37, by inserting after all of said section and line the following:

"452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) **"Custody" means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;**

[(2)] (3) **"Joint legal custody" means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;**

[(3)] (4) **"Joint physical custody" means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;**

[(4)] (5) **"Third-party custody" means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.**

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child's parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child's best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

- (5) The child's adjustment to the child's home, school, and community;
- (6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;
- (7) The intention of either parent to relocate the principal residence of the child; and
- (8) The wishes of a child as to the child's custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

- (a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;
- (b) A violation of section 568.020;
- (c) A violation of subdivision (2) of subsection 1 of section 568.060;
- (d) A violation of section 568.065;
- (e) A violation of section 568.080;
- (f) A violation of section 568.090; or
- (g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed

custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 7 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

14. If the court finds that a parent of a child, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion, the court may deny custody to the parent."; and

Further amend said bill, Page 34, Section 452.400, Line 26, by inserting after all of said line the following:

"(c) The court may exercise its discretion in granting visitation to a parent not granted custody if such parent, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (45) offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 371, Page 4, Line 6, by inserting after all of said line the following:

"453.015. As used in sections 453.010 to 453.400, the following terms mean:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) "Minor" or "child", any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;

[(2)] (3) "Parent", a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;

[(3)] (4) "Putative father", the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016 and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087; and

[(4)] (5) "Stepparent", the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Mayfield, **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 371, as amended**, was adopted.

On motion of Representative Cox, **HCS HB 371, as amended**, was ordered perfected and printed.

HB 427, relating to mechanics' liens, was taken up by Representative Schatz.

Representative Schatz offered **House Amendment No. 1.**

House Amendment No. 1

AMEND House Bill No. 427, Page 2, Section 429.010, Line 36, by deleting the word **"thirty"** and inserting in lieu thereof the word **"fifteen"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1** was adopted.

On motion of Representative Schatz, **HB 427, as amended**, was ordered perfected and printed.

HCS HB 430, relating to workers' compensation insurance, was taken up by Representative Schatz.

On motion of Representative Schatz, **HCS HB 430** was adopted.

On motion of Representative Schatz, **HCS HB 430** was ordered perfected and printed.

HCS HB 513, relating to the protection of parental rights, was taken up by Representative Bahr.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Houghton	Hurst	Johnson	Jones 50	Justus
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Burns	Crawford	Flanigan	Franklin
Frederick	Gatschenberger	Hough	Keeney	Lynch
Molendorp	Reiboldt	Scharnhorst	Schupp	Smith 85
Smith 120	Stream	Webber		

On motion of Representative Bahr, **HCS HB 513** was adopted.

On motion of Representative Bahr, **HCS HB 513** was ordered perfected and printed.

HB 336, relating to first responder political activity, was taken up by Representative Hinson.

On motion of Representative Hinson, **HB 336** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 210 - Fiscal Review

HCS HB 771 - Fiscal Review

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 33**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 87**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 327**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SB 18**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SB 265**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SS SB 267**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 24**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 159**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 67**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 381**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Schatz reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 462**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 604**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 138**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 229**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 241**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 302**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 43 - Fiscal Review

HCS SCS SB 45 - Fiscal Review

SCS SB 47 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 HB 34**, entitled:

An act to repeal sections 290.210, 290.260, and 290.262, RSMo, and to enact in lieu thereof three new sections relating to prevailing wage.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 133**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 159**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 212**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 233**, entitled:

An act to repeal sections 104.010, 104.040, 104.090, 104.140, 104.200, 104.272, 104.312, 104.352, 104.354, 104.380, 104.395, 104.420, 104.490, 104.601, 104.620, 104.800, 104.1003, 104.1015, 104.1021, 104.1030, 104.1039, 104.1051, 104.1054, 104.1060, 105.684, and 476.515, RSMo, and to enact in lieu thereof twenty-six new sections relating to the administration of state employee benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 235**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 498**, entitled:

An act to repeal section 351.210, RSMo, and to enact in lieu thereof one new section relating to the distribution of paid-in surplus.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS#2 HB 698**, entitled:

An act to repeal sections 135.305, 135.350, 135.352, 135.484, 143.119, 253.550, 253.557, 253.559, and 447.708, RSMo, and section 135.630 as enacted by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty new sections relating to tax incentives, with an emergency clause for certain sections.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

*Senate Amendment No. 1
to
Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 1, Line 2, by striking the number "seventy" and inserting in lieu thereof the following:

"sixty".

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, Page 23, Section 253.550, Line 55, by striking "forty-five" and inserting in lieu thereof "**seventy**"; and

Further amend said bill and section, Page 24, Line 90, by striking "five" and inserting in lieu thereof "**ten**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, May 1, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget overview pertaining to hospitals and Medicaid

CORRECTED

CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES

Wednesday, May 1, 2013, 12:30 PM, North Gallery.

Public hearing will be held: SB 205

Executive session will be held: SB 205

Executive session may be held on any matter referred to the committee.

CORRECTED

CONFERENCE COMMITTEE

Thursday, May 2, 2013, 7:30 AM, House Hearing Room 4.
SS HCS HJR 11 & 7

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 7.
Public hearing will be held: SCS SB 256
Executive session will be held: SCS SB 256
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, May 1, 2013, 8:00 AM, House Hearing Room 6.
Public hearing will be held: HB 743, HB 942, HB 603
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 1, 2013, 8:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 2, 2013, 8:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Wednesday, May 1, 2013, 12:45 PM, House Hearing Room 3.
Public hearing will be held: SB 75, HB 509
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, May 1, 2013, 12:00 PM or Upon Afternoon Recess, House Hearing Room 7.
Public hearing will be held: HB 359, HB 549, HB 856
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 6.
Public hearing will be held: SCS SBs 317 & 319
Executive session will be held: SCS SBs 317 & 319
Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI PORTS

Wednesday, May 1, 2013, 7:00 PM, House Hearing Room 1.

This will be an informational meeting.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 7, 2013, 8:30 AM, Senate Lounge.

Executive session may be held on any matter referred to the committee.

Election of chair and vice-chair; Discussion of interim projects; Information on charter sponsor reports to the committee per SB 576 (2012); and an update on SB 437.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - REVISIONS SUBCOMMITTEE

Thursday, May 2, 2013, 8:00 AM, Room 117A, State Capitol Building

On-line and print versions of the Revised Statutes

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Wednesday, May 1, 2013, 12:00 PM or Upon Morning Recess (whichever is earlier), House Hearing Room 1.

Public hearing will be held: SCS SB 118, SS SB 245

Executive session will be held: HB 851

Executive session may be held on any matter referred to the committee.

JUDICIARY

Monday, May 6, 2013, 6:30 PM, 516 S. Country Club Drive, Jefferson City.

PROFESSIONAL REGISTRATION AND LICENSING

Wednesday, May 1, 2013, Upon Morning Recess, House Hearing Room 5.

Public hearing will be held: HB 796

Executive session will be held: SCS SB 101

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, May 1, 2013, 1:00 PM, House Hearing Room 7.

Executive session will be held: HCS#2 HB 927, HCS HB 930, HCS SB 12, SB 35, HCS SB 41, HCS SCS SB 45, HCS SB 110, SS SCS SB 129, SCS SB 178, SCS SB 248, SB 257, SB 327

Executive session may be held on any matter referred to the committee.

CORRECTED

SPECIAL STANDING COMMITTEE ON CORRECTIONS

Wednesday, May 1, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Director George Lombardi and Ian Dunlap will be present to answer questions from committee members and may offer suggestions on how the Committee may be of service to the Department of Corrections.

SPECIAL STANDING COMMITTEE ON EMERGING ISSUES IN HEALTH CARE

Wednesday, May 1, 2013, Upon Morning Recess, South Gallery.

Executive session will be held: HB 925

Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON SMALL BUSINESS

Wednesday, May 1, 2013, 12:00 PM or Upon Morning Recess, House Hearing Room 7.

Executive session will be held: HB 1033

Executive session may be held on any matter referred to the committee.

UTILITIES

Wednesday, May 1, 2013, 9:00 AM, House Hearing Room 7.

Executive session may be held on any matter referred to the committee.

VETERANS

Thursday, May 2, 2013, 8:00 AM, North Gallery.

Public hearing will be held: SCR 13

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIRST DAY, WEDNESDAY, MAY 1, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HCS#2 HJR 14 - Kelly (45)
- 5 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Stream
- 2 HB 18 - Stream
- 3 HCS HB 19 - Stream

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington

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- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HCS HB 234 - Gatschenberger
- 12 HB 616 - Bahr
- 13 HB 185 - Kirkton
- 14 HCS HB 641 - Korman
- 15 HCS HB 402 - Shumake
- 16 HCS HB 717 - Grisamore
- 17 HCS HB 727 - Grisamore
- 18 HCS HB 83 - Reiboldt
- 19 HCS HB 132 - Stream
- 20 HCS HB 1041 - Swan

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 611 - Lant
- 3 HCS HB 771, (Fiscal Review 4/30/13) - Schatz

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING - CONSENT

- 1 SB 59 - Gosen
- 2 SB 60 - Gosen
- 3 SB 80 - Engler
- 4 HCS SB 188 - Romine
- 5 SB 234 - Burlison
- 6 SB 235 - Dugger
- 7 SB 306 - Elmer
- 8 SCS SB 324 - Hansen

- 9 SCS SB 376 - Frederick
- 10 SB 16 - Dugger
- 11 SCS SB 191 - McCaherty
- 12 SB 237 - Miller
- 13 SB 329 - Love

SENATE BILLS FOR THIRD READING

- 1 SCS SB 106 - Davis
- 2 HCS SCS SB 117 - Davis
- 3 HCS SCS SB 157 and SB 102 - Phillips
- 4 HCS SCS SB 186 - Davis
- 5 SB 197 - Frederick
- 6 SB 230 - Brattin
- 7 HCS SS SCS SB 125 - Barnes
- 8 SS SB 28 - Cierpiot
- 9 SCS SB 254 - Crawford
- 10 HCS SCS SB 17 - Thomson
- 11 HCS SS SB 34 - Fraker
- 12 HCS SS SCS SB 116 - Davis
- 13 HCS SS#2 SCS SB 1, E.C. - Richardson
- 14 SCS SB 36 - Hicks
- 15 HCS SCS SB 88 - Frederick
- 16 HCS SB 90 - Dugger
- 17 HCS SCS SB 126 - Morris
- 18 HCS SCS SB 9 - Guernsey
- 19 SB 77 - Allen
- 20 HCS SB 222 - Kelly (45)
- 21 SCS SB 224 - Rizzo
- 22 HCS SS SB 262 - Molendorp
- 23 HCS SB 330 - Burlison
- 24 HCS SB 51 - Guernsey
- 25 HCS SB 23, E.C. - Jones (50)
- 26 HCS SB 148 - Schatz
- 27 HCS SB 43, (Fiscal Review 4/30/13) - Kolkmeier
- 28 HCS SCS SB 45, (Fiscal Review 4/30/13) - Hough
- 29 SCS SB 47, (Fiscal Review 4/30/13) - Grisamore
- 30 SB 216 - Hinson
- 31 HCS SS SCS SB 241 - Cierpiot
- 32 SCS SB 302 - Elmer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 68, SA 1 - Kelley (127)
- 2 SCS HCS HBs 303 & 304, as amended - Scharnhorst
- 3 SS#2 HB 34 - Guernsey
- 4 SCS HB 498 - Jones (50)
- 5 SCS HCS HB 233 - Leara

BILLS IN CONFERENCE

- 1 SS HCS HJR 11 & 7, as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11, as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream

SENATE CONCURRENT RESOLUTIONS

- SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-FIRST DAY, WEDNESDAY, MAY 1, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou shalt rejoice in every good thing which the Lord, thy God, hath given unto thee. (Deuteronomy 26:11)

Almighty God, grant that through the ministry of this moment of meditation we may draw near to You and receive from Your hands the wisdom to make wise decisions, good will to relate ourselves affirmatively to others, and faith to hold us steady amid the frustrations of this time. May we be with You, and through all our discussions we pray that You will keep us mindful of Your presence.

We pray for our citizens that on this beautiful May Day in Missouri we may be Your channel for peace in our state and Your servant for good will among all people. As leaders and as a people may we grow in spirit, and as mature persons assume our position of responsible leadership among the states.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Isaiah Mims, Alexis Kleekamp and Leah Kleekamp.

The Journal of the sixtieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2560 through House Resolution No. 2593

House Resolution No. 2595 through House Resolution No. 2624

THIRD READING OF SENATE BILLS - CONSENT

SB 59, relating to life and health insurance, was taken up by Representative Gosen.

On motion of Representative Gosen, **SB 59** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 003

Ellington	Gardner	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Meredith	Reiboldt	Smith 85	Smith 120
Stream	Wright			

Speaker Jones declared the bill passed.

SB 60, relating to reinsurance, was taken up by Representative Gosen.

On motion of Representative Gosen, **SB 60** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 002

Ellington	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 007

Elmer	Grisamore	Molendorp	Reiboldt	Smith 85
Smith 120	Wright			

Speaker Jones declared the bill passed.

SB 80, relating to the Missouri Board of Nursing Home Administrators, was taken up by Representative Engler.

On motion of Representative Engler, **SB 80** was truly agreed to and finally passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Haefner	Lynch	Reiboldt	Smith 85
Smith 120	Wright			

Speaker Jones declared the bill passed.

HCS SB 188, relating to sexually violent predator notification, was taken up by Representative Engler.

On motion of Representative Engler, **HCS SB 188** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brattin	Dugger	Grisamore	Muntzel	Reiboldt
Smith 85	Smith 120	Thomson	Wright	

Speaker Jones declared the bill passed.

SB 234, relating to marital and family therapists, was taken up by Representative Burlison.

On motion of Representative Burlison, **SB 234** was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Remole	Rhoads	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 002

Marshall	White
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PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Burns	Cross	Ellington	Fitzpatrick
Grisamore	Koenig	Reiboldt	Richardson	Riddle
Smith 85	Smith 120	Wright		

Speaker Jones declared the bill passed.

SB 235, relating to residential real estate loans, was taken up by Representative Dugger.

On motion of Representative Dugger, **SB 235** was truly agreed to and finally passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Laur	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Redmon	Reiboldt	Richardson	Smith 85
Smith 120				

Speaker Jones declared the bill passed.

HCS SB 188, relating to sexually violent predator notification, was again taken up by Representative Engler.

On motion of Representative Engler, the emergency clause was adopted by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Rehder	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Redmon	Reiboldt	Smith 85	Smith 120
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SB 306, relating to the testing of compounded drugs, was taken up by Representative Elmer.

On motion of Representative Elmer, **SB 306** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Davis
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 001

Curtman

PRESENT: 000

ABSENT WITH LEAVE: 008

Cornejo	Diehl	Grisamore	Justus	Reiboldt
Scharnhorst	Smith 85	Smith 120		

Speaker Jones declared the bill passed.

SCS SB 324, relating to travel insurance, was taken up by Representative Hansen.

On motion of Representative Hansen, **SCS SB 324** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Hinson	Korman	Parkinson	Reiboldt
Smith 85	Smith 120			

Speaker Jones declared the bill passed.

SCS SB 376, relating to the powers of hospital districts, was taken up by Representative Frederick.

On motion of Representative Frederick, **SCS SB 376** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schupp	Shull	Shumake	Solon	Sommer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Diehl	Franklin	Guernsey	Hinson	Hoskins
Justus	Moon	Reiboldt	Schieffer	Smith 85
Smith 120	Spencer			

Speaker Jones declared the bill passed.

SB 16, relating to children working on family farms, was taken up by Representative Dugger.

Representative Diehl assumed the Chair.

On motion of Representative Dugger, **SB 16** was truly agreed to and finally passed by the following vote:

AYES: 113

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McGaugh	Miller
Mims	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Nichols	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Swan	Swearingen	Thomson	Walker
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 040

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	English	Englund
Frame	Gardner	Hummel	Kirkton	Kratky
LaFaver	May	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schupp	Torpey	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Burlison	Flanigan	Hinson	Kelly 45
Messenger	Reiboldt	Smith 85	Smith 120	Stream

Representative Diehl declared the bill passed.

SCS SB 191, relating to the Missouri Public Service Commission, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **SCS SB 191** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Cierpiot	Colona	Flanigan	Guernsey
Haahr	Hinson	Kirkton	Korman	Reiboldt
Smith 85	Smith 120			

Representative Diehl declared the bill passed.

SB 237, relating to telecommunication price cap waivers, was taken up by Representative Miller.

On motion of Representative Miller, **SB 237** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Hicks	Hinson	LaFaver	Reiboldt
Richardson	Smith 85	Smith 120	Stream	

Representative Diehl declared the bill passed.

SB 329, relating to eggs, was taken up by Representative Love.

On motion of Representative Love, **SB 329** was truly agreed to and finally passed by the following vote:

AYES: 135

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Rehder
Rhoads	Richardson	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieffer
Schupp	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 016

Anderson	Bahr	Brattin	Burlison	Curtman
Fitzpatrick	Haahr	Koenig	Marshall	Mayfield
McCaherty	Moon	Pogue	Remole	Schiefer
White				

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Curtis	Ellington	Grisamore	Kelly 45
Redmon	Reiboldt	Riddle	Scharnhorst	Shull
Smith 85	Smith 120			

Representative Diehl declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 23, relating to political subdivisions, was taken up by Representative Jones (50).

Speaker Jones resumed the Chair.

Representative Jones (50) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 23, Page 2, In the Title, Line 28, by deleting the phrase "political subdivisions" on said line and inserting in lieu thereof the phrase "taxation"; and

Further amend said bill, Page 71, Section 302.309, Line 85, by deleting the word "if" on said line and inserting in lieu thereof, the phrase "[if] **unless**"; and

Further amend said bill, page, and section, Line 86, by placing opening and closing brackets, "[]", around the word "not" on said line; and

Further amend said bill, page, and section, Line 90, by deleting the phrase "**immediately upon the person's license revocation**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 1** was adopted.

Representative Torpey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 23, Pages 77-87, Sections 348.273 and 348.274, by deleting all of said sections from the bill and inserting in lieu thereof, the following:

"348.273. 1. This section and section 348.274 shall be known and may be cited as the "Missouri Angel Investment Incentive Act".

2. As used in this section and section 348.274, the following terms mean:

(1) "Cash investment", money or money equivalent contribution;

(2) "Department", the department of economic development;

(3) "Investor":

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) "MTC", the Missouri technology corporation, established under section 348.250;

(5) "Owner", any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(6) "Permitted entity investor", any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(7) "Qualified knowledge-based company", a company based on the use of ideas and information to provide innovative technologies, products, and services;

(8) "Qualified Missouri business", the Missouri businesses that are approved and certified as qualified knowledge-based companies by the MTC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business's production in Missouri;

(9) "Qualified securities", a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;

(10) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the MTC and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. The MTC shall review applications from businesses requesting designation as a qualified Missouri business and allocate the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by the MTC and the criteria to be considered by the MTC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by the MTC.

4. (1) A tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The department shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section

348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year for investments made in companies within each congressional district of the state. At the beginning of each calendar quarter, the department shall allocate to each congressional district one-fourth of the total tax credits designated to such district for the calendar year such that the MTC can allocate tax credits among the qualified Missouri businesses within such district. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, the MTC shall report to the department any unallocated tax credits for the preceding quarter for each congressional district. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the congressional districts as soon as possible during the next consecutive calendar quarter. Each congressional district shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a congressional district in need of additional tax credits for transactions closing in the fourth calendar quarter may receive unallocated tax credits to the extent such credits are available. When the MTC transfers unallocated tax credits to another congressional district under this subdivision, the MTC shall provide to the department a written confirmation authorizing such transfer and the MTC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by the MTC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to the MTC in accordance with the provisions of this section.

(2) The application by a business to the MTC shall be in the form and substance as required by the department, but shall include at least the following:

- (a) The name of the business and certified copies of the organizational documents of the business;
- (b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;
- (c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;
- (d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;
- (e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and
- (f) Such other information as the MTC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the MTC, and such designation shall be renewed annually. A business shall be so designated if the MTC determines, based upon the application submitted by the business and any additional investigation the MTC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

- (a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;
- (b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;
- (c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;
- (d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;
- (e) The business shall not be engaged primarily in any one or more of the following enterprises:
 - a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;
 - b. The provision of professional services, such as legal, accounting, or engineering services;
 - c. Governmental, charitable, religious, or trade organizations;
 - d. The ownership, development brokerage, sales, or leasing of real estate;
 - e. Insurance;

- f. Construction or construction management or contracting;
 - g. Business consulting or brokerage;
 - h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;
 - i. Any activity that is in violation of the law;
 - j. Any business raising money primarily to purchase real estate, land, or fixtures; and
 - k. Any gambling related business;
 - (f) The business has a reasonable chance of success;
 - (g) The business has the reasonable potential to create measurable employment within the region, this state, or both;
 - (h) The business has an innovative and proprietary technology, product, or service;
 - (i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;
 - (j) The securities to be issued and purchased are qualified securities;
 - (k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;
 - (l) The business has made binding commitments to the MTC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the MTC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the MTC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and
 - (m) The business shall satisfy all other requirements of this section and section 348.274.
- (4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.
- (5) A qualified Missouri business shall have the burden of proof to demonstrate to the MTC the qualifications of the business under this section.
- (6) Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) The MTC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the MTC, are most likely to provide the greatest economic benefit to the region, the state, or both. The MTC may allocate, and the department may issue, whole or partial tax credits based on the MTC's assessment of the qualified Missouri businesses. The MTC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which the MTC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the MTC a report before such tax credits are issued. The MTC shall provide copies of this report to the department. Such report shall include the following:

- (a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;
- (b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and
- (c) Any additional information as the MTC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the MTC and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by the MTC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, the MTC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the MTC, in an amount to be determined by the MTC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the MTC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted the MTC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the MTC and the department, as applicable. For the purposes of this section and section 348.273, "trade secrets" means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) The MTC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the MTC on an annual basis, on or before February first. The MTC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the MTC or the department may reasonably require under this section and section 348.273.

(2) The MTC shall report quarterly to the department on the allocation of the tax credits for each congressional district in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the MTC received for business in each congressional district;
(b) The number and ratio of successful applications to unsuccessful applications;
(c) The amount of tax credits allocated but not issued in each congressional district in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits in each congressional district; and

(e) Such other information as reasonably agreed upon by the MTC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in each congressional district that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within each congressional district during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within each congressional district;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the applicable congressional district, what businesses ceased business, what businesses were purchased, and what businesses may have moved out of the congressional district or state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zerr offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 23, Page 1, Line 1 of said amendment, by deleting all of said line and inserting in lieu thereof the following:

‘AMEND House Committee Substitute for Senate Bill No. 23, Page 34, Section 144.810, Line 28, by deleting the word "**five**" and inserting in lieu thereof the word "**two**"; and

Further amend said bill, section, and page, Line 29, by deleting the word "**five**" and inserting in lieu thereof the word "**two**"; and

Further amend said bill and section, Page 35, Line 60, by deleting the word "**thirty-seven**" and inserting in lieu thereof the word "**five**"; and

Further amend said bill, section, and page, Line 65, by deleting the word "**thirty**" and inserting in lieu thereof the word "**five**"; and

Further amend said bill, Pages 77 to 87, Section 348.273 and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Torpey, **House Amendment No. 2, as amended**, was adopted.

Representative Zerr offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"135.960. 1. Any governing authority that desires to have any portion of a city or unincorporated area of a county under its control designated as an enhanced enterprise zone shall hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. [The governing authority shall notify the director of such hearing at least thirty days prior thereto and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing. The director, or the director's designee, shall attend such hearing.]

2. After a public hearing is held as required in subsection 1 of this section, the governing authority may, **by a majority vote of the members of the governing authority**, [file a petition with the department requesting the designation of] **adopt an ordinance or resolution designating** a specific area as an enhanced enterprise zone. Such [petition] **ordinance** shall include, in addition to a description of the physical, social, and economic characteristics of the area:

- (1) A plan to provide adequate police protection within the area;
- (2) A specific and practical process for individual businesses to obtain waivers from burdensome local regulations, ordinances, and orders which serve to discourage economic development within the area to be designated an enhanced enterprise zone, except that such waivers shall not substantially endanger the health or safety of the employees of any such business or the residents of the area;
- (3) A description of what other specific actions will be taken to support and encourage private investment within the area;
- (4) A plan to ensure that resources are available to assist area residents to participate in increased development through self-help efforts and in ameliorating any negative effects of designation of the area as an enhanced enterprise zone;
- (5) A statement describing the projected positive and negative effects of designation of the area as an enhanced enterprise zone;
- (6) A specific plan to provide assistance to any person or business dislocated as a result of activities within the enhanced enterprise zone. Such plan shall determine the need of dislocated persons for relocation assistance; provide, prior to displacement, information about the type, location, and price of comparable housing or commercial property; provide information concerning state and federal programs for relocation assistance and provide other advisory services to displaced persons. Public agencies may choose to provide assistance under the Uniform Relocation and Real Property Acquisition Act, 42 U.S.C. Section 4601, et seq., to meet the requirements of this subdivision; and
- (7) A description or plan that demonstrates the requirements of subsection 4 of section 135.953.

3. An enhanced enterprise zone designation shall [be effective upon such approval by the department and shall] expire in twenty-five years.

4. Each designated enhanced enterprise zone board shall report to the director on an annual basis regarding the status of the zone and business activity within the zone."; and

Further amend said bill, Page 93, Section 577.041, Line 138, by inserting after all of said section and line, the following:

"620.2000. Sections 620.2000 to 620.2020 shall be known and may be cited as the "Missouri Works Program".

620.2005. As used in sections 620.2000 to 620.2020, the following terms mean:

(1) "Average wage", the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) "Commencement of operations", the starting date for the qualified company's first new employee, which shall be no later than twelve months from the date of the approval;

(3) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development;

(6) "Employee", a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a non-controlling interest in stock of a qualified company that is publically traded;

(7) "Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely perform job duties within Missouri;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee's work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(9) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(10) "NAICS" or "NAICS industry classification", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(11) "New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job.;

(14) "New payroll", the amount of wages paid for all new jobs, , located at the project facility during the qualified company's tax year that exceeds the project facility base payroll;

(15) "Notice of intent", a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company's intent to request benefits under this program;

(16) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(17) "Program", the Missouri works program established in sections 620.2000 to 620.2020;

(18) "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

(19) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(20) "Project facility base payroll", the annualized payroll for the project facility base employment or the total amount of wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(21) "Project period", the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(22) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(23) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term "qualified company" shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy, may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization.

Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production;
- (k) Biodiesel production; or
- (l) Healthcare and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(24) "Related company", shall mean:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or
- (c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, "control of a qualified company" shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profits interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(26) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(27) "Related facility base payroll", the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(28) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(29) "Tax credits", tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(30) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages; and

(31) This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated

under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval;

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the following factors:

(1) The significance of the qualified company's need for program benefits;

(2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

(3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

(4) The financial stability and creditworthiness of the qualified company;

(5) The level of economic distress in the area;

(6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and

(7) The percent of local incentives committed;

3. Upon approval of a notice of intent to receive tax credits under subsections 2 and 5 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of new jobs, new payroll, and new capital investment for each year during the project period;

(2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(3) Clawback provisions, as may be required by the department; and

(4) Any other provisions the department may require.

4. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

(1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or

(2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

5. In addition to the benefits available under subsections 4 of this section, the department may award a qualified company that satisfies the provisions of subsection 4 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

6. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment at the project facility prior to approval of its notice of intent.

620.2015. 1. In exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this section if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this section. In no event shall the total amount of benefits available to all qualified companies under this section exceed six million dollars in any fiscal year.

2. A qualified company meeting the requirements of this section may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this section, a qualified company shall enter into written agreement with the department containing detailed performance requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this section shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.

3. In order to be eligible to receive benefits under this section, the qualified company shall meet each of the following conditions:

(1) The qualified company shall agree to retain, for a period of ten years from the date of approval of the notice of intent, at least fifty retained jobs; and

(2) The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount equal to one-half the total benefits, available under this section, which are offered to the qualified company by the department.

4. In awarding benefits under this section, the department shall consider the factors set forth in subsection 2 of section 620.2010.

5. Upon approval of a notice of intent to request benefits under this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

(2) Clawback provisions, as may be required by the department; and

(3) Any other provisions the department may require.

620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified company, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall

respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (18) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company receiving benefits under this program shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for program benefits available no later than 90 days prior to the end of the qualified company's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of jobs is below the number required, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the project period. Failure to timely file the annual report required under this section shall result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs.

5. Any qualified company approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company approved for benefits under this program shall be subject to the provisions of section 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 13 of this section:

(1) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred and six million dollars in tax credits may be authorized;

(2) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred and eleven million dollars in tax credits may be authorized; and

(3) For any fiscal year beginning on or after July 1, 2015, no more than one hundred and sixteen million dollars in tax credits may be authorized for each fiscal year.

8. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements. In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

9. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

10. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

12. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, , the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28,

2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

14. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

15. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

16. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

17. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 620.2000 to 620.2020 shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of this reauthorization of sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot offered **House Amendment No. 1 to House Amendment No. 3.**

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 23, Page 9, Line 15, by inserting after the phrase "**prior to**" on said line, the phrase "**receipt of a proposal for benefits under this section or**"; and

Further amend said page and line, by inserting after the word "**intent**" on said line, the phrase ", **whichever occurs first**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Zerr, **House Amendment No. 3, as amended**, was adopted.

Representative Leara offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"135.1550. 1. Sections 135.1550 to 135.1575 shall be known and may be cited as the "Missouri Export Incentive Act".

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for those in sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) "Airport", any international airport located within the state;

(3) "Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) "Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) "Department", the Missouri department of economic development;

(6) "Direct international aircraft flight", a single aircraft transoceanic flight that operates to an international destination in accordance with the operators bilateral route authority;

(7) "Freight forwarder", a person who assumes responsibility in the ordinary course of business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) "Qualifying outbound flight", a direct international aircraft flight that carries either all cargo or a mix of passengers and cargo from the airport to an international destination.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. If the fiscal year cap on the issuance of air export tax credits provided under section 135.1565 is met in a given fiscal year, then the amount of such tax credits that have been authorized, but remain unissued, shall be carried forward and issued in the subsequent fiscal year.

3. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013, unless authorized by the department. Any amount issued exceeding seven million five hundred thousand dollars in a fiscal year shall be reduced first from the authorized amount for the fiscal year ending June 30, 2021, and then the preceding fiscal years, until all such authorized credits have been issued.

135.1570. If the amount of any tax credit authorized under sections 135.1550 to 135.1575 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except those in sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1550 to 135.1575 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 4** was adopted.

Representative Redmon offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 23, Page 48, Section 184.865, Line 7, by inserting after all of said line the following:

"198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide at a minimum housing[,] **and** food services[, and emergency call buttons to the apartment residents] in any county of the third **or fourth** classification [without a township form of government and with more than twenty-eight thousand two hundred but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants] **within its corporate limits.** Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 5** was adopted.

Representative Diehl offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 23, Page 11, Section 137.1018, Line 42, by inserting after all of said line the following:

"143.145. 1. As used in this section, the following terms mean:

(1) "Deduction", an amount deducted from the taxpayer's Missouri adjusted gross income pursuant to section 143.121 to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Purchase", any conveyance to a taxpayer of fee simple ownership interest in a qualified principal residence made by deed executed by any person having authority to convey the same, or by his agent or attorney, and acknowledged and recorded pursuant to chapter 442 after the effective date of this section but before January 1, 2016;

(3) "Contract sales price", the total price paid by a taxpayer for the purchase of a qualified principal residence;

(4) "Qualified principal residence", any single-family residence located in the state of Missouri, whether detached or attached, that is owner occupied or will be owner occupied after purchase by the taxpayer claiming the deduction allowed by this section as his or her primary residence, for which construction began and has been completed between August 28, 2013, and December 31, 2015, and that has not been previously occupied. For the purposes of this section, a manufactured home, modular unit, recreational park trailer, or recreational vehicle as defined in section 700.010, shall not be considered a single-family residence. For the purposes of this section, the value of land or any pre-existing structures on such land shall not be included in the value of such residence. The taxpayer shall submit an appraisal to the department that separately states the value of the land and any existing structures in order to claim the deduction;

(5) "Recapture period", the two taxable years beginning with the first taxable year following the taxable year in which the taxpayer occupied the qualified principal residence for which a deduction is allowed under this section, except that such recapture period shall be deemed to have expired immediately upon the date of the death of any person deemed a taxpayer under this section;

(6) "Taxpayer", an individual who purchases a fee simple ownership interest in a qualified principal residence during a taxable year and has not previously received a deduction issued pursuant to this section in any taxable year.

2. In addition to all deductions listed in this chapter, for taxable years beginning on or after January 1, 2013, and ending on or before December 31, 2015, a taxpayer shall be allowed a deduction for the purchase of a qualified principal residence in this state. The deduction amount shall be equal to the lesser of:

(1) One-third of the contract sales price of the qualified principal residence in this state; or

(2) One hundred sixty-six thousand six hundred sixty-seven dollars.

3. No taxpayer shall claim a tax deduction for the purchase of more than one qualified principal residence under this section. Such tax deduction shall be limited to a maximum tax benefit of ten thousand dollars.

4. If the amount of the deduction allowed under this section exceeds the total Missouri adjusted gross income for the taxpayer in the same tax year in which the deduction is allowed without taking into account the deduction allowed by this section, the amount that exceeds the total Missouri adjusted gross income for the taxpayer without taking into account the deduction allowed by this section may be carried forward to any subsequent tax year until the full deduction is claimed.

5. If a taxpayer disposes of his or her qualified principal residence for which a deduction was allowed under this section or such qualified principal residence ceases to be the principal residence of the taxpayer (and if married the taxpayer's spouse) before the end of the recapture period, then any remaining unused deduction shall be cancelled, and the taxpayer shall be subject to an addition to his or her Missouri adjusted gross income of any amount deducted under this section in any preceding tax year. The provisions of this subsection shall not apply in the case of a transfer of a qualified principal residence from an individual taxpayer to a spouse (or to a

former spouse if the transfer is incident to a divorce) or from an individual taxpayer to a grantor-trust or a single-member limited liability company owned by the taxpayer.

6. If a Missouri taxpayer self-constructs a qualified principal residence, such taxpayer shall be eligible for a tax deduction allowed by this section by satisfying the department of revenue's proof of documentation requirements to verify the contract sale price of a qualified principle residence.

7. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset December 31, 2015, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset December thirty-first one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 6** was adopted.

Representative Zerr offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 23, Page 20, Section 144.030, Line 109, by deleting all of said line and inserting in lieu thereof the following words, "corporation, **provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this paragraph shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 7** was adopted.

Representative Haefner offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable

real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the

amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business

districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haefner, **House Amendment No. 8** was adopted.

Representative Riddle offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 23, Page 87, Section 348.274, Line 140, by inserting after all of said section and line the following:

"393.760. 1. Each participating municipality shall, in accordance with the provisions of chapter 115, order an election to be held whereby the qualified electors in such participating municipality shall approve or disapprove the issuance of its bonds to finance its individual interest in the project. The participating municipality may not order such an election until it has received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each such participating municipality and such report shall be open to public inspection and shall be the subject of a public hearing in each participating municipality. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each such participating municipality. Interested parties may appear and fully participate in such hearings.

2. Each participating municipality shall notify the election authority or authorities responsible for conducting elections within such participating municipality in accordance with chapter 115.

3. The question shall be submitted in substantially the following form:
OFFICIAL BALLOT

Shall (name of participating municipality) issue its (type) revenue bonds in an amount not to exceed \$..... for the purpose of paying its share of the cost of participating in (describe project)?

☐ YES ☐ NO

If you are in favor of the resolution, place an "X" in the box opposite "Yes".

If you are opposed to the question, place an "X" in the box opposite "No".

4. If the issuance of the bonds is approved by at least a majority of the qualified electors voting thereon in the participating municipality, the participating municipality shall declare the result of the election and cause the bonds to be issued.

5. Each participating municipality shall bear all expenses associated with the elections in such participating municipality.

6. [In lieu of the public voting procedure set forth in subsections 1 to 5 of this section, in] **In** the case of purchasing or leasing, constructing, installing, and operating reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water, the commission may provide for a vote by the governing body of each contracting municipality. Such vote shall require the

approval of three-quarters of all governing bodies of the contracting municipalities. The commission may not order such a vote until it has engaged and received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each contracting municipality participating in the project and such report shall be open to public inspection and shall be the subject of a public hearing in each municipality participating in the project. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each municipality. Interested parties may appear and fully participate in such hearings. Each contracting municipality shall vote by ordinance or resolution and such ordinance or resolution shall approve the issuance of revenue bonds by the joint municipal water commission in an amount not to exceed a specified amount."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 9** was adopted.

Representative Wilson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 23, Page 40, Section 144.810, Line 242, by inserting after all of said section and line, the following:

"144.900. Notwithstanding any other provision of law, beginning on January 1, 2014, all proposals relating to taxation submitted to the voters of any taxing jurisdiction, including, but not limited to, the state, a county, city, or school district, shall only appear on general election ballots."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Reiboldt	Remole
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McNeil	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Colona	Dugger	Frame	Franklin
Hodges	Hoskins	Kelley 127	Marshall	McCaherty
McManus	Meredith	Mims	Molendorp	Rehder
Rhoads	Smith 85	Smith 120	Torpey	Webb

Representative Wilson moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 041

Anderson	Austin	Bahr	Berry	Brattin
Burlison	Cierpiot	Cox	Curtman	Diehl
Fitzpatrick	Fitzwater	Flanigan	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Hicks	Jones 50
Keeney	Kelley 127	Koenig	Lant	Leara
Love	Marshall	Moon	Muntzel	Parkinson
Redmon	Reiboldt	Remole	Ross	Scharnhorst
Schieber	Solon	Spencer	Wilson	Zerr
Mr Speaker				

NOES: 107

Allen	Anders	Barnes	Black	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtis
Davis	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	Englund	Englund	Entlicher
Fowler	Fraker	Gannon	Gardner	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Kelly 45
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lauer	Lichtenegger	Lynch	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Messenger	Miller	Mitten
Molendorp	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Rhoads	Richardson	Riddle
Rizzo	Roorda	Rowden	Rowland	Runions

Schatz	Schieffer	Schupp	Shull	Shumake
Sommer	Stream	Swan	Swearingen	Thomson
Walker	Walton Gray	Webber	White	Wieland
Wood	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Brown	Dugger	Frame	Franklin
Hodges	Hoskins	McCaherty	Meredith	Mims
Rehder	Smith 85	Smith 120	Torpey	Webb

Representative Hinson offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"99.1205. 1. This section shall be known and may be cited as the "Distressed Areas Land Assemblage Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Acquisition costs", the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures **or any portion thereof, together with engineering costs, surveying costs, title insurance, and architectural and design costs incurred in connection with acquisition, financing, parcel consolidation or site and redevelopment area planning regarding one or more eligible parcels**, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of [five] twelve years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for [title insurance and survey,] attorney's fees, relocation costs, fines, or bills from a municipality;

(2) "Applicant", any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section **unless such economic incentives were approved for an eligible project area qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of this subsection.** The redevelopment agreement shall provide that[:

a.] the funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area[;

b.]. **Additionally, except for projects in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of this subsection, the redevelopment agreement shall provide that:**

a. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

[c.] b. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) "Certificate", a tax credit certificate issued under this section;

(4) "Condemnation proceedings", any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition

to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) "Department", the Missouri department of economic development;

(6) "Economic incentive laws", any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) "Eligible parcel", a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired **either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant;**

(e) **Which has been acquired** without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired **before August 28, 2007**, by the applicant from a municipal authority shall not constitute an eligible parcel; and

[(e)] (f) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) "Eligible project area", an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within:

a. A Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42[, or within]; **or**

b. A distressed community as that term is defined in section 135.530; **or**

c. **A redevelopment area as that term is defined under the real property tax increment allocation redevelopment act under sections 99.800 to 99.865 that:**

(i) **Contains at least three hundred acres of real property;**

(ii) **Includes or previously included in excess of one million square feet of commercial building space;**

(iii) **Contains eighty or more parcels; and**

(iv) **Is located within a low-income community as defined by 26 U.S.C. Section 45D as of January 1, 2011;**

or

d. **Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants.**

(c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels, **but shall not include any parcel acquired by the applicant from a municipal authority. Any applicant applying for credits for costs incurred within an eligible project area qualified as such under subparagraph c. of paragraph (b) of this subdivision shall own, either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant, at least one hundred fifty contiguous acres of real property, which may be separated by the width of public right-of-way, within the urban renewal area or redevelopment area containing such eligible project area;**

(d) **Other than in eligible project areas qualified as such under subparagraph c. of paragraph (b) of this subdivision, the average number of parcels per acre in an eligible project area shall be four or more;**

(e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) "Interest costs", interest, loan fees, and closing costs, **any of which relate to or arise out of loans relating to acquisition costs, including without limitation, interest, loan fees, and closing costs associated with the refinancing of loans relating to acquisition costs.** Interest costs shall not include attorney's fees;

(10) "Maintenance costs", costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) "Municipal authority", any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) "Municipality", any city, town, village, or county;

(13) "Parcel", a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) "Redeveloped", the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) "Redevelopment agreement", the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area, **including deadlines for commencement of work and for project completion, and shall provide the municipal authority the right to terminate the rights of the redeveloper under the redevelopment agreement if such deadlines are not met.** The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. **Subject to the limitations provided in subsection 7 of this section,** any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs; **except that, the tax credit for reasonable demolition costs shall be in an amount equal to one hundred percent of such costs,** and one hundred percent of the interest costs incurred for a period of [five] **twelve** years after the acquisition of an eligible parcel. [No tax credits shall be issued under this section until after January 1, 2008.]

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On [an annual] **a quarterly** basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section **after August 28, 2013,** shall not exceed ninety-five million dollars. At no time shall the annual amount of the tax credits issued under this section exceed [twenty] **thirty** million dollars. If the tax credits that are to be issued under this section exceed, in any year, the [twenty] **thirty** million dollar limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of [twenty] **thirty** million dollars, if there is only one applicant entitled to receive tax credits in that year; or

(2) (a) Issue the tax credits [on a pro rata basis] to all applicants entitled to receive tax credits in that year as provided in this subdivision. The department shall determine on an ongoing basis during the course of each calendar year the amount of tax credits that have been issued to each applicant for each eligible project area during such year, and the amount of tax credits remaining available for issuance with respect to such calendar year, if any.

(b) Applicants applying for tax credits with respect to projects located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section shall not, in the aggregate, be issued tax credits in excess of fifty percent of the annual thirty million dollar limitation with respect to such calendar year. If more than one applicant qualifies for issuance of tax credits under the preceding sentence in a given calendar year, such tax credits shall be issued on a pro rata basis. Applicants applying for tax credits with respect to projects located in any other eligible project areas shall not, in the aggregate, be issued tax credits in excess of fifty percent of the annual thirty million dollar limitation with respect to such calendar year. If more than one applicant qualifies for issuance of tax credits under the preceding sentence in a given calendar year, such tax credits shall be issued on a pro rata basis.

(c) In the event that the department determines, as of December thirty-first of a given calendar year, that the full amount of tax credits available for such calendar year under paragraph (b) of this subdivision with respect to projects located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, was not issued, then the department shall make available for allocation to qualifying applicants with respect to projects located in any other eligible project areas the unissued amount of such tax credits. In the event that the department determines, as of December thirty-first of a given calendar year, that the full amount of tax credits available for such calendar year under paragraph (b) of this subdivision with respect to projects not located in eligible project areas qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, was not issued, then the department shall make available for allocation to qualifying applicants with respect to projects located in eligible project areas which qualified as such under subparagraph c. of paragraph (b) of subdivision (8) of subsection 2 of this section, the unissued amount of such tax credits.

(d) Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the [twenty] **thirty** million dollar limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years.

No tax credits provided under this section shall be authorized after August 28, [2013] **2019**. Any tax credits which have been authorized on or before August 28, [2013] **2019**, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include [the] **issued** tax credits in any **subsequent** sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement. The department shall review annually the eligibility of each applicant to receive tax credits under this section. The department shall not issue to an applicant any tax credits provided under this section after the date upon which the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen,

makes a finding that the applicant has failed to comply with deadlines regarding project commencement or completion or other material provisions of its redevelopment agreement with an applicant, and in furtherance of such finding, the governing body validly adopts an ordinance terminating its redevelopment agreement with the applicant, with the result that such applicant no longer satisfies the requirements of paragraph (b) of subdivision (2) of subsection 2 of this section. The governing body shall notify the department of the governing body's findings and shall deliver to the department a certified copy of the ordinance terminating such redevelopment agreement as soon as practicable.

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered House Amendment No. 1 to House Amendment No. 11.

*House Amendment No. 1
to
House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Bill No. 23, Page 6, Line 25, by inserting after all of said line, the following:

'Further amend said bill, Page 6, Section 32.087, Line 136, by inserting after the word "purchaser" on said line, the phrase "**and remitted to that local taxing entity**"; and

Further amend said bill, Page 26, Section 144.069, Line 9, by inserting after the word "collected" on said line, the phrase "**and remitted**"; and

Further amend said bill, Page 28, Section 144.455, Line 2, by inserting after the word "on" on said line, the phrase "**the titling of**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, House Amendment No. 1 to House Amendment No. 11 was adopted.

On motion of Representative Hinson, House Amendment No. 11, as amended, was adopted.

Representative Flanigan offered House Amendment No. 12.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said section the following:

"33.080. **1.** All fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages shall, by the official authorized to receive same, and at stated intervals of not more than thirty days, be

placed in the state treasury to the credit of the particular purpose or fund for which collected, and shall be subject to appropriation by the general assembly for the particular purpose or fund for which collected during the biennium in which collected and appropriated. The unexpended balance remaining in all such funds (except such unexpended balance as may remain in any fund authorized, collected and expended by virtue of the provisions of the constitution of this state) shall at the end of the biennium and after all warrants on same have been discharged and the appropriation thereof has lapsed, be transferred and placed to the credit of the [ordinary] **general** revenue fund of the state by the state treasurer. Any official or any person who shall willfully fail to comply with any of the provisions of this section, and any person who shall willfully violate any provision hereof, shall be deemed guilty of a misdemeanor; provided, that all such money received by the curators of the University of Missouri except those funds required by law or by instrument granting the same to be paid into the seminary fund of the state, is excepted herefrom, and in the case of other state educational institutions there is excepted herefrom, gifts or trust funds from whatever source; appropriations; gifts or grants from the federal government, private organizations and individuals; funds for or from student activities; farm or housing activities; and other funds from which the whole or some part thereof may be liable to be repaid to the person contributing the same; and hospital fees. All of the above excepted funds shall be reported in detail quarterly to the governor and biennially to the general assembly.

2. Notwithstanding any provision of law to the contrary concerning the transfer of funds, ten million dollars shall be transferred from the Insurance dedicated fund established under section 374.150, and placed to the credit of the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.

33.295. 1. There is hereby established the "Rebuild Damaged Infrastructure Program" to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, including, but not limited to, the physical components of interrelated systems providing essential commodities and services to the public which includes transportation, communication, sewage, water, and electric systems as well as public elementary and secondary school buildings.

2. There is hereby created in the state treasury the "Rebuild Damaged Infrastructure Fund", which shall consist of money appropriated or collected under this section. Any amount to be transferred to the fund on July 1, 2013, pursuant to subsection 2 of section 33.080 and subsection 2 of section 360.045, in excess of fifteen million dollars shall instead be transferred to the state general revenue fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purposes of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The provisions of this section shall expire on June 30, 2014."; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said section the following:

"360.045. 1. The authority shall have the following powers together with all powers incidental thereto or necessary for the performance thereof:

- (1) To have perpetual succession as a body politic and corporate;
- (2) To adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) To have and to use a corporate seal and to alter the same at pleasure;
- (5) To maintain an office at such place or places in the state of Missouri as it may designate;
- (6) To determine the location and construction of any facility to be financed under the provisions of sections 360.010 to 360.140, and to construct, reconstruct, repair, alter, improve, extend, maintain, lease, and regulate the same; and to designate a participating health institution or a participating educational institution, as the case may be, as its agent to determine the location and construction of a facility undertaken by such participating health institution or participating educational institution, as the case may be, under the provisions of sections 360.010 to 360.140, to construct, reconstruct, repair, alter, improve, extend, maintain, and regulate the same, and to enter into contracts for any and all of such purposes including contracts for the management and operation of the facility;
- (7) To lease to a participating health institution or a participating educational institution, as the case may be, the particular health or educational facility or facilities, as the case may be, upon such terms and conditions as the authority shall deem proper; to charge and collect rent therefor; to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; to include in any such lease, if desired, provisions that the lessee thereof

shall have options to renew the term of the lease for such period or periods at such rent as shall be determined by the authority or to purchase any or all of the particular leased facility or facilities; and, upon payment of all of the indebtedness incurred by the authority for the financing of the facility or facilities, to convey any or all of such facility or facilities to the lessee or lessees thereof. Every lease agreement between the authority and an institution must contain a clause obligating the institution not to use the leased land, nor any facility located thereon, for sectarian instruction or study or as a place of religious worship, or in connection with any part of the program of a school or department of divinity of any religious denomination; to insure that this covenant is honored, each lease agreement shall allow the authority to conduct inspections, and every conveyance of title to an institution shall contain a restriction against use for any sectarian purpose;

(8) To issue its bonds, notes, or other obligations for any of its corporate purposes and to refund the same, all as provided in sections 360.010 to 360.140;

(9) **To transfer assets of the authority to the rebuild damaged infrastructure fund created in section 33.295;**

(10) To fix and revise from time to time and make and collect rates, rents, fees, and charges for the use of and services furnished or to be furnished by any facility or facilities or any portion thereof and to contract with any person, firm, or corporation or other body, public or private, in respect thereof; except that the authority shall have no jurisdiction over rates, rents, fees, and charges established by a participating educational institution for its students or established by a participating health institution for its patients other than to require that such rates, rents, fees, and charges by such an institution be sufficient to discharge the institution's obligations to the authority;

[(10)] (11) To establish rules and regulations for review by or on behalf of the authority of the retention or employment by a participating health institution or by a participating educational institution, as the case may be, of consulting engineers, architects, attorneys, accountants, construction and finance experts, superintendents, managers, and such other employees and agents as shall be determined to be necessary in connection with any such facility or facilities and for review by or on behalf of the authority of all reports, studies, or other material prepared in connection with any bond issue of the authority for any such facility or facilities. The costs incurred or to be incurred by a participating health institution or by a participating educational institution in connection with the review shall be deemed, where appropriate, an expense of constructing the facility or facilities or, where appropriate, shall be deemed an annual expense of operation and maintenance of the facility or facilities;

[(11)] (12) To receive and accept from any public agency loans or grants for or in aid of the construction of a facility or facilities, or any portion thereof, or for equipping the same and to receive and accept grants, gifts, or other contributions from any source;

[(12)] (13) To mortgage or pledge all or any portion of any facility or facilities, including any other health or educational facility or facilities conveyed to the authority for such purpose and the site or sites thereof, whether then owned or thereafter acquired, for the benefit of the holders of the bonds of the authority issued to finance such facility or facilities or any portion thereof or issued to refund or refinance outstanding indebtedness of a private health institution or a private institution of higher education as permitted by sections 360.010 to 360.140;

[(13)] (14) To make loans to any participating health institution or participating educational institution, as the case may be, for the cost of any facility or facilities in accordance with an agreement between the authority and such participating health institution or participating educational institution, as the case may be; except that no such loan shall exceed the total cost of such facility or facilities as determined by the participating health institution or participating educational institution, as the case may be, and approved by the authority;

[(14)] (15) To make loans to a participating health institution or participating educational institution, as the case may be, to refund outstanding obligations, mortgages, or advances issued, made, or given by the institution for the cost of its facility or facilities, including the power to issue bonds and make loans to a participating health institution or participating educational institution, as the case may be, to refinance indebtedness incurred for facilities undertaken and completed prior to or after September 28, 1975, whenever the authority finds that the financing is in the public interest, alleviates a financial hardship upon the participating health institution or participating educational institution, as the case may be, and results in a lesser cost of patient care or cost of education and a saving to third parties, including state or federal governments, and to others who must pay for the care or education;

[(15)] (16) To inspect any and all facilities assisted by the authority in any way to enforce the prohibition against sectarian or religious use at any time; and

[(16)] (17) To do all things necessary and convenient to carry out the purposes of sections 360.010 to 360.140.

2. Notwithstanding any provision of law to the contrary, including section 360.115, the authority shall transfer four million dollars of the assets of the authority to the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.

374.150. 1. All fees due the state under the provisions of the insurance laws of this state shall be paid to the director of revenue and deposited in the state treasury to the credit of the insurance dedicated fund unless otherwise provided for in subsection 2 of this section.

2. There is hereby established in the state treasury a special fund to be known as the "Insurance Dedicated Fund". The fund shall be subject to appropriation of the general assembly and shall be devoted solely to the payment of expenditures incurred by the department attributable to duties performed by the department for the regulation of the business of insurance, regulation of health maintenance organizations and the operation of the division of consumer affairs as required by law which are not paid for by another source of funds. Other provisions of law to the contrary notwithstanding, beginning on January 1, 1991, all fees charged under any provision of chapter 325, 354, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384 or 385 due the state shall be paid into this fund. The state treasurer shall invest moneys in this fund in the same manner as other state funds and any interest or earnings on such moneys shall be credited to the insurance dedicated fund. The provisions of section 33.080 notwithstanding, moneys in the fund shall not lapse, be transferred to or placed to the credit of the general revenue fund unless and then only to the extent to which the unencumbered balance at the close of the biennium year exceeds two times the total amount appropriated, paid, or transferred to the fund during such fiscal year.

3. Notwithstanding provisions of this section to the contrary, five hundred thousand dollars of the insurance dedicated fund shall annually be transferred and placed to the credit of the state general revenue fund on July first beginning with fiscal year 2014."; and

Further amend said bill, Page 94, Section C, Line 7, by inserting after all of said section the following:

"Section D. Because of the necessity to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, sections 33.080, 33.295, 360.045, and 374.150 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 33.080, 33.295, 360.045, and 374.150 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill, page, Section D, Line 1, by deleting the letter, "D" and inserting in lieu thereof the letter "E"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 12** was adopted.

Representative Burlison offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 23, Page 14, Section 144.010, Line 83, by deleting all of said line and inserting in lieu thereof the following:

"(a) Sales of admission tickets[, or cash admissions[, charges and fees] to [or in] places of"; and

Further amend said section, Page 15, Line 125, by inserting after all of said line the following:

"144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

- (1) Subject to a tax in this or any other state;
- (2) For resale;
- (3) Excluded from tax under this chapter;
- (4) Subject to tax but exempt under this chapter; or
- (5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, shall remit tax on the amount paid for admissions or seating accommodations[, or fees paid to, or] in such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter."; and

Further amend said bill, page, Section 144.020, Line 16, by deleting all of said line and inserting in lieu thereof the following:

"accommodations[, or fees paid to, or] in any place of amusement, entertainment or recreation,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, House Amendment No. 13 was adopted.

Representative Neth offered House Amendment No. 14.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 23, Page 40, Section 144.810, Line 242, by inserting after all of said line the following:

"169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member's individual account together with interest thereon in the employees' contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system's actuary and approved by the board of trustees;

(3) "Average final compensation", the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are "consecutive", only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) "Beneficiary", any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) "Board of education", the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) "Board of trustees", the board provided for in section 169.291 to administer the retirement system;

(7) "Break in service", an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed, or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A "school or work day" is a day on which the employee's employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee's last job description to report to their place of employment for any reason;

(8) "Charter school", any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) "Compensation", the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member's behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) "Creditable service", the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) "Employee", any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) "Employer", the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retiree;

(13) "Employer's board", the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) "Library district", any urban public library district created from or within a school district under the provisions of section 182.703;

(15) "Medical board", the board of physicians provided for in section 169.291;

(16) "Member", any person who is a regular employee after the retirement system has been established hereunder ("active member"), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder ("inactive member"). **A person shall cease to be a member if the person has a break in service before earning any vested retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;**

(17) "Minimum normal retirement age", **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement,** the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] **and with both years of creditable service and years of age prorated for fractional years; for any person who becomes a member of the retirement system on**

or after January 1, 2014, including any person who was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;

(18) "Prior service", service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) "Regular employee", any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee's status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) "Retirant", a former member receiving a retirement allowance hereunder;

(21) "Retirement allowance", annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) "School district", any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board;

provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.**

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) **A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;**

(2) **A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;**

(3) **A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable**

pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] **retirant** who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326. [Provided, further, any retiree] **Any retirant** who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] **retirant** who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make

such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;**

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retiree.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retiree pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the

deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to 169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 14** was adopted.

Representative Butler offered **House Amendment No. 15.**

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 23, Page 40, Section 144.810, Line 242, by inserting after all of said section and line the following:

"144.1026. Notwithstanding other provisions of law to the contrary, beginning January 1, 2014, there shall be a sales tax levied upon the gross receipts of tickets sold at retail for admission to all professional and amateur sporting events held within the state at a rate of one half of one percent."; and

Further amend said bill, Section 577.041, Page 93, Line 138, by inserting after all of said section and line the following:

"620.3040. 1. There is hereby created in the state treasury the "Youth Sports Program Fund", which shall consist of money collected under section 144.1026. The general assembly may appropriate moneys to the fund for the purpose of providing funds to counties, cities, towns, or other political subdivisions, as provided in this section. At no time shall the annual amount of funding approved for disbursement from the youth sports program fund exceed ten million dollars.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of the department of economic development shall create an application and establish procedures for counties, cities, towns, or other political subdivisions to follow to receive funds under this section. Any funds distributed under this section to a single program shall be limited to the amount of twenty percent of the total fund at the time of disbursement unless extraordinary cause is shown. Funds are to be disbursed equitably based upon need. To qualify for funds, a county, city, town, or other political subdivision shall complete an application to the department of economic development.

5. The department of economic development shall make a determination regarding the application for a disbursement from the youth sports program fund based on the application submitted by a county, city, town, or other political subdivision. In making determinations as to the disbursement of funds from the youth sports program fund, priority shall be given to areas with a high crime rate, as defined in this subsection. An area with a high crime rate, for purposes of this section, is defined as a county, city, town, or other political subdivision located within a county that is in the top twenty-five percent of all counties with the highest overall crime rate, according to the most recently available state highway patrol uniform crime reporting program.

6. The director of the department of economic development may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and, if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

7. The director of the department of economic development shall administer the youth sports program fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and, upon appropriation, money in the fund shall be used solely for the administration of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Butler moved that **House Amendment No. 15** be adopted.

Which motion was defeated.

Representative Korman offered **House Amendment No. 16.**

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 23, Section 67.1020, Page 8, Line 4, by inserting the following after all of said line:

"67.1368. 1. The governing body of any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification with more than two thousand seven hundred but fewer than three thousand inhabitants as the county seat may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the county or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the county for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of county) at a rate of (insert rate of percent) percent for the promotion of the county, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Section 92.387, Page 10, Line 2, by inserting the following after all of said line:

"94.1060. 1. The governing body of any city of the fourth classification with more than seven hundred but fewer than eight hundred inhabitants and located in any county of the third classification without a township form of government and with more than twelve thousand but fewer than fourteen thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism, growth of the region, and economic development. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent) percent for the promotion of the city, growth of the region, and economic development?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 16** was adopted.

Representative Allen offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 23, Page 15, Section 144.010, Line 117, by inserting after the word "services" on said line, the phrase "**subject to section 67.2689**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Allen, **House Amendment No. 17** was adopted.

Representative Engler offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 67.2050, Line 73, by inserting after all of said section and line, the following:

"71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days' notice thereof, either personally or by United States mail to the owner or owners, or the owner's agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such

city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, or in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants**, the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification where such city establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

77.675. 1. In addition to the process for passing ordinances provided in section 77.080, the council of any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants may adopt or repeal any ordinance by passage of a bill that sets forth the ordinance and specifies that the ordinance so proposed shall be submitted to the registered voters of the city at the next municipal election. The bill shall be passed under the procedures in section 77.080, except that it shall take effect upon approval of a majority of the voters rather than upon the approval and signature of the mayor.

2. If the mayor approves and signs the bill, the question shall be submitted to the voters in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance.)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 18** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Engler, **House Amendment No. 18** was adopted.

Representative Funderburk offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Bill No. 23, Page 3, Section A, Line 30, by inserting after all of said line the following:

"32.070. 1. This act shall be known and may be cited as the "Streamlined Sales and Use Tax Agreement Act".

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the highest rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased from six percent to five and one half percent. The director of the department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states.

4. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

5. For the purposes of representing the state as a member of the agreement and, if necessary, amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director's designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

6. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks."; and

Further amend said bill, Pages 3 to 8, Section 32.087, Lines 1 to 191, by deleting all of said lines and inserting in lieu thereof the following:

"32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) **Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters previously have approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:**

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non- Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that previously had imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes

cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election and calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election under subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043 and section 144.069.**

[13.] **12.** Local sales taxes [imposed pursuant to the local sales tax law on the purchase and sale] **shall not be imposed on the seller** of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] **13.** The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be

effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing

county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant

to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of

revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County AntiDrug Sales Tax Trust Fund". [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087.] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax

imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term "funding of museums and festivals" shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county's voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to

67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term "museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? "Museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] to 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby

made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, [one] **two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO". [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] to 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the

twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087**. The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed

by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Prosecuting Attorney's Office Sales Tax Trust Fund" or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087**. The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County-Municipal Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two

percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior

to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax

and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] ~~to~~ 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal,

then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, "qualified voters" or "voters" means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
 Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket

system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of
(insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?
☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission."; and

Further amend said bill, Page 8, Section 67.1020, Line 4, by inserting after all of said line the following:

"67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

- (1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;
- (2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;
- (3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;
- (4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and
- (5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the

governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

(1) Operations of economic development or community development offices, including the salaries of employees;

- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and
- (8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. **The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective**

date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] **10.** Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087.** If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
- (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and/or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the**

state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285. 7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, made **on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

(1) The name and residence of each petitioner and the location of the real property owned by the petitioner;

(2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and

(3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

- (1) A description of the boundaries of the proposed district;
- (2) The time and place of a hearing to be held to consider establishment of the proposed district;
- (3) The proposed sales tax rate to be voted on within the proposed district; and
- (4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

- (1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;
- (2) Hear all protests and receive evidence for or against the establishment of the proposed district; and
- (3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county

the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the "Exhibition Center and Recreational Facility District Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,

shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] 14. Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] 15. In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district,

whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087.** If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend said bill, Page 10, Section 67.2050, Line 73, by inserting after all of said line the following:

"67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible

property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the

sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7)] **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section."; and

Further amend said bill, Page 10, Section 92.387, Line 2, by inserting after all of said line the following:

"94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of(insert rate of percent) percent for [a] capital improvements purposes in the city's center city for a period of (insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a

certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to

the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and

shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired."; and

Further amend said bill, Pages 12 to 15, Section 144.010, by deleting all of said section and inserting in lieu thereof the following:

"144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Advertising and promotional direct mail", printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word "product" means tangible personal property, a product transferred electronically or a service;

(3) "Agreement", the streamlined sales and use tax agreement, as amended from time to time;

(4) "Air-to-ground radiotelephone service", a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;

(5) "Alcoholic beverages", beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(6) "Ancillary services", services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(7) "Appliance", clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator and freezer;

(8) "Bottled water", water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

(a) Antimicrobial agents;

(b) Fluoride;

(c) Carbonation;

(d) Vitamins, minerals, and electrolytes;

(e) Oxygen;

(f) Preservatives; and

(g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) "Bundled transaction":

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term "distinct and identifiable products" shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term "one nonitemized price" shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. "De minimis" means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction includes food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller's purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person "engages in business in this state" or "maintains a place of business in this state" under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(12) "Call-by-call basis", any method of charging for telecommunications services where the price is measured by individual calls;

(13) "Candy", a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(14) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(15) "Certified automated system" or "CAS", software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;

(16) "Certified service provider" or "CSP", an agent certified under the streamlined sales and use tax agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(17) "Clothing":

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

- a. Aprons, household and shop;
- b. Athletic supporters;
- c. Baby receiving blankets;
- d. Bathing suits and caps;
- e. Beach capes and coats;
- f. Belts and suspenders;
- g. Boots;
- h. Coats and jackets;
- i. Costumes;
- j. Diapers, children and adult, including disposable diapers;
- k. Ear muffs;
- l. Footlets;
- m. Formal wear;
- n. Garters and garter belts;
- o. Girdles;
- p. Gloves and mittens for general use;
- q. Hats and caps;
- r. Hosiery;
- s. Insoles for shoes;
- t. Lab coats;
- u. Neckties;
- v. Overshoes;
- w. Pantyhose;
- x. Rainwear;
- y. Rubber pants;
- z. Sandals;
- aa. Scarves;
- bb. Shoes and shoelaces;
- cc. Slippers;
- dd. Sneakers;
- ee. Socks and stockings;
- ff. Steel toed-shoes;
- gg. Underwear;
- hh. Uniforms, athletic and nonathletic; and
- ii. Wedding apparel;

(c) Clothing shall not include:

- a. Belt buckles sold separately;
- b. Costume masks sold separately;
- c. Patches and emblems sold separately;
- d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and
- e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;

(18) "Clothing accessories and equipment", incidental items worn on the person or in conjunction with clothing. Clothing accessories and equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;

(19) "Coin-operated telephone service", a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate;

(20) "Communications channel", a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;

(21) "Computer", an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;

(22) "Computer software", a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(23) "Conference bridging service", an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;

(24) "Customer", the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area;

(25) "Customer channel termination point", the location where the customer either inputs or receives the communication;

(26) "Delivered electronically", delivered to the purchaser by means other than tangible storage media;

(27) "Delivery charges", charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;

(28) "Detailed telecommunications billing service", an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement;

(29) "Dietary supplement", any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;

(30) "Digital audio works", works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;

(31) "Digital audio-visual works", a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;

(32) "Digital books", works that are generally recognized in the ordinary and usual sense as books;

(33) "Direct mail", printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items is not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;

(34) "Directory assistance", an ancillary service of providing telephone number information, or address information;

(35) "Drug":

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) "Durable medical equipment", equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

- a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and
- b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) "Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) "End user", the person who utilizes the telecommunication service. In case of an entity, "end user" means the individual who utilizes the service on behalf of the entity;

(39) "Energy star qualified product", a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that is authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) "Engages in business activities within this state", includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) "Food and food ingredients", substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) "Food sold through a vending machine", food dispensed from a machine or other mechanical device that accepts payment;

(43) "Grooming and hygiene products", soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter drugs;

[(44) "Gross receipts" [,] or "sales price":

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] **applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:**

a. The seller's cost of the property sold;

b. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

c. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

d. Delivery charges; and

e. Credit for any trade-in;

(b) Shall not include:

a. Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

b. Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and

c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(c) Shall include consideration received by the seller from third parties if:

a. The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

b. The seller has an obligation to pass the price reduction or discount through to the purchaser;

c. The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

d. One of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or

(iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;

(45) "Home service provider", the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(46) "Lease or rental":

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;

(b) Lease or rental shall not include:

a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;

c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;

(c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;

(47) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) "Light aircraft kit", factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) "Light aircraft parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) "Load and leave", delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) "Maintains a place of business in this state", includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) "Mobile telecommunications service", the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) "Mobility enhancing equipment", equipment, including repair and replacement parts to same, which:

- (a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and
- (b) Is not generally used by persons with normal mobility; and
- (c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) "Model 1 seller", a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(56) "Model 2 seller", a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) "Model 3 seller", a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) "Model 4 seller", a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) "Motor vehicle leasing company" [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) "Other direct mail", any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

- (a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;
- (b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and
- (c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) "Over-the-counter drug", a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

- (a) A drug facts panel; or
- (b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, or any other legal entity;

[(8)] (63) "Place of primary use", the street address representative of where the customer's use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;

(64) "Post-paid calling service", the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination

or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;

(65) "Prepaid calling service", the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(66) "Prepaid wireless calling service", a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(67) "Prepared food", food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;

(68) "Prescription", an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;

(69) "Prewritten computer software", computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) "Private communication service", a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) "Product-based exemption", an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) "Product which is intended to be sold ultimately for final use or consumption", tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent to these taxes, in this state or any other state;

(73) "Prosthetic device", a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term "prosthetic device" shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) "Protective equipment", items for human wear and designed as protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use. Protective equipment is mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) "Purchase price", applies to the measure subject to use tax and has the same meaning as sales price;

(77) "Purchaser" [means], a person [who purchases tangible] **to whom a sale of personal property is made or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] a service is furnished;**

[(9)] (78) **"Qualified light aircraft purchaser", a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;**

(79) **"Receive" or "receipt", taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;**

(80) **"Registered under the agreement", registration by a seller with the member states under the central registration system provided in Article IV of the agreement;**

(81) **"Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;**

[(10)] **"Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;**

[(11)] (82) **"Sale at retail" [means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] or "retail sale", any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:**

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(83) **"School art supply":**

(a) **An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;**

(b) **The following is an all-inclusive list:**

- a. Clay and glazes;
- b. Paints, acrylic, tempora, and oil;
- c. Paintbrushes for artwork;
- d. Sketch and drawing pads; and
- e. Watercolors;

(84) "School computer supply":

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

- a. Computer storage media, diskettes, compact disks;
- b. Handheld electronic schedulers, except devices that are cellular phones;
- c. Personal digital assistants, except devices that are cellular phones; and
- d. Computer printers and printer supplies for computers, printer paper, and printer ink;

(85) "School instructional material":

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;
- b. Reference maps and globes;
- c. Textbooks; and
- d. Workbooks;

(86) "School supply":

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;
- b. Book bags;
- c. Calculators;
- d. Cellophane tape;
- e. Blackboard chalk;
- f. Compasses;
- g. Composition books;
- h. Crayons;
- i. Erasers;
- j. Folders, expandable, pocket, plastic, and manila;
- k. Glue, paste, and paste sticks;
- l. Highlighters;
- m. Index cards;
- n. Index card boxes;
- o. Legal pads;
- p. Lunch boxes;
- q. Markers;
- r. Notebooks;
- s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
- t. Pencil boxes and other school supply boxes;
- u. Pencil sharpeners;
- v. Pencils;
- w. Pens;
- x. Protractors;
- y. Rulers;
- z. Scissors; and
- aa. Writing tablets;

[(12)] (87) "Seller" means a person [selling or furnishing tangible] **making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] services;**

(88) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(89) "Service address":

(a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in paragraph (a) of this subdivision is not known, "service address" means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(c) If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer's place of primary use;

(90) "Specified digital products", electronically transferred digital audio-visual works, digital audio works, and digital books;

(91) "Sport or recreational equipment", items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;

(92) "State", any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(93) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(94) "Tangible personal property", personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

[(13)] (95) "Tax" [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(96) "Taxpayer", any person remitting the tax or who should remit the tax levied by this chapter;

(97) "Telecommunications nonrecurring charges", an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;

[(14)] (98) "Telecommunications service"[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) "Transportation equipment", any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco;

(101) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) "Use-based exemption", an exemption based on a specified use of the product by the purchaser;

(103) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through** vending [machine sales, the term "food"] **machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café."; and

Further amend said bill, Page 17, Section 144.021, Line 13, by inserting after all of said line the following:

"144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable."; and

Further amend said bill, Pages 17 to 26, Section 144.030, Lines 1 to 300, by deleting all of said section and inserting in lieu thereof the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax

levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, **all sales of kidney dialysis equipment and enteral feeding systems, all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment**, and [drugs required by the Food and Drug Administration to meet the] **all sales of** over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] **drugs** as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to

the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

- (a) Used exclusively for agricultural purposes;
- (b) Used on land owned or leased for the purpose of producing farm products; and
- (c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use [and in any city not within a county, all sales of metered or unmetered water service for domestic use]:

(a) "Domestic use" means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use

portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071, 4081, [4091,] 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably

be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(44) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions;

(45) Sales made to any person where payment is being made by a nongovernmental agency as part of a disaster relief service.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser's business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

- (a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and
- (b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

- (a) A direct pay permit;
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or
- (c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

(2) A purchaser of other direct mail may provide the seller with either:

- (a) A direct pay permit; or
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

(3) Nothing in this section shall limit any purchaser's:

- (a) Obligation for sales or use tax to any state to which the direct mail is delivered;
- (b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or

(c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

- (1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction; or
- (2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunications services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.

3. The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:

(1) A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;

(2) A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

(a) The seller's telecommunications system; or

(b) Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(3) A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;

(4) A sale of a private communication service is sourced as follows:

(a) Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;

(b) Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;

(c) Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and

(d) Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

4. The sale of internet access service is sourced to the customer's place of primary use.

5. The sale of an ancillary service is sourced to the customer's place of primary use.

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[.]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[.]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[.]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political

subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] 2. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] 3. This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] 4. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

144.054. 1. As used in this section, the following terms mean:

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761,] **this chapter and from the computation of the tax levied, assessed, or payable under this chapter** electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. [The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.] **This section shall not apply to local sales or use taxes levied on electricity, piped natural or artificial gas, or other fuels delivered by the seller.**

3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085] **this chapter and from the computation of the tax levied, assessed, and payable under this chapter**, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235, and the local sales tax law as defined in section 32.085] **this chapter and from the computation of the tax levied, assessed, and payable under this chapter**, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669."; and

Further amend said bill, Page 26, Section 144.069, Line 10, by inserting after all of said line the following:

"144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisal by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

- (1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;
- (2) Is authorized to do business in Missouri;
- (3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;
- (4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and

(5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle

dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues."; and

Further amend said bill, Page 26, Section 144.071, Line 17, by inserting after all of said line the following:

"144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration. Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license

within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making "same day" payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

- (1) The name and address of the retailer;**
- (2) The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;**
- (3) The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;**

(4) Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;

(5) Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;

(6) Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;

(7) Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and

(8) Such other pertinent information as the director may require.

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state. With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] 5. In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] 6. If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] 7. The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

144.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the

agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.

144.210. 1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is

actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this subsection may be applied to the aggregated state and local taxes.**

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] 5. If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984."; and

Further amend said bill, Page 29, Section 144.525, Line 9, by inserting after all of said line the following:

"144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. [For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

[4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]; and

Further amend said bill, Page 34, Section 144.615, Line 21, by inserting after all of said line the following:

"144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return

shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal to two percent thereof.] **Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law.**"; and

Further amend said bill, Pages 44 to 46, Section 184.845, by deleting all of said section and inserting in lieu thereof the following:

"184.845. 1. The board of the district may impose a museum **and cultural** district sales tax by resolution on all retail sales made in such museum **and cultural** district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Such museum **and cultural** district sales tax may be imposed for any museum **or cultural** purpose designated by the board of the museum **and cultural** district. If the resolution is adopted the board of the district may submit the question of whether to impose a sales tax authorized by this section to [either the legal voters of the district and/or to the owners of real property within the district] **the qualified voters**, who shall have the same voting interests as with the election of members of the board of the district.

2. The sales tax authorized by this section shall become effective on the first day of the second calendar quarter [following adoption of the tax by the qualified voters] **after the director of revenue receives notification of the adoption of the local sales tax.**

3. In each museum **and cultural** district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the museum **and cultural** district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

4. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the museum **and cultural** district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section [144.825] **144.285.**

5. All revenue received by a museum **and cultural** district from the tax authorized by this section which has been designated for a certain museum **or cultural** purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. All funds remaining in the special trust fund shall continue to be used solely for such designated museum **or cultural** purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other museum **or cultural** district funds.

6. The sales tax may be imposed at a rate of one-half of one percent, three-fourths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the museum **and cultural** district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any museum **and cultural** district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

7. On and after the effective date of any tax imposed pursuant to this section, the [museum district] **director of revenue** shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the [museum district] **director.**

8. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 [and] **to 32.087**, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section[, except as modified in this section].

9. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

10. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no

additional permit or exemption certificate or retail certificate shall be required; except that the museum **and cultural** district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

12. For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order shall be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

13. All sales taxes collected by the museum **and cultural** district shall be deposited by the museum **and cultural** district in a special fund to be expended for the purposes authorized in this section. The museum **and cultural** district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection by the officers and directors of each museum **and cultural** district and the Missouri department of revenue. Tax returns filed by businesses within the district shall otherwise be considered as confidential in the same manner as sales tax returns filed with the Missouri department of revenue.

14. No museum **and cultural** district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued to finance any project or projects."; and

Further amend said bill, Page 48, Section 184.865, Line 7, by inserting after all of said line the following:

"21.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of
(insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6)] All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the

sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] 10. The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] 11. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

[13.] 12. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] 13. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit

the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] 14. In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412."; and

Further amend said bill, Page 93, Section 577.041, Line 138, by inserting after all of said line the following:

"44.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.

[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the county with sufficient information to perform such duties in such form as may be agreed upon by the

director and the county at no cost to the county. The county shall be bound by the provisions of section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director's powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

- (1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;
- (2) "Engages in business activities within this state" includes:
 - (a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or
 - (b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or
 - (c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or
 - (d) Soliciting sales or taking orders by sales agents or traveling representatives;
- (3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;
- (4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) "Tangible personal property", all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) "Taxpayer", any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.]

[144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the "Simplified Sales and Use Tax Administration Act".]

[144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

(1) "Agreement", the streamlined sales and use tax agreement;

(2) "Certified automated system", software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;

(3) "Certified service provider", an agent certified jointly by the states that are signatories to the agreement to perform all of the seller's sales tax functions;

(4) "Person", an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;

(5) "Sales tax", any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;

(6) "Seller", any person making sales, leases or rentals of personal property or services;

(7) "State", any state of the United States and the District of Columbia;

(8) "Use tax", the use tax levied pursuant to this chapter.]

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;

(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within

the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

(1) The agreement should address the limitation of the number of state rates over time;

(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;

(3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;

(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

(a) Restricting variances between the state and local tax bases;

(b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;

(c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and

(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]; and

Further amend said bill, Page 94, Section D, Line 3, by inserting after all of said line the following:

"Section E. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Keeney assumed the Chair.

On motion of Representative Funderburk, **House Amendment No. 19** was adopted.

Representative Redmon offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said line the following:

"64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020."; and

Further amend said bill, Page 77, Section 302.525, Line 60, by inserting after all of said line the following:

"323.100. The director of the department of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the mark shall not be removed or defaced except upon authorization of the director of the department of agriculture or his authorized representative. It is the duty of each person owning or in possession of a meter to pay to the director of the department of agriculture at the time of each test a testing fee of ten dollars, except that the testing fee herein provided for shall not be applied more than once in a calendar year to each meter tested. **As of January 1, 2014, the testing fee shall be forty dollars per meter. As of January 1, 2015, and each year thereafter, the director shall ascertain the total expenses for administering this section and shall set the testing fee per meter at a rate to cover the expenses for the ensuing year, except that the testing fee shall not exceed one hundred twenty dollars per meter."**; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said line the following:

"413.225. **1.** There is established a fee for registration, inspection and calibration services performed by the division of weights and measures. The fees are due at the time the service is rendered and shall be paid to the director by the person receiving the service. The director shall collect fees according to the following schedule and shall deposit them with the state treasurer into general revenue for the use of the state of Missouri:

(1) From August 28, 1994, until the next January first, laboratory fees for metrology calibrations shall be at the rate of twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour for precision calibration. Time periods over one hour shall be computed to the nearest **one-quarter (1/4)** hour. On the first day of January, 1995, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing year at a rate per hour [which shall not exceed sixty dollars per hour for either method but shall not be less than twenty-five dollars per hour] for tolerance testing and [thirty-five dollars per hour] for precision calibration, as will yield revenue not more than the total cost of operating the metrology laboratory during the ensuing year;

(2) From August 28, 1994, until the next January first, all scale test fees shall be charged as follows:

(a) Small scales shall be five dollars for each counter scale, ten dollars for platform scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one thousand-pound capacity;

(b) Vehicle scales shall be fifty dollars each for the initial test and seventy-five dollars for each subsequent test within the same calendar year;

(c) Livestock scales shall be seventy-five dollars each for the initial test, and one hundred dollars for each subsequent test within the same calendar year;

(d) Hopper scales with a capacity of one thousand pounds or less shall be ten dollars each; for each hopper scale with a capacity of more than one thousand pounds up to and including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a capacity of more than two thousand pounds up to and including ten thousand

pounds, the fee shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand pounds, the test fee shall be seventy-five dollars each;

(e) Railroad scales shall be fifty dollars each;

(f) Monorail scales shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year;

(g) Participation in on-site field evaluations of devices for National Type Evaluation Program certification and all tests of in-motion scales including but not limited to vehicle, railroad and belt conveyor scales will be charged at the rate of thirty dollars per hour, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final report is signed by the owner/operator and the inspector departs;

(3) From August 28, 1994, until the next January first, certification of taximeters shall be five dollars per meter; timing devices, five dollars per device; fabric-measuring devices, wire- and cordage-measuring devices, five dollars per device; milk for quantity determination, twenty-five dollars per plant inspected;

(4) From August 28, 1994, until the next January first, certification of vehicle tank meters shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year;

(5) Every person shall register each location of such person's place of business where devices or instruments are used to ascertain the moisture content of grains and seeds offered for sale, processing or storage in this state with the director and shall pay a registration fee of ten dollars for each location so registered and a fee of five dollars for each additional device or instrument at such location. Thereafter, by January thirty-first of each year, each person who is required to register pursuant to this subdivision shall pay an annual fee of ten dollars for each location so registered and an additional five dollars for each additional machine at each location. The fee on newly purchased devices shall be paid within thirty days after the date of purchase. Application for registration of a place of business shall be made on forms provided by the director and shall require information concerning the make, model and serial number of the device and such other information as the director shall deem necessary. Provided, however, this subsection shall not apply to moisture-measuring devices used exclusively for the purpose of obtaining information necessary to manufacturing processes involving plant products. In addition to fees required by this subdivision, a fee of ten dollars shall be charged for each device subject to retest.

2. On the first day of January, 1995, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the testing of weighing and measuring devices referred to in subdivisions (2), (3), (4) and (5) of subsection 1 of this section and shall fix the fees or rate per hour for such weighing and measuring devices to derive revenue not more than the total cost of the operation, but such fees shall not be fixed in amounts less than the amounts contained in subdivisions (2), (3), (4) and (5) of subsection 1 of this section.

3. Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions (4) and (5) of subsection 1, retests for any device within the same calendar year will be charged at the same rate as the initial test. Devices being retested in the same calendar year as a result of rejection and repair are exempt from the requirements of this subsection.

4. All device inspection fees shall be paid within thirty days of the issuance of the original invoice. Any fee not paid within ninety days after the date of the original invoice will be cause for the director to deem the device as incorrect and it may be condemned and taken out of service, and may be seized by the director until all fees are paid.

5. No fee provided for by this section shall be required of any person owning or operating a moisture-measuring device or instrument who uses such device or instrument solely in agricultural or horticultural operations on such person's own land, and not in performing services, whether with or without compensation, for another person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Houghton offered **House Substitute Amendment No. 1 for House Amendment No. 20.**

House Substitute Amendment No. 1
for
House Amendment No. 20

AMEND House Committee Substitute for Senate Bill No. 23, Page 8, Section 32.087, Line 191, by inserting after all of said line the following:

"64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020."; and

Further amend said bill, Page 77, Section 302.525, Line 60, by inserting after all of said line the following:

"323.100. **1.** The director of the department of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the mark shall not be removed or defaced except upon authorization of the director of the department of agriculture or his authorized representative. It is the duty of each person owning or in possession of a meter to pay to the director of the department of agriculture at the time of each test a testing fee of ten dollars[, except that the testing fee herein provided for shall not be applied more than once in a calendar year to each meter tested]. **On January 1, 2014, the testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be set at fifty dollars. On January 1, 2016, and annually thereafter, the director shall ascertain the total expenses for administering this section and shall set the testing fee at a rate to cover the expenses for the ensuing year but not to exceed seventy-five dollars.**

2. On the first day of October 2014, and each year thereafter, the director of the department of agriculture shall submit a report to the general assembly that states the current testing fee, the expenses for administering this section for the previous calendar year, any proposed change to the testing fee, and estimated expenses for administering this section during the ensuing year. The proposed change to the testing fee shall not yield revenue greater than the total cost of administering this section during the ensuing year.

3. Beginning August 28, 2013, and each year thereafter, the director of the department of agriculture shall publish the testing fee schedule on the departmental website. The website shall be updated within thirty days of a change in the testing fee schedule set forth in this section."; and

Further amend said bill, Page 87, Section 348.274, Line 140, by inserting after all of said line the following:

"413.225. **1.** There is established a fee for registration, inspection and calibration services performed by the division of weights and measures. The fees are due at the time the service is rendered and shall be paid to the director by the person receiving the service. The director shall collect fees according to the following schedule and shall deposit them with the state treasurer into [general revenue for the use of the state of Missouri] **the agriculture protection fund as set forth in section 261.200:**

(1) From August 28, [1994] **2013**, until the next January first, laboratory fees for metrology calibrations shall be at the rate of [twenty-five] **sixty** dollars per hour for tolerance testing [and thirty-five dollars per hour for] **or** precision calibration. Time periods over one hour shall be computed to the nearest **one quarter** hour. On the first day of January, [1995] **2014**, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing year at a rate per hour [which shall not exceed sixty dollars per hour for either method but shall not be less than twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour for precision calibration,] as will yield revenue not more than the total cost of operating the metrology laboratory during the ensuing year, **but not to exceed one hundred twenty-five dollars;**

(2) [From August 28, 1994, until the next January first,] All [scale] **device** test fees [shall be] charged [as follows] **shall include, but not be limited to, the following devices:**

(a) Small scales [shall be five dollars for each counter scale, ten dollars for platform scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one thousand-pound capacity];

(b) Vehicle scales [shall be fifty dollars each for the initial test and seventy-five dollars for each subsequent test within the same calendar year];

(c) Livestock scales [shall be seventy-five dollars each for the initial test, and one hundred dollars for each subsequent test within the same calendar year];

(d) Hopper scales [with a capacity of one thousand pounds or less shall be ten dollars each; for each hopper scale with a capacity of more than one thousand pounds up to and including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a capacity of more than two thousand pounds up to and including ten thousand pounds, the fee shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand pounds, the test fee shall be seventy-five dollars each];

(e) Railroad scales [shall be fifty dollars each];

(f) Monorail scales [shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year];

(g) [Participation in on-site field evaluations of devices for National Type Evaluation Program certification and all tests of] In-motion scales including but not limited to vehicle, railroad and belt conveyor scales [will be charged at the rate of thirty dollars per hour, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final report is signed by the owner/operator and the inspector departs];

[(3) From August 28, 1994, until the next January first, certification of]

(h) Taximeters [shall be five dollars per meter];

(i) Timing devices[, five dollars per device];

(j) Fabric-measuring devices[,];

(k) Wire- and cordage-measuring devices[, five dollars per device];

(l) Milk for quantity determination[, twenty-five dollars per plant inspected]; **and**

[(4) From August 28, 1994, until the next January first, certification of]

(m) Vehicle tank meters [shall be twenty-five dollars each for the initial test and fifty dollars for each subsequent test in the same calendar year];

(3) Devices that require participation in on-site field evaluations for National Type Evaluation Program Certification and all tests of in-motion scales shall be charged a fee, plus mileage from the inspector's official domicile to and from the inspection site. The time shall begin when the state inspector performing the inspection arrives at the site to be inspected and shall end when the final report is signed by the owner/operator and the inspector departs;

[(5)] (4) Every person shall register each location of such person's place of business where devices or instruments are used to ascertain the moisture content of grains and seeds offered for sale, processing or storage in this state with the director and shall pay a registration fee [of ten dollars] for each location so registered and a fee [of five dollars] for each additional device or instrument at such location. Thereafter, by January thirty-first of each year, each person who is required to register pursuant to this subdivision shall pay an annual fee [of ten dollars] for each location so registered and an additional [five dollars] fee for each additional machine at each location. The fee on newly purchased devices shall be paid within thirty days after the date of purchase. Application for registration of a place of business shall be made on forms provided by the director and shall require information concerning the make, model and serial number of the device and such other information as the director shall deem necessary. Provided, however, this subsection shall not apply to moisture-measuring devices used exclusively for the purpose of obtaining information necessary to manufacturing processes involving plant products. In addition to fees required by this subdivision, a fee [of ten dollars] shall be charged for each device subject to retest.

2. On the first day of January, 1995, and each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for the testing of weighing and measuring devices referred to in subdivisions (2), (3), **and** (4) [and (5)] of subsection 1 of this section and shall fix the fees or rate per hour for such weighing and measuring devices to derive revenue not more than the total cost of the operation[, but such fees shall not be fixed in amounts less than the amounts contained in subdivisions (2), (3), (4) and (5) of subsection 1 of this section].

3. [Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions (4) and (5) of subsection 1,] **On the first day of October 2014, and each year thereafter, the director of the department of agriculture shall submit a report to the general assembly that states the current laboratory fees for metrology calibration, the expenses for administering this section for the previous calendar year, any proposed change to the laboratory fee structure, and estimated expenses for administering this section during the ensuing year. The proposed change to the laboratory fee structure shall not yield revenue greater than the total cost of administering this section during the ensuing year.**

4. Beginning August 28, 2013, and each year thereafter, the director of the department of agriculture shall publish the laboratory fee schedule on the departmental website. The website shall be updated within thirty days of a change in the laboratory fee schedule set forth in this section.

5. Retests for any device within the same calendar year will be charged at the same rate as the initial test. Devices being retested in the same calendar year as a result of rejection and repair are exempt from the requirements of this subsection.

[4.] **6.** All device inspection fees shall be paid within thirty days of the issuance of the original invoice. Any fee not paid within ninety days after the date of the original invoice will be cause for the director to deem the device as incorrect and it may be condemned and taken out of service, and may be seized by the director until all fees are paid.

[5.] **7.** No fee provided for by this section shall be required of any person owning or operating a moisture-measuring device or instrument who uses such device or instrument solely in agricultural or horticultural operations on such person's own land, and not in performing services, whether with or without compensation, for another person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fitzwater offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 20.**

House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 20 was withdrawn.

HCS SB 23, as amended, with House Substitute Amendment No. 1 for House Amendment No. 20 and House Amendment No. 20, pending, was laid over.

On motion of Representative Diehl, the House recessed until 2:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF SENATE BILLS

SB 197, relating to tuberculosis testing, was taken up by Representative Frederick.

Representative Wright offered **House Amendment No. 1.**

House Amendment No. 1

AMEND Senate Bill No. 197, Page 1, Line 4 in the Title, by deleting the phrase "tuberculosis testing" and inserting in lieu thereof the phrase "disease management"; and

Further amend said bill and page, Section A, Line 5, by inserting after all of said section and line the following:

"167.638. 1. The department of health and senior services shall develop an informational brochure relating to meningococcal disease that states that an immunization against meningococcal disease is available. The department shall make the brochure available on its website and shall notify every public institution of higher education in this state of the availability of the brochure. Each public institution of higher education shall provide a copy of the brochure to all students and if the student is under eighteen years of age, to the student's parent or guardian. Such information in the brochure shall include:

(1) The risk factors for and symptoms of meningococcal disease, how it may be diagnosed, and its possible consequences if untreated;

(2) How meningococcal disease is transmitted;

(3) The latest scientific information on meningococcal disease immunization and its effectiveness; and
 (4) A statement that any questions or concerns regarding immunization against meningococcal disease may be answered by contacting the individuals's health care provider."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 1** was adopted.

On motion of Representative Frederick, **SB 197, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 003

Burlison	Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Cross	Curtman	Funderburk	Gardner
Hummel	Kelley 127	May	Morgan	Scharnhorst
Smith 85	Smith 120			

Speaker Jones declared the bill passed.

HCS SB 23, as amended, with House Substitute Amendment No. 1 for House Amendment No. 20 and House Amendment No. 20, pending, relating to political subdivisions, was again taken up by Representative Jones (50).

On motion of Representative Houghton, **House Substitute Amendment No. 1 for House Amendment No. 20** was adopted by the following vote:

AYES: 081

Allen	Bahr	Barnes	Black	Brattin
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Elmer	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Jones 50	Keeney	Kelley 127	Kolkmeyer	Lair
Lant	Leara	Lichtenegger	Love	Lynch
Marshall	Messenger	Miller	Molendorp	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowland	Schatz	Schieffer	Shull
Shumake	Sommer	Spencer	Stream	Swan
Thomson	Walker	White	Wilson	Wood
Zerr				

NOES: 072

Anders	Anderson	Austin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Curtis	Curtman	Dohrman
Dugger	Dunn	Ellinger	Ellington	Engler
English	Englund	Entlicher	Fitzpatrick	Frame
Harris	Higdon	Hodges	Johnson	Justus
Kelly 45	Kirkton	Koenig	Kratky	LaFaver
Lauer	May	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Rowden
Runions	Schieber	Schupp	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wieland
Wright	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Berry	Funderburk	Gardner	Hummel
Korman	McDonald	Scharnhorst	Smith 85	Smith 120

Representative Hinson offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section the following:

"137.090. 1. All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available."; and

Further amend said bill, Page 10, Section 92.387, Line 2, by inserting after all of said section the following:

"137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term "based" means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 21** was adopted.

Representative Dohrman offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Bill No. 23, Page 10, Section 92.387, Line 2, by inserting after all of said section the following:

"137.720. 1. A percentage of all ad valorem property tax collections allocable to each taxing authority within the county and the county shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750. The percentage shall be one-half of one percent for all counties of the first and second classification and cities not within a county and one percent for counties of the third and fourth classification.

2. Prior to July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-quarter of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred thousand dollars in any year for any county of the first classification and any county with a charter form of government and fifty thousand dollars in any year for any county of the second, third, or fourth classification.

3. Effective July 1, 2009, for counties of the first classification, counties with a charter form of government, and any city not within a county, an additional one-eighth of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, and for counties of the second, third, and fourth classification, an additional one-half of one percent of all ad valorem property tax collections shall be deducted from the collections of taxes each year and shall be deposited into the assessment fund of the county as required pursuant to section 137.750, provided that such additional amounts shall not exceed one hundred twenty-five thousand dollars in any year for any county of the first classification and any county with a charter form of government and seventy-five thousand dollars in any year for any county of the second, third, or fourth classification.

4. The county shall bill any taxing authority collecting its own taxes. The county may also provide additional moneys for the fund. To be eligible for state cost-share funds provided pursuant to section 137.750, every county shall provide from the county general revenue fund an amount equal to an average of the three most recent years of the amount provided from general revenue to the assessment fund; provided, however, that capital expenditures and equipment expenses identified in a memorandum of understanding signed by the county's governing body and the county assessor prior to transfer of county general revenue funds to the assessment fund shall be deducted from a year's contribution before computing the three-year average, except that a lesser amount shall be acceptable if unanimously agreed upon by the county assessor, the county governing body, and the state tax commission. The county shall deposit the county general revenue funds in the assessment fund as agreed to in its original or amended maintenance plan, state reimbursement funds shall be withheld until the amount due is properly deposited in such fund.

5. For all years beginning on or after January 1, 2010, any property tax collections deposited into the county assessment funds provided for in subsection 2 of this section shall be disallowed in any year in which the state tax commission notifies the county that state assessment reimbursement funds have been withheld from the county for three consecutive quarters due to noncompliance by the assessor or county commission with the county's assessment maintenance plan.

[6. The provisions of subsections 2, 3, and 5 of this section shall expire on December 31, 2015.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dohrman, **House Amendment No. 22** was adopted.

Representative Lauer offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Bill No. 23, Section 144.810, Page 40, Line 242, by inserting after all of said line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030;
- (6) Forcible sodomy under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Sexual assault under section 566.040;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Deviate sexual assault pursuant to section 566.070;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse pursuant to section 566.100;
- (24) Harassment under section 565.090; [or]
- (25) Stalking under section 565.225; **or**
- (26) Making a terrorist threat under section 574.115;**

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any

spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central

registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 23** was adopted.

Representative Gatschenberger offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Committee Substitute for Senate Bill No. 23, Section 67.2050, Page 10, Line 73, by inserting after all of said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and ~~the~~ Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or

improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

- (c) That the city has developed a plan of intent to provide services to the area proposed for annexation;
- (d) That a public hearing shall be held prior to the adoption of the ordinance;
- (e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

- (a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

- (b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

- (c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

- (d) How the city, town, or village proposes to zone the area to be annexed;

- (e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

- (a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

- (b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

- (c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of the adoption of the annexation ordinance.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 24** was adopted.

On motion of Representative Jones (50), **HCS SB 23, as amended**, was adopted.

On motion of Representative Jones (50), **HCS SB 23, as amended**, was read the third time and passed by the following vote:

AYES: 088

Allen	Anders	Austin	Barnes	Black
Cierpiot	Conway 10	Cookson	Cornejo	Crawford
Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Ellinger	Elmer	Engler	Entlicher
Fitzwater	Flanigan	Fraker	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hinson	Hoskins
Hough	Houghton	Hubbard	Jones 50	Justus
Kelley 127	Kelly 45	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McManus	McNeil	Muntzel	Neely
Neth	Pfautsch	Phillips	Pike	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schupp
Shull	Shumake	Sommer	Spencer	Stream
Swearingen	Thomson	Torpey	Walker	Webb
Wilson	Zerr	Mr Speaker		

NOES: 065

Anderson	Bahr	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Colona
Cox	Curtman	Dunn	Ellington	English
Englund	Fitzpatrick	Fowler	Frame	Franklin
Guernsey	Harris	Hicks	Higdon	Hodges
Hurst	Johnson	Keeney	Kirkton	Koenig
Marshall	May	McKenna	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pierson
Pogue	Rehder	Remole	Rhoads	Roorda
Ross	Schieber	Schieffer	Solon	Swan
Walton Gray	Webber	Wieland	Wood	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Conway 104	Funderburk	Hummel	Leara
McDonald	Molendorp	Smith 85	Smith 120	White

Speaker Jones declared the bill passed.

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The emergency clause was adopted by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Muntzel	Neely
Newman	Nichols	Norr	Otto	Peters
Pfausch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 011

Curtis	Curtman	Ellington	Marshall	May
Pace	Parkinson	Pogue	Remole	Schupp
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Conway 104	Flanigan	Gardner	Gatschenberger
Hummel	McDonald	Molendorp	Morris	Neth
Scharnhorst	Smith 85	Smith 120		

SCS SB 106, relating to educational credits for veterans, was taken up by Representative Davis.

Representative Davis offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting immediately after said line the following:

"452.413. 1. As used in this section, the following terms shall mean:

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends unless there is a written agreement by both parties.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent, unless it is not in the best interest of the child.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such temporary custody or visitation order shall require the nondeploying parent to provide the court and the deploying parent with written notice of the nondeploying parent's address and telephone number, and update such information within seven days of any change. However, if a valid order of protection under chapter 455 from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification. Nothing in this subdivision shall be construed to eliminate the requirements under section 452.377.

(5) Upon motion of a deploying parent, with reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence as defined under section 455.010 against another family or household member, or delegated to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against another family or household member.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Receive timely information regarding the deploying parent's leave schedule.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished in accordance with the provisions of section 506.160.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting after all of said line the following:

"478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the "Veterans Treatment Intervention Act".

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) "Servicemember", any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) "Veteran", any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a "Military Veterans and Servicemembers Court Program" under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant's agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court's own motion, except:

(1) If a defendant was previously offered admission to a veterans' treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant's admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

(1) Murder or manslaughter under chapter 565;

(2) Kidnapping or false imprisonment under chapter 565;

(3) Aggravated assault under chapter 565;

(4) Stalking under chapter 565;

(5) Elder abuse under chapter 565;

(6) Sexual offenses under chapter 566;

(7) Offenses against the family under chapter 568;

(8) Robbery or burglary under chapter 569;

(9) Arson under chapter 569;

(10) Water contamination under chapter 569;

(11) Child pornography under chapter 573;

(12) Treason; and

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

(a) Integrate alcohol and other drug treatment services with justice system case processing;

(b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;

(c) Eligible participants are identified early and promptly placed in the treatment program;

(d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;

(e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;

(f) A coordinated strategy governs treatment program responses to participants' compliance;

(g) Ongoing judicial interaction with each treatment program participant is essential;

(h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;

(i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;

(j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed

the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 2** was adopted by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Haahr	Hinson	Hummel	Molendorp
Neth	Smith 85	Smith 120		

Representative Funderburk offered **House Amendment No. 3.**

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 106, Page 1, Section A, Line 3, by inserting after said line the following:

"168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or

continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

- (a) Participate in a mentoring program approved and provided by the district for a minimum of two years;
- (b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;

(2) Relocated from another state within one year of the date of application;
(3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and

(4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 3** was adopted.

Representative Roorda offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 106, Page 3, Section 324.007, Line 23, by inserting after all of said section the following:

"347.179. 1. The secretary shall charge and collect:

(1) For filing the original articles of organization, a fee of one hundred dollars;

(2) For filing the original articles of organization online, in an electronic format prescribed by the secretary of state, a fee of forty-five dollars;

(3) Applications for registration of foreign limited liability companies and issuance of a certificate of registration to transact business in this state, a fee of one hundred dollars;

(4) Amendments to and restatements of articles of limited liability companies to application for registration of a foreign limited liability company or any other filing otherwise provided for, a fee of twenty dollars;

(5) Articles of termination of limited liability companies or cancellation of registration of foreign limited liability companies, a fee of twenty dollars;

(6) For filing notice of merger or consolidation, a fee of twenty dollars;

(7) For filing a notice of winding up, a fee of twenty dollars;

(8) For issuing a certificate of good standing, a fee of five dollars;

(9) For a notice of the abandonment of merger or consolidation, a fee of twenty dollars;

(10) For furnishing a copy of any document or instrument, a fee of fifty cents per page;

(11) For accepting an application for reservation of a name, or for filing a notice of the transfer or cancellation of any name reservation, a fee of twenty dollars;

(12) For filing a statement of change of address of registered office or registered agent, or both, a fee of five dollars;

(13) For any service of notice, demand, or process upon the secretary as resident agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as taxable costs by the party instituting such suit, action, or proceeding causing such service to be made if such party prevails therein;

(14) For filing an amended certificate of registration a fee of twenty dollars; and

(15) For filing a statement of correction a fee of five dollars.

2. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and for application of a reservation of a name in subdivision (11) of subsection 1 of this section shall be waived when an organizer is listed as a member in the operating agreement of the limited liability company and such organizer is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

351.065. 1. No corporation shall be organized under the general and business corporation law of Missouri unless the persons named as incorporators shall at or before the filing of the articles of incorporation pay to the director of revenue three dollars for the issuance of the certificate and fifty dollars for the first thirty thousand dollars or less of the authorized shares of the corporation and a further sum of five dollars for each additional ten thousand dollars of its authorized shares, and no increase in the authorized shares of the corporation shall be valid or effectual unless the corporation has paid the director of revenue five dollars for each ten thousand dollars or less of the increase in the authorized shares of the corporation, and the corporation shall file a duplicate receipt issued by the director of revenue for the payments required by this section to be made with the secretary of state as is provided by this chapter for the filing of articles of incorporation; except that the requirements of this section to pay incorporation taxes and fees shall not apply to foreign railroad corporations which built their lines of railway into or through this state prior to November 21, 1943.

2. For the purpose of this section, the dollar amount of authorized shares is the par value thereof in the case of shares with par value and is one dollar per share in the case of shares without par value.

3. Fees mandated in subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director for the administration and enforcement of the provisions of this chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

355.021. 1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

(1) Articles of incorporation, twenty dollars;

(2) Application for reserved name, twenty dollars;

(3) Notice of transfer of reserved name, two dollars;

(4) Application for renewal of reserved name, twenty dollars;

(5) Corporation's statement of change of registered agent or registered office or both, five dollars;

(6) Agent's statement of change of registered office for each affected corporation, five dollars;

(7) Agent's statement of resignation, five dollars;

(8) Amendment of articles of incorporation, five dollars;

(9) Restatement of articles of incorporation with amendments, five dollars;

(10) Articles of merger, five dollars;

(11) Articles of dissolution, five dollars;

- (12) Articles of revocation of dissolution, five dollars;
- (13) Application for reinstatement following administrative dissolution, twenty dollars;
- (14) Application for certificate of authority, twenty dollars;
- (15) Application for amended certificate of authority, five dollars;
- (16) Application for certificate of withdrawal, five dollars;
- (17) Corporate registration report filed annually, ten dollars if filed in a written format or five dollars if filed electronically in a format prescribed by the secretary of state;
- (18) Corporate registration report filed biennially, twenty dollars if filed in a written format or ten dollars if filed electronically in a format prescribed by the secretary of state;
- (19) Articles of correction, five dollars;
- (20) Certificate of existence or authorization, five dollars;
- (21) Any other document required or permitted to be filed by this chapter, five dollars.

2. The secretary of state shall collect a fee of ten dollars upon being served with process under this chapter. The party to a proceeding causing service of process is entitled to recover the fee paid the secretary of state as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation: in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies.

4. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived when an initial officer or director of the nonprofit corporation includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

357.060. 1. For incorporation under this chapter as herein provided, there shall be paid to and collected by the state director of revenue a fee of fifty dollars for the first fifty thousand dollars or less of capital stock, and the further sum of five dollars for each additional ten thousand dollars of its capital stock. The limitation upon the aggregate amount of capital stock shall be the same as in respect to other corporations.

2. Fees mandated in subsection 1 of this section shall be waived when the association of persons signing the written articles of association and agreement includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

358.440. 1. To register as a limited liability partnership pursuant to this section, a written application shall be filed with the office of the secretary of state. The application shall set forth:

- (1) The name of the partnership;
- (2) The address of a registered office and the name and address of a registered agent for service of process required to be maintained by section 358.470;
- (3) The number of partners in the partnership at the date of application;
- (4) A brief statement of the principal business in which the partnership engages;
- (5) That the partnership thereby applies for registration as a registered limited liability partnership; and
- (6) Any other information the partnership determines to include in the application.

2. The application shall be signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority in interest of the partners to sign the application on behalf of the partnership.

3. The application shall be accompanied by a fee payable to the secretary of state of twenty-five dollars for each partner of the partnership, but the fee shall not exceed one hundred dollars. All moneys from the payment of this fee shall be deposited into the general revenue fund.

4. A person who files a document according to this section as an agent or fiduciary need not exhibit evidence of the partner's authority as a prerequisite to filing. Any signature on such document may be a facsimile. If the secretary of state finds that the filing conforms to law, the secretary of state shall:

- (1) Endorse on the copy the word "Filed" and the month, day and year of the filing;
- (2) File the original in the secretary of state's office; and
- (3) Return the copy to the person who filed it or to the person's representative.

5. A partnership becomes a registered limited liability partnership on the date of the filing in the office of the secretary of state of an application that, as to form, meets the requirements of subsections 1 and 2 of this section and that is accompanied by the fee specified in subsection 3 of this section, or at any later time specified in the application.

6. An initial application filed under subsection 1 of this section by a partnership registered by the secretary of state as a limited liability partnership expires one year after the date of registration unless earlier withdrawn or revoked or unless renewed in accordance with subsection 9 of this section.

7. If a person is included in the number of partners of a registered limited liability partnership set forth in an application, a renewal application or a certificate of amendment of an application or a renewal application, the inclusion of such person shall not be admissible as evidence in any action, suit or proceeding, whether civil, criminal, administrative or investigative, for the purpose of determining whether such person is liable as a partner of such registered limited liability partnership. The status of a partnership as a registered limited liability partnership and the liability of a partner of such registered limited liability partnership shall not be adversely affected if the number of partners stated in an application, a renewal application or a certificate of amendment of an application or a renewal application is erroneously stated provided that the application, renewal application or certificate of amendment of an application or a renewal application was filed in good faith.

8. Any person who files an application or a renewal application in the office of the secretary of state pursuant to this section shall not be required to file any other documents pursuant to chapter 417 which requires filing for fictitious names.

9. An effective registration may be renewed before its expiration by filing in duplicate with the secretary of state an application containing current information of the kind required in an initial application, including the registration number as assigned by the secretary of state. The renewal application shall be accompanied by a fee of one hundred dollars on the date of renewal plus, if the renewal increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars. All moneys from such fees shall be deposited into the general revenue fund. A renewal application filed under this section continues an effective registration for one year after the date the effective registration would otherwise expire.

10. A registration may be withdrawn by filing with the secretary of state a written withdrawal notice signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority of the partners to sign the notice on behalf of the partnership. A withdrawal notice shall include the name of the partnership, the date of registration of the partnership's last application under this section, and a current street address of the partnership's principal office in this state or outside the state, as applicable. A withdrawal notice terminates the registration of the partnership as a limited liability partnership as of the date of filing the notice in the office of the secretary of state. The withdrawal notice shall be accompanied by a filing fee of twenty dollars.

11. If a partnership that has registered pursuant to this section ceases to be registered as provided in subsection 6 or 10 of this section, that fact shall not affect the status of the partnership as a registered limited liability partnership prior to the date the partnership ceased to be registered pursuant to this section.

12. A document filed under this section may be amended or corrected by filing with the secretary of state articles of amendment, signed by a majority of the partners or by one or more partners authorized by a majority of the partners. The articles of amendment shall contain:

- (1) The name of the partnership;
- (2) The identity of the document being amended;
- (3) The part of the document being amended; and
- (4) The amendment or correction.

The articles of amendment shall be accompanied by a filing fee of twenty dollars plus, if the amendment increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars; provided that no amendment of an application or a renewal application is required as a result of a change after the application or renewal application is filed in the number of partners of the registered limited liability partnership or in the business in which the registered limited liability partnership engages. All moneys from such fees shall be deposited into the general revenue fund. The status of a partnership as a registered limited liability partnership shall not be affected by changes after the filing of an application or a renewal application in the information stated in the application or renewal application.

13. No later than ninety days after the happening of any of the following events, an amendment to an application or a renewal application reflecting the occurrence of the event or events shall be executed and filed by a majority in interest of the partners or by one or more partners authorized by a majority of the partners to execute an amendment to the application or renewal application:

- (1) A change in the name of the registered limited liability partnership;
- (2) Except as provided in subsections 2 and 3 of section 358.470, a change in the address of the registered office or a change in the name or address of the registered agent of the registered limited liability partnership.

14. Unless otherwise provided in this chapter or in the certificate of amendment of an application or a renewal application, a certificate of amendment of an application or a renewal application or a withdrawal notice of an application or a renewal application shall be effective at the time of its filing with the secretary of state.

15. The secretary of state may provide forms for the application specified in subsection 1 of this section, the renewal application specified in subsection 9 of this section, the withdrawal notice specified in subsection 10 of this section, and the amendment or correction specified in subsection 12 of this section.

16. The secretary of state may remove from its active records the registration of a partnership whose registration has been withdrawn, revoked or has expired.

17. The secretary of state may revoke the filing of a document filed under this section if the secretary of state determines that the filing fee for the document was paid by an instrument that was dishonored when presented by the state for payment. The secretary of state shall return the document and give notice of revocation to the filing party by regular mail. Failure to give or receive notice does not invalidate the revocation. A revocation of a filing does not affect an earlier filing.

18. If any person signs a document required or permitted to be filed pursuant to sections 358.440 to 358.500 which the person knows is false in any material respect with the intent that the document be delivered on behalf of a partnership to the secretary of state for filing, such person shall be guilty of a class A misdemeanor. Unintentional errors in the information set forth in an application filed pursuant to subsection 1 of this section, or changes in the information after the filing of the application, shall not affect the status of a partnership as a registered limited liability partnership.

19. Before transacting business in this state, a foreign registered limited liability partnership shall:

(1) Comply with any statutory or administrative registration or filing requirements governing the specific type of business in which the partnership is engaged; and

(2) Register as a limited liability partnership as provided in this section by filing an application which shall, in addition to the other matters required to be set forth in such application, include a statement:

(a) That the secretary is irrevocably appointed the agent of the foreign limited liability partnership for service of process if the limited liability partnership fails to maintain a registered agent in this state or if the agent cannot be found or served with the exercise of reasonable diligence; and

(b) Of the address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited liability partnership.

20. A partnership that registers as a limited liability partnership shall not be deemed to have dissolved as a result thereof and is for all purposes the same partnership that existed before the registration and continues to be a partnership under the laws of this state. If a registered limited liability partnership dissolves, a partnership which is a successor to such registered limited liability partnership and which intends to be a registered limited liability partnership shall not be required to file a new registration and shall be deemed to have filed any documents required or permitted under this chapter which were filed by the predecessor partnership.

21. Fees mandated in subsection 3 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

359.651. 1. The secretary of state shall charge the fee specified for filing the following:

(1) Certificates of limited partnership: One hundred dollars;

(2) Applications for registration of foreign limited partnerships and issuance of a certificate of registration to transact business in this state:
One hundred dollars;

(3) Amendments to and restatements of certificates of limited partnerships or to applications for registration of foreign limited partnerships or any other filing not otherwise provided for: Twenty dollars;

(4) Cancellations of certificates of limited partnerships or of registration of foreign limited partnerships:
Twenty dollars;

(5) A consent required to be filed under this chapter: Twenty dollars;

(6) A change of address of registered agent, or change of registered agent, or both: Five dollars;

(7) A partner list: One dollar each page;

(8) Reservation of name: Twenty dollars;

(9) Rescission fee: One hundred dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

394.250. 1. There shall be charged and collected for:

- (1) Filing articles of incorporation, ten dollars;
- (2) Filing articles of amendment, one dollar;
- (3) Filing articles of consolidation or merger, ten dollars;
- (4) Filing articles of conversion, ten dollars;
- (5) Filing certificate of election to dissolve, one dollar;
- (6) Filing articles of dissolution, two dollars; and
- (7) Filing certificate of change of principal office, two dollars.

2. All fees shall be made payable to and collected by the state director of revenue.

3. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when an initial member of the cooperative includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

417.220. 1. For the registration or renewal of each fictitious name under sections 417.200 to 417.230 there shall be paid to the state director of revenue a fee of two dollars if filed electronically in a format prescribed by the secretary of state or if filed in a written format prescribed by the secretary of state.

2. Fees mandated in subsection 1 of this section shall be waived when a party owning any interest or part in the business is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McGaugh offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to Senate Committee Substitute for Senate Bill No. 106, Page 2, Line 1, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 20, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 39, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 3, Line 36, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 4, Line 4, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 7, Line 19, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 39, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 8, Line 11, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 19, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Roorda, **House Amendment No. 4, as amended**, was adopted.

Representative McKenna offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Committee Substitute for Senate Bill No. 106, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"8.012. At all state buildings and upon the grounds thereof, the board of public buildings may accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**"; and

Further amend said bill, Page 2, Section 192.360, Line 27, by inserting after all of said section and line the following:

"253.048. Within the state parks, the department may accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action **and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McKenna, **House Amendment No. 5** was adopted.

On motion of Representative Davis, **SCS SB 106, as amended**, was read the third time and passed by the following vote:

AYES: 160

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelly 127	Kelly 45	Kirkton	Koenig

Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Bernskoetter Smith 85 Smith 120

Speaker Jones declared the bill passed.

HCS SCS SB 117, relating to military affairs, was taken up by Representative Davis.

Representative Davis offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting immediately after said line the following:

"452.413. 1. As used in this section, the following terms shall mean:

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends unless there is a written agreement by both parties.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent, unless it is not in the best interest of the child.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such temporary custody or visitation order shall require the nondeploying parent to provide the court and the deploying parent with written notice of the nondeploying parent's address and telephone number, and update such information within seven days of any change. However, if a valid order of protection under chapter 455 from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification. Nothing in this subdivision shall be construed to eliminate the requirements under section 452.377.

(5) Upon motion of a deploying parent, with reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence as defined under section 455.010 against another family or household member, or delegated to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against another family or household member.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such

parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Receive timely information regarding the deploying parent's leave schedule.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished in accordance with the provisions of section 506.160.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting after all of said line the following:

"478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the "Veterans Treatment Intervention Act".

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) "Servicemember", any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) "Veteran", any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a "Military Veterans and Servicemembers Court Program" under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant's agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court's own motion, except:

(1) If a defendant was previously offered admission to a veterans' treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant's admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

(1) Murder or manslaughter under chapter 565;

(2) Kidnapping or false imprisonment under chapter 565;

(3) Aggravated assault under chapter 565;

(4) Stalking under chapter 565;

(5) Elder abuse under chapter 565;

(6) Sexual offenses under chapter 566;

(7) Offenses against the family under chapter 568;

(8) Robbery or burglary under chapter 569;

(9) Arson under chapter 569;

(10) Water contamination under chapter 569;

(11) Child pornography under chapter 573;

(12) Treason; and

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;
- (c) Eligible participants are identified early and promptly placed in the treatment program;
- (d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;
- (e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;
- (f) A coordinated strategy governs treatment program responses to participants' compliance;
- (g) Ongoing judicial interaction with each treatment program participant is essential;
- (h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;
- (i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;
- (j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending

charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 2** was adopted.

Representative Webber offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting after of said section and line the following:

"Section 1. 1. This section shall be known as "Clark's Law."

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fitzpatrick offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 1, Line 4, by inserting immediately after the word "**guard**" the following:

"or reserve component of the United States Armed Forces"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzpatrick, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Webber, **House Amendment No. 3, as amended**, was adopted.

Representative Roorda offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Section 253.048, Line 6, by inserting after all of said section and line the following:

"347.179. **1.** The secretary shall charge and collect:

- (1) For filing the original articles of organization, a fee of one hundred dollars;
- (2) For filing the original articles of organization online, in an electronic format prescribed by the secretary of state, a fee of forty-five dollars;
- (3) Applications for registration of foreign limited liability companies and issuance of a certificate of registration to transact business in this state, a fee of one hundred dollars;
- (4) Amendments to and restatements of articles of limited liability companies to application for registration of a foreign limited liability company or any other filing otherwise provided for, a fee of twenty dollars;
- (5) Articles of termination of limited liability companies or cancellation of registration of foreign limited liability companies, a fee of twenty dollars;
- (6) For filing notice of merger or consolidation, a fee of twenty dollars;
- (7) For filing a notice of winding up, a fee of twenty dollars;
- (8) For issuing a certificate of good standing, a fee of five dollars;
- (9) For a notice of the abandonment of merger or consolidation, a fee of twenty dollars;
- (10) For furnishing a copy of any document or instrument, a fee of fifty cents per page;
- (11) For accepting an application for reservation of a name, or for filing a notice of the transfer or cancellation of any name reservation, a fee of twenty dollars;
- (12) For filing a statement of change of address of registered office or registered agent, or both, a fee of five dollars;
- (13) For any service of notice, demand, or process upon the secretary as resident agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as taxable costs by the party instituting such suit, action, or proceeding causing such service to be made if such party prevails therein;
- (14) For filing an amended certificate of registration a fee of twenty dollars; and
- (15) For filing a statement of correction a fee of five dollars.

2. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and for application of a reservation of a name in subdivision (11) of subsection 1 of this section shall be waived when an organizer is listed as a member in the operating agreement of the limited liability company and such organizer is a

member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

351.065. 1. No corporation shall be organized under the general and business corporation law of Missouri unless the persons named as incorporators shall at or before the filing of the articles of incorporation pay to the director of revenue three dollars for the issuance of the certificate and fifty dollars for the first thirty thousand dollars or less of the authorized shares of the corporation and a further sum of five dollars for each additional ten thousand dollars of its authorized shares, and no increase in the authorized shares of the corporation shall be valid or effectual unless the corporation has paid the director of revenue five dollars for each ten thousand dollars or less of the increase in the authorized shares of the corporation, and the corporation shall file a duplicate receipt issued by the director of revenue for the payments required by this section to be made with the secretary of state as is provided by this chapter for the filing of articles of incorporation; except that the requirements of this section to pay incorporation taxes and fees shall not apply to foreign railroad corporations which built their lines of railway into or through this state prior to November 21, 1943.

2. For the purpose of this section, the dollar amount of authorized shares is the par value thereof in the case of shares with par value and is one dollar per share in the case of shares without par value.

3. Fees mandated in subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director for the administration and enforcement of the provisions of this chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a majority shareholder, officer, or director of the organizing corporation is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

355.021. 1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

(1) Articles of incorporation, twenty dollars;

(2) Application for reserved name, twenty dollars;

(3) Notice of transfer of reserved name, two dollars;

(4) Application for renewal of reserved name, twenty dollars;

(5) Corporation's statement of change of registered agent or registered office or both, five dollars;

(6) Agent's statement of change of registered office for each affected corporation, five dollars;

(7) Agent's statement of resignation, five dollars;

(8) Amendment of articles of incorporation, five dollars;

(9) Restatement of articles of incorporation with amendments, five dollars;

(10) Articles of merger, five dollars;

(11) Articles of dissolution, five dollars;

(12) Articles of revocation of dissolution, five dollars;

(13) Application for reinstatement following administrative dissolution, twenty dollars;

(14) Application for certificate of authority, twenty dollars;

- (15) Application for amended certificate of authority, five dollars;
- (16) Application for certificate of withdrawal, five dollars;
- (17) Corporate registration report filed annually, ten dollars if filed in a written format or five dollars if filed electronically in a format prescribed by the secretary of state;
- (18) Corporate registration report filed biennially, twenty dollars if filed in a written format or ten dollars if filed electronically in a format prescribed by the secretary of state;
- (19) Articles of correction, five dollars;
- (20) Certificate of existence or authorization, five dollars;
- (21) Any other document required or permitted to be filed by this chapter, five dollars.

2. The secretary of state shall collect a fee of ten dollars upon being served with process under this chapter. The party to a proceeding causing service of process is entitled to recover the fee paid the secretary of state as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation: in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies.

4. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived when an initial officer or director of the nonprofit corporation includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

357.060. 1. For incorporation under this chapter as herein provided, there shall be paid to and collected by the state director of revenue a fee of fifty dollars for the first fifty thousand dollars or less of capital stock, and the further sum of five dollars for each additional ten thousand dollars of its capital stock. The limitation upon the aggregate amount of capital stock shall be the same as in respect to other corporations.

2. Fees mandated in subsection 1 of this section shall be waived when the association of persons signing the written articles of association and agreement includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

358.440. 1. To register as a limited liability partnership pursuant to this section, a written application shall be filed with the office of the secretary of state. The application shall set forth:

- (1) The name of the partnership;
- (2) The address of a registered office and the name and address of a registered agent for service of process required to be maintained by section 358.470;
- (3) The number of partners in the partnership at the date of application;
- (4) A brief statement of the principal business in which the partnership engages;
- (5) That the partnership thereby applies for registration as a registered limited liability partnership; and
- (6) Any other information the partnership determines to include in the application.

2. The application shall be signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority in interest of the partners to sign the application on behalf of the partnership.

3. The application shall be accompanied by a fee payable to the secretary of state of twenty-five dollars for each partner of the partnership, but the fee shall not exceed one hundred dollars. All moneys from the payment of this fee shall be deposited into the general revenue fund.

4. A person who files a document according to this section as an agent or fiduciary need not exhibit evidence of the partner's authority as a prerequisite to filing. Any signature on such document may be a facsimile. If the secretary of state finds that the filing conforms to law, the secretary of state shall:

- (1) Endorse on the copy the word "Filed" and the month, day and year of the filing;
- (2) File the original in the secretary of state's office; and
- (3) Return the copy to the person who filed it or to the person's representative.

5. A partnership becomes a registered limited liability partnership on the date of the filing in the office of the secretary of state of an application that, as to form, meets the requirements of subsections 1 and 2 of this section and that is accompanied by the fee specified in subsection 3 of this section, or at any later time specified in the application.

6. An initial application filed under subsection 1 of this section by a partnership registered by the secretary of state as a limited liability partnership expires one year after the date of registration unless earlier withdrawn or revoked or unless renewed in accordance with subsection 9 of this section.

7. If a person is included in the number of partners of a registered limited liability partnership set forth in an application, a renewal application or a certificate of amendment of an application or a renewal application, the inclusion of such person shall not be admissible as evidence in any action, suit or proceeding, whether civil, criminal, administrative or investigative, for the purpose of determining whether such person is liable as a partner of such registered limited liability partnership. The status of a partnership as a registered limited liability partnership and the liability of a partner of such registered limited liability partnership shall not be adversely affected if the number of partners stated in an application, a renewal application or a certificate of amendment of an application or a renewal application is erroneously stated provided that the application, renewal application or certificate of amendment of an application or a renewal application was filed in good faith.

8. Any person who files an application or a renewal application in the office of the secretary of state pursuant to this section shall not be required to file any other documents pursuant to chapter 417 which requires filing for fictitious names.

9. An effective registration may be renewed before its expiration by filing in duplicate with the secretary of state an application containing current information of the kind required in an initial application, including the registration number as assigned by the secretary of state. The renewal application shall be accompanied by a fee of one hundred dollars on the date of renewal plus, if the renewal increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars. All moneys from such fees shall be deposited into the general revenue fund. A renewal application filed under this section continues an effective registration for one year after the date the effective registration would otherwise expire.

10. A registration may be withdrawn by filing with the secretary of state a written withdrawal notice signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority of the partners to sign the notice on behalf of the partnership. A withdrawal notice shall include the name of the partnership, the date of registration of the partnership's last application under this section, and a current street address of the partnership's principal office in this state or outside the state, as applicable. A withdrawal notice terminates the registration of the partnership as a limited liability partnership as of the date of filing the notice in the office of the secretary of state. The withdrawal notice shall be accompanied by a filing fee of twenty dollars.

11. If a partnership that has registered pursuant to this section ceases to be registered as provided in subsection 6 or 10 of this section, that fact shall not affect the status of the partnership as a registered limited liability partnership prior to the date the partnership ceased to be registered pursuant to this section.

12. A document filed under this section may be amended or corrected by filing with the secretary of state articles of amendment, signed by a majority of the partners or by one or more partners authorized by a majority of the partners. The articles of amendment shall contain:

- (1) The name of the partnership;
- (2) The identity of the document being amended;
- (3) The part of the document being amended; and
- (4) The amendment or correction.

The articles of amendment shall be accompanied by a filing fee of twenty dollars plus, if the amendment increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars; provided that no amendment of an application or a renewal application is required as a result of a change after the application or renewal application is filed in the number of partners of the registered limited liability partnership or in the business in which the registered limited liability partnership engages. All moneys from such fees shall be deposited into the general revenue fund. The status of a partnership as a registered limited liability partnership shall not be affected by changes after the filing of an application or a renewal application in the information stated in the application or renewal application.

13. No later than ninety days after the happening of any of the following events, an amendment to an application or a renewal application reflecting the occurrence of the event or events shall be executed and filed by a majority in interest of the partners or by one or more partners authorized by a majority of the partners to execute an amendment to the application or renewal application:

- (1) A change in the name of the registered limited liability partnership;
- (2) Except as provided in subsections 2 and 3 of section 358.470, a change in the address of the registered office or a change in the name or address of the registered agent of the registered limited liability partnership.

14. Unless otherwise provided in this chapter or in the certificate of amendment of an application or a renewal application, a certificate of amendment of an application or a renewal application or a withdrawal notice of an application or a renewal application shall be effective at the time of its filing with the secretary of state.

15. The secretary of state may provide forms for the application specified in subsection 1 of this section, the renewal application specified in subsection 9 of this section, the withdrawal notice specified in subsection 10 of this section, and the amendment or correction specified in subsection 12 of this section.

16. The secretary of state may remove from its active records the registration of a partnership whose registration has been withdrawn, revoked or has expired.

17. The secretary of state may revoke the filing of a document filed under this section if the secretary of state determines that the filing fee for the document was paid by an instrument that was dishonored when presented by the state for payment. The secretary of state shall return the document and give notice of revocation to the filing party by regular mail. Failure to give or receive notice does not invalidate the revocation. A revocation of a filing does not affect an earlier filing.

18. If any person signs a document required or permitted to be filed pursuant to sections 358.440 to 358.500 which the person knows is false in any material respect with the intent that the document be delivered on behalf of a partnership to the secretary of state for filing, such person shall be guilty of a class A misdemeanor. Unintentional errors in the information set forth in an application filed pursuant to subsection 1 of this section, or changes in the information after the filing of the application, shall not affect the status of a partnership as a registered limited liability partnership.

19. Before transacting business in this state, a foreign registered limited liability partnership shall:

(1) Comply with any statutory or administrative registration or filing requirements governing the specific type of business in which the partnership is engaged; and

(2) Register as a limited liability partnership as provided in this section by filing an application which shall, in addition to the other matters required to be set forth in such application, include a statement:

(a) That the secretary is irrevocably appointed the agent of the foreign limited liability partnership for service of process if the limited liability partnership fails to maintain a registered agent in this state or if the agent cannot be found or served with the exercise of reasonable diligence; and

(b) Of the address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited liability partnership.

20. A partnership that registers as a limited liability partnership shall not be deemed to have dissolved as a result thereof and is for all purposes the same partnership that existed before the registration and continues to be a partnership under the laws of this state. If a registered limited liability partnership dissolves, a partnership which is a successor to such registered limited liability partnership and which intends to be a registered limited liability partnership shall not be required to file a new registration and shall be deemed to have filed any documents required or permitted under this chapter which were filed by the predecessor partnership.

21. Fees mandated in subsection 3 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

359.651. 1. The secretary of state shall charge the fee specified for filing the following:

(1) Certificates of limited partnership: One hundred dollars;

(2) Applications for registration of foreign limited partnerships and issuance of a certificate of registration to transact business in this state:

One hundred dollars;

(3) Amendments to and restatements of certificates of limited partnerships or to applications for registration of foreign limited partnerships or any other filing not otherwise provided for: Twenty dollars;

(4) Cancellations of certificates of limited partnerships or of registration of foreign limited partnerships: Twenty dollars;

(5) A consent required to be filed under this chapter: Twenty dollars;

(6) A change of address of registered agent, or change of registered agent, or both: Five dollars;

(7) A partner list: One dollar each page;

(8) Reservation of name: Twenty dollars;

(9) Rescission fee: One hundred dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when a general partner of the partnership is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

394.250. 1. There shall be charged and collected for:

(1) Filing articles of incorporation, ten dollars;

- (2) Filing articles of amendment, one dollar;
- (3) Filing articles of consolidation or merger, ten dollars;
- (4) Filing articles of conversion, ten dollars;
- (5) Filing certificate of election to dissolve, one dollar;
- (6) Filing articles of dissolution, two dollars; and
- (7) Filing certificate of change of principal office, two dollars.

2. All fees shall be made payable to and collected by the state director of revenue.

3. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived when an initial member of the cooperative includes a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service.

417.220. 1. For the registration or renewal of each fictitious name under sections 417.200 to 417.230 there shall be paid to the state director of revenue a fee of two dollars if filed electronically in a format prescribed by the secretary of state or if filed in a written format prescribed by the secretary of state.

2. Fees mandated in subsection 1 of this section shall be waived when a party owning any interest or part in the business is a member of the Missouri National Guard or any other active duty military, resides in the state of Missouri, and verifiable proof is shown to the secretary of state of such service."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McGaugh offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1
to
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, Page 2, Line 2, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 21, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 40, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 3, Line 37, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 4, Line 5, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 7, Line 20, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 40, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said amendment, Page 8, Line 12, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said page, Line 20, by inserting after the word "**military**"; the words "**or such organizer resides in a third or fourth class county**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Roorda, **House Amendment No. 4, as amended**, was adopted.

On motion of Representative Davis, **HCS SCS SB 117, as amended**, was adopted.

On motion of Representative Davis, **HCS SCS SB 117, as amended**, was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter
Smith 120

Cierpiot

Franklin

Guernsey

Smith 85

Speaker Jones declared the bill passed.

HCS SCS SB 186, relating to unclaimed remains of veterans, was taken up by Representative Davis.

Representative Englund offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 186, Page 6, Section 194.360, Line 75, by inserting after all of said line the following:

"447.559. All abandoned tangible personal property delivered to the treasurer pursuant to subdivision (4) of section 447.505 that has possible historical significance shall be reviewed as follows:

(1) The treasurer at the treasurer's discretion shall screen such property to determine if the property indicates a need for further review;

(2) In the event it is determined that such property needs further review, the treasurer shall make available such property to the state historical society of Missouri for historical review. The state historical society shall issue to the treasurer its report and recommend to the treasurer the appropriate state department or agency to act as custodian of any property deemed to be of such historical significance as to be retained;

(3) The state historical society shall receive a reasonable fee for its services. If the treasurer and the state historical society cannot agree on the amount of the fee, the commissioner of administration shall determine the fee. The fee shall be paid out of appropriations made from the abandoned fund account;

(4) The [state treasurer's office] **treasurer** upon receiving military medals shall hold and maintain such military medals until the original owner or [their] **such owner's** respective heirs or beneficiaries can be identified and the military medal returned. **The treasurer is authorized to make the information described in subsection 4 of section 447.560 available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries.** The [state] treasurer may designate a [veteran's] **veterans'** organization or other appropriate organization as custodian of **military** medals until the original owner or their respective heirs or beneficiaries are located **and to assist the treasurer in identifying the original owner or such owner's respective heirs or beneficiaries; except that, no person or entity entering into an agreement under section 447.581 shall be designated by the treasurer as custodian or military medals, and any agreement to pay compensation to recover or assist in the recovery of military medals delivered to the treasurer is unenforceable.**

447.560. 1. The treasurer shall retain a record of the name and last known address of each person appearing from the holders' reports to be entitled to the abandoned moneys and property and of the name and last known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of a life insurance corporation, its number, the name of the corporation, and the amount due. The record shall be available for public inspection at all reasonable business hours.

2. Except as specifically provided by this section, no information furnished to the treasurer in the holder reports, including Social Security numbers or other identifying information, shall be open to public inspection or made public. Any officer, employee or agent of the treasurer who, in violation of the provisions of this section, divulges, discloses or permits the inspection of such information shall be guilty of a misdemeanor.

3. If an amount is turned over to the state that is less than fifty dollars, the amount reported may be made available as public information, along with the name and last known address of the person appearing from the holder report to be entitled to the abandoned moneys; except that, no additional information other than provided for in this section may be released, and any individual other than the person appearing from the holder report to be entitled to the abandoned moneys shall be governed by sections 447.500 to 447.595 and other applicable Missouri law in his or her use or dissemination of such information.

4. If the abandoned property is a military medal, the treasurer is authorized to make any information, other than Social Security numbers, contained in the holder report and record under subsection 1 of this section, and any photograph or other visual depiction of the military medal available to the public in order to facilitate the identification of the original owner or such owner's respective heirs or beneficiaries as described under subdivision (4) of section 447.559."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Englund, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HCS SCS SB 186, as amended**, was adopted.

On motion of Representative Davis, **HCS SCS SB 186, as amended**, was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bernskoetter Cross Smith 85 Smith 120 Swearingen

Speaker Jones declared the bill passed.

SS SB 28, relating to unemployment benefits, was taken up by Representative Cierpiot.

Representative Cox assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

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ABSENT WITH LEAVE: 009

Bernskoetter	Curtman	Flanigan	Guernsey	Koenig
Lichtenegger	Smith 85	Smith 120	Stream	

On motion of Representative Cierpiot, **SS SB 28** was truly agreed to and finally passed by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 057

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Conway 104	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Haefner	Harris	Hodges	Hough
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieber	Schieffer	Schupp
Solon	Swearingen	Walton Gray	Webb	Webber
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Curtman	Guernsey	Koenig	LaFaver
Roorda	Smith 85	Smith 120		

Representative Cox declared the bill passed.

SCS SB 254, relating to fees on small loans, was taken up by Representative Crawford.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kolkmeier	Korman	Lair	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Curtman	Guernsey	Koenig	Lant
McCaherty	Neely	Neth	Reiboldt	Smith 85
Smith 120	Stream			

On motion of Representative Crawford, **SCS SB 254** was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 006

Ellington	Frame	Gardner	Hubbard	Johnson
Justus				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Curtman	Gatschenberger	Grisamore	Guernsey
Koenig	McCaherty	Neth	Parkinson	Reiboldt
Smith 85	Smith 120			

Representative Cox declared the bill passed.

HCS SS SB 34, relating to a workers' compensation claims database, was taken up by Representative Fraker.

Representative Schatz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Section 287.980, Line 8, by inserting the following after all of said line:

"287.957. The experience rating plan shall contain reasonable eligibility standards, provide adequate incentives for loss prevention, and shall provide for sufficient premium differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective premium adjustments based upon an insured's past experience. Such system shall provide for retrospective adjustment of an experience modification and premiums paid pursuant to such experience modification where a prior reserved claim produced an experience modification that varied by greater than fifty percent from the experience modification that would have been established based on the settlement amount of that claim. The rating plan shall prohibit an adjustment to the experience modification of an employer if the total medical cost does not exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan** and the employer pays all of the total medical costs and there is no lost time from the employment, other than the first three days or less of disability under subsection 1 of section 287.160, and no claim is filed. An employer opting to utilize this provision maintains an obligation to report the injury under subsection 1 of section 287.380.

287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall be effective on January 1, 2014.

4. For purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Eglund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Bernskoetter	Curtman	Guernsey	Koenig	Mitten
Smith 85	Smith 120			

On motion of Representative Fraker, **HCS SS SB 34, as amended**, was adopted by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Berry
Brattin	Brown	Burlison	Cierpiot	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kolkmeier	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Shull	Shumake	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 065

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Conway 104	Curtis
Dunn	Ellinger	Ellington	English	Englund
Fitzpatrick	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Korman
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Roorda	Runions
Schieber	Schieffer	Schupp	Solon	Swearingen
Torpey	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Bernskoetter	Curtman	Guernsey	Koenig	Scharnhorst
Smith 85	Smith 120			

On motion of Representative Fraker, **HCS SS SB 34, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Berry
Brattin	Brown	Burlison	Cierpiot	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kolkmeyer	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Ross	Rowland	Scharnhorst
Schatz	Shull	Shumake	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 067

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Conway 104	Curtis
Dunn	Ellinger	Ellington	English	Englund
Fitzpatrick	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Korman
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Remole	Rizzo	Roorda
Rowden	Runions	Schieber	Schieffer	Schupp
Solon	Swearingen	Torpey	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Bernskoetter	Curtman	Guernsey	Koenig	Smith 85
Smith 120				

Representative Cox declared the bill passed.

HCS SS#2 SCS SB 1, relating to workers' compensation, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.150, Pages 11-13, Lines 1-90, by deleting all of said section from the bill; and

Further amend said bill, Section 287.200, Page 15, Lines 54-68, by deleting all of said lines and inserting in lieu thereof the following:

"(1) Notwithstanding any provision of law to the contrary, such amount as due to the employee during said employee's life as provided for under this chapter for an award of permanent total disability and death, except such amount shall begin only when the benefits payable under subdivisions (2) and (3) of this subsection have been exhausted;

(2) An amount equal to one hundred percent of the state's average weekly wage as of the date of diagnosis for seventy-five weeks shall be paid by the employer; or

(3) In cases where occupational diseases due to toxic exposure are found to be mesothelioma, an additional amount of two hundred percent of the state's average weekly wage for one hundred fifty weeks shall be paid by the employer; and"; and

Further amend said bill, Section 287.213, Pages 18-19, Lines 1-45, by deleting all of said section from the bill; and

Further amend said bill, Section 287.220, Page 19, Lines 12-15, by deleting all of said lines and inserting in lieu thereof the following:

"2. All cases of permanent disability where there has been previous disability due to injuries occurring prior to the effective date of this section shall be compensated as [herein] provided in this subsection. Compensation shall be computed on the basis of the average earnings at the time of"; and

Further amend said section, Page 21, Line 73, by inserting "**or conditions**" after "**injuries**"; and

Further amend said bill, Section 287.610, Pages 24-26, Lines 1-77, by deleting all of said section from the bill; and

Further amend said bill, Section 287.690, Page 27, Lines 18-19, by deleting all of said lines and inserting in lieu thereof the following:

"estimated to be on hand on December thirty-first of the year each tax rate determination is made is less than one hundred ten percent of the"; and

Further amend said section and page, Line 21, by deleting "**division**"; and

Further amend said bill, Section 287.715, Pages 29-30, Lines 55-71, by deleting all of said lines and inserting in lieu thereof the following:

"6. Notwithstanding subsection 2 of this section to the contrary, the director of the division of workers compensation shall collect a supplemental surcharge not to exceed three percent for calendar years 2014 to 2020. All policyholders and self-insurers shall be notified by the division of the supplemental surcharge percentage to be imposed for such period of time as part of the notice provided in subsection 2 of this section. The provisions of this subsection shall expire on December 31, 2020."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Torpey	Walker	White
Wieland	Wilson	Zerr	Mr Speaker	

NOES: 054

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Higdon	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieber	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Berry	Curtman	Gatschenberger	Guernsey
Koenig	Smith 85	Smith 120	Thomson	Wood

Representative Molendorp offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 24, Section 287.220, Line 192, by inserting after all of said section and line, the following:

"287.280. 1. Every employer subject to the provisions of this chapter shall, on either an individual or group basis, insure his **or her** entire liability [thereunder] **including workers' compensation and employer**

liability, except as hereafter provided, with some insurance carrier authorized to insure such liability in this state, except that an employer or group of employers may themselves carry the whole or any part of the liability without insurance upon satisfying the division of their ability so to do. If an employer or group of employers have qualified to self-insure their liability under this chapter, the division of workers' compensation may, if it finds after a hearing that the employer or group of employers are willfully and intentionally violating the provisions of this chapter with intent to defraud their employees of their right to compensation, suspend or revoke the right of the employer or group of employers to self-insure their liability. If the employer or group of employers fail to comply with this section, an injured employee or his dependents may elect after the injury either to bring an action against such employer or group of employers to recover damages for personal injury or death and it shall not be a defense that the injury or death was caused by the negligence of a fellow servant, or that the employee had assumed the risk of the injury or death, or that the injury or death was caused to any degree by the negligence of the employee; or to recover under this chapter with the compensation payments commuted and immediately payable; or, if the employee elects to do so, he or she may file a request with the division for payment to be made for medical expenses out of the second injury fund as provided in subsection 5 of section 287.220. If the employer or group of employers are carrying their own insurance, on the application of any person entitled to compensation and on proof of default in the payment of any installment, the division shall require the employer or group of employers to furnish security for the payment of the compensation, and if not given, all other compensation shall be commuted and become immediately payable; provided, that employers engaged in the mining business shall be required to insure only their liability hereunder to the extent of the equivalent of the maximum liability under this chapter for ten deaths in any one accident, but the employer or group of employers may carry their own risk for any excess liability. When a group of employers enter into an agreement to pool their liabilities under this chapter, individual members will not be required to qualify as individual self-insurers.

2. Groups of employers qualified to insure their liability pursuant to chapter 537 or this chapter, shall utilize a uniform experience rating plan promulgated by an approved advisory organization. Such groups shall develop experience ratings for their members based on the plan. Nothing in this section shall relieve an employer from remitting, without any charge to the employer, the employer's claims history to an approved advisory organization.

3. For every entity qualified to group self-insure their liability pursuant to this chapter or chapter 537, each entity shall not authorize total discounts for any individual member exceeding twenty-five percent beginning January 1, 1999. All discounts shall be based on objective quantitative factors and applied uniformly to all trust members.

4. Any group of employers that have qualified to self-insure their liability pursuant to this chapter shall file with the division premium rates, based on pure premium rate data, adjusted for loss development and loss trending as filed by the advisory organization with the department of insurance, financial institutions and professional registration pursuant to section 287.975, plus any estimated expenses and other factors or based on average rate classifications calculated by the department of insurance, financial institutions and professional registration as taken from the premium rates filed by the twenty insurance companies providing the greatest volume of workers' compensation insurance coverage in this state. The rate is inadequate if funds equal to the full ultimate cost of anticipated losses and loss adjustment expenses are not produced when the prospective loss costs are applied to anticipated payrolls. The provisions of this subsection shall not apply to those political subdivisions of this state that have qualified to self-insure their liability pursuant to this chapter as authorized by section 537.620 on an assessment plan. Any such group may file with the division a composite rate for all coverages provided under that section.

5. Any finding or determination made by the division under this section may be reviewed as provided in sections 287.470 and 287.480.

6. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

7. Any records submitted pursuant to this section, and pursuant to any rule promulgated by the division pursuant to this section, shall be considered confidential and not subject to chapter 610. Any party to a workers' compensation case involving the party that submitted the records shall be able to subpoena the records for use in a workers' compensation case, if the information is otherwise relevant."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative White offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.020, Page 2, Line 14, by inserting after the word "subagencies." the following:

"The word "employee" also shall not include any person performing services for board, lodging, aid, or sustenance received from any religious, charitable, or relief organization."; and

Further amend said bill, Page 8, Section 287.140, Lines 48 to 51, by deleting all of said lines and inserting in lieu thereof the following:

"(1) Two years from the date the notice of dispute of the medical charge was received by the health care provider if such services were rendered before July 1, 2013; and

(2) One year from the date the notice of dispute of the medical charge was received by the health care provider if such services were rendered on or after July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 3** was adopted.

Representative Conway (104) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 4-5, Section 287.067, Lines 1-45, by deleting all of said section and lines from the bill and insert in lieu thereof the following:

"287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. "Loss of hearing due to industrial noise" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. "Harmful noise" means sound capable of producing occupational deafness.

5. "Radiation disability" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590 if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department **or paid peace officers of a police department who are certified under chapter 590** if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (104), **House Amendment No. 4** was adopted.

Representative Hinson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 5, Section 287.067, Line 36, by inserting after the word "department" on said line, the following:

"or paid peace officers of a police department who are certified under chapter 590"; and

Further amend said bill, Page 24, Section 287.220, Line 192, by inserting after all of said section and line, the following:

"287.243. 1. This section shall be known and may be cited as the "Line of Duty Compensation Act".

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) "Air ambulance registered professional nurse", a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) "Emergency medical technician", a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

(4) "Firefighter", any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

(5) "Killed in the line of duty", when [a person defined in this section] **any law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter** loses [one's] **his or her** life as a result of an injury received in the active performance of [his or her duties within the ordinary scope of] **duties in** his or her respective profession [while the individual is on duty and but for the individual's performance, death would have not occurred], **if the death occurs as a natural and probable consequence of the injury or disease caused by the accident or violence of another within three hundred weeks from the date the injury was received and if that injury arose from violence of another or**

accidental cause subject to the provisions of this subdivision. The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, **paramedic**, or firefighter. The division of workers' compensation shall have the burden of proving such willful misconduct or intoxication. **For law enforcement officers, emergency medical technicians, air ambulance pilots, air ambulance registered professional nurses, paramedics, and firefighters, the term shall include the death caused as a result of a willful act of violence committed by a person other than the officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, and a relationship exists between the commission of such act and the individual's performance of his or her duties as a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, paramedic, or firefighter, regardless of whether the injury is received while the individual is on duty; or the injury is received by a law enforcement officer while he or she is attempting to prevent the commission of a criminal act of another person or attempting to apprehend an individual suspected of committing a crime, regardless of whether the injury is received while the individual is on duty as a law enforcement officer; or the injury is received by the individual while traveling to or from his or her employment or during any meal break, or other break, which takes place during the period in which the law enforcement officer, air ambulance pilot, air ambulance registered professional nurse, emergency medical technician, paramedic, or firefighter, is on duty;**

(6) "Law enforcement officer", any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person's life;

(7) "Local governmental entity", includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

(8) "State", the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

(9) "Volunteer firefighter", a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed by the estate of the deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

5. The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

6. Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable

attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

7. Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

8. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

9. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

10. There is hereby created in the state treasury the "Line of Duty Compensation Fund", which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

11. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 5** was adopted.

Representative Schatz offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.955, Pages 30-31, Lines 1-26, by deleting all of said lines and inserting in lieu thereof the following:

"287.955. 1. Every workers' compensation insurer shall adhere to a uniform classification system and uniform experience rating plan filed with the director by the advisory organization designated by the director and subject to his disapproval. **Every workers compensation insurer shall report its workers compensation experience in accordance with the statistical plans and other reporting requirements in use by an advisory organization designated by the director.** An insurer may develop subclassifications of the uniform classification system [upon which a rate may be made], except that such subclassifications shall be filed with the director thirty days prior to their use. **A workers compensation insurer may develop other rating plans which reflect additional risk characteristics, and such rating plans and their filing shall be filed with the director thirty days prior to their use.** The director shall disapprove subclassifications, **rating plans, or other variations from manual rules filed by an insurer** if the insurer fails to demonstrate that the data thereby produced can be reported

consistent with the uniform statistical plan, [and] classification system, **and experience rating systems and is in such a fashion so as to allow for the application of experience rating filed by the advisory organization.**

2. The director shall designate an advisory organization to assist him in gathering, compiling and reporting relevant statistical information. Every workers' compensation insurer shall record and report its workers' compensation experience to the designated advisory organization as set forth in the uniform statistical plan approved by the director.

3. The designated advisory organization shall develop and file manual rules, subject to the approval of the director, reasonably related to the recording and reporting of data pursuant to the uniform statistical plan, uniform experience rating plan, and the uniform classification system. Every workers' compensation insurer shall adhere to the approved manual rules and experience rating plan in writing and reporting its business. No insurer shall agree with any other insurer or with the advisory organization to adhere to manual rules which are not reasonably related to the recording and reporting of data pursuant to the uniform classification system of the uniform statistical plan."; and

Further amend said bill, Section 287.957, Page 31, Lines 3-8, by deleting all of said lines and inserting in lieu thereof the following:

"differentials so as to encourage safety. The uniform experience rating plan shall be the exclusive means of providing prospective premium adjustment based upon measurement of the loss-producing characteristics of an individual insured. An insurer may submit a rating plan or plans providing for retrospective"; and

Further amend said section and page, Line 15, by deleting all of said line and inserting in lieu thereof the following:

"exceed [one thousand dollars] **twenty percent of the current split point of primary and excess losses under the uniform experience rating plan** and the employer pays all of the total medical costs and there is no"; and

Further amend said section and page, Line 18, by inserting the following after all of said line:

"287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999.

4. For purposes of calculating the premium credit under the Missouri contracting classification premium adjustment program, an employer within the construction group of code classifications may submit to the advisory organization the required payroll record information for the first, second, third, or fourth calendar quarter of the year prior to the workers' compensation policy beginning or renewal date, provided that the employer clearly indicates for which quarter the payroll information is being submitted."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 6** was adopted.

Representative Kelly (45) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 24, Section 287.220, Line 192, by inserting after all of said line the following:

"17. The provisions of this section shall expire on January 1, 2014. Any claims filed prior to January 1, 2014, shall continue to be compensated as provided in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (45) moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Haahr offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Page 24, Section 287.220, Line 169, by deleting the phrase "**elects to pursue compensation**" and insert in lieu thereof the following:

"files a claim for compensation"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haahr, **House Amendment No. 8** was adopted.

HCS SS#2 SCS SB 1, as amended, was laid over.

Speaker Jones resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 23, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

HCS SB 23, as amended, relating to political subdivisions, was again taken up by Representative Jones (50).

Representative Jones (50) moved that the House refuse to recede from its position on **HCS SB 23, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 23: Representatives Jones (50), Hough and Rizzo

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 630 - Fiscal Review

HCS HB 781 - Fiscal Review

COMMITTEE REPORTS

Committee on Children, Families, and Persons with Disabilities, Chairman Grisamore reporting:

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SB 205**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children, Families, and Persons with Disabilities, to which was referred **SCS SB 229**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 827**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 771**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 42**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **SS SB 252**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 284**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Burlison reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SCS SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Special Standing Committee on Emerging Issues in Health Care, Chairman Richardson reporting:

Mr. Speaker: Your Special Standing Committee on Emerging Issues in Health Care, to which was referred **HB 925**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 294**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 149** and **HB 536**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 930**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 35**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 129**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 178**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 248**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 257**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 327**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 329**, entitled:

An act to repeal sections 361.160, 408.140, 408.590, 408.592, and 408.600, RSMo, and to enact in lieu thereof four new sections relating to financial institutions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 329, Page 8, Section 408.600, Line 43, by inserting after all of said line the following:

"513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any

claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.072, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409); except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan [or], profit-sharing plan, **health savings plan, or similar plan, including an inherited account or plan**, that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, **whether such participant's or beneficiary's interest arises by inheritance, designation, appointment, or otherwise**, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 329, Page 1, Section A, Line 3, by inserting after all of said line the following:

"208.010. 1. In determining the eligibility of a claimant for public assistance pursuant to this law, it shall be the duty of the **family support** division [of family services] to consider and take into account all facts and circumstances surrounding the claimant, including his or her living conditions, earning capacity, income and resources, from whatever source received, and if from all the facts and circumstances the claimant is not found to be in need, assistance shall be denied. In determining the need of a claimant, the costs of providing medical treatment which may be furnished pursuant to sections 208.151 to 208.158 [and 208.162] shall be disregarded. The amount of benefits, when added to all other income, resources, support, and maintenance shall provide such persons with reasonable subsistence compatible with decency and health in accordance with the standards developed by the **family support** division [of family services]; provided, when a husband and wife are living together, the combined income and resources of both shall be considered in determining the eligibility of either or both. "Living together" for the purpose of this chapter is defined as including a husband and wife separated for the purpose of obtaining medical care or nursing home care, except that the income of a husband or wife separated for such purpose shall be considered in determining the eligibility of his or her spouse, only to the extent that such income exceeds the amount necessary to meet the needs (as defined by rule or regulation of the division) of such husband or wife living separately. In determining the need of a claimant in federally aided programs there shall be disregarded such amounts per month of earned income in making such determination as shall be required for federal participation by the provisions of the federal Social Security Act (42 U.S.C.A. 301 et seq.), or any amendments thereto. When federal law or regulations require the exemption of other income or resources, the **family support** division [of family services] may provide by rule or regulation the amount of income or resources to be disregarded.

2. Benefits shall not be payable to any claimant who:

(1) Has or whose spouse with whom he or she is living has, prior to July 1, 1989, given away or sold a resource within the time and in the manner specified in this subdivision. In determining the resources of an individual, unless prohibited by federal statutes or regulations, there shall be included (but subject to the exclusions pursuant to subdivisions (4) and (5) of this subsection, and subsection 5 of this section) any resource or interest therein owned by such individual or spouse within the twenty-four months preceding the initial investigation, or at any time during which benefits are being drawn, if such individual or spouse gave away or sold such resource or interest within such period of time at less than fair market value of such resource or interest for the purpose of establishing eligibility for benefits, including but not limited to benefits based on December, 1973, eligibility requirements, as follows:

(a) Any transaction described in this subdivision shall be presumed to have been for the purpose of establishing eligibility for benefits or assistance pursuant to this chapter unless such individual furnishes convincing evidence to establish that the transaction was exclusively for some other purpose;

(b) The resource shall be considered in determining eligibility from the date of the transfer for the number of months the uncompensated value of the disposed of resource is divisible by the average monthly grant paid or average Medicaid payment in the state at the time of the investigation to an individual or on his or her behalf under the program for which benefits are claimed, provided that:

a. When the uncompensated value is twelve thousand dollars or less, the resource shall not be used in determining eligibility for more than twenty-four months; or

b. When the uncompensated value exceeds twelve thousand dollars, the resource shall not be used in determining eligibility for more than sixty months;

(2) The provisions of subdivision (1) of this subsection shall not apply to a transfer, other than a transfer to claimant's spouse, made prior to March 26, 1981, when the claimant furnishes convincing evidence that the uncompensated value of the disposed of resource or any part thereof is no longer possessed or owned by the person to whom the resource was transferred;

(3) Has received, or whose spouse with whom he or she is living has received, benefits to which he or she was not entitled through misrepresentation or nondisclosure of material facts or failure to report any change in status or correct information with respect to property or income as required by section 208.210. A claimant ineligible pursuant to this subsection shall be ineligible for such period of time from the date of discovery as the **family support** division [of family services] may deem proper; or in the case of overpayment of benefits, future benefits may be decreased, suspended or entirely withdrawn for such period of time as the division may deem proper;

(4) Owns or possesses resources in the sum of one thousand dollars or more; provided, however, that if such person is married and living with spouse, he or she, or they, individually or jointly, may own resources not to exceed two thousand dollars; and provided further, that in the case of a temporary assistance for needy families claimant, the provision of this subsection shall not apply;

(5) Prior to October 1, 1989, owns or possesses property of any kind or character, excluding amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436, or has an interest in property, of which he or she is the record or beneficial owner, the value of such property, as determined by the **family support** division [of family services], less encumbrances of record, exceeds twenty-nine thousand dollars, or if married and actually living together with husband or wife, if the value of his or her property, or the value of his or her interest in property, together with that of such husband and wife, exceeds such amount;

(6) In the case of temporary assistance for needy families, if the parent, stepparent, and child or children in the home owns or possesses property of any kind or character, or has an interest in property for which he or she is a record or beneficial owner, the value of such property, as determined by the **family support** division [of family services] and as allowed by federal law or regulation, less encumbrances of record, exceeds one thousand dollars, excluding the home occupied by the claimant, amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436, one automobile which shall not exceed a value set forth by federal law or regulation and for a period not to exceed six months, such other real property which the family is making a good-faith effort to sell, if the family agrees in writing with the **family support** division [of family services] to sell such property and from the net proceeds of the sale repay the amount of assistance received during such period. If the property has not been sold within six months, or if eligibility terminates for any other reason, the entire amount of assistance paid during such period shall be a debt due the state;

(7) Is an inmate of a public institution, except as a patient in a public medical institution.

3. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the income and resources of a relative or other person living in the home shall be taken into account to the extent the income, resources, support and maintenance are allowed by federal law or regulation to be considered.

4. In determining eligibility and the amount of benefits to be granted pursuant to federally aided programs, the value of burial lots or any amounts placed in an irrevocable prearranged funeral or burial contract under chapter 436 shall not be taken into account or considered an asset of the burial lot owner or the beneficiary of an irrevocable prearranged funeral or funeral contract. For purposes of this section, "burial lots" means any burial space as defined in section 214.270 and any memorial, monument, marker, tombstone or letter marking a burial space. If the beneficiary, as defined in chapter 436, of an irrevocable prearranged funeral or burial contract receives any public assistance benefits pursuant to this chapter and if the purchaser of such contract or his or her successors in interest transfer, amend, or take any other such actions regarding the contract so that any person will be entitled to a refund, such refund shall be paid to the state of Missouri with any amount in excess of the public assistance benefits provided under this chapter to be refunded by the state of Missouri to the purchaser or his or her successors. In determining eligibility and the amount of benefits to be granted under federally aided programs, the value of any life insurance policy where a seller or provider is made the beneficiary or where the life insurance policy is assigned to a seller or provider, either being in consideration for an irrevocable prearranged funeral contract under chapter 436, shall not be taken into account or considered an asset of the beneficiary of the irrevocable prearranged funeral contract. **In addition, the value of any funds, up to nine thousand nine hundred ninety-nine dollars, placed into an irrevocable personal funeral trust account, where the trustee of the irrevocable personal funeral trust account is a state or federally chartered financial institution authorized to exercise trust powers in the state of Missouri, shall not be taken into account or considered an asset of the person whose funds are so deposited if such funds are restricted to be used only for the burial, funeral, preparation of the body, or other final disposition of the person whose funds were deposited into said personal funeral trust account. No person or entity shall charge more than ten percent of the total amount deposited into a personal funeral trust in order to create or set up said personal funeral trust, and any fees charged for the maintenance of such a personal funeral trust shall not exceed three percent of the trust assets annually. Trustees may commingle funds from two or more such personal funeral trust accounts so long as accurate books and records are kept as to the value, deposits, and disbursements of each individual depositor's funds and trustees are to use the prudent investor standard as to the investment of any funds placed into a personal funeral trust. If the person whose funds are deposited into the personal funeral trust account receives any public assistance benefits pursuant to this chapter and any funds in the personal funeral trust account are, for any reason, not spent on the burial, funeral, preparation of the body, or other final disposition of the person whose funds were deposited into the trust account, such funds shall be paid to the state of Missouri with any amount in excess of the public assistance benefits provided under this chapter to be refunded by the state of Missouri to the person who**

received public assistance benefits or his or her successors. No contract with any cemetery, funeral establishment, or any provider or seller shall be required in regards to funds placed into a personal funeral trust account as set out in this subsection.

5. In determining the total property owned pursuant to subdivision (5) of subsection 2 of this section, or resources, of any person claiming or for whom public assistance is claimed, there shall be disregarded any life insurance policy, or prearranged funeral or burial contract, or any two or more policies or contracts, or any combination of policies and contracts, which provides for the payment of one thousand five hundred dollars or less upon the death of any of the following:

(1) A claimant or person for whom benefits are claimed; or

(2) The spouse of a claimant or person for whom benefits are claimed with whom he or she is living. If the value of such policies exceeds one thousand five hundred dollars, then the total value of such policies may be considered in determining resources; except that, in the case of temporary assistance for needy families, there shall be disregarded any prearranged funeral or burial contract, or any two or more contracts, which provides for the payment of one thousand five hundred dollars or less per family member.

6. Beginning September 30, 1989, when determining the eligibility of institutionalized spouses, as defined in 42 U.S.C. Section 1396r-5, for medical assistance benefits as provided for in section 208.151 and 42 U.S.C. Sections 1396a, et seq., the **family support** division [of family services] shall comply with the provisions of the federal statutes and regulations. As necessary, the division shall by rule or regulation implement the federal law and regulations which shall include but not be limited to the establishment of income and resource standards and limitations. The division shall require:

(1) That at the beginning of a period of continuous institutionalization that is expected to last for thirty days or more, the institutionalized spouse, or the community spouse, may request an assessment by the **family support** division [of family services] of total countable resources owned by either or both spouses;

(2) That the assessed resources of the institutionalized spouse and the community spouse may be allocated so that each receives an equal share;

(3) That upon an initial eligibility determination, if the community spouse's share does not equal at least twelve thousand dollars, the institutionalized spouse may transfer to the community spouse a resource allowance to increase the community spouse's share to twelve thousand dollars;

(4) That in the determination of initial eligibility of the institutionalized spouse, no resources attributed to the community spouse shall be used in determining the eligibility of the institutionalized spouse, except to the extent that the resources attributed to the community spouse do exceed the community spouse's resource allowance as defined in 42 U.S.C. Section 1396r-5;

(5) That beginning in January, 1990, the amount specified in subdivision (3) of this subsection shall be increased by the percentage increase in the Consumer Price Index for All Urban Consumers between September, 1988, and the September before the calendar year involved; and

(6) That beginning the month after initial eligibility for the institutionalized spouse is determined, the resources of the community spouse shall not be considered available to the institutionalized spouse during that continuous period of institutionalization.

7. Beginning July 1, 1989, institutionalized individuals shall be ineligible for the periods required and for the reasons specified in 42 U.S.C. Section 1396p.

8. The hearings required by 42 U.S.C. Section 1396r-5 shall be conducted pursuant to the provisions of section 208.080.

9. Beginning October 1, 1989, when determining eligibility for assistance pursuant to this chapter there shall be disregarded unless otherwise provided by federal or state statutes the home of the applicant or recipient when the home is providing shelter to the applicant or recipient, or his or her spouse or dependent child. The **family support** division [of family services] shall establish by rule or regulation in conformance with applicable federal statutes and regulations a definition of the home and when the home shall be considered a resource that shall be considered in determining eligibility.

10. Reimbursement for services provided by an enrolled Medicaid provider to a recipient who is duly entitled to Title XIX Medicaid and Title XVIII Medicare Part B, Supplementary Medical Insurance (SMI) shall include payment in full of deductible and coinsurance amounts as determined due pursuant to the applicable provisions of federal regulations pertaining to Title XVIII Medicare Part B, except for hospital outpatient services or the applicable Title XIX cost sharing.

11. A "community spouse" is defined as being the noninstitutionalized spouse.

12. An institutionalized spouse applying for Medicaid and having a spouse living in the community shall be required, to the maximum extent permitted by law, to divert income to such community spouse to raise the

community spouse's income to the level of the minimum monthly needs allowance, as described in 42 U.S.C. Section 1396r-5. Such diversion of income shall occur before the community spouse is allowed to retain assets in excess of the community spouse protected amount described in 42 U.S.C. Section 1396r-5."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 331**, entitled:

An act to repeal sections 67.1830, 67.1836, 67.1838, 67.1842, 392.415, 392.420, and 392.461, RSMo, and to enact in lieu thereof twenty-two new sections relating to telecommunications.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENT

May 1, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 317-A
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Josh Peters to the committee on Downsizing State Government.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Jacob Hummel
House Minority Leader
District 81

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, May 2, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 7, 2013, 8:00 AM, House Hearing Room 3.

Committee will review information regarding fee funding for the Department of Agriculture and Department of Natural Resources.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Budget overview pertaining to hospitals and medicaid

CORRECTED

CONFERENCE COMMITTEE

Thursday, May 2, 2013, 7:30 AM, House Hearing Room 4.

SS HCS HJR 11 & 7

CONFERENCE COMMITTEE

Monday, May 6, 2013, 10:00 AM, House Lounge.

SCS HCS HB 1 through SCS HCS HB 13

CONFERENCE COMMITTEE

Tuesday, May 7, 2013, 8:30 AM, House Lounge.

SCS HCS HB 1 through SCS HCS HB 13

CONFERENCE COMMITTEE

Wednesday, May 8, 2013, 8:30 AM, House Lounge.

SCS HCS HB 1 through SCS HCS HB 13

CRIME PREVENTION AND PUBLIC SAFETY

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 7.

Public hearing will be held: SCS SB 256

Executive session will be held: SCS SB 256

Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

CANCELLED

FISCAL REVIEW

Thursday, May 2, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 6.

Public hearing will be held: SCS SBs 317 & 319

Executive session will be held: SCS SBs 317 & 319

Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Monday, May 6, 2013, 1:00 PM, House Hearing Room 5.

Presentation by Missouri Association of Health Plans

JOINT COMMITTEE ON EDUCATION

Tuesday, May 7, 2013, 8:30 AM, Senate Lounge.

Executive session may be held on any matter referred to the committee.

Election of chair and vice-chair; Discussion of interim projects; Information on charter sponsor reports to the committee per SB 576 (2012); and an update on SB 437.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH - REVISIONS SUBCOMMITTEE

Thursday, May 2, 2013, 8:00 AM, Room 117A, State Capitol Building.

On-line and print versions of the Revised Statutes

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 1.

Second quarter meeting

JUDICIARY

Monday, May 6, 2013, 6:30 PM, 516 S. Country Club Drive, Jefferson City.

House Judiciary Committee dinner

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT

Monday, May 6, 2013, 2:00 PM, Room 308.

Executive session may be held on any matter referred to the committee.

RULES

Thursday, May 2, 2013, Upon Morning Adjournment, South Gallery.

Executive session will be held: HB 411, HCS HB 608, HCS HB 685, HCS HB 783,

HCS HB 814, HCS HB 830, HB 863, HR 222, HCS SB 18, SCS SB 33, SB 72, SCS SB 87,

HCS SB 127, SS SCS SB 159, SB 265, SS SB 267, HB 745, HCS SCS SB 42, SS SB 357,

HCS SS SB 252

Executive session may be held on any matter referred to the committee.

AMENDED

VETERANS

Thursday, May 2, 2013, 8:00 AM, House Hearing Room 5.

Public hearing will be held: SCR 13

Executive session may be held on any matter referred to the committee.

CORRECTED

HOUSE CALENDAR

SIXTY-SECOND DAY, THURSDAY, MAY 2, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HCS#2 HJR 14 - Kelly (45)
- 5 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 17 - Stream
- 2 HB 18 - Stream
- 3 HCS HB 19 - Stream

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HCS HB 234 - Gatschenberger
- 12 HB 616 - Bahr
- 13 HB 185 - Kirkton
- 14 HCS HB 641 - Korman
- 15 HCS HB 402 - Shumake
- 16 HCS HB 717 - Grisamore
- 17 HCS HB 727 - Grisamore
- 18 HCS HB 83 - Reiboldt
- 19 HCS HB 132 - Stream
- 20 HCS HB 1041 - Swan

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig

- 5 HCS HB 210, (Fiscal Review 4/30/13) - Cox
- 6 HCS HB 630, (Fiscal Review 5/1/13) - McCaherty
- 7 HB 162 - Sommer
- 8 HB 555 - Burlison
- 9 HCS HB 781, (Fiscal Review 5/1/13) - Hough
- 10 HCS HB 936 - Swan
- 11 HCS HB 371 - Cox
- 12 HB 427 - Schatz
- 13 HCS HB 430 - Schatz
- 14 HCS HB 513 - Bahr
- 15 HB 336 - Hinson

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 611 - Lant
- 3 HCS HB 771 - Schatz

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 157 and SB 102 - Phillips
- 2 SB 230 - Brattin
- 3 HCS SS SCS SB 125 - Barnes
- 4 HCS SCS SB 17 - Thomson
- 5 HCS SS SCS SB 116 - Davis
- 6 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson
- 7 SCS SB 36 - Hicks
- 8 HCS SCS SB 88 - Frederick
- 9 HCS SB 90 - Dugger
- 10 HCS SCS SB 126 - Morris
- 11 HCS SCS SB 9 - Guernsey
- 12 SB 77 - Allen
- 13 HCS SB 222 - Kelly (45)
- 14 SCS SB 224 - Rizzo
- 15 HCS SS SB 262 - Molendorp
- 16 HCS SB 330 - Burlison

- 17 HCS SB 51 - Guernsey
- 18 HCS SB 148 - Schatz
- 19 HCS SB 43 - Kolkmeier
- 20 HCS SCS SB 45 - Hough
- 21 SCS SB 47 - Grisamore
- 22 SB 216 - Hinson
- 23 HCS SS SCS SB 241 - Cierpiot
- 24 SCS SB 302 - Elmer

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 68, SA 1 - Kelley (127)
- 2 SCS HCS HBs 303 & 304, as amended - Scharnhorst
- 3 SS#2 HB 34 - Guernsey
- 4 SCS HB 498 - Jones (50)
- 5 SCS HCS HB 233 - Leara
- 6 SS HB 331 - Miller
- 7 SCS HB 329, as amended - Dugger

BILLS IN CONFERENCE

- 1 SS HCS HJR 11 & 7, as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11, as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 HCS SB 23, as amended - Jones (50)

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-SECOND DAY, THURSDAY, MAY 2, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in Him at all times ye people; pour out your heart before Him; God is a refuge for us. (Psalm 62:8)

Eternal God, without Whose blessing all our labor is in vain, we pray that our lives may be built not upon the sands which shift with the tide but upon the rock of eternal truth and love on this National Day of Prayer. As we worship You, reveal to us Your presence; give us wisdom. Awaken within us a greater desire for goodness, truth and love. To You, we bring our reactions to be purified, our ambitions to be refined, our minds to be cleansed, and our hearts to be responsive to Your spirit.

We ask Your blessing upon our Speaker and the members of this body. May the fires of Your spirit burn brightly within them. May they ever be friendly in spirit, clear in purpose, strong in integrity - men and women of high principles, great faith, and never failing good will. Protect them from all evil and may public office be to them a public trust which will issue in a public service unexcelled in the history of our beloved Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Osia, Lucien Bequette, Jake Page, Wasana Janwong, Sheyla Astete, Lucy Waruru Mahianyu, Yi Mei Pan, Michaela Schweiger and Lay Upadhyay.

The Journal of the sixty-first day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 2658

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2625 through House Resolution No. 2657

House Resolution No. 2659 through House Resolution No. 2699

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 630**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 781**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 17 was taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 17** was adopted.

On motion of Representative Stream, **HCS HB 17** was ordered perfected and printed.

HB 18 was taken up by Representative Stream.

On motion of Representative Stream, **HB 18** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 630, relating to economic development incentives, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HCS HB 630** was read the third time and passed by the following vote:

AYES: 117

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Burns	Butler	Cierpiot
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kolkmeier	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Mims	Molendorp

Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Pfausch	Phillips	Pike
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	White	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 039

Anderson	Bahr	Brattin	Burlison	Conway 104
Curtman	Ellinger	Ellington	Englund	Fitzpatrick
Fowler	Gardner	Guernsey	Haahr	Keeney
Kelly 45	Kirkton	Koenig	LaFaver	Marshall
McNeil	Meredith	Mitten	Montecillo	Moon
Morgan	Newman	Pace	Parkinson	Peters
Pierson	Pogue	Rehder	Schieber	Smith 120
Walton Gray	Webb	Webber	Wood	

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Carpenter	Colona	Frame	Grisamore
Smith 85	Wright			

Speaker Jones declared the bill passed.

HCS HB 210, relating to the Missouri Criminal Code, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 210** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGough
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo

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Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 007

Butler	Curtis	Ellington	Gardner	Kirkton
Newman	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Carpenter	Colona	Grisamore	Smith 85
Wright				

Speaker Jones declared the bill passed.

HCS HB 371, relating to judicial procedures, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 371** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Burlison
Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo

Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 012

Butler	Curtis	Ellington	Gardner	Mitten
Morgan	Newman	Peters	Pierson	Schupp
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Brown	Colona	Curtman	Grisamore
Neth	Smith 85			

Speaker Jones declared the bill passed.

THIRD READING OF SENATE BILL

HCS SS#2 SCS SB 1, as amended, relating to workers' compensation, was taken up by Representative Richardson.

Representative Hummel offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, Section 287.020, Pages 1-3, Lines 1-80, by deleting all of said section from the bill; and

Further amend said bill, Section 287.067, Pages 4-5, Lines 1-45, by deleting all of said section from the bill; and

Further amend said bill, Section 287.120, Pages 5-7, Lines 1-68, by deleting all of said section from the bill; and

Further amend said bill, Section 287.200, Pages 13-15, Lines 1-76, by deleting all of said section from the bill; and

Further amend said bill, Section 287.220, Pages 20-21, Lines 58-60, by deleting all of said lines and inserting in lieu thereof the following:

"date of this section shall be compensated as provided in this subsection."; and

Further amend said bill and section, Page 24, Line 170, by deleting **"or occupational disease"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

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Representative Diehl assumed the Chair.

Speaker Jones resumed the Chair.

On motion of Representative Richardson, **HCS SS#2 SCS SB 1, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS#2 SCS SB 1, as amended**, was read the third time and passed by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 003

Colona	Grisamore	Smith 85
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Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	McCaherty	McGaugh
McManus	McNeil	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Nichols
Pace	Parkinson	Peters	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 026

Burns	Butler	Carpenter	Curtis	Dunn
Ellington	Gardner	Hummel	LaFaver	Mayfield
McCann Beatty	McDonald	McKenna	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Norr
Otto	Pierson	Rizzo	Roorda	Runions
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 004

Colona	Grisamore	Messenger	Smith 85
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THIRD READING OF HOUSE BILL

HB 555, relating to the operation of motorcycles, was taken up by Representative Burlison.

HB 555 was laid over.

On motion of Representative Diehl, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Barnes.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 331, relating to telecommunication price cap waivers, was taken up by Representative Miller.

On motion of Representative Miller, **SS HB 331** was adopted by the following vote:

AYES: 136

Anders	Anderson	Austin	Bahr	Barnes
Berry	Brown	Burlison	Burns	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Koenig	Kolkmeyer	Kratky	Lair
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schupp	Shull	Shumake
Solon	Sommer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 007

Curtis	Ellinger	Gardner	Kelly 45	Kirkton
Korman	Newman			

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Black	Brattin	Colona
Curtman	Ellington	Hicks	Kelley 127	LaFaver
Lant	Redmon	Remole	Roorda	Schieffer
Smith 85	Smith 120	Spencer	Webb	Webber

On motion of Representative Miller, **SS HB 331** was truly agreed to and finally passed by the following vote:

AYES: 139

Anders	Anderson	Austin	Bahr	Barnes
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Dunn	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 007

Curtis	Ellinger	Gardner	Kirkton	Korman
Mitten	Newman			

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Bernskoetter	Berry	Black	Brattin
Colona	Cookson	Curtman	Funderburk	Kelly 45
McManus	Redmon	Roorda	Schieffer	Smith 85
Smith 120	Webber			

Representative Barnes declared the bill passed.

THIRD READING OF HOUSE BILL

HB 555, relating to the operation of motorcycles, was again taken up by Representative Burlison.

Representative Diehl resumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Colona	Dugger	Franklin	Guernsey
Hummel	McManus	Smith 85	Smith 120	

On motion of Representative Burlison, **HB 555** was read the third time and passed by the following vote:

AYES: 094

Anderson	Bahr	Barnes	Bernskoetter	Berry
Black	Brattin	Brown	Burlison	Butler
Carpenter	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Curtman	Davis	Diehl
Dohrman	Ellington	Elmer	Engler	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Funderburk	Gosen	Haahr	Haefner	Hansen
Harris	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
Miller	Molendorp	Moon	Muntzel	Neth
Otto	Parkinson	Pike	Pogue	Redmon
Rehder	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Solon	Sommer	Spencer	Swearingen	Thomson
Torpey	Walker	Webb	Webber	Wieland
Wilson	Wright	Zerr	Mr Speaker	

NOES: 063

Anders	Austin	Burns	Crawford	Cross
Curtis	Dunn	Ellinger	English	Englund
Entlicher	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Grisamore	Hampton	Higdon	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Lauer	May	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Montecillo	Morgan	Morris
Neely	Newman	Nichols	Norr	Pace
Peters	Pfausch	Phillips	Pierson	Reiboldt
Remole	Rhoads	Rizzo	Roorda	Runions
Schupp	Shull	Shumake	Stream	Swan
Walton Gray	White	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Colona	Dugger	Guernsey	Smith 85
Smith 120				

Representative Diehl declared the bill passed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 19 was taken up by Representative Stream.

Representative Stream offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 19, Page 1, Section 19.006, Line 4, by inserting immediately thereafter the following:

"19.007. To the Office of Administration
For planning, design, and construction of a state office building including space for and
renovation of the Missouri Department of Transportation Central Office
From General Revenue Fund. \$38,000,000

19.008. To the Office of Administration
For stonework, window repair and other structural repair for the State Capitol Complex
From General Revenue Fund. \$50,000,000

19.009. To the Office of Administration
For planning and design for the replacement of the Fulton State Hospital
From General Revenue Fund. \$13,000,000"; and

Further amend said bill, Page 2, Section 19.017, Line 4, by inserting immediately thereafter the following:

"19.018. To the Department of Natural Resources
For the Division of State Parks
For state park and historic site maintenance, repair, renovation, and construction
From General Revenue Fund. \$20,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross

Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Colona	Cookson	Dugger	Franklin
Frederick	Funderburk	Jones 50	McCaherty	McManus
Smith 85	Smith 120			

On motion of Representative Stream, **House Amendment No. 1** was adopted by the following vote:

AYES: 131

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dunn
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McCann Beatty	McDonald	McGaugh	McManus	McNeil
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer

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Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 026

Anders	Carpenter	Curtis	Ellinger	Ellington
English	Englund	Frame	Gardner	Hummel
Marshall	May	Mayfield	McKenna	Meredith
Mitten	Morgan	Newman	Nichols	Roorda
Runions	Schupp	Swearingen	Walton Gray	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Allen	Colona	Dugger	Smith 85	Smith 120
Webb				

Representative Flanigan offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 19, Page 4, Section 19.057, Lines 1-5, by deleting the section in its entirety; and

Further amend said bill, Section 19.060, Line 8, by deleting "15,000,000" and inserting "14,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

On motion of Representative Stream, **HCS HB 19, as amended**, was adopted.

On motion of Representative Stream, **HCS HB 19, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HCS HB 781, relating to MO HealthNet-funded home- and community-based care, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 781** was read the third time and passed by the following vote:

AYES: 149

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis

Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 004

Gardner	Mitten	Newman	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Colona	Dugger	Funderburk	Kelly 45
Kolkmeyer	Scharnhorst	Smith 85	Smith 120	Swearingen

Representative Diehl declared the bill passed.

HCS HB 936, relating to the provision of health care services, was taken up by Representative Swan.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Anderson	Austin	Bahr	Bernskoetter	Berry
Brattin	Brown	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner

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Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Barnes	Burlison	Colona	Dugger
Ellinger	Funderburk	Parkinson	Phillips	Richardson
Scharnhorst	Smith 85	Smith 120		

On motion of Representative Swan, **HCS HB 936** was read the third time and passed by the following vote:

AYES: 116

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Pfautsch	Pike	Redmon	Rehder

Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 039

Anders	Burns	Butler	Carpenter	Curtis
Dunn	Ellinger	Ellington	Englund	Franklin
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Schupp
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Allen	Colona	Dugger	Funderburk	Parkinson
Phillips	Smith 85	Smith 120		

Representative Diehl declared the bill passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS#2 HJR 14, relating to the fifth state building fund, was taken up by Representative Jones (110).

Representative McCann Beatty offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Joint Resolution No. 14, Page 5, Section 37(i), Line 128, by inserting after all of said line the following:

"11. The governor or his or her designated representative shall develop in consultation with the state board of fund commissioners a percentage plan for application by African Americans, women, and other minority businesses in all state bond programs. The governor or his or her designated representative shall develop, in consultation with the state board of fund commissioners, a percentage plan for application by African Americans, women, and other minority businesses, for employment opportunity in the state construction building plan. Such minority business and employment plans shall be filed with the Missouri minority business advocacy commission."; and

Further amend said bill, page, section, Line 129, by deleting the number, **"11"** and inserting in lieu thereof the number **"12"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCann Beatty, **House Amendment No. 1** was adopted.

On motion of Representative Jones (110), **HCS#2 HJR 14, as amended**, was adopted.

On motion of Representative Jones (110), **HCS#2 HJR 14, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 427, relating to mechanics' liens, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 427** was read the third time and passed by the following vote:

AYES: 133

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dunn	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Moon	Morgan	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr		

NOES: 013

Curtis	Ellinger	Ellington	Gardner	Kratky
LaFaver	McDonald	Mims	Montecillo	Newman
Pierson	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Colona	Dugger	Elmer	Engler
Funderburk	Grisamore	Hough	McManus	Parkinson
Phillips	Smith 85	Smith 120	Stream	Swan
Swearingen	Mr Speaker			

Representative Diehl declared the bill passed.

HCS HB 430, relating to workers' compensation insurance, was taken up by Representative Schatz.

On motion of Representative Schatz, **HCS HB 430** was read the third time and passed by the following vote:

AYES: 141

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Elmer	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 006

Curtis	Ellington	McNeil	Montecillo	Newman
Webb				

PRESENT: 000

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ABSENT WITH LEAVE: 016

Allen	Colona	Dugger	Engler	Funderburk
Gatschenberger	Hough	Hubbard	Marshall	McManus
Parkinson	Phillips	Scharnhorst	Smith 85	Smith 120
Swan				

Representative Diehl declared the bill passed.

HCS HB 513, relating to the protection of parental rights, was taken up by Representative Bahr.

Representative Richardson moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Elmer
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Gannon	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaughey
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Pfausch	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Conway 10	Dunn	Ellinger	Ellington	English
Englund	Frame	Harris	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Colona	Cox	Curtis	Dugger
Engler	Flanigan	Funderburk	Gardner	Gatschenberger
Parkinson	Phillips	Smith 85	Smith 120	Stream
Swan	Swearingen	Webb		

On motion of Representative Bahr, **HCS HB 513** was read the third time and passed by the following vote:

AYES: 122

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Ellinger	Ellington	Elmer
English	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Moon
Muntzel	Neely	Neth	Otto	Pace
Peters	Pfautsch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 022

Butler	Carpenter	Curtis	Dunn	Englund
Gardner	Hummel	Kirkton	LaFaver	McDonald
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Schupp
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Cierpiot	Colona	Cox	Dugger
Engler	Flanigan	Funderburk	Gatschenberger	Kelly 45
Morris	Parkinson	Phillips	Smith 85	Smith 120
Stream	Swan	Swearingen	Webb	

Representative Diehl declared the bill passed.

HB 336, relating to first responder political activity, was taken up by Representative Hinson.

On motion of Representative Hinson, **HB 336** was read the third time and passed by the following vote:

AYES: 148

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Ellington	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Colona	Cox	Dugger	Engler
Flanigan	Funderburk	Gatschenberger	Parkinson	Phillips
Smith 85	Smith 120	Swan	Webb	

Representative Diehl declared the bill passed.

SUPPLEMENTAL CALENDAR

May 2, 2013

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

- 1 HCS HB 17 - Stream
 - 2 HB 18 - Stream
 - 3 HCS HB 19 - Stream
-

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 17 was again taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 17** was read the third time and passed by the following vote:

AYES: 148

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtis	Curtman	Diehl	Dohrman
Dunn	Ellinger	Ellington	Elmer	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swearingen

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Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Colona	Cox	Davis	Dugger
Engler	Funderburk	Gatschenberger	Hubbard	Parkinson
Phillips	Smith 85	Smith 120	Swan	

Representative Diehl declared the bill passed.

Speaker Jones resumed the Chair.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 16, SB 59, SB 60, SB 80, SCS SB 191, SB 234, SB 235, SB 237, SCS SB 287, SB 306, SCS SB 324, SB 329** and **SCS SB 376** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HB 18 was again taken up by Representative Stream.

On motion of Representative Stream, **HB 18** was read the third time and passed by the following vote:

AYES: 147

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Elmer	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna

McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfausch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 002

Ellington Marshall

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Colona	Cox	Dugger	Engler
Flanigan	Funderburk	Gatschenberger	Parkinson	Phillips
Scharnhorst	Smith 85	Smith 120	Swan	

Speaker Jones declared the bill passed.

HCS HB 19 was again taken up by Representative Stream.

On motion of Representative Stream, **HCS HB 19** was read the third time and passed by the following vote:

AYES: 120

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Butler	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dunn	Elmer	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McCann Beatty	McDonald
McGaugh	McNeil	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pfausch	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon

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Sommer	Spencer	Stream	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 030

Black	Burns	Carpenter	Curtis	Ellinger
Ellington	English	Englund	Frame	Gardner
Hummel	LaFaver	Marshall	May	Mayfield
McKenna	McManus	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Pace	Peters
Rizzo	Roorda	Schupp	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Colona	Cox	Dugger	Engler
Flanigan	Funderburk	Gatschenberger	Parkinson	Phillips
Smith 85	Smith 120	Swan		

Speaker Jones declared the bill passed.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Hinson reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 256**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 92**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 424**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 75**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SCS SBs 317 & 319**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SB 245**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Phillips reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 467**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 222**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 411**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 608**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 685**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 745**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 783**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 814**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 830**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 863**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 72**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 87**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 114**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 121**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 127**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 265**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 267**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 357**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS#2 HJR 14 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SB 42 - Fiscal Review

HCS SS SB 252 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 256, 33 & 305**, entitled:

An act to repeal section 610.021, RSMo, and to enact in lieu thereof two new sections relating to public safety, with an emergency clause.

With Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 5, Section 1, Line 3, by inserting at the end of said line the following:

"The provisions of this section shall only apply to a flight on a state-owned plane."

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 256, 33 & 305, Page 5, Section 610.021, Line 125, by inserting after all of said line the following:

"610.150. Except as provided by this section, any information acquired by a law enforcement agency **or a first responder agency** by way of a complaint or report of a crime made by telephone contact using the emergency number, "911", shall be inaccessible to the general public. However, information consisting of the date, time, specific location and immediate facts and circumstances surrounding the initial report of the crime or incident shall be considered to be an incident report and subject to section 610.100. Any closed records pursuant to this section shall be available upon request by law enforcement agencies or the division of workers' compensation or pursuant to a valid court order authorizing disclosure upon motion and good cause shown."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 307**, entitled:

An act to repeal sections 77.046, 78.340, 79.240, 80.420, 84.120, 84.430, 84.490, 84.830, 85.551, 99.845, 106.010, 106.270, 190.100, 321.015, 321.210, 321.322, and 590.080, RSMo, and to enact in lieu thereof nineteen new sections relating to emergency service providers, with existing penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 307, Page 28, Section 106.273, Line 26, by inserting after all of said line the following:

"174.700. The board of regents or board of governors of any state college or university may appoint and employ as many college or university police officers as it may deem necessary to **enforce regulations established under section 174.709 and general motor vehicle laws of this state in accordance with section 174.712**, protect persons, property, and to preserve peace and good order only in the public buildings, properties, grounds, and other facilities and locations over which it has charge or control and to respond to emergencies or natural disasters outside of the boundaries of university property and provide services if requested by the law enforcement agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties, shall take and subscribe an oath of office before some officer authorized to administer oaths, to faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the board, and the secretary of the board shall give each college police officer so appointed and qualified a certificate of appointment, under the seal of the board, which certificate shall empower him or her with the same authority to maintain order, preserve peace and make arrests as is now held by peace officers.

2. The college or university police officers shall have the authority to enforce the regulations established in section 174.709 and general motor vehicle laws in accordance with section 174.712 on the campus as prescribed in chapter 304. The college or university police officer may in addition expel from the public buildings, campuses, and grounds, persons violating the rules and regulations that may be prescribed by the board or others under the authority of the board.

3. Such officer or employee of the state college or university as may be designated by the board shall have immediate charge, control and supervision of police officers appointed by authority of this section. Such college or university police officers shall have satisfactorily completed before appointment a training course for police officers as prescribed by chapter 590 for state peace officers or, by virtue of previous experience or training, have met the requirements of chapter 590, **and have been certified under that chapter.**

174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board the right to appoint guards or watchmen who shall not be given the authority and powers authorized by sections 174.700 to [174.706] **174.712.**

174.709. 1. For the purpose of promoting public safety, health, and general welfare and to protect life and property, the board of regents or board of governors of any state college or university may establish regulations to control vehicular traffic, including speed regulations, on any thoroughfare owned or maintained by the state college or university and located within any of its campuses. Such regulations shall be consistent with the provisions of the general motor vehicle laws of this state. Upon adoption of such regulations, the state college or university shall have the authority to place official traffic control signals, as defined in section 300.010, on campus property.

2. The regulations established by the board of regents or board of governors of any state college or university under subsection 1 of this section shall be codified, printed, and distributed for public use. Adequate signs displaying the speed limit shall be posted along such thoroughfares.

3. Violations of any regulation established under this section shall have the same effect as a violation of municipal ordinances adopted under section 304.120, with penalty provisions as provided in section 304.570.

Points assessed against any person under section 302.302, for a violation of this section shall be the same as provided for a violation of a county or municipal ordinance.

4. The provisions of this section shall apply only to moving violations.

174.712. All motor vehicles operated upon any thoroughfare owned or maintained by the state college or university and located within any of its campuses shall be subject to the provisions of the general motor vehicle laws of this state, including chapters 301, 302, 303, 304, 307, and 577. Violations shall have the same effect as though such had occurred on public roads, streets, or highways of this state."; and

Further amend said bill, Page 44, Section 321.322, Line 21, by inserting after all of said line the following:

"544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any political subdivision of this state, any authorized agent of the department of conservation, any commissioned member of the Missouri capitol police, **any college or university police officer**, and any commissioned member of the Missouri state park rangers in fresh pursuit of a person who is reasonably believed by such officer to have committed a felony in this state or who has committed, or attempted to commit, in the presence of such officer or agent, any criminal offense or violation of a municipal or county ordinance, or for whom such officer holds a warrant of arrest for a criminal offense, shall have the authority to arrest and hold in custody such person anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace officer's, conservation agent's, capitol police officer's, **college or university police officer's**, or state park ranger's jurisdiction and shall be terminated once the pursuing peace officer is outside of such officer's jurisdiction and has lost contact with the person being pursued. If the offense is a traffic violation, the uniform traffic ticket shall be used as if the violator had been apprehended in the municipality or county in which the offense occurred.

2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense; if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court with original criminal jurisdiction in the county wherein such arrest was made or before a municipal judge thereof having original jurisdiction to try such offense, who may release the person as provided in section 544.455, conditioned upon such person's appearance before the court having jurisdiction to try the offense. The person so arrested need not be taken before a judge as herein set out if given a summons by the arresting officer.

3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or is reasonably suspected of having committed a felony in this state, or who has committed or attempted to commit in this state a criminal offense or violation of municipal or county ordinance in the presence of the arresting officer referred to in subsection 1 of this section or for whom such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. "Fresh pursuit" as used herein shall imply instant pursuit.

4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum standards:

- (1) There shall be supervisory control of the pursuit;
- (2) There shall be procedures for designating the primary pursuit vehicle and for determining the total number of vehicles to be permitted to participate at one time in the pursuit;
- (3) There shall be procedures for coordinating operation with other jurisdictions; and
- (4) There shall be guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be initiated or should be terminated."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 307, Page 29, Section 190.098, Line 14, by inserting after "nurse" the following:

"through a collaborative practice arrangement with a physician"; and

Further amend Line 15, by inserting after "assistant" the following:

"through a collaborative practice arrangement with a physician".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 436**, entitled:

An act to repeal sections 21.750, 571.030, 571.101, 571.107, 571.117 and 590.010, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with a penalty provision.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 436, Section 1.320, Page 3, Lines 72, by striking all of said line and inserting in lieu thereof, the following:

"and the Missouri Constitution;

(9) The General Assembly of the state of Missouri strongly promotes responsible gun ownership, including parental supervision of minors in the proper use, storage and ownership of all firearms, the prompt reporting of stolen firearms, and the proper enforcement of all state gun laws;

(10) The General Assembly of the state of Missouri hereby condemns any unlawful transfer of firearms and the use of any firearm in any criminal or unlawful activity."

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 436, Page 13, Section 571.030, Line 176, by inserting immediately after all of said line the following:

"571.067. No county, municipality, or other governmental body, or an agent of a county, municipality, or other governmental body, may participate in any program in which individuals are given a thing of value in exchange for surrendering a firearm to the county, municipality, or other governmental body unless:

(1) The county, municipality, or governmental body has adopted a resolution, ordinance, or rule authorizing the participation of the county, municipality, or governmental body, or participation by an agent of the county, municipality, or governmental body, in such a program; and

(2) The resolution, ordinance, or rule enacted pursuant to this section provides that any firearm received shall be offered for sale or trade to a licensed firearms dealer. The proceeds from any sale or gains from trade shall be the property of the county, municipality, or governmental body. Any proceeds collected under this subdivision shall be deposited with the municipality, county, or governmental body unless the proceeds are collected by a sheriff, in which case the proceeds shall be deposited in the county sheriff's revolving fund under section 50.535. Any firearm remaining in the possession of the county, municipality, or governmental body after the firearm has been offered for sale or trade to at least two licensed firearms dealers may be destroyed."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS#2 SCS SB 1, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 23, as amended**: Senators Parson, Kehoe, Cunningham, Justus and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 34, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **SCS SB 106, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 117, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 186, as amended**, and has taken up and passed **HCS SCS SB 186, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1 to SB 197** and has taken up and passed **SB 197, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 401**, entitled:

An act to amend chapter 376, RSMo, by adding thereto ten new sections relating to health insurance exchanges, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

May 2, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Ave., RM 308
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- Rep. Holly Rehder removed from the Freshman Bipartisan Issue Development Standing Committee

Sincerely,

/s/ Representative Dwight Scharnhorst
Administration and Accounts, Chair
District 98

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE JOINT RESOLUTION NOS. 11 & 7**

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, with Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, as amended;
2. That the House recede from its position on House Committee Substitute for House Joint Resolution Nos. 11 & 7;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jason Smith
/s/ Bill Reiboldt
/s/ Linda Black

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Dan Brown

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 4:00 p.m., Monday, May 6, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, May 7, 2013, 8:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 7, 2013, 8:00 AM, House Hearing Room 3.
Committee will review information regarding Department of Agriculture and Department of Natural Resources' fee funds.

CONFERENCE COMMITTEE

Monday, May 6, 2013, 10:00 AM, House Lounge.
SCS HCS HB 1 through SCS HCS HB 13

CONFERENCE COMMITTEE

Tuesday, May 7, 2013, 8:30 AM, House Lounge.
SCS HCS HB 1 through SCS HCS HB 13

CONFERENCE COMMITTEE

Wednesday, May 8, 2013, 8:30 AM, House Lounge.
SCS HCS HB 1 through SCS HCS HB 13

FISCAL REVIEW

Monday, May 6, 2013, 3:30 PM, South Gallery.
Executive session may be held on any matter referred to the committee.

ISSUE DEVELOPMENT STANDING COMMITTEE ON MISSOURI HEALTH CARE

Monday, May 6, 2013, 1:00 PM, House Hearing Room 5.
Presentation by Missouri Association of Health Plans

JOINT COMMITTEE ON EDUCATION

Tuesday, May 7, 2013, 8:30 AM, Senate Lounge.
Executive session may be held on any matter referred to the committee.
Election of chair and vice-chair; Discussion of interim projects; Information on charter sponsor reports to the committee per SB 576 (2012); and an update on SB 437.

JUDICIARY

Monday, May 6, 2013, 6:30 PM, 516 S. Country Club Drive, Jefferson City.

LEADERSHIP FOR MISSOURI ISSUE DEVELOPMENT

Monday, May 6, 2013, 2:00 PM, Room 308.

Executive session may be held on any matter referred to the committee.

RULES

Monday, May 6, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session will be held: SCS SB 69, HCS SB 99, HCS SB 100, SB 208, HCS SS SB 282, SCS SB 381

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-THIRD DAY, MONDAY, MAY 6, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HCS HB 234 - Gatschenberger
- 12 HB 616 - Bahr
- 13 HB 185 - Kirkton
- 14 HCS HB 641 - Korman
- 15 HCS HB 402 - Shumake
- 16 HCS HB 717 - Grisamore
- 17 HCS HB 727 - Grisamore
- 18 HCS HB 83 - Reiboldt
- 19 HCS HB 132 - Stream
- 20 HCS HB 1041 - Swan
- 21 HCS HBs 309 & 73 - Solon
- 22 HCS HB 350 - Frederick
- 23 HCS HB 464 - Higdon
- 24 HCS HB 484 - Lauer

- 25 HCS HB 564 - McGaugh
- 26 HCS HB 604 - Phillips
- 27 HCS HB 608 - Frederick
- 28 HCS HB 685 - Burlison
- 29 HB 745 - Thomson
- 30 HCS HB 783 - Diehl
- 31 HCS HB 814 - Fraker
- 32 HCS HB 830 - Jones (50)
- 33 HB 863 - Allen
- 34 HCS HB 930 - Flanigan

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 HJR 14, (Fiscal Review 5/2/13) - Jones (110)

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

- 1 HB 635 - Fitzwater
- 2 HCS HB 611 - Lant
- 3 HCS HB 771 - Schatz

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCS HCR 17 - Frederick
- 4 HCR 34 - Houghton

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 157 and SB 102 - Phillips
- 2 SB 230 - Brattin
- 3 HCS SS SCS SB 125 - Barnes
- 4 HCS SCS SB 17 - Thomson
- 5 HCS SS SCS SB 116 - Davis

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- 6 SCS SB 36 - Hicks
- 7 HCS SCS SB 88 - Frederick
- 8 HCS SB 90 - Dugger
- 9 HCS SCS SB 126 - Morris
- 10 HCS SCS SB 9 - Guernsey
- 11 SB 77 - Allen
- 12 HCS SB 222 - Kelly (45)
- 13 SCS SB 224 - Rizzo
- 14 HCS SS SB 262 - Molendorp
- 15 HCS SB 330 - Burlison
- 16 HCS SB 51 - Guernsey
- 17 HCS SB 148 - Schatz
- 18 HCS SB 43 - Kolkmeier
- 19 HCS SCS SB 45 - Hough
- 20 SCS SB 47 - Grisamore
- 21 SB 216 - Hinson
- 22 HCS SS SCS SB 241 - Cierpiot
- 23 SCS SB 302 - Elmer
- 24 HCS SB 18, E.C. - Cox
- 25 SCS SB 33 - Grisamore
- 26 SB 35 - Engler
- 27 HCS SB 41 - Hough
- 28 HCS SCS SB 42, (Fiscal Review 5/2/13) - Riddle
- 29 SCS SB 87 - Bahr
- 30 HCS SB 110 - Davis
- 31 SS SCS SB 114 - Jones (50)
- 32 SS SCS SB 129 - Burlison
- 33 SS SCS SB 159 - Scharnhorst
- 34 SCS SB 178 - Kirkton
- 35 SCS SB 248 - Fraker
- 36 HCS SS SB 252, (Fiscal Review 5/2/13), E.C. - Richardson
- 37 SB 257 - Berry
- 38 SB 265 - Rowland
- 39 SS SB 267 - Curtman
- 40 SB 327 - Haahr
- 41 SB 350 - Diehl
- 42 SS SB 357 - Schatz

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HB 68, SA 1 - Kelley (127)
- 2 SCS HCS HBs 303 & 304, as amended - Scharnhorst
- 3 SS#2 HB 34 - Guernsey
- 4 SCS HB 498 - Jones (50)
- 5 SCS HCS HB 233 - Leara
- 6 SCS HB 329, as amended - Dugger

BILLS CARRYING REQUEST MESSAGES

- 1 SCS SB 106, HA1, HA2, HA3, HA1 to HA4, HA4 a.a., HA5
(request House recede/grant conf.) - Davis
- 2 HCS SCS SB 117, as amended (request House recede/grant conference) - Davis
- 3 HCS SS SB 34, as amended (request House recede/grant conference) - Fraker
- 4 HCS SS#2 SCS SB 1, as amended (request House recede/grant conference) - Richardson

BILLS IN CONFERENCE

- 1 CCR SS HCS HJR 11 & 7, as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11, as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 HCS SB 23, as amended - Jones (50)

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-THIRD DAY, MONDAY, MAY 6, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative Gary Cross.

Lord, we pause to say "Thank You" for the opportunity to be a part of this Body and to serve the residents in the State of Missouri. With the last two weeks in session, guide and protect us as we make decisions that impact the citizens of this great state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2700 through House Resolution No. 2809

SECOND READING OF SENATE BILL

SS SB 401 was read the second time.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS#2 HB 698, as amended, relating to tax incentives, was taken up by Representative Zerr.

Representative Zerr moved that the House refuse to adopt **SCS HCS#2 HB 698, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

HB 68, with Senate Amendment No. 1, relating to the designation of Pancreatic Cancer Awareness month, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Berry	Brattin	Fitzpatrick	Gardner	Grisamore
Hough	Love	Molendorp	Smith 120	Torpey

On motion of Representative Kelley (127), **HB 68, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Conway 104	Dohrman	Fitzpatrick	Gardner
Gatschenberger	Grisamore	Hinson	Hoskins	Hough
Jones 50	Love	Molendorp	Roorda	Smith 120
Torpey				

Speaker Jones declared the bill passed.

SCS HCS HBs 303 & 304, as amended, relating to the designation of the “Stan Musial Memorial Bridge,” was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **SCS HCS HBs 303 & 304, as amended**, was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Bernskoetter

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 009

Brattin	Grisamore	Hinson	Love	McManus
Mitten	Molendorp	Smith 120	Torpey	

On motion of Representative Scharnhorst, **SCS HCS HBs 303 & 304, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Schupp	Shull
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 001

Bernskoetter

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Brattin	Grisamore	Hinson	Love	Mitten
Molendorp	Peters	Rehder	Schatz	Shumake
Smith 120	Torpey			

Speaker Jones declared the bill passed.

SS#2 HB 34, relating to the establishment of the School Construction Act, was taken up by Representative Guernsey.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Carpenter	Curtman	Gatschenberger	Love
Marshall	Smith 120	Stream		

On motion of Representative Guernsey, **SS#2 HB 34** was adopted by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Spencer	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 065

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gannon	Gardner	Harris	Higdon	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCaherty	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Molendorp	Montecillo	Morgan
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Solon	Sommer	Swearingen	Torpey	Walton Gray
Webb	Webber	Wieland	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 005

Brattin	Gatschenberger	Love	Smith 120	Stream
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1938 *Journal of the House*

On motion of Representative Guernsey, **SS#2 HB 34** was truly agreed to and finally passed by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Spencer	Swan	Thomson	Walker	White
Wilson	Wood	Mr Speaker		

NOES: 064

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gannon
Gardner	Harris	Higdon	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Solon
Sommer	Swearingen	Torpey	Walton Gray	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 006

Berry	Brattin	Gatschenberger	Love	Smith 120
Stream				

Representative Keeney declared the bill passed.

SCS HB 498, relating to paid-in surplus distributions, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **SCS HB 498** was adopted by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 004

Frame	Funderburk	Love	Smith 120
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1940 *Journal of the House*

On motion of Representative Jones (50), **SCS HB 498** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 002

Ellington	Webb
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PRESENT: 000

ABSENT WITH LEAVE: 008

Berry	Conway 104	Fraker	Frame	Funderburk
Hansen	Love	Smith 120		

Representative Keeney declared the bill passed.

SCS HCS HB 233, relating to state employee benefits, was taken up by Representative Leara.

On motion of Representative Leara, **SCS HCS HB 233** was adopted by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Barnes

PRESENT: 000

ABSENT WITH LEAVE: 005

Franklin	Funderburk	Higdon	Love	Smith 120
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On motion of Representative Leara, **SCS HCS HB 233** was truly agreed to and finally passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Barnes

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Higdon	Love	McDonald	Smith 120
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Representative Keeney declared the bill passed.

SCS HB 329, as amended, relating to real estate loan violation reporting, was taken up by Representative Dugger.

On motion of Representative Dugger, **SCS HB 329, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	Marshall	May	Mayfield
McCaherty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 017

Butler	Colona	Curtis	Dunn	Ellinger
Ellington	Gardner	Kratky	McCann Beatty	McDonald
Mims	Montecillo	Newman	Otto	Pierson
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 005

Jones 50	Love	Scharnhorst	Smith 120	Zerr
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On motion of Representative Dugger, **SCS HB 329, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	Marshall	May	Mayfield
McCaherty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 017

Butler	Colona	Curtis	Dunn	Ellinger
Ellington	Gardner	Kratky	McCann Beatty	McDonald
Mims	Montecillo	Newman	Otto	Pierson
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 003

Jones 50	Love	Smith 120
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Representative Keeney declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

SCS SB 106, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5, relating to sex offender registry requirements, was taken up by Representative Davis.

Representative Davis moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5** to **SCS SB 106** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 117, as amended, relating to military affairs, was taken up by Representative Davis.

Representative Davis moved that the House refuse to recede from its position on **HCS SCS SB 117, as amended,** and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

SS SCS SB 159, relating to physical therapy insurance coverage, was taken up by Representative Scharnhorst.

Representative Hummel raised a point of order that **SS SCS SB 159** was not eligible for consideration pursuant to Rule 62.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Scharnhorst, **SS SCS SB 159** was truly agreed to and finally passed by the following vote:

AYES: 136

Allen	Anders	Anderson	Austin	Barnes
Berry	Black	Brattin	Brown	Burns
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Davis	Diehl
Dohrman	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges

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Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfausch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wood	Wright
Zerr				

NOES: 022

Bahr	Bernskoetter	Burlison	Butler	Carpenter
Cox	Curtis	Curtman	Dugger	Fitzpatrick
Gardner	Haahr	Hubbard	Koenig	Marshall
Molendorp	Moon	Parkinson	Pogue	Schieber
Wilson	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Love	Muntzel	Riddle	Smith 120	Swearingen
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Representative Keeney declared the bill passed.

HCS SS SB 262, relating to health insurance, was taken up by Representative Molendorp.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 2, Section 334.108, Line 26, by inserting after all of said section and line the following:

"338.321. 1. The "Missouri Oral Chemotherapy Parity Interim Committee" is hereby created to study the disparity in patient co-payments between orally and intravenously administered chemotherapies, the reasons for the disparity, and the patient benefits in establishing co-payment parity between oral and infused chemotherapy agents. The committee shall consider information on the costs or actuarial analysis associated with the delivery of patient oncology treatments. The conclusions of this study shall satisfy any statutorily required actuarial analysis.

2. The Missouri oral chemotherapy parity interim committee shall consist of the following members:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) One member who is an oncologist or physician with expertise in the practice of oncology licensed in this state under chapter 334;

- (4) One member who is an oncology nurse licensed in this state under chapter 335;
- (5) One member who is a representative of a Missouri pharmacy benefit management company;
- (6) One member from an organization representing licensed pharmacists in this state;
- (7) One member from the business community representing businesses on health insurance issues;
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;
- (9) One patient advocate;
- (10) One member from the organization representing a majority of hospitals in this state;
- (11) One member from a health carrier as such term is defined under section 376.1350;
- (12) One member from the organization representing a majority of health carriers in this state, as such term is defined under section 376.1350; and
- (13) One member from the Leukemia and Lymphoma Society.

3. All members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2013. The department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. No later than January 1, 2014, the committee shall submit a report to the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the appropriate legislative committee of the general assembly regarding the results of the study and any legislative recommendations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Burlison offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 38, Section 376.1900, Line 3, by deleting the word "**website**" and inserting in lieu thereof the phrase "**web-based or similar electronic-based communications network**"; and

Further amend said bill and section, Page 39, Line 56, by inserting after all of said section and line the following:

"376.2000. 1. Sections 376.2000 to 376.2014 shall be known and may be cited as the "Health Insurance Marketplace Innovation Act of 2013".

2. As used in sections 376.2000 to 376.2014, the following terms mean:

- (1) "Department", the department of insurance, financial institutions and professional registration;**
- (2) "Director", the director of the department of insurance, financial institutions and professional registration;**
- (3) "Exchange", any health benefit exchange established or operating in this state, including any exchange established or operated by the United States Department of Health and Human Services.**
- (4) "Navigator", a person that, for compensation, provides information or services in connection with eligibility, enrollment, or program specifications of any health benefit exchange operating in this state, including any person that is selected to perform the activities and duties identified in 42 U.S.C. 18031(i) in this state, any person who receives funds from the United States Department of Health and Human Services to perform any of the activities and duties identified in 42 U.S.C. 18031(i), or any other person certified by the United States Department of Health and Human Services, or a health benefit exchange operating in this state, to perform such defined or related duties irrespective of whether such person is identified as a navigator, certified application counselor, in-person assister, or other title.**

376.2002. 1. No individual or entity shall perform, offer to perform, or advertise any service as a navigator in this state, or receive navigator funding from the state or an exchange unless licensed as a navigator by the department under sections 376.2000 to 376.2014.

2. A navigator may:

(1) Provide fair and impartial information and services in connection with eligibility, enrollment, and program specifications of any health benefit exchange operating in this state, including information about the costs of coverage, advance payments of premium tax credits, and cost sharing reductions;

(2) Facilitate the selection of a qualified health plan;

(3) Initiate the enrollment process;

(4) Provide referrals to any applicable office of health insurance consumer assistance, ombudsman, or other agency for any enrollee with a grievance, complaint, or question regarding their health plan, coverage, or determination under the plan; and

(5) Use culturally and linguistically appropriate language to communicate the information authorized in this subsection.

3. Unless also properly licensed as an insurance producer in this state with authority for health under section 375.014, a navigator shall not:

(1) Sell, solicit, or negotiate health insurance;

(2) Engage in any activity that would require an insurance producer license;

(3) Provide advice concerning the benefits, terms, and features of a particular health plan or offer advice about which exchange health plan is better or worse for a particular individual or employer;

(4) Recommend or endorse a particular health plan or advise consumers about which health plan to choose; or

(5) Provide any information or services related to health benefit plans or other products not offered in the exchange.

4. The following entities or persons are exempt from the requirement to be licensed as a navigator:

(1) An entity or person licensed as an insurance producer in this state with authority for health under section 375.014;

(2) A law firm or licensed attorney in this state; and

(3) A "health care provider" as defined in section 376.1350 provided that:

(a) The health care provider does not receive any funds from the United States Department of Health and Human Services or a health exchange operating in this state to act as a navigator; and

(b) The activities or functions performed are related to advising, assisting, or counseling patients regarding private or public coverage or financial matters related to medical treatments or government assistance programs.

However, nothing in this section shall prohibit a health care provider from voluntarily becoming licensed as a navigator.

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the director shall find that the individual:

(1) Is eighteen years of age or older;

(2) Resides in this state or maintains his or her principal place of business in the state;

(3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;

(4) Has successfully passed the written examination prescribed by the director;

(5) When applicable, has the written consent of the director under 18 U.S.C. 1033 or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce;

(6) Has identified the entity with which he or she is affiliated and supervised; and

(7) Has paid the fees prescribed by the director.

2. An entity that acts as a navigator, supervises the activities of individual navigators, or receives funding to perform such activities shall obtain a navigator entity license. An entity applying for an entity navigator license shall make application on a form containing the information prescribed by the director.

3. The director may require any documents deemed necessary to verify the information contained in an application submitted in accordance with subsections 1 and 2 of this section.

4. Entities licensed as navigators shall, in a manner prescribed by the director, provide a list of all individual navigators that are employed by or in any manner affiliated with the navigator entity and shall report any changes in employment or affiliation within twenty days of such change.

5. The director shall require that each navigator obtain a surety bond in an amount acceptable to the director or otherwise demonstrate a level of financial responsibility capable of protecting all persons against the wrongful acts, misrepresentations, errors, omissions, or negligence of the navigator. The director may ask for a copy of the bond or other evidence of financial responsibility at any time.

6. Prior to any exchange becoming operational in this state, the director shall prescribe initial training, continuing education, and written examination standards and requirements for navigators.

376.2006. 1. A navigator license shall be valid for two years.

2. A navigator may file an application for renewal of a license and pay the renewal fee as prescribed by the director. Any navigator who fails to timely file for license renewal shall be charged a late fee in an amount prescribed by the director.

3. Prior to the filing date for an application for renewal of a license, an individual licensee shall comply with any ongoing training and continuing education requirements established by the director. Such navigator shall file with the director, by a method prescribed by the director, proof of satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the ongoing training and continuing education requirements shall result in the expiration of the license.

376.2008. Upon contact with a person who acknowledges having existing health insurance coverage obtained through an insurance producer, a navigator shall advise the person to consult with a licensed insurance producer regarding coverage in the private market.

376.2010. 1. The director may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate a navigator license or may levy a fine not to exceed one thousand dollars for each violation, or any combination of actions, for any one or more of the causes listed in section 375.141, 375.936 or for other good cause. In the event that the action by the director is not to renew or to deny an application for a license, the director shall notify the applicant or licensee in writing and shall advise the applicant or licensee of the reason for the denial or nonrenewal. Appeal of the nonrenewal or denial of the application for a navigator license shall be made under the provisions of chapter 621.

2. In addition to imposing the penalties authorized by subsection 1 of this section, the director may require that restitution be made to any person who has suffered financial injury because of a violation of this section.

3. The director shall have the power to examine and investigate the business affairs and records of any navigator to determine whether the individual or entity has engaged or is engaging in any violation of this section.

4. The navigator license held by an entity may be suspended or revoked, renewal or reinstatement thereof may be refused, or a fine may be levied, with or without a suspension, revocation, or refusal to renew a license, if the director finds that an individual licensee's violation was known or should have been known by the employing or supervising entity and the violation was not reported to the director and no corrective action was undertaken on a timely basis.

376.2011. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048.

3. A violation of sections 376.2000 to 376.2014 is a level two violation under section 374.049.

376.2012. 1. Each licensed navigator shall report to the director within thirty calendar days of the final disposition of the matter of any administrative action taken against him or her in another jurisdiction or by

another governmental agency in this state. This report shall include a copy of the order, consent to order, or other relevant legal documents.

2. Within thirty days of the initial pretrial hearing date, a navigator shall report to the director any criminal prosecution of the navigator in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

3. An entity that acts as a navigator that terminates the employment, engagement, affiliation, or other relationship with an individual navigator shall notify the director within twenty days following the effective date of the termination, using a format prescribed by the director if the reason for termination is one of the reasons set forth in section 375.141 or 375.936 or if the entity has knowledge that the navigator was found by a court or governmental body to have engaged in any such activities. Upon the written request of the director, the entity shall provide additional information, documents, records, or other data pertaining to the termination or activity of the individual.

376.2014. 1. The requirements of sections 379.930 to 379.952 and chapters 375, 376, 407 and any related rules shall apply to navigators. The activities and duties of a navigator shall be deemed to constitute transacting the business of insurance.

2. If any provision of sections 376.2000 to 376.2014 or its application to any person or circumstance is held invalid by a court of competent jurisdiction or by federal law, the invalidity does not affect other provisions or applications of sections 376.2000 to 376.2014 that can be given effect without the invalid provision or application. The provisions of sections 376.2000 to 376.2014 are severable, and the valid provisions or applications shall remain in full force and effect.

3. The director may promulgate rules and regulations to implement and administer the provisions of sections 376.2000 to 376.2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 376.2000 to 376.2014 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 376.2000 to 376.2014 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings, consumer complaints, and investigations into compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state."; and

Further amend said bill and page, Section B, Line 1, by inserting after all of said section the following:

"Section C. Because of the need to ensure that navigators are adequately trained to provide essential health insurance information to the public, Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, 376.2014, and Section 1 of Section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, 376.2014, and Section 1 of Section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Pages 1 through 2, Section 334.108, Lines 1 through 26, by deleting said section from the bill; and

Further amend said bill, Page 37, Section 376.1575, Line 5, by deleting the word "**or**" and inserting in lieu thereof the word "**and**"; and

Further amend said bill and page, Section 376.1578, Line 1, by deleting the words "**forty-eight hours**" and inserting in lieu thereof the words "**two working days**"; and

Further amend said bill, section, and page, Lines 2 through 4, by deleting all of said lines and inserting in lieu thereof the following:

"completed application, the health carrier shall send an electronic notice of receipt to the practitioner."; and

Further amend said bill, section, and page, Line 7, by deleting the word "**ninety**" and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill, section, and page, Line 8, by deleting the words "**ninety-day**" and inserting in lieu thereof the words "**sixty-day**"; and

Further amend said bill, Page 38, Section 376.1900, Lines 22 through 24, by deleting all of said lines and inserting in lieu thereof the following:

"consultation or contact between a health care provider and a patient."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 3** was adopted.

Representative Molendorp offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 3, Section 354.410, Line 33, by inserting after the semicolon on said line the word "**and**"; and

Further amend said bill, Page 10, Section 376.405, Lines 9 through 29, by deleting all of said lines and inserting in lieu thereof the following:

"filing and submission of such policy forms as are necessary, proper or advisable. Such rules and regulations shall provide, among other things, that if a policy form is disapproved, [the reasons therefor] all specific reasons for nonconformance shall be stated in writing within forty-five days from the date of filing; that a hearing shall be granted upon such disapproval, if so requested; and that the failure of the director of the department of insurance, financial institutions and professional registration, to take action approving or disapproving a submitted policy form within [a stipulated time, not to exceed sixty] forty-five days from the date of filing, shall be deemed an approval thereof [until such time as the director of the department of insurance, financial institutions and professional registration shall notify the submitting company, in writing, of his disapproval thereof]. If at any time after a policy form is approved or deemed approved, the director determines that any provision of the filing is contrary to state law, the director shall notify the health carrier of the specific provision that is contrary to state law and any specific statute to which the provision is contrary and request that the health carrier file, within thirty days of the notification, an amendment form that modifies the provision to conform to state law. Upon approval of the amendment form by the director, the health carrier shall issue a copy of the amendment to each individual and entity to which the

deemed filing was previously issued and shall attach a copy of the amendment to the deemed filing when it is subsequently issued. Such amendment shall have the force and effect as if the amendment was in the original filing or policy. Notwithstanding any provision of law to the contrary, when a policy form is approved or deemed approved and subsequently amended at the request of the director pursuant to this section, the health carrier issuing the policy form shall be considered to have committed a level one violation under section 374.049."; and

Further amend said bill, Pages 24 through 25, Section 376.777, Lines 336 through 354, by deleting all of said lines and inserting in lieu thereof the following:

"therefor] **all specific reasons for nonconformance** shall be stated in writing **within forty-five days from the date of filing**; that a hearing shall be granted upon such disapproval, if so requested; and that the failure of the director of the department of insurance, financial institutions and professional registration, to take action approving or disapproving a submitted policy form within [a stipulated time, not to exceed sixty] **forty-five** days from the date of filing, shall be deemed an approval thereof [until such time as the director of the department of insurance, financial institutions and professional registration shall notify the submitting company, in writing, of his disapproval thereof]. **If at any time after a policy form is approved or deemed approved, the director determines that any provision of the filing is contrary to state law, the director shall notify the health carrier of the specific provision that is contrary to state law and any specific statute to which the provision is contrary and request that the health carrier file, within thirty days of the notification, an amendment form that modifies the provision to conform to state law. Upon approval of the amendment form by the director, the health carrier shall issue a copy of the amendment to each individual and entity to which the deemed filing was previously issued and shall attach a copy of the amendment to the deemed filing when it is subsequently issued. Such amendment shall have the force and effect as if the amendment was in the original filing or policy. Notwithstanding any provision of law to the contrary, when a policy form is approved or deemed approved and subsequently amended at the request of the director pursuant to this section, the health carrier issuing the policy form shall be considered to have committed a level one violation under section 374.049.**"; and

Further amend said bill, Page 38, Section 376.1900, Line 5, by deleting the word "HIPAA" and inserting in lieu thereof the phrase "**federal Health Insurance Portability and Accountability Act (HIPAA)**"; and

Further amend said bill and section, Page 39, Line 42, by deleting the phrase "**care service**;" and inserting in lieu thereof the phrase "**care service**,"; and

Further amend said bill, Page 39, Section B, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section B. The enactment of sections 376.1226, 376.1237, 376.1575, 376.1578, and 376.1900 shall become effective January 1, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 4** was adopted.

Representative Miller offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 39, Section 376.1900, Line 56, by inserting after all of said section and line the following:

"452.317. From the date of filing of the petition for dissolution of marriage or legal separation, no party shall terminate coverage during the pendency of the proceeding for any other party or any minor child of the marriage under any existing policy of health, dental or vision insurance. **The policyholder of such insurance may petition the court for reimbursement of insurance costs as they occur during the pendency of the dissolution of marriage or legal separation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 5.**

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 39, Line 56, by inserting after all of said line the following:

‘Further amend said bill, Page 1, Section A, Line 6, by inserting after all of said line the following:

"208.895. 1. Upon **the** receipt of a [properly completed] referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] **or a** physician's order, the department of health and senior services [may] **shall:**

(1) [Review the recommendations regarding services and] Process the referral within fifteen business days;
(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3)] Arrange for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] (3) Notify the referring entity within five business days of receiving the referral if additional information is required to process the referral; [and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days]

(4) **Inform the applicant of:**

(a) **The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;**

(b) **The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and**

(c) **The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;**

(5) **Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and**

(6) **Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.**

2. **If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract] has not complied with subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The department shall [include a requirement that:**

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor] notify the referring entity [within five days] **or individual** of receipt of referral if additional information is needed to process the referral. [The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract.]

3. The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based **service** providers for including, but not limited to, reassessment and level of care recommendations. [These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.]

4. [The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective.**

5. The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) "Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

(a) Is conducted by an assessor trained to perform home- and community-based care assessments;

(b) Uses forms provided by the department;

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process;

(2) A "referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

(a) The stated need for MO HealthNet home- and community-based services;

(b) The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and

(c) The physical address and phone number of the client or person needing services.

Additional information which may assist the department may also be submitted.

7. The department shall:

(1) Develop an automated electronic assessment care plan tool to be used by providers; and

(2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.

8. At the end of the first year of this plan being in effect, the department of health and senior services shall prepare a report for the appropriation committee for health, mental health and social services or a committee appointed by the speaker to review the following:

(1) How well the department is doing on meeting the fifteen-day requirement;

(2) The process the department used to approve the assessors;

(3) Financial data on the cost of the program prior to and after enactment of this section;

(4) Any audit information available on assessments performed outside the department; and

(5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.

208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010.

660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

- (4) Is approved by the department to issue certificates for nursing assistants training;
- (5) Is an entity licensed under chapter 197;
- (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

- (1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**
- (2) Was placed on the employee disqualification list under this section after the date of hire;**
- (3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;**
- (4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**
- (5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Miller, **House Amendment No. 5, as amended**, was adopted.

Representative Koenig offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 2, Section 334.108, Line 26, by inserting after all of said section and lines the following:

"337.114. 1. No physician shall perform or induce an abortion through telemedicine.

2. No abortion facility as defined in section 188.015 or hospital shall permit an abortion to be performed or induced at the abortion facility or hospital through telemedicine.

3. No health carrier or health benefit plan as defined in section 376.1350 shall be required to reimburse a physician, abortion facility, hospital or any other person or entity for an abortion performed or induced through telemedicine.

4. Any physician, other health care provider, abortion facility or hospital who or which violated the provisions of this section shall be subject to all disciplinary or other administrative action by the appropriate state licensing board, agency, or department.

5. As used in this section, "telemedicine" means the delivery of health care services through the use of interactive audio, video, or other electronic media used for the purpose of diagnosis, consultation, or treatment, including home health video conferencing, electronic visits and remote patient monitoring."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Newman raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Higdon	Hoskins	Hough
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon

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Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellington	Hicks	Hinson	Houghton	Jones 50
Korman	Love	Phillips	Smith 120	Spencer
Stream				

On motion of Representative Koenig, **House Amendment No. 6** was adopted.

Representative Scharnhorst offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 262, Page 35, Section 376.1226, Line 15, by inserting after all of said section and line the following:

"376.1235. 1. No health carrier or health benefit plan, as defined in section 376.1350, shall impose a co-payment or coinsurance percentage charged to the insured for services rendered for each date of service by a physical therapist licensed under chapter 334, for services that require a prescription, that is greater than the co-payment or coinsurance percentage charged to the insured for the services of a primary care physician licensed under chapter 334 for an office visit.

2. A health carrier or health benefit plan shall clearly state the availability of physical therapy coverage under its plan and all related limitations, conditions, and exclusions.

3. Beginning September 1, 2013, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if the provisions of this section were enacted. By December 31, 2013, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker of the house, the president pro tem of the senate, and the chairpersons of both the house of representatives and senate standing committees having jurisdiction over health insurance matters. If the fiscal note cost estimation is less than the cost of an actuarial analysis, the actuarial analysis requirement shall be waived."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 7** was adopted.

On motion of Representative Molendorp, **HCS SS SB 262, as amended**, was adopted.

On motion of Representative Molendorp, **HCS SS SB 262, as amended**, was read the third time and passed by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lichtenegger
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	Messenger	Miller	Mims
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Solon	Sommer
Stream	Swan	Thomson	Torpey	Walker
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 038

Berry	Burns	Butler	Carpenter	Colona
Curtis	Curtman	Ellinger	Ellington	Englund
Gardner	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	Marshall	May	McDonald	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Schieber	Schupp	Smith 85
Swearingen	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Guernsey	Hicks	Hinson	Leara	Love
Smith 120	Spencer			

Representative Keeney declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SS SB 34, as amended, relating to a workers' compensation claim database, was taken up by Representative Fraker.

Representative Fraker moved that the House refuse to recede from its position on **HCS SS SB 34, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS#2 SCS SB 1, as amended, relating to workers' compensation, was taken up by Representative Richardson.

Representative Richardson moved that the House refuse to recede from its position on **HCS SS#2 SCS SB 1, as amended**, and grant the Senate a conference.

Which motion was adopted.

SENATE BILL FOR THIRD READING

HCS SS SB 262, as amended, relating to health care, was again taken up by Representative Molendorp.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 008

Flanigan	Grisamore	Hicks	Hinson	Leara
Love	Marshall	Smith 120		

The emergency clause was adopted by the following vote:

AYES: 129

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Higdon
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Lichtenegger	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Norr
Parkinson	Pfausch	Phillips	Pike	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 028

Berry	Butler	Carpenter	Curtis	Curtman
Ellington	Gardner	Haahr	Hubbard	LaFaver
Marshall	May	Meredith	Mitten	Morgan

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Neth	Newman	Nichols	Otto	Pace
Peters	Pierson	Pogue	Remole	Schieber
Smith 85	Swearingen	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 006

Flanigan	Hicks	Hinson	Leara	Love
Smith 120				

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 307, as amended, relating to fire protection district boards, was taken up by Representative Riddle.

Representative Riddle moved that the House refuse to adopt **SS SCS HB 307, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Jones resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS#2 HB 698, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schmitt, Richard, Kraus, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 106, as amended**: Senators Brown, Pearce, Kraus, Sifton and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 117, as amended**: Senators Kraus, Brown, Pearce, Justus and Keaveny.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SS#2 SCS SB 1: Representatives Richardson, Lant and Webber

HCS SS SB 34: Representatives Fraker, Schatz and McManus

SCS SB 106: Representatives Davis, Solon and McKenna
HCS SCS SB 117: Representatives Davis, Dohrman and Webber

THIRD READING OF HOUSE BILLS - FEDERAL MANDATE

HB 635, relating to correctional treatment programs, was taken up by Representative Fitzwater.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Flanigan	Hinson	Jones 50	Korman	Leara
Lichtenegger	Love	Neth	Richardson	Smith 120

1964 *Journal of the House*

On motion of Representative Fitzwater, **HB 635** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 003

Curtman	Marshall	Wilson
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PRESENT: 000

ABSENT WITH LEAVE: 010

Flanigan	Hinson	Jones 50	Leara	Lichtenegger
Love	Neth	Pogue	Richardson	Smith 120

Speaker Jones declared the bill passed.

HCS HB 611, relating to unemployment compensation, was taken up by Representative Lant.

On motion of Representative Lant, **HCS HB 611** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Rizzo	Rorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 003

Curtis	Curtman	Marshall
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PRESENT: 001

Moon

ABSENT WITH LEAVE: 011

Flanigan	Guernsey	Houghton	Leara	Lichtenegger
Love	Molendorp	Neth	Richardson	Riddle
Smith 120				

Speaker Jones declared the bill passed.

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HCS HB 771, relating to commercial drivers' licenses, was taken up by Representative Schatz.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 007

Flanigan	Leara	Lichtenegger	Love	Molendorp
Smith 120	Wright			

On motion of Representative Schatz, **HCS HB 771** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burns	Cierpiot	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Lynch	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 029

Anderson	Burlison	Butler	Carpenter	Colona
Conway 104	Curtis	Curtman	Dugger	Ellinger
Ellington	Fitzpatrick	Gardner	Haahr	Hummel
Justus	Koenig	LaFaver	Marshall	May
McDonald	Montecillo	Moon	Newman	Peters
Pierson	Schupp	Smith 85	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 007

Flanigan	Guernsey	Leara	Lichtenegger	Love
Molendorp	Smith 120			

Speaker Jones declared the bill passed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 HJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 252**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 57**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 58**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 69**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 99**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 208**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 240**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 282**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 381**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 12 - Fiscal Review
HCS SB 100 - Fiscal Review
HCS SB 127 - Fiscal Review
SCS SB 240 - Fiscal Review
SS SB 401 - Insurance Policy

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Tuesday, May 7, 2013.

COMMITTEE HEARINGS

AGRI-BUSINESS

Tuesday, May 7, 2013, 8:00 AM, House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, May 7, 2013, 8:00 AM, House Hearing Room 3.
Committee will review information regarding Department of Agriculture and Department of Natural Resources' fee funds.

CONFERENCE COMMITTEE

Tuesday, May 7, 2013, 8:30 AM, House Lounge.
SCS HCS HB 1 through SCS HCS HB 13

CONFERENCE COMMITTEE

Wednesday, May 8, 2013, 8:30 AM, House Lounge.
SCS HCS HB 1 through SCS HCS HB 13

ECONOMIC DEVELOPMENT

Tuesday, May 7, 2013, 5:00 PM or Upon Adjournment, House Hearing Room 3.
Public hearing will be held: SS SB 366, HB 833
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, May 7, 2013, Upon Morning Recess, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 8, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 9, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

GENERAL LAWS

Tuesday, May 7, 2013, 1:00 PM, House Hearing Room 4.

Public hearing will be held: SCS SJR 14, SB 112

Executive session may be held on any matter referred to the committee.

INSURANCE POLICY

Tuesday, May 7, 2013, 6:00 PM or Upon Afternoon Adjournment (whichever is later), House Hearing Room 5.

Public hearing will be held: SS SB 401

Executive session will be held: SS SB 401

Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 7, 2013, 8:30 AM, Senate Lounge.

Executive session may be held on any matter referred to the committee.

Election of chair and vice-chair; Discussion of interim projects; Information on charter sponsor reports to the committee per SB 576 (2012); and an update on SB 437.

RULES

Tuesday, May 7, 2013, Upon Evening Adjournment, South Gallery.

Executive session will be held: HCS SB 75, HCS SB 205

Executive session may be held on any matter referred to the committee.

TRANSPORTATION

Tuesday, May 7, 2013, Upon Morning Recess, South Gallery.

Executive session will be held: HB 885

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FOURTH DAY, TUESDAY, MAY 7, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HCS HB 458 - Scharnhorst
- 8 HB 242 - Ellington
- 9 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 10 HB 448 - Webb
- 11 HCS HB 234 - Gatschenberger
- 12 HB 616 - Bahr
- 13 HB 185 - Kirkton
- 14 HCS HB 641 - Korman
- 15 HCS HB 402 - Shumake
- 16 HCS HB 717 - Grisamore
- 17 HCS HB 727 - Grisamore
- 18 HCS HB 83 - Reiboldt
- 19 HCS HB 132 - Stream
- 20 HCS HB 1041 - Swan
- 21 HCS HBs 309 & 73 - Solon
- 22 HCS HB 350 - Frederick
- 23 HCS HB 464 - Higdon
- 24 HCS HB 484 - Lauer
- 25 HCS HB 564 - McGaugh
- 26 HCS HB 604 - Phillips
- 27 HCS HB 608 - Frederick
- 28 HCS HB 685 - Burlison
- 29 HB 745 - Thomson
- 30 HCS HB 783 - Diehl
- 31 HCS HB 814 - Fraker
- 32 HCS HB 830 - Jones (50)
- 33 HB 863 - Allen

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34 HCS HB 930 - Flanigan

35 HB 411 - Muntzel

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 HJR 14 - Jones (110)

HOUSE BILLS FOR THIRD READING

1 HB 201 - Torpey

2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig

3 HCS HB 470 - Barnes

4 HCS#2 HB 178 - Koenig

5 HB 162 - Sommer

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Walton Gray

2 HCR 21 - Black

3 HCS HCR 17 - Frederick

4 HCR 34 - Houghton

5 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 157 and SB 102 - Phillips

2 SB 230 - Brattin

3 HCS SS SCS SB 125 - Barnes

4 HCS SCS SB 17 - Thomson

5 HCS SS SCS SB 116 - Davis

6 SCS SB 36 - Hicks

7 HCS SCS SB 88 - Frederick

8 HCS SB 90 - Dugger

9 HCS SCS SB 126 - Morris

10 HCS SCS SB 9 - Guernsey

11 SB 77 - Allen

12 HCS SB 222 - Kelly (45)

13 SCS SB 224 - Rizzo

14 HCS SB 330 - Burlison

15 HCS SB 51 - Guernsey

16 HCS SB 148 - Schatz

17 HCS SB 43 - Kolkmeier

18 HCS SCS SB 45 - Hough

- 19 SCS SB 47 - Grisamore
- 20 SB 216 - Hinson
- 21 HCS SS SCS SB 241 - Cierpiot
- 22 SCS SB 302 - Elmer
- 23 HCS SB 18, E.C. - Cox
- 24 SCS SB 33 - Grisamore
- 25 SB 35 - Engler
- 26 HCS SB 41 - Hough
- 27 HCS SCS SB 42 - Jones (50)
- 28 SCS SB 87 - Bahr
- 29 HCS SB 110 - Davis
- 30 SS SCS SB 114 - Jones (50)
- 31 SS SCS SB 129 - Burlison
- 32 SCS SB 178 - Kirkton
- 33 SCS SB 248 - Fraker
- 34 HCS SS SB 252, E.C. - Richardson
- 35 SB 257 - Berry
- 36 SB 265 - Rowland
- 37 SS SB 267 - Curtman
- 38 SB 327 - Haahr
- 39 SB 350 - Diehl
- 40 SS SB 357 - Schatz
- 41 SCS SB 240, (Fiscal Review 5/6/13) - Funderburk
- 42 HCS SCS SB 89, E.C. - Jones (50)
- 43 HCS SB 12, (Fiscal Review 5/6/13), E.C. - Jones (50)
- 44 HCS SB 127, (Fiscal Review 5/6/13) - Lichtenegger
- 45 SCS SB 69 - Cox
- 46 HCS SB 99 - Dugger
- 47 HCS SB 100, (Fiscal Review 5/6/13), E.C. - Cox
- 48 SB 208 - White
- 49 HCS SS SB 282 - Hough
- 50 HCS SB 57 - Engler
- 51 SB 58 - Engler

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HBs 256, 33 & 305, SA 2 and SA 3, E.C. - Jones (50)
- 2 SCS HCS HB 436, as amended - Funderburk

BILLS CARRYING REQUEST MESSAGES

SS SCS HB 307, as amended (request Senate recede/grant conference) - Riddle

BILLS IN CONFERENCE

- 1 CCR SS HCS HJR 11 & 7, as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11, as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 HCS SB 23, as amended, E.C. - Jones (50)
- 16 SCS SB 106, HA1, HA2, HA3, HA1 to HA4, HA4 a.a., HA5 - Davis
- 17 HCS SCS SB 117, as amended - Davis
- 18 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 19 HCS SS SB 34, as amended - Fraker
- 20 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, TUESDAY, MAY 7, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Thou shalt worship the Lord thy God and Him only shalt thou serve. (Matthew 4:10)

Eternal God, in the quiet of this moment we humbly lift our hearts to You in prayer. We believe in You with all our minds - You make Yourself real to us in all our hearts. Grant to us a song on our lips in the morning, strength for the day, good will for one another, a steadfast loyalty to our state, courage to maintain high ideals in our private life, and a faith in You that gives us confidence and helps us overcome the evil in the world.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julia Crenshaw and Lauren Hervey.

The Journal of the sixty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2810 through House Resolution No. 2979

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 307, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schmitt, Dixon, Kehoe, McKenna and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 316**, entitled:

An act to repeal section 620.467, RSMo, and to enact in lieu thereof one new section relating to the division of tourism supplemental revenue fund.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 316, Page 1, Section Title, Lines 2-3, by striking the following: "the division of tourism supplemental revenue fund" and inserting in lieu thereof the following:

"statutes with expiration dates"; and

Further amend said bill, Page 3, Section 620.467, Line 66, by inserting after all of said line the following:

"[21.830. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Missouri's Energy Future", which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tem of the senate and the house members by the speaker of the house of representatives. The committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairperson or chairpersons designate.

2. The committee shall examine Missouri's present and future energy needs to determine the best strategy to ensure a plentiful, affordable and clean supply of electricity that will meet the needs of the people and businesses of Missouri for the next twenty-five years and ensure that Missourians continue to benefit from low rates for residential, commercial, and industrial energy consumers.

3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of economic development, department of natural resources, and the public service commission.

4. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2009, at which time the joint committee shall be dissolved.

5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.]

[21.910. 1. There is hereby created the "Joint Committee on the Reduction and Reorganization of Programs within State Government". The committee shall be composed of thirteen members as follows:

(1) Three majority party members and two minority party members of the senate, to be appointed by the president pro tem of the senate;

(2) Three majority party members and two minority party members of the house of representatives, to be appointed by the speaker of the house of representatives;

(3) The commissioner of the office of administration, or his or her designee;

(4) A representative of the governor's office; and

(5) A supreme court judge, or his or her designee, as selected by the Missouri supreme court.

2. The committee shall study programs within every department that should be eliminated, reduced, or combined with another program or programs. As used in this section, the term "program" shall have the same meaning as in section 23.253.

3. In order to assist the committee with its responsibilities under this section, each department shall comply with any request for information made by the committee with regard to any programs administered by such department.

4. The members of the committee shall elect a chairperson and vice chairperson.

5. The committee shall submit a report to the general assembly by December 31, 2010, and such report shall contain any recommendations of the committee for eliminating, reducing, or combining any program with another program or programs in the same or a different department.

6. The provisions of this section shall expire on January 1, 2011.]

[301.129. There is established in this section an advisory committee for the department of revenue, which shall exist solely to develop uniform designs and common colors for motor vehicle license plates issued under this chapter and to determine appropriate license plate parameters for all license plates issued under this chapter. The advisory committee may adopt more than one type of design and color scheme for license plates issued under this chapter; however, each license plate of a distinct type shall be uniform in design and color scheme with all other license plates of that distinct type. The specifications for the fully reflective material used for the plates, as required by section 301.130, shall be determined by the committee. Such plates shall meet any specific requirements prescribed in this chapter. The advisory committee shall consist of the director of revenue, the superintendent of the highway patrol, the correctional enterprises administrator, and the respective chairpersons of both the senate and house of representatives transportation committees. Notwithstanding section 226.200 to the contrary, the general assembly may appropriate state highways and transportation department funds for the requirements of section 301.130 and this section. Prior to January 1, 2007, the committee shall meet, select a chairman from among their members, and develop uniform design and license plate parameters for the motor vehicle license plates issued under this chapter. Prior to determining the final design of the plates, the committee shall hold at least three public meetings in different areas of the state to invite public input on the final design. Members of the committee shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties under this section out of funds appropriated for that purpose. The committee shall direct the director of revenue to implement its final design of the uniform motor vehicle license plates and any specific parameters for all license plates developed by the committee not later than January 1, 2007. The committee shall be dissolved upon completion of its duties under this section.]

[620.602. 1. There is established a permanent joint committee of the general assembly to be known as the "Joint Committee on Economic Development Policy and Planning" to be composed of five members of the senate, appointed by the president pro tem of the senate, and five members of the house, appointed by the speaker of the house. No more than three members of the senate and three members of the house shall be from the same political party. The appointment of members shall continue during their terms of office as members of the general assembly or until successors have been duly appointed to fill their places when their terms of office as members of the general assembly have expired. Members of the joint committee shall receive no compensation in addition to their salary as members of the general assembly, but may receive their necessary expenses for attending the meetings of the committee, to be paid out of the committee's appropriations or the joint contingent fund.

2. The joint committee on economic development policy and planning shall meet within ten days after its establishment and organize by selecting a chairman and a vice chairman, one of whom shall be a member of the senate and the other a member of the house of representatives. These positions shall rotate annually between a member of the senate and a member of the house of representatives. The committee shall regularly meet at least quarterly. A majority of the members of the committee shall constitute a quorum. The committee may, within the limits of its appropriations, employ such persons as it deems necessary to carry out its duties. The compensation of such personnel shall be paid from the committee's appropriations or the joint contingent fund.

3. The joint committee on economic development policy and planning shall, at its regular meetings, confer with representatives from the governor's office, the department of economic development, the University of Missouri extension service, and other interested parties from the private and public sectors. The joint committee shall review the annual report produced by the department of economic development, as required by section 620.607, and plan, develop and evaluate a long-term economic development policy for the state of Missouri to ensure the state's competitive status with other states.

4. The provisions of this section shall expire on July 1, 2010.]

[630.461. 1. There is hereby created in the department of mental health a committee to be known as the "Review Committee for Purchasing" to review the manner in which the department of mental health purchases services for persons with mental health disorders and substance abuse problems. By December 31, 1995, the committee shall recommend to the governor and the general

assembly any changes that should be made in the department of mental health purchasing systems, including whether the department should follow a competitive purchasing model and, if so, the time frame for initiating such change. The recommendation of the committee shall be made in the context of state and national health care reform and with the goal of providing effective services in a coordinated and affordable manner.

2. The review committee on purchasing created in subsection 1 of this section shall be composed of nine members as follows:

- (1) One member of the mental health commission, appointed by the governor;
- (2) One representative of the office of administration, appointed by the governor;
- (3) The governor or his designee;
- (4) Two members appointed at large by the governor, with one member representing the business community and one public member;
- (5) Two members, appointed at large by the governor, with one member being a private provider and one member being affiliated with a hospital;
- (6) Two members, appointed at large by the governor, who are consumers of mental health services or family members of consumers of mental health services.

3. The review committee established in subsection 1 of this section shall be disbanded on January 1, 1996.

4. Notwithstanding any other provision of law to the contrary, beginning July 1, 1997, if the review committee failed to make the recommendations to the governor and the general assembly as required in subsection 1 of this section, the department of mental health may contract directly with vendors operated or funded pursuant to sections 205.975 to 205.990, or operated or funded pursuant to sections 205.968 to 205.973, without competitive bids. All contracts with vendors who are providers of a consortium of treatment services to the clients of the division of comprehensive psychiatric services shall be awarded in accordance with chapter 34.]"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 446 & 211**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 656**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS#2 SCS SB 1**: Senators Rupp, Cunningham, Parson, Sifton and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 34, as amended**: Senators Cunningham, Rupp, Parson, McKenna and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 262, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HB 307: Representatives Riddle, Hinson and Walton Gray

SCS HCS#2 HB 698: Representatives Zerr, Jones (50) and Kratky

MOTION

Representative Diehl moved that Rule 23 be suspended in order for the Conference Committee on Budget to meet while the House is in session.

Which motion was adopted by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Reiboldt	Remole	Rhoads
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 002

Ellington	LaFaver
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PRESENT: 000

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ABSENT WITH LEAVE: 015

Berry	Carpenter	Curtis	Curtman	Grisamore
Kelley 127	McDonald	Molendorp	Otto	Rehder
Richardson	Smith 120	Webber	Wright	Zerr

HOUSE CONCURRENT RESOLUTIONS

HCR 34, relating to the Healthy, Hunger-Free Kids Act for 2010, was taken up by Representative Houghton.

Representative Cox moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCahtery	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shumake	Solon
Sommer	Spencer	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Carpenter	Flanigan	Grisamore	Lant	McDonald
Otto	Richardson	Scharnhorst	Shull	Smith 120
Stream	Swan	Webber		

On motion of Representative Houghton, **HCR 34** was adopted.

HCS HCR 17, relating to Medicaid DSH expenditures, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HCR 17** was adopted by the following vote:

AYES: 121

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Moon
Morris	Muntzel	Neely	Norr	Parkinson
Pfausch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 036

Anders	Barnes	Carpenter	Colona	Curtis
Dunn	Ellington	Flanigan	Gardner	Hubbard
Kelly 45	Kirkton	LaFaver	Marshall	May
McCann Beatty	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Newman
Nichols	Otto	Pace	Peters	Pierson
Schieber	Schupp	Smith 85	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 006

Fitzpatrick
Zerr

McDonald

Neth

Redmon

Smith 120

THIRD READING OF SENATE BILLS

HCS SCS SB 157 and SB 102, relating to scrap metal purchases, was taken up by Representative Phillips.

Representative Jones (50) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Pages 3-5, Section 407.485, Lines 1-54, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

"407.485. 1. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect [donations of] unwanted household items via a public receptacle and resell the [donated] **deposited** items for profit unless the [donation] **deposited item** receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "[DONATIONS] **DEPOSITED ITEMS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT. DEPOSITED ITEMS ARE NOT TAX DEDUCTIBLE**".

2. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not-for-profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "DONATIONS TO THE FOR-PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not-for-profit) % OF ALL PROCEEDS ARE DONATED TO (name of the nonprofit beneficiary organization's name)."

3. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for-profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and one hundred percent of the proceeds from the sale of the items are given directly to the not-for-profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS DONATION RECEPTACLE IS OPERATED BY THE FOR-PROFIT ENTITY: (name of the for-profit/individual) ON BEHALF of (name of the nonprofit beneficiary organization's name)".

4. It shall be an unfair business practice in violation of section 407.020 for a not-for-profit entity to collect donations of unwanted household items via a public receptacle and resell the donated items unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS RECEPTACLE IS OWNED AND OPERATED BY THE NOT-FOR-PROFIT ENTITY: (name of the not-for-profit/charity) AND (% of proceeds donated to the not-for-profit) % OF THE PROCEEDS FROM THE SALE OF ANY DONATIONS SHALL BE USED FOR THE CHARITABLE MISSION OF (charity name/charitable cause)".

[4.] **5.** The term "bold letters" as used in subsections 1, 2, and 3 of this section shall mean a primary color on a white background so as to be clearly visible to the public.

[5.] **6.** Nothing in this section shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

[6.] **7.** Any entity which, on or before June 1, 2009, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsection 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after August 28, 2009, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after August 28, 2009.

8. All donation receptacles described in this section shall conspicuously display the name, address, and telephone number of the owner and operator of the receptacle. For any receptacles covered in this section, the

owner or operator of the receptacle shall maintain permission to place the receptacle on the property from the property owner or agent of the owner of the property where the receptacle is located. Such permission shall be in writing and clearly identify the owner of the receptacle and property owner or his or her agent in addition to the nature of the collections and where proceeds will be accrued. Failure to secure such permission shall constitute an unfair business practice in addition to any other statutory conditions. Unless otherwise agreed to in writing, the property owner or his or her agent may remove the receptacle and any charges incurred in such removal shall be the responsibility of the owner of the receptacle. Unless the receptacle owner pays such charges within thirty calendar days of the sending of a written certified letter from the property owner stating his or her intent to remove the receptacle, the receptacle owner shall relinquish any right to the receptacle. If the receptacle does not conspicuously display the name, address, and telephone number of the owner and operator of the receptacle, the receptacle shall be considered abandoned property and may be destroyed or permanently possessed by the property owner or their agent.

9. Any owner and operator of a receptacle that does not display the address of the owner and operator, but does display the website of the owner and operator, shall make the address easily accessible on such website for the property owner to send the letter specified in subsection 8 of this section. The provisions of this subsection shall expire on September 1, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 2, Section 407.302, Line 3, by inserting after the phrase "**cable provider**," on said line, the phrase "**wireless service or other communications-related provider**"; and

Further amend said bill, Page 3, Section 407.302, Lines 6-7 and Line 10, by inserting after the phrase "**cable provider**," on said lines, the phrase "**wireless service or other communications-related provider**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted.

Representative Miller offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"407.292. 1. As used in this section, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

(1) "Business combination", the same meaning as such term is defined in section 351.459;

(2) "Buyer of gold, silver, or platinum" or "buyer", an individual, partnership, association, corporation, or business entity, who or which purchases gold, silver, or platinum from the general public for resale or refining, or an individual who acts as agent for the individual, partnership, association, corporation, or business entity for the purchases. The term does not include financial institutions licensed under federal or state banking laws, the purchaser of gold, silver, or platinum who purchases from a seller seeking a trade-in or allowance, and the purchaser of gold, silver, or platinum for his or her own use or ownership and not for resale or refining;

(3) "Gold", items containing or being of gold including, but not limited to, jewelry. The term does not include coins, ingots, or bullion or articles containing less than five percent gold by weight;

(4) "Platinum", items containing or being of platinum, but shall only include jewelry. The term does not include coins, ingots, bullion, or catalytic converters or articles containing less than five percent platinum by weight;

(5) "Silver", items containing or being of silver including, but not limited to, jewelry. The term does not include coins, ingots, bullion, or photographic film or articles containing less than five percent silver by weight;

(6) "Weighing device", shall only include a device that is inspected and approved by the weight and measures program within the department of agriculture.

2. The buyer shall completely, accurately, and legibly record every transaction on a form provided by and prepared by the buyer. The record of every transaction shall include the following:

(1) A copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained;

(2) The name, current address, birth date, sex, and a photograph of the person from whom the material is obtained, if not included or are different from the identification required in subdivision (1) of this subsection;

(3) The seller shall be required to sign the form on which is recorded the information required by this section;

(4) An accurate description of the property purchased shall include all names, initials, serial numbers, or other identifying marks or monograms on each item purchased;

(5) The time and date of the transaction shall be recorded at the time of the transaction. Records of transactions shall be maintained by the buyer in gold, silver, or platinum for a period of one year and shall be available for inspection by any law enforcement official of the federal government, state, municipality, or county. No buyer shall accept any premelted gold, silver, or platinum, unless it is part of the design of an item of jewelry. Each item of gold, silver, or platinum purchased by a buyer in gold, silver, or platinum shall be retained in an unaltered condition for five full working days. It shall be the buyer's duty to inform law enforcement if the buyer has any reason to believe an item purchased may have been obtained illegally by a seller.

3. Records of buyer transactions may be made available to law enforcement officials, other governmental entities, and persons who, in the opinion of the custodian of the buyer transaction record, should be permitted access, such as an insurance company.

4. When a purchase is made from a minor, the written authority of the parent, guardian, or person in loco parentis authorizing the sale shall be attached and maintained with the record of transaction described in subsection 2 of this section (relating to records of transactions).

5. (1) When a weighing device is used to purchase gold, silver, or platinum, there shall be posted, on a conspicuous sign located close to the weighing device, a statement of prices for the gold, silver, or platinum being purchased as a result of the weight determination.

(2) The statement of prices shall include, but not be limited to, the following in terms of the price per troy ounce:

(a) The price for twenty-four karat, eighteen karat, fourteen karat, and ten karat gold;

(b) The price for pure silver and sterling silver;

(c) The price for platinum.

(3) When the weight determination is expressed in metric units, a conversion chart to troy ounces shall be prominently displayed so as to facilitate price comparison. The metric equivalent of a troy ounce is 31.10348 grams.

6. A weighing device used in the purchase of gold, silver, or platinum shall be positioned in such a manner that its indications may be accurately read and the weighing operation observed from a position which may be reasonably assumed by the buyer and the seller. A verbal statement of the result of the weighing shall be made by the person operating the device and recorded on the buyer's record of transaction.

7. The purchase of an item of gold, silver, or platinum by a buyer in gold, silver, or platinum not in accordance with section 407.292, shall constitute a violation of this section and the buyer may be subject to a fine not to exceed one thousand dollars.

8. This section shall not apply to a pawnbroker, as defined in section 367.011, or a scrap metal dealer, as provided in sections 407.300 to 407.305."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nichols offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1
to
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Page 1, Section 407.292, Line 26, by inserting after the words "**legibly record**" the phrase "**and photograph**"; and

Further amend said amendment, Page 2, Line 5, by deleting the word "**five**" and inserting in lieu thereof the word "**fourteen**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nichols, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Miller, **House Amendment No. 3, as amended**, was adopted.

Representative Dugger offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, Pages 1-2, Section 407.300, Lines 8-13, by deleting all of said lines and inserting in lieu thereof, the following:

"as farming is defined in section 350.010; whatever may be the condition or length of such metal; **or**
(4) Catalytic converter."; and

Further amend said bill, Page 3, Section 407.303, Line 10, by inserting after the word "**license**" on said line, the phrase "**or nondriver's license**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 4** was adopted.

On motion of Representative Phillips, **HCS SCS SB 157 and SB 102, as amended**, was adopted.

On motion of Representative Phillips, **HCS SCS SB 157 and SB 102, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Fowler	Fraker	Frame

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Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Mr Speaker		

NOES: 007

Brattin	Ellington	Fitzpatrick	Higdon	Johnson
Marshall	May			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 007

Flanigan	Kelly 45	McDonald	Norr	Redmon
Smith 120	Zerr			

Speaker Jones declared the bill passed.

SB 257, relating to the Port Improvement District Act, was taken up by Representative Berry.

On motion of Representative Berry, **SB 257** was truly agreed to and finally passed by the following vote:

AYES: 128

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cornejo	Cox
Crawford	Cross	Curtis	Diehl	Dohrman
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hansen	Harris	Hicks	Higdon

Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Kelley 127	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Otto
Pace	Peters	Pfausch	Phillips	Pierson
Pike	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 026

Anderson	Bahr	Brattin	Brown	Burlison
Conway 104	Cookson	Curtman	Dugger	Fitzpatrick
Fowler	Haahr	Hampton	Johnson	Keeney
Kirkton	Koenig	Marshall	Moon	Parkinson
Pogue	Rehder	Richardson	Schieber	Swan
Wilson				

PRESENT: 000

ABSENT WITH LEAVE: 009

Davis	Flanigan	Kelly 45	McDonald	Norr
Redmon	Ross	Smith 120	Wood	

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 458, relating to Bryce's Law, was taken up by Representative Scharnhorst.

Representative Scharnhorst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 458, Page 1, Section 135.1220, Line 10, by inserting immediately after the word "**students**" the following:

"or children"; and

Further amend said bill and section, Page 2, Line 27, by inserting immediately after the word "**the**" the following:

"student or"; and

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Further amend said bill and section, Page 4, Line 110, by deleting the words "**a negative**" and inserting in lieu thereof the following:

"an unsatisfactory"; and

Further amend said bill and section, Page 6, Lines 182 and 193, by inserting immediately after the words "**with a**" the following:

"medical"; and

Further amend said bill, section, and page, Line 187, by deleting the words "**commission on Medicare**" and inserting in lieu thereof the following:

"Centers for Medicare and Medicaid Services"; and

Further amend said bill and section, Page 8, Line 246, by deleting the word "**childrens**" and inserting in lieu thereof the following:

"children's"; and

Further amend said bill, section, and page, Line 262, by deleting the word "**from**" and inserting in lieu thereof the following:

"to"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Parkinson
Pfausch	Phillips	Pike	Pogue	Rehder
Remole	Rhoads	Richardson	Riddle	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 10	Flanigan	Funderburk	Hampton	Hubbard
Kelly 45	Love	McDonald	Morgan	Neely
Neth	Redmon	Reiboldt	Ross	Smith 120

On motion of Representative Scharnhorst, **House Amendment No. 1** was adopted.

Representative Scharnhorst offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 458, Page 1, In the Title, Line 3, by deleting the words "tax credit"; and

Further amend said bill, Page 2, Section 135.1220, Line 48, by deleting the word "**taxpayer**" and inserting in lieu thereof the word "**donor**"; and

Further amend said bill and section, Pages 2 and 3, Lines 52 to 79, by deleting all of said lines and inserting in lieu thereof the following:

"3. The department of elementary and secondary education shall develop a master list of resources available to the parents of children with an autism spectrum disorder and shall maintain a web page for the information. The department shall also actively seek financial resources in the form of grants and donations that may be devoted to scholarship funds or to clinical trials for behavioral interventions that may be undertaken by qualified service providers. The department may contract out or delegate these duties to a nonprofit organization. Priority in referral for funding shall be given to children who have not yet entered elementary school."; and

Further amend said bill and section by renumbering subsequent subsections accordingly; and

Further amend said bill, section, and page, Lines 86, 88, and 90, by deleting the word "**taxpayer**" and inserting in lieu thereof the word "**donor**"; and

Further amend said bill and section, Page 4, Lines 91 to 94, by deleting all of said lines and inserting in lieu thereof the following:

"organization."; and

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Further amend said bill and section, Page 5, Lines 127 to 134, by deleting all of said lines and inserting in lieu thereof the following:

"announced the student or child limit has been reached shall be valid."; and

Further amend said bill, section, and page, Line 139, by deleting the word **"taxpayers"** and inserting in lieu thereof the word **"donors"**; and

Further amend said bill, section and page, Lines 146 to 148, by deleting all of said lines and inserting in lieu thereof the following:

"(5) Inform the parent or guardian of the student or child applying for a scholarship that accepting the scholarship is tantamount to a 'parentally placed private school student' pursuant to 34 CFR 300.130 and, thus, neither the department nor any Missouri public school is responsible to provide the student with a free appropriate public education pursuant to the IDEA or Section 504 of the Rehabilitation Act of 1973;"; and

Further amend said bill and section, Page 7, Lines 216 to 218, by deleting all of said lines and inserting in lieu thereof the following:

"by a scholarship granting organization to a donor to indicate the value of a contribution received."; and

Further amend said bill, and section, Page 9, by deleting all of Lines 278 to 284, and inserting in lieu thereof the following:

"section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman assumed the Chair.

On motion of Representative Scharnhorst, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull

Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Black	Curtman	Engler	Flanigan	Hampton
Jones 50	Kelly 45	McDonald	Phillips	Redmon
Richardson	Riddle	Smith 120		

On motion of Representative Scharnhorst, **HCS HB 458, as amended**, was adopted.

On motion of Representative Scharnhorst, **HCS HB 458, as amended**, was ordered perfected and printed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Pierson	Pike
Rehder	Reiboldt	Remole	Rhoads	Richardson

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Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 001

Pogue

PRESENT: 000

ABSENT WITH LEAVE: 008

Black	Flanigan	Hampton	Kelly 45	McDonald
Phillips	Redmon	Smith 120		

THIRD READING OF SENATE BILLS

SB 230, relating to Chloe's Law, was taken up by Representative Brattin.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 230, Pages 1 to 3, Section 191.334, Lines 6 to 58, by deleting all of said section and lines and inserting in lieu thereof the following:

"3. Every newborn delivered on or after January 1, 2014, in an ambulatory surgical center, birthing center, hospital, or home shall be screened for critical congenital heart disease with pulse oximetry or in another manner as directed by the department of health and senior services in accordance with the American Academy of Pediatrics and American Heart Association guidelines. Screening shall occur prior to discharge if delivery occurs in a facility. If delivery occurs in a home the individual performing the delivery shall perform the screening within forty-eight hours of birth. Screening results shall be reported to the parents or guardians of the newborn and the department of health and senior services in a manner prescribed by the department for surveillance purposes. The facility or individual shall develop and implement plans to ensure that newborns with positive screens receive appropriate confirmatory procedures and referral for treatment as indicated.

4. The provisions of this section shall not apply if a parent or guardian of the newborn objects to the screening on the grounds that it conflicts with his or her religious tenets and practices. The parent or guardian of any newborn who refuses to have the critical congenital heart disease screening administered after notice of the requirement for screening shall document the refusal in writing. Any refusal of screening shall be reported to the department of health and senior services in a manner prescribed by the department.

5. The department of health and senior services shall provide consultation and administrative technical support to facilities and persons implementing the requirements of this section including, but not limited to, assistance in:

- (1) Developing and implementing critical congenital heart disease newborn screening protocols based on the American Academy of Pediatrics and American Heart Association guidelines;**
- (2) Developing and training facilities and persons on implementation of protocols;**
- (3) Developing and distributing educational materials for families; and**
- (4) Implementing reporting requirements."; and**

Further amend said bill, pages, and section, by renumbering the following subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Haahr	Haefner	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Leara	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Pike	Pogue	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Curtman	Diehl	Fitzwater	Flanigan
Gatschenberger	Guernsey	Hampton	Hubbard	Kelly 45
Lauer	Lichtenegger	McDonald	McManus	Phillips
Redmon	Rehder	Riddle	Roorda	Smith 120
Zerr				

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On motion of Representative Brattin, **SB 230, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Pierson	Pike
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 008

Burlison	Curtman	Fitzpatrick	Johnson	Koenig
Marshall	Moon	Pogue		

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 104	Diehl	Flanigan	Gatschenberger	Hampton
Kelly 45	Lichtenegger	McDonald	Phillips	Redmon
Roorda	Smith 120	Zerr		

Representative Korman declared the bill passed.

HCS SCS SB 17, relating to the Career and Technical Education Advisory Board Council, was taken up by Representative Thomson.

Representative Thomson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after all of said section and line the following:

"169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member's final average salary:

(1) Two and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years.

In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) [Between July 1, 1998, and July 1, 2013,] Two and four-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) [Between July 1, 1998, and July 1, 2013,] Two and thirty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) [Between July 1, 1998, and July 1, 2013,] Two and three-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) [Between July 1, 1998, and July 1, 2013,] Two and twenty-five-hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) [Between July 1, 1998, and July 1, 2013,] Two and two-tenths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2013,] Two and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member's retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member's final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called "option 1", a member whose creditable service is twenty-five years or more or who has attained the age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the

retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary,

to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement

having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

169.670. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or whose creditable service is thirty years or more regardless of age, shall be the sum of the following items:

(1) For each year of membership service, one and sixty-one hundredths percent of the member's final average salary;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service;

(3) Eighty-five one-hundredths of one percent of any amount by which the member's average compensation for services rendered prior to July 1, 1973, exceeds the average monthly compensation on which federal Social Security taxes were paid during the period over which such average compensation was computed, for each year of membership service credit for services rendered prior to July 1, 1973, plus six-tenths of the amount payable for a year of membership service for each year of prior service credit;

(4) In lieu of the retirement allowance otherwise provided by subdivisions (1) to (3) of this subsection, [between July 1, 2001, and July 1, 2013,] a member may elect to receive a retirement allowance of:

(a) One and fifty-nine hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-nine years or more but less than thirty years and the member has not attained the age of fifty-five;

(b) One and fifty-seven hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained the age of fifty-five;

(c) One and fifty-five hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-seven years or more but less than twenty-eight years and the member has not attained the age of fifty-five;

(d) One and fifty-three hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-six years or more but less than twenty-seven years and the member has not attained the age of fifty-five;

(e) One and fifty-one hundredths percent of the member's final average salary for each year of membership service, if the member's creditable service is twenty-five years or more but less than twenty-six years and the member has not attained the age of fifty-five; and

(5) In addition to the retirement allowance provided in subdivisions (1) to (3) of this subsection, a member retiring on or after July 1, 2001, whose creditable service is thirty years or more or whose sum of age and creditable service is eighty years or more, shall receive a temporary retirement allowance equivalent to eight-tenths of one percent of the member's final average salary multiplied by the member's years of service until such time as the member reaches the minimum age for Social Security retirement benefits.

2. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases five percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by five percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board; provided that, the increase provided in this subsection shall not become effective until the fourth January first following a member's retirement or January 1, 1982, whichever occurs later, and the total of the increases granted to a retired member or the beneficiary after December 31, 1981, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other provisions of law. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

3. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 2 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; provided that, the reductions shall not exceed the amount of increases which have been made to the member's allowance after December 31, 1981.

4. (1) In lieu of the retirement allowance provided in subsection 1 of this section, called option 1, a member whose creditable service is twenty-five years or more or who has attained age fifty-five with five or more years of creditable service may elect, in the application for retirement, to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death, the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member,

the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1; OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the reserve for the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the reserve for the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum; OR

Option 7. A plan of variable monthly benefit payments which provides, in conjunction with the member's retirement benefits under the federal Social Security laws, level or near-level retirement benefit payments to the member for life during retirement, and if authorized, to an appropriate beneficiary designated by the member. Such a plan shall be actuarially equivalent to the retirement allowance under option 1 and shall be available for election only if established by the board of trustees under duly adopted rules.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after attaining age fifty-five and acquiring five or more years of creditable service or after acquiring twenty-five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship payments under option 2 or a payment of the member's accumulated contributions. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 of this section.

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the beneficiary has an insurable interest in the life of the deceased member or disability retiree, the designated beneficiary may elect to receive either a payment of the person's accumulated contributions or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the person's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 of this section.

5. If the total of the retirement or disability allowances paid to an individual before the person's death is less than the person's accumulated contributions at the time of the person's retirement, the difference shall be paid to the

person's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or person's estate, in that order of precedence; provided, however, that if an optional benefit, as provided in option 2, 3 or 4 in subsection 4 of this section, had been elected and the beneficiary dies after receiving the optional benefit, then, if the total retirement allowances paid to the retired individual and the individual's beneficiary are less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

6. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

7. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the member's death shall be paid to the member's beneficiary or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the member's estate; provided, however, that no such payment shall be made if the beneficiary elects option 2 in subsection 4 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

8. If a member ceases to be an employee as defined in section 169.600 and certifies to the board of trustees that such cessation is permanent or if the person's membership is otherwise terminated, the person shall be paid the person's accumulated contributions with interest.

9. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, if a member ceases to be an employee as defined in section 169.600 after acquiring five or more years of creditable service, the member may, at the option of the member, leave the member's contributions with the retirement system and claim a retirement allowance any time after the member reaches the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.600 to 169.715 on the basis of the member's age and years of service.

10. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty.

11. Notwithstanding any provisions of sections 169.600 to 169.715 to the contrary, any member who is a member prior to October 13, 1969, may elect to have the member's retirement allowance computed in accordance with sections 169.600 to 169.715 as they existed prior to October 13, 1969.

12. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

13. Notwithstanding any other provision of law, any person retired prior to August 14, 1984, who is receiving a reduced retirement allowance under option 1 or 2 of subsection 4 of this section, as the option existed prior to August 14, 1984, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have the person's retirement allowance increased to the amount the person would have been receiving had the person not elected the option actuarially adjusted to recognize any excessive benefits which would have been paid to the person up to the time of the application.

14. Benefits paid pursuant to the provisions of the public education employee retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code, except as provided under this subsection. Notwithstanding any other law, the board of trustees may establish a benefit plan under Section 415(m) of Title 26 of the United States Code. Such plan shall be credited solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

15. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and four-tenths percent of the previous month's benefit, which shall be added to the member's or

beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

16. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to three and four-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received.

17. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member upon request shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging. As compensation for such duties the person shall receive a payment equivalent to seven and one-tenth percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 2 and 3 of this section for the purposes of the limit on the total amount of increases which may be received."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 1** was adopted.

Representative Shumake offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, In the Title, Line 3, by deleting from said line the phrase: "advisory councils in"; and

Further amend said bill, Section 161.249, Page 2, Line 24, by inserting after all of said line the following:

"170.340. Books of a religious nature may be used in the classroom as part of instruction in elective courses in literature and history, so long as such books are not used in a manner so as to violate the establishment clause of the United States Constitution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fowler	Fraker	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Pfautsch	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle

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Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown	Cox	Davis	Diehl
Dohrman	Fitzwater	Flanigan	Franklin	Kelly 45
McDonald	Parkinson	Phillips	Redmon	Roorda
Smith 120	Swearingen			

On motion of Representative Shumake, **House Amendment No. 2** was adopted.

Representative Funderburk offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after said line the following:

"168.021. 1. Certificates of license to teach in the public schools of the state shall be granted as follows:

(1) By the state board, under rules and regulations prescribed by it:

(a) Upon the basis of college credit;

(b) Upon the basis of examination;

(2) By the state board, under rules and regulations prescribed by the state board with advice from the advisory council established by section 168.015 to any individual who presents to the state board a valid doctoral degree from an accredited institution of higher education accredited by a regional accrediting association such as North Central Association. Such certificate shall be limited to the major area of postgraduate study of the holder, shall be issued only after successful completion of the examination required for graduation pursuant to rules adopted by the state board of education, and shall be restricted to those certificates established pursuant to subdivision (1) of subsection 3 of this section;

(3) By the state board, which shall issue the professional certificate classification in both the general and specialized areas most closely aligned with the current areas of certification approved by the state board, commensurate with the years of teaching experience of the applicant, and based upon the following criteria:

(a) Recommendation of a state-approved baccalaureate-level teacher preparation program;

(b) Successful attainment of the Missouri qualifying score on the exit assessment for teachers or administrators designated by the state board of education. Applicants who have not successfully achieved a qualifying score on the designated examinations will be issued a two-year nonrenewable provisional certificate; and

(c) Upon completion of a background check as prescribed in section 168.133 and possession of a valid teaching certificate in the state from which the applicant's teacher preparation program was completed;

(4) By the state board, under rules prescribed by it, on the basis of a relevant bachelor's degree, or higher degree, and a passing score for the designated exit examination, for individuals whose academic degree and professional experience are suitable to provide a basis for instruction solely in the subject matter of banking or financial responsibility, at the discretion of the state board. Such certificate shall be limited to the major area of study of the holder and shall be restricted to those certificates established under subdivision (1) of subsection 3 of this section. Holders of certificates granted under this subdivision shall be exempt from the teacher tenure act under sections 168.102 to 168.130 and each school district shall have the decision-making authority on whether to hire the holders of such certificates; or

(5) By the state board, under rules and regulations prescribed by it, on the basis of certification by the American Board for Certification of Teacher Excellence (ABCTE) and verification of ability to work with children as demonstrated by sixty contact hours in any one of the following areas as validated by the school principal: sixty contact hours in the classroom, of which at least forty-five must be teaching; sixty contact hours as a substitute teacher, with at least thirty consecutive hours in the same classroom; sixty contact hours of teaching in a private school; or sixty contact hours of teaching as a paraprofessional, for an initial four-year ABCTE certificate of license to teach[, except that such certificate shall not be granted for the areas of early childhood education, elementary education, or special education]. Upon the completion of the requirements listed in paragraphs (a), (b), (c), and (d) of this subdivision, an applicant shall be eligible to apply for a career continuous professional certificate under subdivision (2) of subsection 3 of this section:

(a) Completion of thirty contact hours of professional development within four years, which may include hours spent in class in an appropriate college curriculum;

(b) Validated completion of two years of the mentoring program of the American Board for Certification of Teacher Excellence or a district mentoring program approved by the state board of education;

(c) Attainment of a successful performance-based teacher evaluation; and

(d) Participate in a beginning teacher assistance program.

2. All valid teaching certificates issued pursuant to law or state board policies and regulations prior to September 1, 1988, shall be exempt from the professional development requirements of this section and shall continue in effect until they expire, are revoked or suspended, as provided by law. When such certificates are required to be renewed, the state board or its designee shall grant to each holder of such a certificate the certificate most nearly equivalent to the one so held. Anyone who holds, as of August 28, 2003, a valid PC-I, PC-II, or continuous professional certificate shall, upon expiration of his or her current certificate, be issued the appropriate level of certificate based upon the classification system established pursuant to subsection 3 of this section.

3. Certificates of license to teach in the public schools of the state shall be based upon minimum requirements prescribed by the state board of education which shall include completion of a background check as prescribed in section 168.133. The state board shall provide for the following levels of professional certification: an initial professional certificate and a career continuous professional certificate.

(1) The initial professional certificate shall be issued upon completion of requirements established by the state board of education and shall be valid based upon verification of actual teaching within a specified time period established by the state board of education. The state board shall require holders of the four-year initial professional certificate to:

(a) Participate in a mentoring program approved and provided by the district for a minimum of two years;

(b) Complete thirty contact hours of professional development, which may include hours spent in class in an appropriate college curriculum, or for holders of a certificate under subdivision (4) of subsection 1 of this section, an amount of professional development in proportion to the certificate holder's hours in the classroom, if the certificate holder is employed less than full time; and

(c) Participate in a beginning teacher assistance program;

(2) (a) The career continuous professional certificate shall be issued upon verification of completion of four years of teaching under the initial professional certificate and upon verification of the completion of the requirements articulated in paragraphs (a), (b), and (c) of subdivision (1) of this subsection or paragraphs (a), (b), (c), and (d) of subdivision (5) of subsection 1 of this section.

(b) The career continuous professional certificate shall be continuous based upon verification of actual employment in an educational position as provided for in state board guidelines and completion of fifteen contact hours of professional development per year which may include hours spent in class in an appropriate college curriculum. Should the possessor of a valid career continuous professional certificate fail, in any given year, to meet the fifteen-hour professional development requirement, the possessor may, within two years, make up the missing hours. In order to make up for missing hours, the possessor shall first complete the fifteen-hour requirement for the current year and then may count hours in excess of the current year requirement as make-up hours. Should the possessor fail to make up the missing hours within two years, the certificate shall become inactive. In order to reactivate the certificate, the possessor

shall complete twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate. The requirements of this paragraph shall be monitored and verified by the local school district which employs the holder of the career continuous professional certificate.

(c) A holder of a career continuous professional certificate shall be exempt from the professional development contact hour requirements of paragraph (b) of this subdivision if such teacher has a local professional development plan in place within such teacher's school district and meets two of the three following criteria:

- a. Has ten years of teaching experience as defined by the state board of education;
- b. Possesses a master's degree; or
- c. Obtains a rigorous national certification as approved by the state board of education.

4. Policies and procedures shall be established by which a teacher who was not retained due to a reduction in force may retain the current level of certification. There shall also be established policies and procedures allowing a teacher who has not been employed in an educational position for three years or more to reactivate his or her last level of certification by completing twenty-four contact hours of professional development which may include hours spent in the classroom in an appropriate college curriculum within the six months prior to or after reactivating his or her certificate.

5. The state board shall, upon completion of a background check as prescribed in section 168.133, issue a professional certificate classification in the areas most closely aligned with an applicant's current areas of certification, commensurate with the years of teaching experience of the applicant, to any person who is hired to teach in a public school in this state and who possesses a valid teaching certificate from another state or certification under subdivision (4) of subsection 1 of this section, provided that the certificate holder shall annually complete the state board's requirements for such level of certification, and shall establish policies by which residents of states other than the state of Missouri may be assessed a fee for a certificate license to teach in the public schools of Missouri. Such fee shall be in an amount sufficient to recover any or all costs associated with the issuing of a certificate of license to teach. The board shall promulgate rules to authorize the issuance of a provisional certificate of license, which shall allow the holder to assume classroom duties pending the completion of a criminal background check under section 168.133, for any applicant who:

- (1) Is the spouse of a member of the Armed Forces stationed in Missouri;
- (2) Relocated from another state within one year of the date of application;
- (3) Underwent a criminal background check in order to be issued a teaching certificate of license from another state; and
- (4) Otherwise qualifies under this section.

6. The state board may assess to holders of an initial professional certificate a fee, to be deposited into the excellence in education revolving fund established pursuant to section 160.268, for the issuance of the career continuous professional certificate. However, such fee shall not exceed the combined costs of issuance and any criminal background check required as a condition of issuance. Applicants for the initial ABCTE certificate shall be responsible for any fees associated with the program leading to the issuance of the certificate, but nothing in this section shall prohibit a district from developing a policy that permits fee reimbursement.

7. Any member of the public school retirement system of Missouri who entered covered employment with ten or more years of educational experience in another state or states and held a certificate issued by another state and subsequently worked in a school district covered by the public school retirement system of Missouri for ten or more years who later became certificated in Missouri shall have that certificate dated back to his or her original date of employment in a Missouri public school.

[8. The provisions of subdivision (5) of subsection 1 of this section, as well as any other provision of this section relating to the American Board for Certification of Teacher Excellence, shall terminate on August 28, 2014.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 3** was adopted.

Representative Neth offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, In the title, Line 3, by deleting the words, "advisory councils in"; and

Further amend said bill, Page 2, Section 161.249, Line 24, by inserting after all of said line the following:

"169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member's individual account together with interest thereon in the employees' contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system's actuary and approved by the board of trustees;

(3) "Average final compensation", the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are "consecutive", only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) "Beneficiary", any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) "Board of education", the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) "Board of trustees", the board provided for in section 169.291 to administer the retirement system;

(7) "Break in service", an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed, or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A "school or work day" is a day on which the employee's employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee's last job description to report to their place of employment for any reason;

(8) "Charter school", any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) "Compensation", the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member's behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) "Creditable service", the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) "Employee", any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) "Employer", the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retirant;

(13) "Employer's board", the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) "Library district", any urban public library district created from or within a school district under the provisions of section 182.703;

(15) "Medical board", the board of physicians provided for in section 169.291;

(16) "Member", any person who is a regular employee after the retirement system has been established hereunder ("active member"), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder ("inactive member"). **A person shall cease to be a member if the person has a break in service before earning any vested retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;**

(17) "Minimum normal retirement age", **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement,** the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] **and with both years of creditable service and years of age prorated for fractional years; for any person who becomes a member of the retirement system on or after January 1, 2014, including any person who was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;**

(18) "Prior service", service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) "Regular employee", any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee's status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) "Retirant", a former member receiving a retirement allowance hereunder;

(21) "Retirement allowance", annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) "School district", any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for

the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in

connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.**

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service

is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) **A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;**

(2) **A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;**

(3) **A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;**

(4) **A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;**

(5) **Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] retirant who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] retirant elected any of the options available under section 169.326. [Provided, further, any retiree] Any retirant who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] retirant elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] retirant who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.**

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;**

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to 169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed

using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 4** was adopted.

Representative Stream offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 2, Section 161.249, Line 24, by inserting after all of said line the following:

"168.221. 1. The first five years of employment of all teachers entering the employment of the metropolitan school district shall be deemed a period of probation during which period all appointments of teachers shall expire at the end of each school year. During the probationary period any probationary teacher whose work is unsatisfactory shall be furnished by the superintendent of schools with a written statement setting forth the nature of his **or her** incompetency. If improvement satisfactory to the superintendent is not made within one semester after the receipt of the statement, the probationary teacher shall be dismissed. The semester granted the probationary teacher in which to improve shall not in any case be a means of prolonging the probationary period beyond five years and six months from the date on which the teacher entered the employ of the board of education. The superintendent of schools on or before the fifteenth day of April in each year shall notify probationary teachers who will not be retained by the school district of the termination of their services. Any probationary teacher who is not so notified shall be deemed to have been appointed for the next school year. Any principal who prior to becoming a principal had attained permanent employee status as a teacher shall upon ceasing to be a principal have a right to resume his or her permanent teacher position with the time served as a principal being treated as if such time had been served as a teacher for the purpose of calculating seniority and pay scale. The rights and duties and remuneration of a teacher who was formerly a principal shall be the same as any other teacher with the same level of qualifications and time of service.

2. After completion of satisfactory probationary services, appointments of teachers shall become permanent, subject to removal for any one or more causes herein described and to the right of the board to terminate the services of all who attain the age of compulsory retirement fixed by the retirement system. In determining the duration of the probationary period of employment in this section specified, the time of service rendered as a substitute teacher shall not be included.

3. No teacher whose appointment has become permanent may be removed except for one or more of the following causes: immorality, **incompetency**, or inefficiency in line of duty, violation of the published regulations of the school district, violation of the laws of Missouri governing the public schools of the state, or physical or mental condition which incapacitates him for instructing or associating with children, and then only by a vote of not less than a majority of all the members of the board, upon written charges presented by the superintendent of schools, to be heard by the board after thirty days' notice, with copy of the charges served upon the person against whom they are preferred,

who shall have the privilege of being present at the hearing, together with counsel, offering evidence and making defense thereto. [Notifications received by an employee during a vacation period shall be considered as received on the first day of the school term following.] At the request of any person so charged the hearing shall be public. During any time in which powers granted to the district's board of education are vested in a special administrative board, the special administrative board may appoint a hearing officer to conduct the hearing. The hearing officer shall conduct the hearing as a contested case under chapter 536 and shall issue a written recommendation to the board rendering the charges against the teacher. The board shall render a decision on the charges upon the review of the hearing officer's recommendations and the record from the hearing. The action and decision of the board upon the charges shall be final. Pending the hearing of the charges, the person charged may be suspended if the rules of the board so prescribe, but in the event the board does not by a majority vote of all the members remove the teacher upon charges presented by the superintendent, the person shall not suffer any loss of salary by reason of the suspension. **Incompetency or** inefficiency in line of duty is cause for dismissal only after the teacher has been notified in writing at least [one semester] **thirty days** prior to the presentment of charges against him by the superintendent. The notification shall specify the nature of the **incompetency or** inefficiency with such particularity as to enable the teacher to be informed of the nature of his **or her incompetency or** inefficiency.

4. No teacher whose appointment has become permanent shall be demoted nor shall his **or her** salary be reduced unless the same procedure is followed as herein stated for the removal of the teacher because of inefficiency in line of duty, and any teacher whose salary is reduced or who is demoted may waive the presentment of charges against him by the superintendent and a hearing thereon by the board. The foregoing provision shall apply only to permanent teachers prior to the compulsory retirement age under the retirement system. Nothing herein contained shall in any way restrict or limit the power of the board of education to make reductions in the number of teachers or principals, or both, because of insufficient funds, decrease in pupil enrollment, or abolition of particular subjects or courses of instruction, except that the abolition of particular subjects or courses of instruction shall not cause those teachers who have been teaching the subjects or giving the courses of instruction to be placed on leave of absence as herein provided who are qualified to teach other subjects or courses of instruction, if positions are available for the teachers in the other subjects or courses of instruction.

5. Whenever it is necessary to decrease the number of teachers because of insufficient funds or a substantial decrease of pupil population within the school district, the board of education upon recommendation of the superintendent of schools may cause the necessary number of teachers beginning with those serving probationary periods to be placed on leave of absence without pay, but only in the inverse order of their appointment. Nothing herein stated shall prevent a readjustment by the board of education of existing salary schedules. No teacher placed on a leave of absence shall be precluded from securing other employment during the period of the leave of absence. Each teacher placed on leave of absence shall be reinstated in inverse order of his **or her** placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous years of service. [No new appointments shall be made while there are available teachers on leave of absence who are seventy years of age or less and who are adequately qualified to fill the vacancy unless the teachers fail to advise the superintendent of schools within thirty days from the date of notification by the superintendent of schools that positions are available to them that they will return to employment and will assume the duties of the position to which appointed not later than the beginning of the school year next following the date of the notice by the superintendent of schools] **No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies. Such leave of absence shall not impair the tenure of a teacher. The leave of absence shall continue for a period of not more than three years unless extended by the board.**

6. If any regulation which deals with the promotion of teachers is amended by increasing the qualifications necessary to be met before a teacher is eligible for promotion, the amendment shall fix an effective date which shall allow a reasonable length of time within which teachers may become qualified for promotion under the regulations.

7. A teacher whose appointment has become permanent may give up the right to a permanent appointment to participate in the teacher choice compensation package under sections 168.745 to 168.750."; and

Further amend said bill, Page 4, Section 178.550, Line 95, by inserting after all of said line the following:

"[168.291. Whenever it is necessary to decrease the number of employees because of insufficient funds or decrease in pupil enrollment or lack of work the board of education may cause the necessary number of employees, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Each employee placed on leave of absence shall be reinstated in inverse order of his placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous periods of service. No

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new appointments shall be made while there are available employees on leave of absence who have not attained the age of seventy years and who are adequately qualified to fill the vacancy in the particular department unless the employees fail to advise the board within thirty days from date of notification by the board that positions are available to them, that they will return to employment, and will assume the duties of the position to which they are appointed not later than the beginning of the month following the date of the notice by the board.]" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 5** was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McCann Beatty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Webb	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	LaFaver
May	Mayfield	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Peters	Pierson	Pogue	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Cox	Diehl	Kelly 45	Kratky	Molendorp
Pace	Phillips	Roorda	Smith 120	

HCS SCS SB 17, as amended, was laid over.

Speaker Jones resumed the Chair.

On motion of Representative Cierpiot, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF SENATE BILLS

HCS SCS SB 17, as amended, relating to the Career and Technical Advisory Board Council, was again taken up by Representative Thomson.

Representative Scharnhorst offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

- "135.1220. 1. This section shall be known and may be cited as "Bryce's Law".
2. As used in this section, the following terms mean:
- (1) "Autism spectrum disorder", pervasive developmental disorder; Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and autism;
 - (2) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
 - (3) "Department", the department of elementary and secondary education;
 - (4) "Director", the commissioner of the department of elementary and secondary education;
 - (5) "Educational scholarships", grants to students to cover all or part of the tuition and fees at a qualified nonpublic school, a qualified public school, or a qualified service provider, including transportation;
 - (6) "Eligible child", any child from birth to age five living in Missouri who has an individualized family services program under the First Steps program, sections 160.900 to 160.933, and whose parent or guardian has completed the complaint procedure under the Individuals with Disabilities Education Act, Part C, and has received an unsatisfactory response; or any child from birth to age five who has been evaluated for special needs as defined in this section by a person qualified to perform evaluations under the First Steps program and has been determined to have special needs but who falls below the threshold for eligibility by no less than twenty-five percent;
 - (7) "Eligible student", any elementary or secondary student who attended public school in Missouri the preceding semester, or who will be attending school in Missouri for the first time, who has an individualized education program based on a special needs condition or who has a medical diagnosis by a qualified health professional of a special needs condition;
 - (8) "Parent", includes a guardian, custodian, or other person with authority to act on behalf of the child;
 - (9) "Program", the program established in this section;
 - (10) "Qualified health professional", a person licensed under chapter 334 or 337 who possesses credentials as described in rules promulgated jointly by the department of elementary and secondary education and the department of mental health to make a diagnosis of a student's special needs for this program;
 - (11) "Qualified school", either an accredited public elementary or secondary school in a district that is accredited without provision outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;

(12) "Qualified service provider", a person or agency authorized by the department to provide services under the First Steps program, sections 160.900 to 160.933;

(13) "Scholarship granting organization", a charitable organization that:

(a) Is exempt from federal income tax;

(b) Complies with the requirements of this program;

(c) Provides education scholarships to students attending qualified schools of their parents' choice or to children receiving services from qualified service providers; and

(d) Does not accept contributions on behalf of any eligible student or eligible child from any donor with any obligation to provide any support for the eligible student or eligible child;

(14) "Special needs", an autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy.

3. The department of elementary and secondary education shall develop a master list of resources available to the parents of children with an autism spectrum disorder and shall maintain a web page for the information. The department shall also actively seek financial resources in the form of grants and donations that may be devoted to scholarship funds or to clinical trials for behavioral interventions that may be undertaken by qualified service providers. The department may contract out or delegate these duties to a nonprofit organization. Priority in referral for funding shall be given to children who have not yet entered elementary school.

4. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship granting organization if such organization meets the definition set forth in this section.

5. The director shall establish a procedure by which a donor can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a donor.

6. Each scholarship granting organization shall provide information to the director concerning the identity of each donor making a contribution to the scholarship granting organization.

7. (1) The director shall annually make a determination on the number of students in Missouri with an individualized education program based upon special needs as defined in this section. The director shall use ten percent of this number to determine the maximum number of students to receive scholarships from a scholarship granting organization in that year for students with special needs who have at the time of application an individualized education program, plus a number calculated by the commissioner by applying the state's latest available autism, cerebral palsy, Down syndrome, and Angelman syndrome incidence rates to the state's population of children from age five to nineteen who are not enrolled in public schools and taking ten percent of that number. The total of these two calculations shall constitute the maximum number of scholarships available to students.

(2) The director shall also annually make a determination on the number of children in Missouri whose parent or guardian has enrolled the child in First Steps, received an individualized family services program based on special needs, and filed a complaint through the Individuals with Disabilities Education Act, Part C, and received a negative response. In addition to this number, the director shall apply the latest available autism, cerebral palsy, Down syndrome, and Angelman syndrome incidence rates to the latest available census information for children from birth to age five and determine ten percent of that number for the maximum number of scholarships for children.

(3) The director shall publicly announce the number of each category of scholarship opportunities available each year. Once a scholarship granting organization has decided to provide a student or child with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of scholarships for eligible students or children, the director shall notify all of the participating scholarship granting organizations that they shall not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 10 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student or child limit has been reached shall be valid.

8. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools or children receiving services from qualified service providers;

(2) Provide a department-approved receipt to donors for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Ensure that the scholarships provided do not exceed an average of twenty thousand dollars per eligible child or fifty thousand dollars per eligible student;

(5) Inform the parent or guardian of the student or child applying for a scholarship that accepting the scholarship is tantamount to a 'parentally placed private school student' pursuant to 34 CFR 300.130 and, thus, neither the department nor any Missouri public school is responsible to provide the student with a free appropriate public education pursuant to the IDEA or Section 504 of the Rehabilitation Act of 1973;

(6) Distribute periodic scholarship payments as checks made out to a student's or child's parent and mailed to the qualified school where the student is enrolled or qualified service provider used by the child. The parent or guardian shall endorse the check before it can be deposited;

(7) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(8) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student or at a different qualified service provider for an eligible child according to a parent's wishes. If a student moves to a new qualified school during a school year or to a different qualified service provider for an eligible child, the scholarship amount may be prorated;

(9) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(10) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department before the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

9. Each scholarship granting organization shall ensure that each participating school or service provider that accepts its scholarship students or children shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools or service providers;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended;

(4) Provide academic accountability to parents of the students or children in the program by regularly reporting to the parent on the student's or child's progress;

(5) Certify that in providing any educational services or behavior strategies to a scholarship recipient with a diagnosis of or an individualized education program based upon autism spectrum disorder it will:

(a) Adhere to the best practices recommendations of the Missouri Autism Guidelines Initiative or document why it is varying from the guidelines;

(b) Not use any evidence-based interventions that have been found ineffective by the commission on Medicare as described in the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions; and

(c) Provide documentation in the student's or child's record of the rationale for the use of any intervention that is categorized as unestablished, insufficient evidence, or level 3 by the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions; and

(6) Certify that in providing any educational services or behavior strategies to a scholarship recipient with a diagnosis of, or an individualized family services program based upon Down syndrome, Angelman syndrome, or cerebral palsy, it will use student, teacher, teaching, and school influences that rank in the zone of desired effects in the meta-analysis of John Hattie, or equivalent analyses as determined by the department, or document why it is using a method that has not been determined by analysis to rank in the zone of desired effects.

10. Scholarship granting organizations shall not provide educational scholarships for students to attend any school or children to receive services from any qualified service provider with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

11. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

- (1) The name and address of the scholarship granting organization;
- (2) The total number and total dollar amount of contributions received during the previous calendar year; and
- (3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, including the category of each scholarship, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

12. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

13. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a donor to indicate the value of a contribution received.

14. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

15. The department may conduct either a financial review or audit of a scholarship granting organization.

16. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a hearing before the director or the director's designee to bar a scholarship granting organization from participating in the program. The director or the director's designee shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

17. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students or children and their parents of this decision within fifteen days.

18. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

19. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

21. The study shall assess:

- (1) The level of participating students' and childrens' satisfaction with the program in a manner suitable to the student or child;
- (2) The level of parental satisfaction with the program;
- (3) The percentage of participating students who were bullied or harassed because of their special needs status at their resident school district compared to the percentage so bullied or harassed at their qualified school;
- (4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;
- (5) The class size experienced by participating students at their resident school district and at their qualified school; and
- (6) The fiscal impact to the state and resident school districts of the program.

20. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

21. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2016.

22. The public and nonpublic participating schools and service providers from which students transfer to participate in the program shall cooperate with the research effort by providing student or child assessment instrument scores and any other data necessary to complete this study.

23. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act, as amended.

24. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically on December 31, 2019, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December 31, 2031; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 6** was adopted.

On motion of Representative Thomson, **HCS SCS SB 17, as amended**, was adopted.

On motion of Representative Thomson, **HCS SCS SB 17, as amended**, was read the third time and passed by the following vote:

AYES: 104

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Burlison
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	May	McCaherty	McCann Beatty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Peters	Pfautsch	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rowden
Rowland	Runions	Scharnhorst	Schieber	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 031

Burns	Butler	Ellinger	Ellington	Englund
Frame	Gardner	Harris	Hummel	Kirkton
Kratky	LaFaver	Marshall	Mayfield	McKenna
McNeil	Meredith	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Pierson
Rizzo	Roorda	Schieffer	Smith 85	Walton Gray
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Brown	Carpenter	Cierpiot	Colona
Cross	Curtis	Elmer	Guernsey	Higdon
Kelly 45	Korman	Leara	McDonald	McManus
Mims	Mitten	Phillips	Redmon	Riddle
Ross	Schatz	Schupp	Shull	Smith 120
Torpey	Webb	Webber		

Speaker Jones declared the bill passed.

SCS SB 36, relating to juvenile offenders, was taken up by Representative Hicks.

Representative Ellington offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 36, Page 5, Section 211.073, Line 53, by inserting immediately after said line the following:

"217.870. In an effort to reduce the recidivism rate of offenders who are incarcerated in the state of Missouri the department of corrections shall, prior to the release of any inmate, do the following:

(1) Subject to appropriation, participate in the Federal Bonding Program so that all inmates are bonded prior to release;

(2) Review the types of jobs available for inmates while incarcerated to determine which jobs would be eligible for certification and ensure that any inmate who has completed the necessary requirements for certification in a particular field does receive certification;

(3) Issue a worker certificate to any inmate who has worked in one or more jobs while incarcerated which were the type of jobs that are not eligible for certification. This worker certificate shall indicate the number of hours the inmate has worked or training the inmate has received in each job which the inmate held. It shall also specify the duties required for each job and list the skills acquired or demonstrated on the job."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellington, **House Amendment No. 1** was adopted.

Representative White assumed the Chair.

Representative Hough offered **House Amendment No. 2**.

Representative Hummel raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative White requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Hicks, **SCS SB 36, as amended**, was read the third time and passed by the following vote:

AYES: 143

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Swan	Swearingen	Thomson	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wright	Zerr	Mr Speaker		

NOES: 002

Fowler Pogue

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Flanigan	Grisamore	Guernsey	Higdon
Kelly 45	Kirkton	McDonald	McManus	Mims
Phillips	Ross	Scharnhorst	Schupp	Smith 120
Stream	Torpey	Wood		

Representative White declared the bill passed.

HCS SCS SB 126, relating to the provision of health care services, was taken up by Representative Morris.

Representative Morris moved that **HCS SCS SB 126** be adopted.

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Which motion was defeated.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 013

Cornejo	Davis	Funderburk	Grisamore	Jones 50
Kelly 45	Neth	Phillips	Redmon	Riddle
Scharnhorst	Smith 120	Zerr		

On motion of Representative Morris, **SCS SB 126** was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Pike
Pogue	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 039

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Frame
Gardner	Hubbard	Hummel	LaFaver	May
McCann Beatty	McDonald	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Grisamore	Jones 50	Kelly 45	McManus
Phillips	Redmon	Smith 120	Zerr	

Representative White declared the bill passed.

Speaker Jones resumed the Chair.

HCS SS SCS SB 116, relating to uniformed military and overseas voters, was taken up by Representative Davis.

Representative McGaugh offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 116, Page 11, Section 115.291, Line 35, by inserting after all of said section and line the following:

"115.850. 1. This section shall be known and may be cited as the "Political Accountability in Campaigning Act".

2. For purposes of this section, the term "knowingly" shall mean that a candidate knows that a proposition is false and intends to publicize it, and the term "material fact" shall mean a proposition that is verifiable as either true or false with near certainty during de novo review by an appellate court, and that is not embedded within a context where the overall content of the message is a matter of opinion. The use of interjections including name calling or profane language shall not be deemed to be matters of material fact.

3. A candidate campaigning for office in this state commits a violation of this section if he or she knowingly publicizes a false statement of material fact in a political advertisement released to the public through any print or broadcast medium that refers to a clearly identified candidate for statewide office or the general assembly that is made after the candidate making the communication has filed for office.

4. A violation of this section shall be proven by clear and compelling evidence by a court or jury.

5. A violation of this section shall be punishable by damages limited to the lesser of the amount it would cost to adequately inform the public of the false material fact at issue or a damage award of not more than twenty thousand dollars for each violation. Courts may enforce the provisions of this section by granting injunctive relief to prevent the future dissemination of false material statements in violation of this section.

6. A candidate who has violated the provisions of this section may avoid the penalty imposed in subsection 5 of this section by retracting his or her false statement of material fact through the same print or broadcast medium used to communicate the false statement of material fact. Such retraction shall be made not later than fourteen days after the false statement of material fact was made and shall be made not later than fourteen days prior to a general or special election for statewide office or the general assembly.

7. In addition to prosecutors or the office of the attorney general, any eligible voter may bring suit to enforce the provisions of this section. Damages obtained by state officials shall be considered as substantially similar to penalties and shall be payable to the schools in accordance with article IX, section 7 of the Constitution of Missouri, otherwise such damages shall be payable to any eligible voter bringing suit under this section.

8. This section shall not be held to modify or supercede any cause of action for defamation and the penalties herein shall be in addition to any damages or penalties imposed for defamation by statute or common law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

House Amendment No. 1 was withdrawn.

Representative Conway (10) offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 116, Page 3, Section 115.275, Line 23, by inserting after the phrase: "(6)" on said line the following:

"J (5)"; and

Further amend said section, Page 3, Line 34 by deleting the bracket: "]" on said line; and

Further amend said bill, Section 115.904, Page 12, Line 5, by deleting the word: "**and**" on said line and inserting in lieu thereof the word:

"or"; and

Further amend said bill, Section 115.910, Page 14, Line 22, by deleting the word: "**and**" on said line and inserting in lieu thereof the word:

"or"; and

Further amend said bill, Section 115.936, Page 17, Line 5, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law, a person in the federal service as defined under section 115.275 may vote in the same manner, using the same technology and requirements, as an overseas voter under sections 115.900 to 115.936.

Section B. The repeal and reenactment of Section A of this act shall be effective on July 1, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Pfausch	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kratky

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LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 017

Cross	Flanigan	Grisamore	Jones 50	Kelly 45
Kirkton	Lair	Marshall	McManus	Miller
Parkinson	Phillips	Riddle	Scharnhorst	Smith 120
Stream	Zerr			

On motion of Representative Conway (10), **House Amendment No. 2** was adopted.

Representative Davis offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 116, Page 15, Section 115.920, Lines 2-4, by deleting all of said lines and inserting in lieu thereof the following:

"shall be counted if it is received before noon on the friday after election day so that certification under section 1 may commence."; and

Further amend said bill, Section 115.936, Page 17, Line 5, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, no election authority or verification board shall certify election results, as required under section 115.507, before noon on the friday after election day."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 3** was adopted.

On motion of Representative Davis, **HCS SS SCS SB 116, as amended**, was adopted.

On motion of Representative Davis, **HCS SS SCS SB 116, as amended**, was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk

Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Flanigan	Grisamore	Jones 50	Kelly 45
Miller	Phillips	Scharnhorst	Smith 120	Stream
Zerr				

Speaker Jones declared the bill passed.

Representative Neth assumed the Chair.

SB 77, relating to neighborhood youth programs, was taken up by Representative Allen.

Representative Allen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 77, Page 1, Line 3 in the Title, by deleting all of said line and inserting in lieu thereof "to children."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. "Bullying" means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by students on school property, at any school function, or on a school bus. "Cyberbullying" is bullying as defined in this subsection through the**

transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall require, **at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall be included in the student handbook. The school district administration shall notify the parents or legal guardians of the individual alleged in the report to be responsible for the bullying incident and the parents or legal guardians of the target of the bullying incident;**

(3) A procedure for reporting an act of bullying, including a provision that permits a person to report an act of harassment, intimidation, or bullying anonymously. However, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report;

(4) A procedure for prompt investigation of reports of serious violations and complaints, identifying either the principal or the principal's certified staff designee as the person responsible for the investigation;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized;

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members;

(b) The school district annually shall provide information and any appropriate training to the school district staff regarding the policy;

(c) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(d) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying;

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying;

(f) The policy shall be reviewed at least annually for compliance with state and federal law.

5. Any student alleging to be the target of an incident of bullying who has completed all procedures required by the district's reporting policy and continues to be subjected to bullying shall be informed by the district that he or she may seek other remedies. The information may include but not be limited to informing the target or the target's parents or legal guardians of the possibility of civil action against the individual alleged to be responsible for the bullying and against the parents or legal guardians of that individual. The target and his or her parents shall also be informed that they may request intervention by any other county, state, or federal agency or office that is empowered to act on behalf of the target.

6. The state board of education is authorized to promulgate rules and regulations to implement this section and shall develop model policies to assist local school districts in developing policies for the prevention of bullying no later than September 1, 2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Neth requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Allen, **House Amendment No. 1** was adopted.

Representative Torpey offered **House Amendment No. 2**.

Representative Roorda raised points of order that **House Amendment No. 2** is not germane to the bill and amends previously amended material in the title.

Representative Neth requested a parliamentary ruling.

The Parliamentary Committee ruled the second point of order was well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims

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Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Flanigan	Fraker	Grisamore	Kelly 45
Leara	Phillips	Rhoads	Richardson	Scharnhorst
Smith 120	Wood	Zerr		

On motion of Representative Allen, **SB 77, as amended**, was read the third time and passed by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brown	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Ellinger
Elmer	Engler	Entlicher	Fitzwater	Flanigan
Fowler	Frame	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McNeil
Messenger	Miller	Molendorp	Montecillo	Morris
Muntzel	Neely	Neth	Norr	Pace
Pfautsch	Pike	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Schatz	Schieffer	Shull
Shumake	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
White	Wieland	Wilson	Wright	Mr Speaker

NOES: 049

Anders	Berry	Brattin	Burlison	Burns
Butler	Carpenter	Colona	Curtis	Curtman
Dugger	Dunn	Ellington	English	Englund
Fitzpatrick	Frederick	Gardner	Haahr	Higdon
Hubbard	Hummel	Kirkton	Kratky	LaFaver
Marshall	May	McDonald	McManus	Meredith
Mims	Mitten	Moon	Morgan	Newman
Nichols	Otto	Parkinson	Pierson	Pogue
Remole	Ross	Runions	Schieber	Schupp
Smith 85	Spencer	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Fraker	Kelly 45	Kolkmeier	Peters	Phillips
Scharnhorst	Smith 120	Wood	Zerr	

Representative Neth declared the bill passed.

HCS SB 330, relating to professional registration, was taken up by Representative Burlison.

Representative Cornejo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 330, Page 19, Section 334.735, Line 213, by inserting after said line the following:

"337.500. As used in sections 337.500 to 337.540, unless the context clearly requires otherwise, the following words and phrases mean:

- (1) "Committee or board", the committee for professional counselors;
- (2) "Department", the Missouri department of insurance, financial institutions and professional registration;
- (3) "Director", the director of the division of professional registration;
- (4) "Division", the division of professional registration;
- (5) "Licensed professional counselor", any person who offers to render professional counseling services to individuals, groups, organizations, institutions, corporations, government agencies or the general public for a fee, monetary or otherwise, implying that the person is trained, experienced, and licensed in counseling, and who holds a current, valid license to practice counseling;
- (6) "Practice of professional counseling", rendering, offering to render, or supervising those who render to individuals, couples, groups, organizations, institutions, corporations, schools, government agencies, or the general public any counseling service involving the application of counseling procedures, and the principles and methods thereof, to assist in achieving more effective intrapersonal or interpersonal, marital, decisional, social, educational, vocational, developmental, or rehabilitative adjustments;
- (7) "Professional counseling", includes, but is not limited to:
 - (a) The use of verbal or nonverbal counseling or both techniques, methods, or procedures based on principles for assessing, **diagnosis**, understanding, or influencing behavior (such as principles of learning, conditioning, perception, motivation, thinking, emotions, or social systems);
 - (b) Appraisal or assessment, which means selecting, administering, scoring, or interpreting instruments designed to assess a person's or group's aptitudes, intelligence, attitudes, abilities, achievement, interests, and personal characteristics;
 - (c) The use of referral or placement techniques or both which serve to further the goals of counseling;
 - (d) Therapeutic vocational or personal or both rehabilitation in relation to coping with or adapting to physical disability, emotional disability, or intellectual disability or any combination of the three;
 - (e) Designing, conducting, and interpreting research;
 - (f) The use of group methods or techniques to promote the goals of counseling;
 - (g) The use of informational and community resources for career, personal, or social development;
 - (h) Consultation on any item in paragraphs (a) through (g) above; and
 - (i) No provision of sections 337.500 to 337.540, or of chapter 354 or 375, shall be construed to mandate benefits or third-party reimbursement for services of professional counselors in the policies or contracts of any insurance company, health services corporation or other third-party payer;
- (8) "Provisional licensed professional counselor", any person who is a graduate of an acceptable educational institution, as defined by division rules, with at least a master's degree with a major in counseling, or its equivalent, and meets all requirements of a licensed professional counselor, other than the supervised counseling experience prescribed by subdivision (1) of **subsection 1** of section 337.510, and who is supervised by a person who is qualified for the practice of professional counseling."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cornejo moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Burlison offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 330, Page 10, Section 334.104, Line 45, by inserting immediately after the first occurrence of the word "**clinics**" the following:

", provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. 1395i-4,"; and

Further amend said bill, Page 14, Section 334.735, Line 24, by deleting all of said line and inserting in lieu thereof the following:

"facility as the] with a supervising physician [sixty-six percent of the time a physician assistant"; and

Further amend said bill, page, and section, Line 32, by deleting the word "**supervision**" and inserting in lieu thereof the word "**supervising**"; and

Further amend said bill, Page 15, Section 334.735, Line 86, by deleting the phrase "**(2) A**" and inserting in lieu thereof the phrase "**(2) For a**"; and

Further amend said bill, Page 16, Section 334.735, Lines 91-92, by deleting all of said lines and inserting in lieu thereof the following:

"to the minimum federal law shall be required [for the physician-physician assistant team in a rural health clinic if a waiver has been granted by the board. However, the board shall be able to void"; and

Further amend said bill, page, and section, Line 114, by deleting the word "**and**"; and

Further amend said bill, page, and section, Line 116, by inserting immediately after the word "perform;" the word "**and**"; and

Further amend said bill, Page 18, Section 334.735, Line 185, by deleting the first instance of the word "**a**" and inserting in lieu thereof the word "**the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 2** was adopted.

Representative Frederick offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 330, Page 19, Section 337.503, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"under this chapter when promulgating regulations or when"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 3** was adopted by the following vote:

AYES: 086

Allen	Austin	Barnes	Berry	Brattin
Brown	Cierpiot	Cookson	Cox	Crawford
Cross	Diehl	Dohrman	Elmer	Engler
Entlicher	Fitzwater	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Jones 50	Justus	Keeney	Kelley 127	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Pike	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 069

Anders	Anderson	Bahr	Black	Burlison
Burns	Butler	Carpenter	Colona	Conway 104
Cornejo	Curtis	Curtman	Dugger	Dunn
Ellinger	Ellington	English	Englund	Fitzpatrick
Fowler	Frame	Gardner	Haahr	Harris
Hubbard	Hummel	Hurst	Johnson	Kirkton
Koenig	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Pogue	Remole	Rizzo	Roorda	Rowden
Runions	Schieber	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bernskoetter	Conway 10	Davis	Flanigan	Funderburk
Kelly 45	Phillips	Smith 120		

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Conway 10	Curtman	Davis	Flanigan	Grisamore
Guernsey	Hoskins	Kelly 45	Phillips	Smith 120
Thomson	Zerr			

On motion of Representative Burlison, **HCS SB 330, as amended**, was adopted.

On motion of Representative Burlison, **HCS SB 330, as amended**, was read the third time and passed by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	Wieland	Wilson
Wood	Mr Speaker			

NOES: 060

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hinson	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Molendorp
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue
Richardson	Rizzo	Roorda	Runions	Schieber
Schieffer	Schupp	Smith 85	Swearingen	Torpey
Walton Gray	Webb	Webber	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 006

Davis	Flanigan	Kelly 45	Phillips	Smith 120
Zerr				

Representative Neth declared the bill passed.

HCS SCS SB 9, relating to agriculture, was taken up by Representative Guernsey.

Representative Schatz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 10, Section 262.795, Line 13, by inserting after all of said section and line, the following:

"262.975. 1. The department of agriculture may contract with an internet website development company to build and maintain the "Missouri International Agricultural Exchange" website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.

2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.

3. The state of Missouri shall have exclusive rights of ownership of all website content produced on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:

(1) Use all informational content provided by the department of agriculture, add to such content, and apply search engine optimization to the website content to achieve a high search engine ranking;

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website;

(3) Prohibit the sale of advertising to any entity on the exchange website that is not related to agriculture or furthers the interest of hate content, obscenity and sexual material, bombs, spyware, adult content, political content, antigroup content and violence, discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted works, counterfeit designer goods, drug and drug paraphernalia, fake documents,

gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for personal information, tobacco and cigarettes and traffic devices, and other types of advertising deemed not appropriate by the director; and

(4) Ensure that all website content shall be named a ".com" domain to allow for advertisement.

4. The website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department or the department of economic development;

(2) Provide evidence of prior website development projects produced by the website developer which increased search engine rankings for the client.

5. The department of agriculture, in consultation with the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the exchange website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department of agriculture shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department of agriculture may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall immediately assume ownership of all site-related domain names. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of agriculture may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed three million dollars in any given fiscal year.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Guernsey offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Guernsey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

"192.300. **1.** The county commissions [and], **with approval of** the county health center boards of the several counties, may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644,** or by the department of social services under chapter 198. The county commissions [and] , **with the approval of** the county health center boards of the several counties, may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or],**with the approval of** the county health board, such commission [or],**with the approval of** the county health board, shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or],**with the approval of** the county health board of any such county, has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commission, with approval of the county health center board, shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commission, with approval of the county health center board, shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources."; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word "**agricultural**" and inserting in lieu thereof the word "**agriculture**"; and

Further amend said bill and page, Section 267.655, Line 3, by inserting immediately after the first occurrence of the word "**the**" the word "**department**"; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words "**one-half of**"; and

Further amend said bill, page, section and line, by inserting after the word "**no**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word "**All**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 16, by deleting the words "**one-half of**"; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket "[" before the word "Any"; and

Further amend said bill, page and section, Line 38, by placing a closing bracket "]" immediately after "(k)"; and

Further amend said bill, section, and page, by renumbering the paragraphs accordingly; and

Further amend said bill, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

"Section 1. Any cattle initially testing positive for trichomoniasis may be retested within ten days of the laboratory report. If the producer does not have the animal retested within ten days of the laboratory report, the animal shall be considered trichomoniasis positive. If the results of the retest are positive for trichomoniasis, the animal shall be considered trichomoniasis positive. If the results of the retest are negative, the producer must have a third trichomoniasis test conducted. If the results of the third test are negative, the animal shall be considered trichomoniasis negative.

Section 2. A species-specific animal health advisory committee shall be established by the Missouri department of agriculture and utilized during the development and evaluation of all animal health rules, regulations and legislative positions. In addition to meetings during the development and evaluation of such animal health rules, regulations, and legislative positions, a representative of each species-specific committee shall meet with the director or his or her designated representative the first Tuesday of every month."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anderson	Bahr	Bernskoetter	Berry	Brattin
Brown	Burlison	Cierpiot	Cornejo	Cox
Curtman	Davis	Diehl	Dohrman	Elmer
Fitzpatrick	Fitzwater	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hough	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Love
McGaugh	Miller	Moon	Neely	Neth
Pike	Rehder	Richardson	Schatz	Shull
Solon	Sommer	Spencer	Swan	Walker
Wieland	Wilson	Wood	Mr Speaker	

NOES: 100

Anders	Austin	Barnes	Black	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cookson	Crawford	Cross	Curtis	Dugger
Dunn	Ellinger	Ellington	Engler	English
Englund	Entlicher	Fowler	Fraker	Frame
Franklin	Gannon	Gardner	Haefner	Hansen
Harris	Hicks	Hodges	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Kirkton	Kratky	LaFaver	Lant	Lauer
Leara	Lichtenegger	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Newman	Nichols	Norr	Otto	Pace

Parkinson	Peters	Pfautsch	Pierson	Pogue
Redmon	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schieber	Schieffer	Schupp	Shumake
Smith 85	Swearingen	Thomson	Torpey	Walton Gray
Webb	Webber	White	Wright	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Flanigan	Haahr	Kelly 45	Molendorp
Phillips	Scharnhorst	Smith 120	Stream	

Representative Reiboldt offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"135.1590. 1. This section shall be known and may be cited as the "Show-Me Milk and Infrastructure Stabilization Act".

2. As used in this section, the following terms mean:

(1) "Authority", the Missouri agricultural and small business development authority established in chapter 348;

(2) "Qualified milk producer", any resident taxpayer actively engaged in business as a producer of grade A milk.

3. For all taxable years beginning on or after January 1, 2013, a qualified milk producer shall be allowed a tax credit against the state tax liability incurred under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the total aggregate allowable credit per year divided by the number of qualified grade A dairies as determined by the Missouri state milk board. The maximum credit allowed to a qualified milk producer shall not exceed twenty-five thousand dollars per year.

4. Taxpayers shall apply for the milk production tax credit by submitting an application to the authority, on a form provided by the authority. As part of the application, the taxpayer shall provide his or her producer identification number and documentation as to the amount of milk produced by his or her operation during the tax credit allowance period.

5. On or before January 1, 2016, the authority shall issue a report, and make such report available for public inspection, on the total number of pounds of milk produced by each qualified milk producer in each of the three preceding calendar years.

6. The total aggregate amount of tax credits authorized under this section shall not exceed five million dollars in a calendar year.

7. Any individual or business entity may assign, transfer, or sell tax credits allowed in this section. All tax credits allowed under this section must be used in the year in which they are issued. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after January 1, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Brown	Colona	Cornejo	Cross
Flanigan	Haahr	Hinson	Hoskins	Hough
Hubbard	Kelly 45	Molendorp	Phillips	Scharnhorst
Smith 120	Stream	Torpey	Zerr	

On motion of Representative Reiboldt, **House Amendment No. 6** was adopted.

Representative Lichtenegger offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"44.080. 1. Each political subdivision of this state shall establish a local organization for disaster planning in accordance with the state emergency operations plan and program. The executive officer of the political subdivision shall appoint a coordinator who shall have direct responsibility for the organization, administration and operation of the local emergency management operations, subject to the direction and control of the executive officer or governing body. Each local organization for emergency management shall be responsible for the performance of emergency management functions within the territorial limits of its political subdivision, and may conduct these functions outside of the territorial limits as may be required pursuant to the provisions of this law.

2. In carrying out the provisions of this law, each political subdivision may:

(1) Appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons; the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the federal and state governments; [and]

(2) Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation[.]; **and**

(3) **Adopt orders or resolutions with penalties as these specifically relate to the actual or impending occurrence of a natural disaster of major proportions within the county when the safety and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. The violations of such order or resolution shall be an infraction, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.**

49.266. 1. The county commission in all counties of the first, second or fourth classification may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. **The county commission in all counties may, by order, promulgate reasonable regulations concerning its emergency management functions and operations and conditions controls, as they specifically relate to the actual occurrence of a natural disaster within the county when the safety or welfare of the inhabitants of such county are threatened by actual or impending circumstances. The regulations may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 and monetary fines as established by the county commission, if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. State agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.**

3. Violation of any regulation so adopted is an infraction **or may be as provided in subsection 2 of section 44.130 as specified in the adopted regulation.**

[3.] 4. The regulations so adopted shall be codified, printed and made available for public use and adequate signs concerning smoking, traffic and parking regulations shall be posted."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey offered **House Amendment No. 1 to House Amendment No. 7.**

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, Page 2, Line 17, by inserting after all of said line the following:

‘Further amend said bill, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

"192.300. 1. The county commissions [and], **with approval of** the county health center boards of the several counties, may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644**, or by the department of social services under chapter 198. The county commissions [and] , **with the approval of** the county health center boards of the several counties, may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission [or],**with the approval of** the county health board, such commission [or],**with the approval of** the county health board, shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission [or],**with the approval of** the county health board of any such county, has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commission, with approval of the county health center board, shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commission, with approval of the county health center board, shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources."; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word "**agricultural**" and inserting in lieu thereof the word "**agriculture**"; and

Further amend said bill and page, Section 267.655, Line 3, by inserting immediately after the first occurrence of the word "**the**" the word "**department**"; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words "**one-half of**"; and

Further amend said bill, page, section and line, by inserting after the word "**no**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word "**All**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 16, by deleting the words "**one-half of**"; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket "[" before the word "Any"; and

Further amend said bill, page and section, Line 38, by placing a closing bracket "]" immediately after "(k)"; and

Further amend said bill, section, and page, by renumbering the paragraphs accordingly; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Lichtenegger, **House Amendment No. 7, as amended**, was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Curtman	Davis	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Cornejo	Cross	Diehl	Flanigan	Haahr
Hubbard	Kelly 45	Kirkton	Parkinson	Phillips
Scharnhorst	Smith 120	Stream	Swearingen	

On motion of Representative Guernsey, **HCS SCS SB 9, as amended**, was adopted.

On motion of Representative Guernsey, **HCS SCS SB 9, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kolkmeyer
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Neth	Pfautsch
Pike	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Ross	Rowland	Schatz
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 063

Anders	Bahr	Burlison	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Curtis
Curtman	Dunn	Ellinger	Ellington	English
Englund	Fitzpatrick	Frame	Gardner	Hubbard
Hummel	Kirkton	Koenig	Kratky	LaFaver
Leara	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pierson
Pogue	Remole	Rizzo	Rowden	Schieber
Schupp	Smith 85	Swearingen	Torpey	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo
Roorda

Flanigan
Runions

Haahr
Scharnhorst

Kelly 45
Smith 120

Phillips

Representative Neth declared the bill passed.

HCS SB 148, relating to salvage vehicles, was taken up by Representative Schatz.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 148, Page 1, Section A, Line 11, by inserting immediately after said line the following:

"137.090. 1. All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.

137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term "based" means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

On motion of Representative Schatz, **HCS SB 148, as amended**, was adopted.

On motion of Representative Schatz, **HCS SB 148, as amended**, was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cornejo	Flanigan	Haahr	Hampton	Kelly 45
Kirkton	McCann Beatty	Phillips	Scharnhorst	Smith 120
Webber				

Representative Neth declared the bill passed.

HCS SB 43, relating to commercial motor vehicles, was taken up by Representative Kolkmeier.

Representative Pace offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said line the following:

"565.087. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, "mass transit system" includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system in the first degree is a class B felony.

565.088. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, "mass transit system" includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class D felony.

565.089. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with an employee of a mass transit system while in the scope of his or her duties without the consent of the employee of the mass transit system.

2. As used in this section, "mass transit system" includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the third degree is a class B misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 1** was adopted.

Representative Schatz offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 43, Page 17, Section 302.755, Line 78, by inserting immediately after said line the following:

"302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver's license testing and commercial learner's permit standards rule issued by the federal motor carrier safety administration."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

On motion of Representative Schatz, **House Amendment No. 2** was adopted.

Representative Jones (50) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 43, Page 1, Section A, Line 10, by inserting after all of said section and line, the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of [subdivisions (9) and (10)] **subdivision (9) or (10)** of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

[302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.]"; and

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding
In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction. 2 points
(b) For the second conviction. 4 points
(c) For the third conviction. 6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points
(7) Obtaining a license by misrepresentation. 12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law. 8 points
In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points
(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

- (14) Endangerment of a highway worker in violation of section 304.585. 4 points
- (15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points
- (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. **The operator shall be given the option to complete the driver-improvement program through an online or in-person course.** A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

- (1) In the case of an initial suspension, thirty days after the effective date of the suspension;
- (2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day] . **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations].

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle

reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision [(22)] **(24)** of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a [violation under subdivision (9) of subsection 1 of section 302.302] **conviction for an intoxication-related traffic offense as defined under section 577.023, and who has a prior alcohol-related enforcement contact as defined under section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

[302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any

person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.]" and

"[302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant

to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, the court or the director shall not grant a limited driving privilege to the applicant. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a limited driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this section shall make application with the Missouri state highway patrol as provided in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for limited driving privileges. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.]

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, **except as provided under subdivision (8) of this subsection**. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator[;] ,

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to

the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege [who] **whose license** at the time of application [for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license] has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for [the first time for] failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, [if] **unless** such person has [not] completed the first ninety days of such revocation[;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state] **and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;**

[(g)] (f) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

[(h)] (g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of **subsection 1 of** section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of **subsection 1 of** section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five

days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle [operated] **that he or she operates** is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, [upon] compliance with other requirements of law, and [upon] filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of

restricted driving privilege [without any such violations]. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.

[302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning,

certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.]"; and

Further amend said bill, Page 23, Section 304.820, Line 59, by inserting after all of said section and line, the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also

consents to attendance **either online or in person** at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section."; and

"577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person's license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person's right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

- (1) That the officer has:
 - (a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or
 - (b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or
 - (c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;
 - (2) That the person refused to submit to a chemical test;
 - (3) Whether the officer secured the license to operate a motor vehicle of the person;
 - (4) Whether the officer issued a fifteen-day temporary permit;
 - (5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and
 - (6) Any license to operate a motor vehicle which the officer has taken into possession.
3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.
4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:
- (1) Whether or not the person was arrested or stopped;
 - (2) Whether or not the officer had:
 - (a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or
 - (b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or
 - (c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and
 - (3) Whether or not the person refused to submit to the test.
5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.
6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.
7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision [(23)] **(24)** of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be

a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked [more than once for violation of the provisions of this section] **under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor."; and

"Section B. Because immediate action is necessary to ensure the safety of the citizens of this state, the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.

Section C. The repeal and reenactment of sections 302.060, 302.302, 302.304, 302.525, 476.385, and 577.041, and the repeal of sections 302.060, 302.304, and 302.525 of this act shall become effective on March 3, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 3** was adopted by the following vote:

AYES: 130

Anders	Austin	Bahr	Barnes	Berry
Black	Brattin	Brown	Burns	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mitten	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Parkinson	Peters	Pfautsch
Pierson	Pike	Redmon	Rehder	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Mr Speaker

NOES: 023

Anderson	Bernskoetter	Burlison	Butler	Conway 104
Cox	Curtis	Ellington	Gosen	Higdon
May	Mims	Molendorp	Montecillo	Moon
Otto	Pace	Pogue	Remole	Runions
Smith 85	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Flanigan	Kelley 127	Kelly 45	Marshall
McManus	Phillips	Scharnhorst	Smith 120	Zerr

Representative Bahr offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after all of said section and line the following:

"Section 1. 1. Any state department or agency that owns or licenses computerized data that includes personal information shall disclose any breach of the security of the system following notification of the breach

in the security of such data to any resident of Missouri whose unencrypted or encrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. Such disclosure shall be made in the most expedient time possible and without unreasonable delay.

2. Any state department or agency that maintains computerized data that includes personal information that the state department or agency does not own shall notify the owner or licensee of such personal information of any breach of the security of the data immediately following discovery, if the personal information was or is reasonably believed to have been acquired by an unauthorized person.

3. For purposes of this section, the following terms shall mean:

(1) "Breach of the security of the system", unauthorized acquisition of computerized data that compromises the security, confidentiality, or integrity of personal information maintained by the state department or agency. Good faith acquisition of personal information by an employee or agent of the state department or agency for the purposes of the state department or agency is not a breach of the security of the system, provided that the personal information is not used or subject to further unauthorized disclosure;

(2) "Personal information", an individual's first name or first initial and last name, in combination with any one or more of the following data elements:

(a) Social Security number;

(b) Driver's license number or Missouri identification card number;

(c) Account number, credit card number, or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account;

(d) Concealed carry endorsement or permit;

(3) "Unauthorized person", any person or agency who does not have written permission by a Missouri resident to access such resident's personal information.

4. For purposes of this section, a state department or agency includes any entity contracting with a state department or agency.

5. (1) For purposes of this section, notice shall be provided in writing to the Missouri resident within five business days of discovery of the breach.

(2) The provisions of this section include breaches made by any state department or agency prior to the effective date of this section. The notice for any breach which occurred prior to the effective date of this section shall be provided to the Missouri resident within thirty days of the effective date of this section.

6. Notwithstanding any other provision of law, nothing in this section shall be construed as authorizing the disclosure or release of any personal information by any state department or agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Otto raised a point of order that **House Amendment No. 4** is not germane and goes beyond the scope of the bill.

Representative Neth requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Engler
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen

Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Burns	Conway 104	Curtman	Elmer
Entlicher	Flanigan	Guernsey	Hinson	Jones 50
Kelly 45	McManus	Phillips	Smith 120	

Speaker Jones resumed the Chair.

On motion of Representative Bahr, **House Amendment No. 4** was adopted by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant

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Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 013

Colona	Curtis	Ellinger	Ellington	Gardner
Kirkton	Mims	Mitten	Montecillo	Morgan
Pierson	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 009

Curtman	Diehl	Entlicher	Hinson	Jones 50
Kelly 45	McManus	Phillips	Smith 120	

Representative Korman offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 43, Page 23, Section 304.820, Line 59, by inserting after said line the following:

"Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the "Graham's Picnic Rock Highway". The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 5** was adopted.

On motion of Representative Kolkmeier, **HCS SB 43, as amended**, was adopted.

On motion of Representative Kolkmeier, **HCS SB 43, as amended**, was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter

Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	Meredith	Messenger	Miller
Molendorp	Morris	Muntzel	Neely	Newman
Nichols	Otto	Pace	Parkinson	Peters
Pfautsch	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 019

Colona	Curtis	Ellinger	Ellington	Gardner
Marshall	McNeil	Mims	Mitten	Montecillo
Moon	Morgan	Norr	Pogue	Schatz
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Curtman	Kelly 45	McManus	Neth	Phillips
Smith 120	Zerr			

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks

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Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	Meredith
Messenger	Miller	Mims	Mitten	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 014

Brattin	Burlison	Ellington	Gardner	Marshall
May	McNeil	Molendorp	Montecillo	Moon
Pogue	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45	Neth	Phillips	Rowden	Smith 120
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SCS SB 47, relating to foster care subsidies, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **SCS SB 47** was truly agreed to and finally passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh

McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 006

Cox	Hough	Kelly 45	Neth	Phillips
Smith 120				

Speaker Jones declared the bill passed.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 127**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 240**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 447**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 467**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 827**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 915**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 975**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 75**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 205**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 229**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 256**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 294**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 317 & 319**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 24 - Fiscal Review
SS SCS SB 29 - Fiscal Review
HCS SB 75 - Fiscal Review
HCS SS SCS SB 83 - Fiscal Review
HCS SB 161 - Fiscal Review
HCS SCS SB 256 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 400**, entitled:

An act to amend chapter 188, RSMo, by adding thereto one new section relating to administration of abortion-inducing drugs.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND House Bill No. 400, Page 1, Section 188.021, Line 2, by inserting after "abortion," the following:

"the initial dose of"; and

Further amend Line 6, by striking "twelve to eighteen days"; and

Further amend Pages 1-2, Lines 7 to 11, by striking said lines and inserting in lieu thereof the following:

"drug or chemical for a follow-up visit unless such termination of the pregnancy has already been confirmed and the patient's medical condition has been assessed by a licensed physician prior to discharge".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 478**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1035**, entitled:

An act to repeal sections 67.463, 67.469, 137.073, and 137.720, RSMo, and to enact in lieu thereof four new sections relating to property taxes.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section Title, Line 3, by striking the words "property taxes" and inserting in lieu thereof the following:

"funds collected by political subdivisions"; and

Further amend said bill, Page 15, Section 137.720, Line 57, by inserting after all of said line the following:

"238.272. The state auditor [shall] **may** audit each district not [less] **more** than once every three years[, and may audit more frequently if the state auditor deems appropriate]. The costs of this audit shall be paid by the district **and shall not exceed three percent of the gross revenues received by the transportation district.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 14, Section 137.073, Line 384, by inserting immediately after said line the following:

"137.090. **1.** All tangible personal property of whatever nature and character situate in a county other than the one in which the owner resides shall be assessed in the county where the owner resides; except that, houseboats, cabin cruisers, floating boat docks, and manufactured homes, as defined in section 700.010, used for lodging shall be assessed in the county where they are located, and tangible personal property belonging to estates shall be assessed in the county in which the probate division of the circuit court has jurisdiction. Tangible personal property, other than motor vehicles as the term is defined in section 301.010, used exclusively in connection with farm operations of the owner and kept on the farmland, shall not be assessed by a city, town or village unless the farmland is totally within the boundaries of the city, town or village. No tangible personal property shall be simultaneously assessed in more than one county.

2. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by an individual, partner, or member and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available.

137.095. **1.** The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the city of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term "based" means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in interstate commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in the United States in interstate commerce during the preceding tax year or on the basis of the most recent annual mileage figures available."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 14, Section 137.073, Line 384, by inserting after all of said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The true value in money of any possessory interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property completed after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

- (a) Such sale was closed at a date relevant to the property valuation; and
- (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;
- (5) Poultry, twelve percent; and
- (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

- (1) For real property in subclass (1), nineteen percent;
- (2) For real property in subclass (2), twelve percent; and
- (3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. For purposes of this section, a manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. For purposes of this section, a manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home is real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home is real estate as defined in subsection 7 of section 442.015, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the **lowest** trade-in value published in the October issue of [the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended] **a single nationally recognized** guide of information for determining the true value of motor vehicles described in such publication. **Such publication shall be approved by the state tax commission in conjunction with the association representing the majority of assessors of this state. The state tax commission shall also approve four additional guides for determining the true value of motor vehicles. If the owner of the motor vehicle presents evidence that any of the four other approved publications has a lower published trade-in value that is applicable to the motor vehicle, the assessor shall use such value in determining the true value of the motor vehicle.** In the absence of a listing for a particular motor vehicle in such [publication] publications, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection

be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 15, Section 137.720, Line 57, by inserting after all of said line the following:

"138.431. 1. To hear and decide appeals pursuant to section 138.430, the commission shall appoint one or more hearing officers. The hearing officers shall be subject to supervision by the commission. No person shall participate on behalf of the commission in any case in which such person is an interested party.

2. The commission may assign such appeals as it deems fit to a hearing officer for disposition.

(1) The assignment shall be deemed made when [the] **any** scheduling order is first issued by the commission [and signed by the hearing officer assigned, unless another hearing officer is assigned to the case for disposition by other language in said order], **however, if no scheduling order has been issued, then a hearing officer shall be assigned no later than sixty days after the appeal is filed by the taxpayer.**

(2) A change of hearing officer, or a reservation of the appeal for disposition as described in subsection 3 of this section, shall be ordered by the commission in any appeal upon the timely filing of a written application by a party

to disqualify the hearing officer assigned. The application shall be filed within thirty days from the assignment of any appeal to a hearing officer and need not allege or prove any cause for such change and need not be verified. No more than one change of hearing officer shall be allowed for each party in any appeal.

3. The commission may, in its discretion, reserve such appeals as it deems fit to be heard and decided by the full commission, a quorum thereof, or any commissioner, subject to the provisions of section 138.240, and, in such case, the decision shall be final, subject to judicial review in the manner provided in subsection 4 of section 138.470.

4. The manner in which appeals shall be presented and the conduct of hearings shall be made in accordance with rules prescribed by the commission for determining the rights of the parties; provided that, the commission, with the consent of all the parties, may refer an appeal to mediation. The commission shall promulgate regulations for mediation pursuant to this section. No regulation or portion of a regulation promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. There shall be no presumption that the assessor's valuation is correct. A full and complete record shall be kept of all proceedings. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

5. Unless an appeal is voluntarily dismissed, a hearing officer, after affording the parties reasonable opportunity for fair hearing, shall issue a decision and order affirming, modifying, or reversing the determination of the board of equalization, and correcting any assessment which is unlawful, unfair, improper, arbitrary, or capricious. The commission may, prior to the decision being rendered, transfer to another hearing officer the proceedings on an appeal determination before a hearing officer. The complainant, respondent-assessor, or other party shall be duly notified of a hearing officer's decision and order, together with findings of fact and conclusions of law. Appeals from decisions of hearing officers shall be made pursuant to section 138.432.

6. All decisions issued pursuant to this section or section 138.432 by the commission or any of its duly assigned hearing officers shall be issued no later than sixty days after the hearing on the matter to be decided is held or the date on which the last party involved in such matter files his or her brief, whichever event later occurs."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section Title, Line 3, by striking the words "property taxes" and inserting in lieu thereof the following:

"funds collected by or assets of political subdivisions"; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after said line the following:

"96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120,

shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

"Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?"

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest.

Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 3, Section 67.469, Line 11, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived

and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district**, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this

subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section A, Line 3, by inserting after all of said line the following:

"67.457. 1. To establish a neighborhood improvement district, the governing body of any city or county shall comply with either of the procedures described in subsection 2 or 3 of this section.

2. The governing body of any city or county proposing to create a neighborhood improvement district may by resolution submit the question of creating such district to all qualified voters residing within such district at a general or special election called for that purpose. Such resolution shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, and the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full. The governing body of the city or county may create a neighborhood improvement district when the question of creating such district has been approved by the vote of the percentage of electors within such district voting thereon that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county under article VI, section 26 of the constitution of this state. The notice of election containing the question of creating a neighborhood improvement district shall contain the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and a statement that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such notice, by more than twenty-five percent, and that the annual assessment for maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such notice, by more than twenty-five percent. The ballot upon which the question of creating a neighborhood improvement district is submitted to the qualified voters residing within the proposed district shall contain a question in substantially the following form:

Shall (name of city or county) be authorized to create a neighborhood improvement district proposed for the (project name for the proposed improvement) and incur indebtedness and issue general obligation bonds to pay for all or part of the cost of public improvements within such district, the cost of all indebtedness so incurred to be assessed by the governing body of the (city or county) on the real property benefitted by such improvements for a period of years, and, if included in the resolution, an assessment in each year thereafter with the proceeds thereof used solely for maintenance of the improvement?

3. As an alternative to the procedure described in subsection 2 of this section, the governing body of a city or county may create a neighborhood improvement district when a proper petition has been signed by the owners of record of at least two-thirds by area of all real property located within such proposed district. Each owner of record of real property located in the proposed district is allowed one signature. Any person, corporation, or limited liability partnership owning more than one parcel of land located in such proposed district shall be allowed only one signature on such petition. The petition, in order to become effective, shall be filed with the city clerk or county clerk. A proper petition for the creation of a neighborhood improvement district shall set forth the project name for the proposed improvement, the general nature of the proposed improvement, the estimated cost of such improvement, the boundaries of the proposed neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year during the term of the bonds issued for the original improvement and after such bonds are paid in full, a notice that the names of the signers may not be withdrawn later than seven days after the petition is filed with the city clerk or county clerk, and a notice that the final cost of such improvement assessed against real property within the district and the amount of general obligation bonds issued therefor shall not exceed the estimated cost of such improvement, as stated in such petition, by more than twenty-five percent, and that the annual assessment for

maintenance costs of the improvements shall not exceed the estimated annual maintenance cost, as stated in such petition, by more than twenty-five percent.

4. Upon receiving the requisite voter approval at an election or upon the filing of a proper petition with the city clerk or county clerk, the governing body may by resolution or ordinance determine the advisability of the improvement and may order that the district be established and that preliminary plans and specifications for the improvement be made. Such resolution or ordinance shall state and make findings as to the project name for the proposed improvement, the nature of the improvement, the estimated cost of such improvement, the boundaries of the neighborhood improvement district to be assessed, the proposed method or methods of assessment of real property within the district, including any provision for the annual assessment of maintenance costs of the improvement in each year after the bonds issued for the original improvement are paid in full, and shall also state that the final cost of such improvement assessed against the real property within the neighborhood improvement district and the amount of general obligation bonds issued therefor shall not, without a new election or petition, exceed the estimated cost of such improvement by more than twenty-five percent.

5. The boundaries of the proposed district shall be described by metes and bounds, streets or other sufficiently specific description. The area of the neighborhood improvement district finally determined by the governing body of the city or county to be assessed may be less than, but shall not exceed, the total area comprising such district.

6. In any neighborhood improvement district organized prior to August 28, 1994, an assessment may be levied and collected after the original period approved for assessment of property within the district has expired, with the proceeds thereof used solely for maintenance of the improvement, if the residents of the neighborhood improvement district either vote to assess real property within the district for the maintenance costs in the manner prescribed in subsection 2 of this section or if the owners of two-thirds of the area of all real property located within the district sign a petition for such purpose in the same manner as prescribed in subsection 3 of this section.

7. Prior to any assessment hereafter being levied against any real property within any neighborhood improvement district, and prior to any lien enforceable under either chapter 140 or 141 being imposed after August 28, 2013 against any real property within a neighborhood improvement district, the clerk of the governing body establishing the neighborhood improvement district shall cause to be recorded with the recorder of deeds for the county in which any portion of the neighborhood improvement district is located, a document conforming to the provisions of sections 59.310 and 59.313, and which shall contain at least the following information:

(1) Each owner of record of real property located within the neighborhood improvement district at the time of recording, who shall be identified in the document as grantors and indexed by the recorder pursuant to section 59.440;

(2) The governing body establishing the neighborhood improvement district and the title of any official or agency responsible for collecting or enforcing any assessments, who shall be identified in the document as grantees and so indexed by the recorder pursuant to section 59.440;

(3) The legal description of the property within the neighborhood improvement district which may either be the metes and bounds description authorized in subsection 5 of this section or the legal description of each lot or parcel within the neighborhood improvement district; and

(4) The identifying number of the resolution or ordinance creating the neighborhood improvement district, or a copy of such resolution or ordinance."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 3, Section 67.469, Line 11, by inserting after all of said line the following:

"71.011. 1. Except as provided in subsection 2 of this section, property of a municipality which abuts another municipality may be concurrently detached from one municipality and annexed by the other municipality by the enactment by the governing bodies of each municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be concurrently detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. One certified copy of each ordinance shall be filed with the county clerk, with the county assessor, with the county recorder of deeds, and with the clerk of the circuit court of the county in which the property is located, whereupon the concurrent detachment and annexation shall be complete and final. Thereafter all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. No declaratory judgment or election shall be required for any concurrent detachment and annexation permitted by this

section if there are no residents living in the area or if there are residents in the area and they be notified of the annexation and do not object within sixty days.

2. In a county of the first classification with a charter form of government containing all or a portion of a city with a population of at least three hundred thousand inhabitants[,] :

(1) Unimproved property of a municipality which overlaps another municipality may be concurrently detached from one municipality and annexed by the other municipality by the enactment by the governing body of the receiving municipality of an ordinance describing by metes and bounds the property, declaring the property so described to be detached and annexed, and stating the reasons for and the purposes to be accomplished by the detachment and annexation. A copy of said ordinance shall be mailed to the city clerk of the contributing municipality, which shall have thirty days from receipt of said notice to pass an ordinance disapproving the change of boundary. If such ordinance is not passed within thirty days, the change shall be effective and one certified copy of the ordinance shall be filed with the county clerk, with the county assessor, with the county recorder of deeds, and with the clerk of the circuit court of the county in which the property is located, whereupon the concurrent detachment and annexation shall be complete and final. Thereafter all courts of this state shall take notice of the limits of both municipalities as changed by the ordinances. No declaratory judgment or election shall be required for any concurrent detachment and annexation permitted by this section if the landowners in the area are notified and do not object within sixty days; or

(2) An island of unincorporated area within a municipality, which is contiguous to more than one municipality or contiguous to the Missouri River and the Blue River, may be annexed by an abutting municipality by the enactment by the governing body of the municipality of an ordinance describing the metes and bounds of the property, declaring the property so described to be annexed, and stating the reasons for and the purposes to be accomplished by the annexation. All recording shall be accomplished in the same manner as set out in subdivision (1) of this subsection and shall be effective unless the governing body of the county passes an ordinance within thirty days disapproving the annexation. No declaratory judgment or election shall be required for any annexation permitted by this subdivision. Any annexation permitted by this subdivision shall exclude any property within the unincorporated area when such property has been owned by the same family for at least sixty consecutive years and consists of ten acres or more. The line of ownership from the original settler or buyer may be through children, grandchildren, siblings, nephews, or nieces, including through marriage or adoption."; and

Further amend the title and enacting clause accordingly.

House Amendment No. 9

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, Page 1, Section A, Line 3, by inserting after all of said line the following:

"33.080. 1. All fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages shall, by the official authorized to receive same, and at stated intervals of not more than thirty days, be placed in the state treasury to the credit of the particular purpose or fund for which collected, and shall be subject to appropriation by the general assembly for the particular purpose or fund for which collected during the biennium in which collected and appropriated. The unexpended balance remaining in all such funds (except such unexpended balance as may remain in any fund authorized, collected and expended by virtue of the provisions of the constitution of this state) shall at the end of the biennium and after all warrants on same have been discharged and the appropriation thereof has lapsed, be transferred and placed to the credit of the [ordinary] **general** revenue fund of the state by the state treasurer. Any official or any person who shall willfully fail to comply with any of the provisions of this section, and any person who shall willfully violate any provision hereof, shall be deemed guilty of a misdemeanor; provided, that all such money received by the curators of the University of Missouri except those funds required by law or by instrument granting the same to be paid into the seminary fund of the state, is excepted herefrom, and in the case of other state educational institutions there is excepted herefrom, gifts or trust funds from whatever source; appropriations; gifts or grants from the federal government, private organizations and individuals; funds for or from student activities; farm or housing activities; and other funds from which the whole or some part thereof may be liable to be repaid to the person contributing the same; and hospital fees. All of the above excepted funds shall be reported in detail quarterly to the governor and biennially to the general assembly.

2. Notwithstanding any provision of law to the contrary concerning the funds listed in subdivisions (1) to (3) of this subsection, the amount specified for each fund listed in subdivisions (1) to (3) of this subsection shall

be transferred and placed to the credit of the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013. The funds subject to the provisions of this subsection and the amount of the transfer are as follows:

- (1) Insurance dedicated fund established under section 374.150, ten million dollars;
 - (2) Lewis and Clark discovery fund established under section 173.392, the balance in the fund on June 30, 2013;
 - (3) Department of revenue information fund established under section 32.067, one million dollars.
3. Notwithstanding any provision of law to the contrary concerning the department of revenue information fund established in section 32.067, two million dollars of such fund shall be transferred and placed to the credit of the general revenue fund of the state on July 1, 2013.

33.295. 1. There is hereby established the "Rebuild Damaged Infrastructure Program" to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, including, but not limited to, the physical components of interrelated systems providing essential commodities and services to the public which includes transportation, communication, sewage, water, and electric systems as well as public elementary and secondary school buildings.

2. There is hereby created in the state treasury the "Rebuild Damaged Infrastructure Fund", which shall consist of money appropriated or collected under this section. Any amount to be transferred to the fund on July 1, 2013, pursuant to subsection 2 of section 33.080 and subsection 2 of section 360.045, in excess of fifteen million dollars shall instead be transferred to the state general revenue fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purposes of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. The provisions of this section shall expire on June 30, 2014."; and

Further amend said bill, Page 15, Section 137.720, Line 57, by inserting after all of said line the following:

"360.045. 1. The authority shall have the following powers together with all powers incidental thereto or necessary for the performance thereof:

- (1) To have perpetual succession as a body politic and corporate;
- (2) To adopt bylaws for the regulation of its affairs and the conduct of its business;
- (3) To sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;
- (4) To have and to use a corporate seal and to alter the same at pleasure;
- (5) To maintain an office at such place or places in the state of Missouri as it may designate;
- (6) To determine the location and construction of any facility to be financed under the provisions of sections 360.010 to 360.140, and to construct, reconstruct, repair, alter, improve, extend, maintain, lease, and regulate the same; and to designate a participating health institution or a participating educational institution, as the case may be, as its agent to determine the location and construction of a facility undertaken by such participating health institution or participating educational institution, as the case may be, under the provisions of sections 360.010 to 360.140, to construct, reconstruct, repair, alter, improve, extend, maintain, and regulate the same, and to enter into contracts for any and all of such purposes including contracts for the management and operation of the facility;
- (7) To lease to a participating health institution or a participating educational institution, as the case may be, the particular health or educational facility or facilities, as the case may be, upon such terms and conditions as the authority shall deem proper; to charge and collect rent therefor; to terminate any such lease upon the failure of the lessee to comply with any of the obligations thereof; to include in any such lease, if desired, provisions that the lessee thereof shall have options to renew the term of the lease for such period or periods at such rent as shall be determined by the authority or to purchase any or all of the particular leased facility or facilities; and, upon payment of all of the indebtedness incurred by the authority for the financing of the facility or facilities, to convey any or all of such facility or facilities to the lessee or lessees thereof. Every lease agreement between the authority and an institution must contain a clause obligating the institution not to use the leased land, nor any facility located thereon, for sectarian instruction or study or as a place of religious worship, or in connection with any part of the program of a school or department of divinity of any religious denomination; to insure that this covenant is honored, each lease agreement shall allow the authority to conduct inspections, and every conveyance of title to an institution shall contain a restriction against use for any sectarian purpose;

(8) To issue its bonds, notes, or other obligations for any of its corporate purposes and to refund the same, all as provided in sections 360.010 to 360.140;

(9) **To transfer assets of the authority to the rebuild damaged infrastructure fund created in section 33.295;**

(10) To fix and revise from time to time and make and collect rates, rents, fees, and charges for the use of and services furnished or to be furnished by any facility or facilities or any portion thereof and to contract with any person, firm, or corporation or other body, public or private, in respect thereof; except that the authority shall have no jurisdiction over rates, rents, fees, and charges established by a participating educational institution for its students or established by a participating health institution for its patients other than to require that such rates, rents, fees, and charges by such an institution be sufficient to discharge the institution's obligations to the authority;

[(10)] (11) To establish rules and regulations for review by or on behalf of the authority of the retention or employment by a participating health institution or by a participating educational institution, as the case may be, of consulting engineers, architects, attorneys, accountants, construction and finance experts, superintendents, managers, and such other employees and agents as shall be determined to be necessary in connection with any such facility or facilities and for review by or on behalf of the authority of all reports, studies, or other material prepared in connection with any bond issue of the authority for any such facility or facilities. The costs incurred or to be incurred by a participating health institution or by a participating educational institution in connection with the review shall be deemed, where appropriate, an expense of constructing the facility or facilities or, where appropriate, shall be deemed an annual expense of operation and maintenance of the facility or facilities;

[(11)] (12) To receive and accept from any public agency loans or grants for or in aid of the construction of a facility or facilities, or any portion thereof, or for equipping the same and to receive and accept grants, gifts, or other contributions from any source;

[(12)] (13) To mortgage or pledge all or any portion of any facility or facilities, including any other health or educational facility or facilities conveyed to the authority for such purpose and the site or sites thereof, whether then owned or thereafter acquired, for the benefit of the holders of the bonds of the authority issued to finance such facility or facilities or any portion thereof or issued to refund or refinance outstanding indebtedness of a private health institution or a private institution of higher education as permitted by sections 360.010 to 360.140;

[(13)] (14) To make loans to any participating health institution or participating educational institution, as the case may be, for the cost of any facility or facilities in accordance with an agreement between the authority and such participating health institution or participating educational institution, as the case may be; except that no such loan shall exceed the total cost of such facility or facilities as determined by the participating health institution or participating educational institution, as the case may be, and approved by the authority;

[(14)] (15) To make loans to a participating health institution or participating educational institution, as the case may be, to refund outstanding obligations, mortgages, or advances issued, made, or given by the institution for the cost of its facility or facilities, including the power to issue bonds and make loans to a participating health institution or participating educational institution, as the case may be, to refinance indebtedness incurred for facilities undertaken and completed prior to or after September 28, 1975, whenever the authority finds that the financing is in the public interest, alleviates a financial hardship upon the participating health institution or participating educational institution, as the case may be, and results in a lesser cost of patient care or cost of education and a saving to third parties, including state or federal governments, and to others who must pay for the care or education;

[(15)] (16) To inspect any and all facilities assisted by the authority in any way to enforce the prohibition against sectarian or religious use at any time; and

[(16)] (17) To do all things necessary and convenient to carry out the purposes of sections 360.010 to 360.140.

2. Notwithstanding any provision of law to the contrary, including section 360.115, the authority shall transfer four million dollars of the assets of the authority to the rebuild damaged infrastructure fund created in section 33.295 on July 1, 2013.

Section B. Because of the necessity to provide funding for the reconstruction, replacement, or renovation of, or repair to, any infrastructure damaged by a presidentially declared natural disaster, the enactment of section 33.295 and the repeal and reenactment of sections 33.080 and 360.045 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 33.295 and the repeal and reenactment of sections 33.080 and 360.045 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 157 and SB 102, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 106**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 106, with House Amendments Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 106, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 106;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 106 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Brown
/s/ David Pearce
/s/ Will Kraus
/s/ Scott Sifton
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Charlie Davis
/s/ Sheila Solon
/s/ T.J. McKenna

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 117**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, with House Amendment Nos. 1 & 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 117;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 117 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Dan Brown
/s/ David Pearce
/s/ Jolie L. Justus
/s/ Joseph P. Keaveny

FOR THE HOUSE:

/s/ Charlie Davis
/s/ Dean Dohrman
/s/ Stephen Webber

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Wednesday, May 8, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, May 9, 2013, Upon Morning Adjournment, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE

Wednesday, May 8, 2013, 8:30 AM, House Lounge.

SCS HCS HB 1 through SCS HCS HB 13

FISCAL REVIEW

Wednesday, May 8, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 9, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

GOVERNMENT OVERSIGHT AND ACCOUNTABILITY

Wednesday, May 8, 2013, Upon Adjournment, House Hearing Room 7.

Executive session will be held: SS SB 251

Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY

Wednesday, May 8, 2013, Noon or Upon Morning Recess/Adjournment, House Hearing Room 6.

Public hearing will be held: HB 100, HB 613, HB 837

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIFTH DAY, WEDNESDAY, MAY 8, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp

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- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 9 HB 448 - Webb
- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman
- 14 HCS HB 402 - Shumake
- 15 HCS HB 717 - Grisamore
- 16 HCS HB 727 - Grisamore
- 17 HCS HB 83 - Reiboldt
- 18 HCS HB 132 - Stream
- 19 HCS HB 1041 - Swan
- 20 HCS HBs 309 & 73 - Solon
- 21 HCS HB 350 - Frederick
- 22 HCS HB 464 - Higdon
- 23 HCS HB 484 - Lauer
- 24 HCS HB 564 - McGaugh
- 25 HCS HB 604 - Phillips
- 26 HCS HB 608 - Frederick
- 27 HCS HB 685 - Burlison
- 28 HB 745 - Thomson
- 29 HCS HB 783 - Diehl
- 30 HCS HB 814 - Fraker
- 31 HCS HB 830 - Jones (50)
- 32 HB 863 - Allen
- 33 HCS HB 930 - Flanigan
- 34 HB 411 - Muntzel
- 35 HB 447 - Diehl
- 36 HB 467 - Lichtenegger
- 37 HB 827 - Redmon
- 38 HB 915 - Bahr
- 39 HCS HB 975 - Richardson

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 HJR 14 - Jones (110)

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 HCS SS SCS SB 125 - Barnes
- 2 HCS SCS SB 88 - Frederick
- 3 HCS SB 90 - Dugger
- 4 HCS SB 222 - Kelly (45)
- 5 SCS SB 224 - Rizzo
- 6 HCS SB 51 - Guernsey
- 7 HCS SCS SB 45 - Hough
- 8 SB 216 - Hinson
- 9 HCS SS SCS SB 241 - Cierpiot
- 10 SCS SB 302 - Elmer
- 11 HCS SB 18, E.C. - Cox
- 12 SCS SB 33 - Grisamore
- 13 SB 35 - Engler
- 14 HCS SB 41 - Hough
- 15 HCS SCS SB 42 - Jones (50)
- 16 SCS SB 87 - Bahr
- 17 HCS SB 110 - Davis
- 18 SS SCS SB 114 - Jones (50)
- 19 SS SCS SB 129 - Burlison
- 20 SCS SB 178 - Kirkton
- 21 SCS SB 248 - Fraker
- 22 HCS SS SB 252, E.C. - Richardson
- 23 SB 265 - Rowland
- 24 SS SB 267 - Curtman
- 25 SB 327 - Haahr
- 26 SB 350 - Diehl
- 27 SS SB 357 - Schatz
- 28 SCS SB 240 - Funderburk
- 29 HCS SCS SB 89, E.C. - Jones (50)
- 30 HCS SB 12, E.C. - Jones (50)
- 31 HCS SB 127 - Lichtenegger
- 32 SCS SB 69 - Cox
- 33 HCS SB 99 - Dugger
- 34 HCS SB 100, E.C. - Cox

- 35 SB 208 - White
- 36 HCS SS SB 282 - Hough
- 37 HCS SB 57 - Engler
- 38 SB 58 - Engler
- 39 SS SCS SB 29, (Fiscal Review 5/7/13) - Burlison
- 40 HCS SB 161, (Fiscal Review 5/7/13) - Stream
- 41 HCS SB 75, (Fiscal Review 5/7/13) - Burlison
- 42 HCS SB 205 - Burlison
- 43 HCS SS SB 245 - Cox
- 44 HCS SCS SB 256, (Fiscal Review 5/7/13) - Torpey
- 45 HCS SCS SBs 317 & 319 - Gosen
- 46 HCS SCS SB 229 - Grisamore
- 47 HCS SB 24, (Fiscal Review 5/7/13), E.C. - Hinson
- 48 HCS SS SCS SB 83, (Fiscal Review 5/7/13), E.C. - Crawford

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HBs 256, 33 & 305, SA 2 and SA 3, E.C. - Jones (50)
- 2 SCS HCS HB 436, as amended - Funderburk
- 3 HB 400, SA 2 - Riddle

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SS SB 262, as amended
(request House recede/grant conference), E.C. - Molendorp
- 2 HCS SCS SB 157 and SB 102, as amended
(request House recede/grant conference) - Phillips

BILLS IN CONFERENCE

- 1 CCR SS HCS HJR 11 & 7, as amended - Reiboldt
- 2 SCS HCS HB 1 - Stream
- 3 SCS HCS HB 2 - Stream
- 4 SCS HCS HB 3 - Stream
- 5 SCS HCS HB 4 - Stream
- 6 SCS HCS HB 5 - Stream
- 7 SCS HCS HB 6, as amended - Stream
- 8 SCS HCS HB 7, as amended - Stream
- 9 SCS HCS HB 8 - Stream
- 10 SCS HCS HB 9 - Stream
- 11 SCS HCS HB 10 - Stream
- 12 SCS HCS HB 11, as amended - Stream
- 13 SCS HCS HB 12 - Stream
- 14 SCS HCS HB 13 - Stream
- 15 HCS SB 23, as amended, E.C. - Jones (50)
- 16 CCR SCS SB 106, HA1, HA2, HA3, HA1 to HA4, HA4 a.a., HA5 - Davis

- 17 CCR HCS SCS SB 117, as amended - Davis
- 18 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 19 HCS SS SB 34, as amended - Fraker
- 20 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson
- 21 SS SCS HB 307, as amended - Riddle

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, WEDNESDAY, MAY 8, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

They that wait upon the Lord shall renew their strength. (Isaiah 40:31)

Everlasting God, the representatives of the people of our state bow before You humbly praying for strength, for guidance, and for common sense from You. Make this a sacred moment in which we become aware of Your presence, a moment when strength is given, guidance provided, and common sense arises anew with us as we face a long day and many votes.

We need You, every hour we need You. We hurry too much, we eat too fast, we sleep too little, and then wonder why we are weary and worried and worn out. As we wait upon You, renew our strength, restore our spirits, reinvigorate our minds, that this day we may think good thoughts, make wise decisions, and do it all free from tension and filled with faith. Trusting in You, may we always love You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Cassidy Redd.

The Journal of the sixty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2980 through House Resolution No. 3032

THIRD READING OF SENATE BILLS

SCS SB 240, relating to ratemaking for gas corporations, was taken up by Representative Funderburk.

SCS SB 240 was laid over.

SS SCS SB 114, relating to intoxicating liquor, was taken up by Representative Jones (50).

Representative Engler offered **House Amendment No. 1**.

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 7, Section 316.150, Line 18, by inserting after all of said section and line, the following:

"407.400. As used in sections 407.400 to 407.420:

(1) "Franchise" means a written or oral arrangement for a definite or indefinite period, in which a person grants to another person a license to use a trade name, trademark, servicemark, or related characteristic, and in which there is a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise[, including]; **"franchise" specifically includes, but is not limited to, a commercial relationship of definite duration or continuing indefinite duration, between a "wholesaler", such wholesaler being a person as defined in this section, licensed pursuant to the provisions of chapter 311 to sell at wholesale, intoxicating liquor, as defined in section 311.020, to retailers, duly licensed in this state, and a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state, and wherein a wholesaler is granted the right to offer, sell, and distribute within this state or any designated area thereof such of the supplier's brands of intoxicating liquor, or all of them, as may be specified, with or without the grant of a license to use a trade name, trademark, service mark, or related characteristic, and whether or not there is a community of interest in the marketing of goods or services;** except that, the term "franchise" shall not apply to persons engaged in sales from warehouses or like places of storage, other than wholesalers as above described, leased departments of retail stores, places of original manufacture, nor shall the term "franchise" apply to a commercial relationship that does not contemplate the establishment or maintenance of a place of business within the state of Missouri. As used herein "place of business" means a fixed, geographical location at which goods, products or services are displayed or demonstrated for sale. **It is the general assembly's intent to make clear that this subdivision was correctly interpreted as set forth in the Missouri cases of High Life Sales Company v. Brown-Forman Corporation, 823 S.W.2d 493(Mo. 1992) and Brown-Forman Distillers Corp. v McHenry, 566 S.W.2d 194 (Mo. 1978), rather than in Missouri Beverage Company, Inc. v. Shelton Brothers, Inc., 796 F. Supp. 2d 988 (W.D. Mo. 2011), aff'd. 11-2456 (8th Cir. February 28, 2012). Further, the general assembly declares that this subdivision was not correctly interpreted in Missouri Beverage Company, Inc. v Shelton Brothers, Inc., 796 F. Supp 2d 988 (W.D. Mo. 2011), aff'd 11-2456 (8th Cir. February 28, 2012);**

(2) The term "goods" includes any personal property, real property, or any combination thereof;

(3) The term "other property" includes a franchise, license distributorship, or other similar right, privilege, or interest;

(4) The term "person" includes an individual, corporation, trust, estate, partnership, unincorporated association, or any other legal or commercial entity;

(5) The term "pyramid sales scheme" includes any plan or operation for the sale or distribution of goods, services or other property wherein a person for a consideration acquires the opportunity to receive a pecuniary benefit, which is not primarily contingent on the volume or quantity of goods, services, or other property sold or distributed or to be sold or distributed to persons for purposes of resale to consumers, and is based upon the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same plan or operation; and

(6) The term "sale or distribution" includes the acts of leasing, renting or consigning.

407.413. 1. If more than one franchise for the same brand or brands of intoxicating liquor is granted to different wholesalers in this state, it is a violation of sections 407.400 to 407.420 for any supplier to discriminate between the wholesalers with respect to any of the terms, provisions, and conditions of these franchises.

2. (1) Notwithstanding the terms, provisions and conditions of any franchise, no supplier shall unilaterally terminate or refuse to continue or change substantially the condition of any franchise with the wholesaler unless the supplier has first established good cause for such termination, noncontinuance or change.

(2) **This subsection does not apply to a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier, or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state who sells less than ten thousand cases of distilled spirits in the state, or who sells less than ten thousand cases of wine in the state, the volume thresholds being measured for the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, provided such supplier of distilled spirits shall be obligated nevertheless, prior to the effective date of the termination, noncontinuance, or change, to pay to the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination, noncontinuance, or change, including without limitation the actual laid in cost of any inventory on hand, and**

provided further that this exception shall only apply to a termination, noncontinuance, or change concerning distilled spirits that is less than the volume threshold set forth in this sentence. The exception in the preceding sentence shall not affect a supplier's obligation to satisfy the notice requirements set forth in section 407.405. For purposes of this subsection, "fair market value" shall be determined in accordance with the provisions of the written agreement, if any, between the supplier and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then for a supplier of distilled spirits that sells less than ten thousand cases of distilled spirits in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncompliance, or change, "fair market value" shall be determined by agreement of the supplier and wholesaler, but if the parties cannot so determine within thirty days after the notice, then the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act if the latter so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration.

3. Any wholesaler may bring an action in a court of competent jurisdiction against a supplier for violation of any of the provisions of this section and may recover damages sustained by such wholesaler together with the costs of the action and reasonable attorney's fees.

4. In any action brought by a wholesaler against a supplier for termination, noncontinuance or substantial change in violation of the provisions of this section, it is a complete defense for the supplier to prove that the termination, noncontinuance or change was done in good faith and for good cause.

5. As used in this section, "good faith" is the duty of each party to any franchise and all officers, employees or agents thereof to act in a fair and equitable manner towards each other, and "good cause" means the following:

(1) Failure by the wholesaler to comply substantially with the provisions of an agreement or understanding with the supplier, which provisions are both essential and reasonable;

(2) Use of bad faith or failure to observe reasonable commercial standards of fair dealing in the trade; or

(3) Revocation or suspension for more than thirty-one days of a beer wholesaler's federal basic permit or of any state or local license required of a beer wholesaler for the normal operation of its business.

6. As to brewers and beer wholesalers, the provisions of this section shall only apply to agreements entered into on or after August 28, 1998, and to agreements which are renewed or substantially amended on or after August 28, 1998. As used in the preceding sentence, "substantially amended" means a written amendment that materially alters the fundamental business relationship between brewer and wholesaler. "Substantially amended" does not include changes or amendments that are contemplated in writing by the parties to an agreement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Haahr offered **House Amendment No. 1** to **House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 2, Line 41, by inserting after all of said line, the following:

"(3) Notwithstanding the provisions of subdivision (1) of this subsection, a small brewer may terminate or refuse to continue a franchise with any beer wholesaler without having good cause for termination after a three year period from the date of appointment provided the small brewer first pays compensation to the wholesaler for fair market value. Notwithstanding any provision of this section to the contrary, for purposes of this subsection, the term "brewer" shall mean any person or entity engaged primarily in business as a brewer or manufacturer of beer, and the term "small brewer" shall mean a brewer with an annual volume of less than two hundred thousand barrels of malt beverage and whose case equivalent sales of twenty-four--twelve ounce units in the affected wholesaler's assigned geographic territory is less than .017 during the measuring period. "Case equivalent sales" means the product derived by dividing the number of cases of twenty-four—twelve ounce units of the brewer's malt beverage sold by the wholesaler during the measuring period by the total population in the wholesaler's assigned geographic territory. For the purposes of this subsection, the term "measuring period" shall mean the twelve month calendar period immediately before the date on which the wholesaler receives notice of the termination or refusal to continue the franchise. Prior to the effective date of the termination or refusal to continue, the small brewer shall pay the wholesaler an amount equal to the fair market value of the distribution

rights which will be lost or diminished by reason of the termination or refusal to continue the franchise plus the actual laid in cost of any inventory on hand and any costs associated with storage of the product until removed by the brewer. For purposes of this subsection, "fair market value" shall be determined in accordance with the provisions of the written agreement, if any, between the brewer and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then "fair market value" shall be determined by agreement of the brewer and wholesaler. However, if the parties cannot so determine within thirty days after the notice of termination or refusal to continue the franchise, then the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act, if the latter so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration. Unless otherwise agreed to by the parties after the dispute arises, the arbitration proceedings shall be conducted in the wholesaler's assigned territory. For the purpose of this subsection, the term "annual volume" shall mean: (1) the aggregate number of barrels of beer, under trademarks owned by that brewery and brewed, directly or indirectly, by or on behalf of the brewer during the measuring period, on a worldwide basis, plus (2) the aggregate number of barrels of beer brewed, during the measuring period, directly or indirectly, by or on behalf of any person or entity which, at any time during the measuring period, controlled, was controlled by or was under common control with the brewer, on a worldwide basis. Annual volume shall not include beer brewed under contract for any other brewer. There shall be no double counting of the same barrels of beer under clauses one and two of this subparagraph. Nothing contained in this subsection shall relieve a brewer from the obligation to satisfy the notice requirements set forth in section 407.405."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haahr, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, Page 7, Section 316.150, Line 18, by inserting after all of said section and line, the following:

"407.400. As used in sections 407.400 to 407.420:

(1) "Franchise" means a written or oral arrangement for a definite or indefinite period, in which a person grants to another person a license to use a trade name, trademark, service mark, or related characteristic, and in which there is a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise[, including]; **"franchise" specifically includes**, but **is** not limited to, a commercial relationship of definite duration or continuing indefinite duration, between a "wholesaler", such wholesaler being a person as defined in this section, licensed pursuant to the provisions of chapter 311 to sell at wholesale, intoxicating liquor, as defined in section 311.020, to retailers, duly licensed in this state, and a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state, and wherein a wholesaler is granted the right to offer, sell, and distribute within this state or any designated area thereof such of the supplier's brands of intoxicating liquor, or all of them, as may be specified, **with or without the grant of a license to use a trade name, trademark, service mark, or related characteristic, and whether or not there is a community of interest in the marketing of goods or services**; except that, the term "franchise" shall not apply to persons engaged in sales from warehouses or like places of storage, other than wholesalers as above described, leased departments of retail stores, places of original manufacture, nor shall the term "franchise" apply to a commercial relationship that does not contemplate the establishment or maintenance of a place of business within the state of Missouri. As used herein "place of business" means a fixed, geographical location at which goods, products or services are displayed or demonstrated for sale;

(2) The term "goods" includes any personal property, real property, or any combination thereof;

(3) The term "other property" includes a franchise, license distributorship, or other similar right, privilege, or interest;

(4) The term "person" includes an individual, corporation, trust, estate, partnership, unincorporated association, or any other legal or commercial entity;

(5) The term "pyramid sales scheme" includes any plan or operation for the sale or distribution of goods, services or other property wherein a person for a consideration acquires the opportunity to receive a pecuniary benefit, which is not primarily contingent on the volume or quantity of goods, services, or other property sold or distributed or to be sold or distributed to persons for purposes of resale to consumers, and is based upon the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same plan or operation; and

(6) The term "sale or distribution" includes the acts of leasing, renting or consigning.

407.413. 1. If more than one franchise for the same brand or brands of intoxicating liquor is granted to different wholesalers in this state, it is a violation of sections 407.400 to 407.420 for any supplier to discriminate between the wholesalers with respect to any of the terms, provisions, and conditions of these franchises.

2. Notwithstanding the terms, provisions and conditions of any franchise, no supplier shall unilaterally terminate or refuse to continue or change substantially the condition of any franchise with the wholesaler unless the supplier has first established good cause for such termination, noncontinuance or change. **This subsection does not apply to a "supplier", being a person engaged in the business as a manufacturer, distiller, rectifier, or out-of-state solicitor whose brands of intoxicating liquor are distributed through duly licensed wholesalers in this state who sells less than two thousand five hundred cases of distilled spirits in the state, or who sells less than ten thousand cases of wine in the state, the volume thresholds being measured for the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, provided such supplier shall be obligated nevertheless, prior to the effective date of the termination, noncontinuance, or change, to pay to the wholesaler an amount equal to the fair market value of the distribution rights which will be lost or diminished by reason of the termination, noncontinuance, or change, including without limitation the actual laid in cost of any inventory on hand, and provided further that this exception shall only apply to a termination, noncontinuance or change concerning the category of intoxicating liquor (namely, distilled spirits or wine) that is less than the volume threshold set forth in this sentence. The exception in the preceding sentence shall not affect a supplier's obligation to satisfy the notice requirements set forth in section 407.405. For purposes of this subsection, "fair market value" shall be determined in accordance with the provisions of the written agreement, if any, between the supplier and wholesaler, or if the written agreement between them does not specify how fair market value is determined, then:**

(1) For a supplier of wine who sells less than one thousand cases of wine in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, "fair market value" shall be equal to the actual laid in cost of any inventory on hand plus two times the gross profit earned by the wholesaler in the twelve month period preceding the notice or twelve times the monthly average gross profit for the period of time the wholesaler served as a distributor for the supplier's products if such time period is less than twelve months, and "gross profit" shall mean net revenue less costs of goods sold, as calculated in accordance with generally accepted accounting principles; and

(2) For a supplier of wine who sells at least one thousand cases but less than ten thousand cases of wine in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, and for a supplier of distilled spirits that sells less than two thousand five hundred cases of distilled spirits in the state in the twelve months immediately preceding the date on which the wholesaler receives notice of the termination, noncontinuance, or change, "fair market value" shall be determined by agreement of the supplier and wholesaler, but if the parties cannot so determine within thirty days after the notice, then the matter shall be submitted to mandatory arbitration before a panel of three neutral arbitrators conducted pursuant to chapter 435 or the Federal Arbitration Act if the latter so applies, with the parties to the arbitration each to bear their own attorneys' fees and costs of the arbitration.

3. Any wholesaler may bring an action in a court of competent jurisdiction against a supplier for violation of any of the provisions of this section and may recover damages sustained by such wholesaler together with the costs of the action and reasonable attorney's fees.

4. In any action brought by a wholesaler against a supplier for termination, noncontinuance or substantial change in violation of the provisions of this section, it is a complete defense for the supplier to prove that the termination, noncontinuance or change was done in good faith and for good cause.

5. As used in this section, "good faith" is the duty of each party to any franchise and all officers, employees or agents thereof to act in a fair and equitable manner towards each other, and "good cause" means the following:

(1) Failure by the wholesaler to comply substantially with the provisions of an agreement or understanding with the supplier, which provisions are both essential and reasonable;

(2) Use of bad faith or failure to observe reasonable commercial standards of fair dealing in the trade; or

(3) Revocation or suspension for more than thirty-one days of a beer wholesaler's federal basic permit or of any state or local license required of a beer wholesaler for the normal operation of its business.

6. As to brewers and beer wholesalers, the provisions of this section shall only apply to agreements entered into on or after August 28, 1998, and to agreements which are renewed or substantially amended on or after August 28, 1998. As used in the preceding sentence, "substantially amended" means a written amendment that materially alters the fundamental business relationship between brewer and wholesaler. "Substantially amended" does not include changes or amendments that are contemplated in writing by the parties to an agreement.

7. Notwithstanding any other provisions of law to the contrary, a supplier and a wholesaler of intoxicating liquor may negate, modify, waive, or vary the rights granted in this chapter through a written agreement between the supplier and the wholesaler.

Section 1. Notwithstanding any other provisions of law to the contrary, a supplier and a wholesaler of intoxicating liquor may negate, modify, waive, or vary the rights granted in sections 407.400 to 407.420, through a written agreement between the supplier and the wholesaler. The provisions of this chapter shall apply only to agreements entered into between a supplier and a wholesaler on or after January 1, 2014, and to agreements which are renewed or substantially amended on or after January 1, 2014. As used in this section, the term "substantially amended" shall mean a written amendment that materially alters the fundamental business relationship between the supplier and the wholesaler, but shall not include changes or amendments that are contemplated by the parties prior to an agreement."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, amends previously amended material.

The Chair ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer

Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown	Gardner	Kelly 45	Lichtenegger	Smith 120
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Representative Cox moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Anderson	Bahr	Brattin	Burlison
Conway 104	Cox	Curtis	Curtman	Davis
Fitzpatrick	Frederick	Funderburk	Gosen	Guernsey
Haefner	Harris	Hicks	Hinson	Hubbard
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Korman	Lair	Lauer	Leara
Love	Marshall	Molendorp	Moon	Muntzel
Otto	Parkinson	Peters	Pogue	Remole
Scharnhorst	Schatz	Solon	Sommer	Spencer
Thomson	White	Wilson	Wright	Zerr

NOES: 108

Allen	Austin	Barnes	Bernskoetter	Berry
Black	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Crawford	Cross	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Gannon
Grisamore	Haahr	Hampton	Hansen	Higdon
Hodges	Hoskins	Hough	Houghton	Hummel
Jones 50	Kirkton	Kolkmeyer	Kratky	LaFaver
Lant	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus

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McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Neely
Neth	Newman	Nichols	Norr	Pace
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Stream	Swan	Swearingen
Torpey	Walker	Walton Gray	Webb	Webber
Wieland	Wood	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 005

Gardner	Gatschenberger	Kelly 45	Lichtenegger	Smith 120
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Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson

Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Gardner	Kelly 45	Lichtenegger	Molendorp	Ross
Smith 120	Zerr			

On motion of Representative Engler, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 112

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gatschenberger	Grisamore
Haahr	Hampton	Hansen	Higdon	Hoskins
Hough	Houghton	Hummel	Jones 50	Keeney
Kirkton	Kolkmeier	Kratky	LaFaver	Lant
Lynch	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Stream	Swan	Swearingen	Walker
Walton Gray	Webb	Webber	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 047

Anders	Bahr	Brattin	Burlison	Conway 104
Cox	Curtis	Curtman	Fitzpatrick	Funderburk
Gosen	Guernsey	Haefner	Harris	Hicks
Hinson	Hodges	Hubbard	Hurst	Johnson
Justus	Kelley 127	Koenig	Korman	Lair
Lauer	Leara	Love	Marshall	McCaherty
Molendorp	Moon	Muntzel	Parkinson	Peters
Pogue	Remole	Scharnhorst	Schatz	Solon
Sommer	Spencer	Thomson	Torpey	White
Wood	Wright			

PRESENT: 000

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ABSENT WITH LEAVE: 004

Gardner Kelly 45 Lichtenegger Smith 120

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Gardner Kelly 45 Lichtenegger Smith 120

On motion of Representative Jones (50), **SS SCS SB 114, as amended**, was read the third time and passed by the following vote:

AYES: 110

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Grisamore	Haahr
Hampton	Hansen	Higdon	Hoskins	Hough
Houghton	Hummel	Jones 50	Keeney	Kelley 127
Kirkton	Kolkmeier	Kratky	LaFaver	Lant
Lynch	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Neely	Neth	Newman
Nichols	Norr	Pace	Pfautsch	Pierson
Pike	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Stream
Swan	Swearingen	Walker	Walton Gray	Webb
Webber	Wieland	Wilson	Zerr	Mr Speaker

NOES: 048

Bahr	Berry	Brattin	Burlison	Conway 104
Cox	Curtis	Curtman	Fitzpatrick	Funderburk
Gosen	Guernsey	Haefner	Harris	Hicks
Hinson	Hodges	Hubbard	Hurst	Johnson
Justus	Koenig	Korman	Lair	Lauer
Leara	Love	Marshall	McCaherty	Molendorp
Moon	Muntzel	Otto	Parkinson	Peters
Phillips	Pogue	Remole	Scharnhorst	Schatz
Solon	Sommer	Spencer	Thomson	Torpey
White	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Gardner	Gatschenberger	Kelly 45	Lichtenegger	Smith 120
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Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Grisamore	Haahr	Hampton
Hansen	Higdon	Hoskins	Hough	Houghton
Hummel	Hurst	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Kolkmeyer	Kratky	Lant
Lynch	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Neely	Neth	Newman
Nichols	Pace	Pfautsch	Pierson	Pike
Redmon	Rehder	Reiboldt	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Sommer	Stream
Swan	Swearingen	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 046

Bahr	Brattin	Burlison	Conway 104	Cornejo
Cox	Curtis	Curtman	Ellington	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Harris
Hicks	Hinson	Hodges	Hubbard	Johnson
Koenig	Korman	LaFaver	Lair	Lauer
Leara	Love	Marshall	McCaherty	Molendorp
Moon	Muntzel	Norr	Otto	Parkinson
Peters	Phillips	Pogue	Remole	Scharnhorst
Schatz	Solon	Spencer	Thomson	Torpey
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Fitzpatrick	Gardner	Kelly 45	Lichtenegger	Smith 120
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BILLS IN CONFERENCE

CCR SS HCS HJR 11 & 7, as amended, relating to the right to farm, was taken up by Representative Smith (120).

Representative Barnes assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Gardner	Kelly 45	Lichtenegger	Mims
Parkinson	Sommer	Webber	Zerr	

On motion of Representative Smith (120), **CCR SS HCS HJR 11 & 7, as amended**, was adopted by the following vote:

AYES: 132

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger

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Dunn	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Nichols	Parkinson	Peters	Pfausch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 85	Smith 120
Solon	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 025

Burns	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Englund	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Norr	Otto	Pace	Schupp	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 006

Gardner	Hicks	Kelly 45	Lichtenegger	Mims
Sommer				

On motion of Representative Smith (120), **CCS SS HCS HJR 11 & 7** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara

Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Nichols	Parkinson	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 85	Smith 120	Solon
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 026

Burns	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Englund	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Norr	Otto	Pace	Peters	Schupp
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 006

Gardner	Gosen	Kelly 45	Lichtenegger	Mims
Sommer				

Representative Barnes declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 51, relating to motor vehicles, was taken up by Representative Guernsey.

Representative Guernsey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 51, Page 21, Section 304.022, Line 68, by inserting after the word "purposes" the following:

"or any other purpose that the department of transportation determines by rule. The department may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void"; and

Further amend said bill, Pages 21 and 22, Section 304.153, by removing said section from the bill; and

Further amend said bill, Page 23, Section 304.154, Line 37, by inserting after the word "classification" the following:

"or located any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants or located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1** was adopted.

Representative Fraker offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

- (1) For each motor vehicle or trailer registration issued, renewed or transferred--~~[three]~~ **five** dollars [and fifty cents] and ~~[seven]~~ **ten** dollars for those licenses sold or biennially renewed pursuant to section 301.147;
- (2) For each application or transfer of title--~~[two dollars and fifty cents]~~ **five dollars**;
- (3) For each **address change or** instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--~~[two]~~ **five** dollars [and fifty cents] and ~~[five]~~ **ten** dollars for licenses or instruction permits issued or renewed for a period exceeding three years;
- (4) For each notice of lien processed--~~[two]~~ **five** dollars [and fifty cents];
- (5) No notary fee or other fee or additional charge shall be paid or collected except for electronic [telephone] transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCaherty offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 51, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"34.040. 1. All purchases in excess of three thousand dollars shall be based on competitive bids, except as otherwise provided in this chapter.

2. On any purchase where the estimated expenditure shall be twenty-five thousand dollars or over, except as provided in subsection 5 of this section, the commissioner of administration shall:

(1) Advertise for bids in at least two daily newspapers of general circulation in such places as are most likely to reach prospective bidders and may advertise in at least two weekly minority newspapers and may provide such information through an electronic medium available to the general public at least five days before bids for such purchases are to be opened. Other methods of advertisement, which may include minority business purchase councils, however, may be adopted by the commissioner of administration when such other methods are deemed more advantageous for the supplies to be purchased;

(2) Post a notice of the proposed purchase in his or her office; and

(3) Solicit bids by mail or other reasonable method generally available to the public from prospective suppliers. All bids for such supplies shall be mailed or delivered to the office of the commissioner of administration so as to reach such office before the time set for opening bids.

3. The contract shall be let to the lowest and best bidder. The commissioner of administration shall have the right to reject any or all bids and advertise for new bids, or purchase the required supplies on the open market if they can be so purchased at a better price. When bids received pursuant to this section are unreasonable or unacceptable as to terms and conditions, noncompetitive, or the low bid exceeds available funds and it is determined in writing by the commissioner of administration that time or other circumstances will not permit the delay required to resolicit competitive bids, a contract may be negotiated pursuant to this section, provided that each responsible bidder who submitted such bid under the original solicitation is notified of the determination and is given a reasonable opportunity to modify their bid and submit a best and final bid to the state. In cases where the bids received are noncompetitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible bidder under the original solicitation.

4. The director of the department of revenue shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. No points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.

5. All bids shall be based on standard specifications wherever such specifications have been approved by the commissioner of administration. The commissioner of administration shall make rules governing the delivery, inspection, storage and distribution of all supplies so purchased and governing the manner in which all claims for supplies delivered shall be submitted, examined, approved and paid. The commissioner shall determine the amount of bond or deposit and the character thereof which shall accompany bids or contracts.

[5] 6. The department of natural resources may, without the approval of the commissioner of administration required pursuant to this section, enter into contracts of up to five hundred thousand dollars to abate illegal waste tire sites pursuant to section 260.276 when the director of the department determines that urgent action is needed to protect public health, safety, natural resources or the environment. The department shall follow bidding procedures pursuant to this section and may promulgate rules necessary to establish such procedures. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter

536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[6] 7. The commissioner of administration and other agencies to which the state purchasing law applies shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in this state but fails to collect and properly pay the tax as provided in chapter 144. For the purposes of this section, "affiliate of the vendor" shall mean any person or entity that is controlled by or is under common control with the vendor, whether through stock ownership or otherwise.

136.055. 1. Any person who is selected or appointed by the state director of revenue as"; and

Further amend said amendment, Page 2, Line 8, by deleting all of said line and inserting in lieu thereof the following:

7. The department shall reimburse reasonable costs incurred associated with the transactions required in a contract license office.

8. Notwithstanding any other provision of law to the contrary, the state auditor may audit all"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Fraker, **House Amendment No. 2, as amended**, was adopted.

Representative Hough offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section the following:

"32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot

on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from vendors not located in Missouri. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors that were purchased from vendors not located in Missouri may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to such titling. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to such titling, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to such titling. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from vendors located outside of Missouri is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from vendors located outside of Missouri is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] imposed at the rate in effect at the location of the residence of the purchaser, and remitted to that local taxing entity** and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the

local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in paragraph (9) hereof,** upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection (1) of section 144.020,** a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall

be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. Except as otherwise provided,** the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020 and** sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their "gross receipts", defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected **and remitted** on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term "boat" includes all motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard

motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] **2.** In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisal by the director.

[4.] **3.** No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] **4.** The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] **sales** tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] **sales** tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] **5.** In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] **sales** tax[,], all of its lease receipts would be subject to the [use] **sales** tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] **6.** The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of section 144.440** shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[(3)] **(2)** To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[(4)] **(3)** To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[(5)] **(4)** To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

[(6)] **(5)** Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[(7)] **(6)** To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[(8)] **(7)** To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020 on the titling of** motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and sections 144.440 to 144.455, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by subdivision (9) of subsection 1 of section [144.440] 144.020 on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of

sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020**;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state."; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said section the following:

"Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087 and 144.757, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087 and 144.757, as amended by this act.

Section B. Because of the need to replace local revenues which became unexpectedly unavailable for local governments to provide for local law enforcement, fire protection, emergency personnel, and other vital services and due to the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Jones (50) offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line, the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

- (1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;
- (2) To any person who is under the age of sixteen years, except as hereinafter provided;
- (3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;
- (4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;
- (5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;
- (6) To any person who, when required by this law to take an examination, has failed to pass such examination;
- (7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;
- (8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;
- (9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court [may] **shall** order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of [subdivisions (9) and (10)] **subdivision (9) or (10)** of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

[302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has pled guilty to or been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.023, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been convicted, pled guilty to, or been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.]"; and

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points

(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding

In violation of a state law. 3 points

In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points

In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points

In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. 2 points

(b) For the second conviction. 4 points

(c) For the third conviction. 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points

(7) Obtaining a license by misrepresentation. 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law. 8 points

In violation of a county or municipal ordinance or federal law or regulation. 8 points

(11) Any felony involving the use of a motor vehicle. 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points

(14) Endangerment of a highway worker in violation of section 304.585. 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. **The operator shall be given the option to complete the driver-improvement program through an online or in-person course.** A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

- (1) In the case of an initial suspension, thirty days after the effective date of the suspension;
- (2) In the case of a second suspension, sixty days after the effective date of the suspension;
- (3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in lieu of a suspension the person shall instead complete a ninety-day** period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations].

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision [(22)] (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a [violation under subdivision (9) of subsection 1 of section 302.302] **conviction for an intoxication-related traffic offense as defined under section 577.023, and who has a prior alcohol-related enforcement contact as defined under section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that

the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

[302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any

unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.]" and

"[302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving

privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or the director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, the court or the director shall not grant a limited driving privilege to the applicant.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If the court or director finds that the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, the court or the director shall not grant a limited driving privilege to the applicant. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. Any person who petitions a court or makes application with the director for a limited driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this section shall make application with the Missouri state highway patrol as provided in section 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for limited driving privileges. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of

Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

6. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.]

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, **except as provided under subdivision (8) of this subsection**. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator[;] ,

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege [who] **whose license** at the time of application [for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license] has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for [the first time for] failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, [if] **unless** such person has [not] completed the first ninety days of such revocation[;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state] **and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;**

[(g)] **(f)** Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

[(h)] **(g)** Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of **subsection 1 of** section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of **subsection 1** of section 302.060, to apply for a limited driving privilege pursuant to this subsection [if such person has served at least forty-five days of such disqualification or revocation]. Such person shall present evidence satisfactory to the court or the director that such [person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the] person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. **A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.**

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 3, Section 302.341, Line 46, by inserting after all of said section and line, the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle [operated] **that he or she operates** is equipped with a functioning, certified ignition interlock device, [then the] **there shall be no** period of suspension [shall be fifteen days, followed by a seventy-five day]. **However, in**

lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. Upon completion of such [seventy-five day] **ninety-day** period of restricted driving privilege, [upon] compliance with other requirements of law, and [upon] filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such [seventy-five day] **ninety-day** period indicate that the ignition interlock device has registered a **confirmed** blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional [seventy-five day] **thirty-day** period of restricted driving privilege [without any such violations]. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.

[302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant

to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.]; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said section and line, the following:

"476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection

1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance **either online or in person** at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section."; and

"577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person's license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be

granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person's right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision [(23)] (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the

recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked [more than once for violation of the provisions of this section] **under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525**, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor."; and

"Section B. Because immediate action is necessary to ensure the safety of the citizens of this state, the repeal and reenactment of section 302.309 of this act, and the repeal of section 302.309 of this act, is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 302.309 of this act, and the repeal of

section 302.309 of this act, shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs.

Section C. The repeal and reenactment of sections 302.060, 302.302, 302.304, 302.525, 476.385, and 577.041, and the repeal of sections 302.060, 302.304, and 302.525 of this act shall become effective on March 3, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 4** was adopted.

Representative Brattin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81, by inserting after all of said line the following:

"Section 1. Notwithstanding any other provisions of law to the contrary, the license of a trailer, as defined in section 301.010, shall be permanent until the owner of the trailer sells, trades, or disposes of the trailer. After the initial registration and licensing of the trailer, no annual registration shall be required and no annual fee shall be charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 5** was adopted.

Representative Franklin offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle)

seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction, and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[11.] 12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

[301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee

of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary

plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 6** was adopted.

Representative Kolkmeier offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 51, Page 1, Section A, Line 11, by inserting after all of said section and line, the following:

"64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance adopted under this section shall conflict with liquefied petroleum gas installations regulations established under section 323.020."; and

"135.710. **1.** As used in this section, the following terms mean:

(1) "Alternative fuels", any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

- (a) Ethanol;
- (b) Natural gas;
- (c) Compressed natural gas, **or CNG**;
- (d) Liquefied natural gas, **or LNG**;
- (e) Liquefied petroleum gas, **LP gas, propane, or autogas**;
- (f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;
- (g) Hydrogen;

(2) "Department", the department of natural resources;

(3) "Eligible applicant", a business entity that is the owner of a qualified alternative fuel vehicle refueling property **or makes more than twenty-five qualified conversions in a one-year period**;

(4) **"Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or self propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:**

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds; or

(b) A vehicle solely operated on rails;

(5) "Qualified alternative fuel vehicle refueling property", property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens which, if constructed after August 28, 2008, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

- (a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;
- (b) Construction of such facility; and
- (c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply;

[(5)] (6) "Qualified conversion", the conversion of a motor vehicle fueled solely by petroleum-based fuels to a motor vehicle which incorporates an alternative fuel listed under subdivision (1) of this subsection as either the primary or secondary source. The converted vehicle must operate using an alternative fuel decal under subsection 1 of section 142.869, if applicable. Installations which inject fuel additives are not considered qualified conversions;

(7) "Qualified Missouri contractor", a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years.

2. For all tax years beginning on or after January 1, [2009] **2014**, but before January 1, [2012] **2017**, any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the refueling property. The credit allowed in this [section] **subsection** per eligible applicant shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment on any qualified alternative fuel vehicle refueling property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified alternative fuel vehicle refueling property;

(2) Costs associated with the purchase of an existing qualified alternative fuel vehicle refueling property; or

(3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing facilities were placed in service at a qualified alternative fuel vehicle refueling property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

(1) In taxable year 2009, three million dollars;

(2) In taxable year 2010, two million dollars; and

(3) In taxable year 2011,] one million dollars **per year**.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. An alternative fuel vehicle refueling property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the alternative fuel vehicle refueling property ceased to sell alternative fuel and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, [2008] **2013**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

"137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for **generation, transportation or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas, solar or wind power equipment**, water, and sewage;

(5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place."; and

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held

or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reversioners, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reversion of the property within the limitation period for reversioners;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Equipment or property with a retail value of fifty thousand dollars or less required for the use, transmission, generation or storage of alternative or renewable energy as used in an eligible alternative energy operation as defined under section 30.750 or alternative fuels as defined under section 135.710 and section 414.400, used either for fleet, transportation, power generation, heat or other such application. Said equipment shall be exempt from the assessment of any state, county or local property taxes for such time as the equipment, property or installation is in working order.; and

"142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) **"Additive", a substance designed to increase engine power or performance introduced by injection or other means into a fuel system but which is not capable of propelling the vehicle without the primary fuel. Use of additives fuels does not require compliance with subsection 1 of section 142.869;**

(2) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

[(2)] (3) "Alternative fuel", electricity, liquefied petroleum gas (LPG [or], LP gas, **propane or autogas**), compressed natural gas product (**CNG, liquified natural gas or LNG**), or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

[(3)] (4) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;

[(4)] (5) "Blend stock", any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

[(5)] (6) "Blended fuel", a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

[(6)] (7) "Blender", any person that produces blended motor fuel outside the bulk transfer/terminal system;

[(7)] (8) "Blending", the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

[(8)] (9) "Bulk plant", a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

[(9)] (10) "Bulk transfer", any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

[(10)] (11) "Bulk transfer/terminal system", the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

[(11)] (12) "Consumer", the user of the motor fuel;

[(12)] (13) "Delivery", the placing of motor fuel or any liquid into the fuel tank of a motor vehicle or bulk storage facility;

[(13)] (14) "Department", the department of revenue;

[(14)] (15) "Destination state", the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

[(15)] (16) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

[(16)] (17) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

[(17)] (18) "Director", the director of revenue;

[(18)] (19) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

[(19)] (20) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

[(20)] (21) "Eligible purchaser", a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

[(21)] (22) "Export", to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

[(22)] (23) "Exporter", any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

[(23)] (24) "Farm tractor", all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

[(24)] (25) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

[(25)] (26) "Fuel transportation vehicle", any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

[(26)] (27) "Gasoline", all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

[(27)] (28) "Gross gallons", the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

[(28)] (29) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

[(29)] (30) "Import", to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

[(30)] (31) "Import verification number", the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

[(31)] (32) "Importer" includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

[(32)] (33) "Interstate motor fuel user", any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

[(33)] (34) "Invoiced gallons", the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

[(34)] (35) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

[(35)] (36) "Kerosene", the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

[(36)] (37) "Liquid", any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

[(37)] (38) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;

[(38)] (39) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

[(39)] (40) "Net gallons", the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

[(40)] (41) "Permissive supplier", an out-of-state supplier that elects, but is not required, to have a supplier's license pursuant to this chapter;

[(41)] (42) "Person", natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

[(42)] (43) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

[(43)] (44) "Propel", the operation of a motor vehicle, whether it is in motion or at rest;

[(44)] (45) "Public highway", every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

[(45)] (46) "Qualified terminal", a terminal which has been assigned a terminal control number ("tcn") by the Internal Revenue Service;

[(46)] (47) "Rack", a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

[(47)] (48) "Refiner", any person that owns, operates, or otherwise controls a refinery;

[(48)] (49) "Refinery", a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

[(49)] (50) "Removal", any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

[(50)] (51) "Retailer", a person that engages in the business of selling or dispensing to the consumer within this state;

[(51)] **(52)** "Supplier", a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;

[(52)] **(53)** "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;

[(53)] **(54)** "Terminal", a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

[(54)] **(55)** "Terminal bulk transfers" include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Bulk transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

[(55)] **(56)** "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

[(56)] **(57)** "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

[(57)] **(58)** "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;

[(58)] **(59)** "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

[(59)] **(60)** "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

[(60)] **(61)** "Ultimate vendor", a person that sells motor fuel to the consumer;

[(61)] **(62)** "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

[(62)] **(63)** "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle."; and

"142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty

dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall [not] **also** apply to motor vehicles registered outside this state which are powered by alternative fuel[, and for which a valid temporary alternative fuel decal has been acquired as provided in this section].

(1) The owners or operators of such motor vehicles [shall] **may**, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of [eight] **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable.

(2) **The fuel provider will remit all road tax collected from non-state residents each quarter using a form authorized by the department.**

(a) [All] **Eighty percent of the proceeds from such decal fees or collections of non-state road tax** shall be deposited as specified in section 142.345.

(b) **Twenty percent of the proceeds from such decal sales or collections of non-state road tax shall be deposited into the Missouri alternative fuel infrastructure tax credit fund under the direction of the department of natural resources.**

(c) Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain [fifty cents] **two dollars** for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the [LP gas or natural gas equipment] **alternative fuel system** is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any [person] **Missouri resident** to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, **electricity**, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it.

(1) **Qualified conversion sellers as defined by subdivision (6) of subsection 1 of section 135.710 or the sellers of vehicles sold with alternative fuel systems in place shall not be required to obtain alternative fuel decals during the installation of qualified conversions for motor fuel vehicles or the sale of such vehicles. Such conversion sellers or vehicle dealers or their fuel suppliers may elect to fuel such motor fuel vehicles during the conversion or sales process and remit the applicable road tax under this section.**

(2) Sales of [fuel] **all alternative fuels** placed in the supply receptacle of a motor vehicle [displaying such decal] shall be recorded upon an invoice, which invoice shall include the decal number, **if applicable**, the motor vehicle license number and the number of gallons placed in such supply receptacle. **Such invoices shall be kept by the seller for a period of two years.**

(3) **Sales of all vehicles propelled by alternative fuels, whether through qualified conversion or equipped by the original manufacturer shall be reported to the department annually.**

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kolkmeier, **House Amendment No. 7** was adopted.

Representative Scharnhorst offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81, by inserting after said line the following:

"Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 8** was adopted.

Representative Rowland offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said line the following:

"301.449. 1. Only a community college or four-year public or private institution of higher education, or a foundation or organization representing the college or institution, located in the state of Missouri may itself authorize or may by the director of revenue be authorized to use the school's official emblem to be affixed on multiyear personalized license plates as provided in this section.

2. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem-use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem-use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

3. The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129.

4. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law.

5. Notwithstanding the provisions of subsection 1 of this section or subsection 1 of section 301.3150, any community college or four-year public or private institution of higher education, or any foundation or organization representing the college or institution, located outside of the state of Missouri, which has authorized the use of its official emblem to be affixed on multiyear personalized license plates and has had its application for a specialty license plate approved by the joint committee on transportation oversight under section 301.3150 prior to August 28, 2012, may continue to authorize the use of its official emblem on such plates. Nothing in subsection 1 of this section shall be construed to prohibit the manufacture or renewal of multiyear personalized license plates bearing out-of-state university, college, or institution of private learning official emblems if such license plates were approved by the joint committee on transportation oversight under section 301.3150 prior to August 28, 2012.

6. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution."; and

Further amend said bill, Page 31, Section 307.400, Line 81, by inserting after all of said line the following:

"Section B. Because of the need to ensure that motorists who were issued valid special license plates are legally registered within the state of Missouri and because of the need to avoid unnecessary administrative license plate recalls, the repeal and reenactment of section 301.449 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.449 of this act shall be in full force and effect upon its passage and approval.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lauer	Leara	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schieber
Shull	Shumake	Smith 120	Solon	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris

Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 019

Bernskoetter	Brown	Curtman	Flanigan	Gardner
Gatschenberger	Grisamore	Hoskins	Jones 50	Kelly 45
Lant	Lichtenegger	Marshall	McDonald	Mims
Redmon	Schatz	Sommer	Mr Speaker	

On motion of Representative Rowland, **House Amendment No. 9** was adopted.

Representative Solon offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said line the following:

"301.3172. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special motor vehicle license plates for any vehicle she owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight.

2. Any woman shall apply for the special license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service, payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words "WOMAN VETERAN" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for a vehicle owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director shall consult with the Missouri Veterans Commission when determining or designing the image which shall be placed on the plate authorized under this section.

8. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Elmer assumed the Chair.

On motion of Representative Solon, **House Amendment No. 10** was adopted.

HCS SB 51, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 17**, entitled:

An act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 18**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 19**, entitled:

An act to appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 351**, entitled:

An act to repeal sections 191.227, 197.080, and 197.100, RSMo, and to enact in lieu thereof four new sections relating to health care providers.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 351, Page 1, Section Title, Line 3 of the Title, by inserting after "providers" the following:

"with an emergency clause for a certain section"; and

Further amend said bill and page, Section A, Line 3, by inserting immediately after all of said line the following:

"96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:
(1) Is organized and operated under this chapter;
(2) Has not accepted appropriated funds from the city during the prior twenty years; and
(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120,

shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

"Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?"

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest."; and

Further amend said bill, Page 7, Section 1, Line 26, by inserting after all of said line the following:

"Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 9, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 17, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1 to SCS SB 36**, and requests the House to recede from its position on **House Amendment No. 1** and take up and pass **SCS SB 36**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 43, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 106, as amended**, and has taken up and passed **CCS SCS SB 106**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 117, as amended**, and has taken up and passed **CCS HCS SCS SB 117**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 210**, entitled:

An act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof five new sections relating to the common core state standards initiative, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 330, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

On motion of Representative Diehl, the House recessed until 1:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

SENATE BILLS FOR THIRD READING

SCS SB 248, relating to neighborhood improvement districts, was taken up by Representative Fraker.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure

prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any **county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and any** county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Crawford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 248, Page 4, Section 67.457, Line 127, by inserting after all of said section and line the following:

"67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that county, chapter 141, or** at the option of the governing body, **by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body.

67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for (insert general description of specific service and/or projects) in the district, such special assessments to be

levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, [in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,] the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. [In said counties, each] **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district.

140.050. 1. Except as provided in section 52.361, the county clerk shall file the delinquent lists in the county clerk's office and within ten days thereafter make, under the seal of the commission, the lists into a back tax book as provided in section 140.060.

2. Except as provided in section 52.361, when completed, the clerk shall deliver the book **or an electronic copy thereof** to the collector taking duplicate receipts therefor, one of which the clerk shall file in the clerk's office and the other the clerk shall file with the director of revenue. The clerk shall charge the collector with the aggregate amount of taxes, interest, and clerk's fees contained in the back tax book.

3. The collector shall collect such back taxes and may levy upon, seize and distrain tangible personal property and may sell such property for taxes.

4. In the city of St. Louis, the city comptroller or other proper officer shall return the back tax book together with the uncollected tax bills within thirty days to the city collector.

5. If any county commission or clerk in counties not having a county auditor fails to comply with section 140.040, and this section, to the extent that the collection of taxes cannot be enforced by law, the county commission or clerk, or their successors in office, shall correct such omissions at once and return the back tax book to the collector who shall collect such taxes.

140.115. Any person other than the owner or a mortgagee or other lienholder described in section 139.070 who pays the original taxes, as charged against the tract of land or town lot described in the back tax book together with interest from the day upon which the tax first became delinquent at the rate specified in section 140.100 shall not invoke a lien on said property or person without the knowledge and consent of the owner. Any such lien so invoked on said property or person without the knowledge and consent of the owner shall be null and void.

140.150. 1. All lands, lots, mineral rights, and royalty interests on which taxes or [neighborhood improvement district] special assessments are delinquent and unpaid are subject to sale to discharge the lien for the delinquent and unpaid taxes or unpaid special assessments as provided for in this chapter on the fourth Monday in August of each year.

2. No real property, lots, mineral rights, or royalty interests shall be sold for state, county or city taxes or special assessments without judicial proceedings, unless the notice of sale contains the names of all record owners thereof, or the names of all owners appearing on the land tax book and all other information required by law. Delinquent taxes or unpaid special assessments, penalty, interest and costs due thereon may be paid to the county collector at any time before the property is sold therefor. The collector shall send notices to the publicly recorded owner of record before any delinquent and unpaid taxes or unpaid special assessments as specified in this section subject to sale are published. The first notice shall be by first class mail. A second notice shall be sent by certified mail only if the assessed valuation of the property is greater than one thousand dollars. If the assessed valuation of the property is not greater than one thousand dollars, only the first notice shall be required. If any second notice sent by certified mail under this section is returned to the collector unsigned, then notice shall be sent before the sale by first class mail to both the owner of record and the occupant of the real property. The postage for the mailing of the notices shall be paid out of the county treasury, and such costs shall be added to the costs of conducting the sale, and the county treasury shall be reimbursed to the extent that such postage costs are recovered at the sale. The failure of the taxpayer or the publicly recorded owner to receive the notice provided for in this section shall not relieve the taxpayer or publicly recorded owner of any tax liability imposed by law.

3. The entry in the back tax book by the county clerk of the delinquent lands, lots, mineral rights, and royalty interests constitutes a levy upon the delinquent lands, lots, mineral rights, and royalty interests for the purpose of enforcing the lien of delinquent and unpaid taxes or unpaid special assessments [as provided in section 67.469], together with penalty, interest and costs.

140.160. 1. No proceedings for the sale of land and lots for delinquent taxes pursuant to this chapter or unpaid special assessments [as provided in section 67.469], relating to the collection of delinquent and back taxes and unpaid special assessments and providing for foreclosure sale and redemption of land and lots therefor, shall be valid unless initial proceedings therefor shall be commenced within three years after delinquency of such taxes and unpaid special assessments, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefor shall be commenced, had or maintained, except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax-exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.

2. The county auditor in all counties having a county auditor shall annually audit collections, deposits, and supporting reports of the collector and provide a copy of such audit to the county collector and to the governing body of the county. A copy of the audit may be provided to all applicable taxing entities within the county at the discretion of the county collector.

140.230. 1. When real estate has been sold for taxes or other debt by the sheriff or collector of any county within the state of Missouri, and the same sells for a greater amount than the debt or taxes and all costs in the case it shall be the duty of the sheriff or collector of the county, when such sale has been or may hereafter be made, to make a written statement describing each parcel or tract of land sold by him for a greater amount than the debt or taxes and all costs in the case together with the amount of surplus money in each case. The statement shall be subscribed and sworn to by the sheriff or collector making it before some officer competent to administer oaths within this state, and then presented to the county commission of the county where the sale has been or may be made; and on the approval of the statement by the commission, the sheriff or collector making the same shall pay the surplus money into the county treasury, take

the receipt in duplicate of the treasurer for the surplus of money and retain one of the duplicate receipts himself and file the other with the county commission, and thereupon the commission shall charge the treasurer with the amount.

2. The treasurer shall place such moneys in the county treasury to be held for the use and benefit of the person entitled to such moneys or to the credit of the school fund of the county, to be held in trust for the term of three years for the publicly recorded owner or owners of the property sold at **the time of** the delinquent land tax auction or their legal representatives. At the end of three years, if such fund shall not be called for **as part of a redemption or collector's deed issuance**, then it shall become a permanent school fund of the county.

3. County commissions shall compel owners or agents to make satisfactory proof of their claims before receiving their money; provided, that no county shall pay interest to the claimant of any such fund.

140.290. 1. After payment shall have been made the county collector shall give the purchaser a certificate in writing, to be designated as a certificate of purchase, which shall carry a numerical number and which shall describe the land so purchased, each tract or lot separately stated, the total amount of the tax, with penalty, interest and costs, and the year or years of delinquency for which said lands or lots were sold, separately stated, and the aggregate of all such taxes, penalty, interest and costs, and the sum bid on each tract.

2. If the purchaser bid for any tract or lot of land a sum in excess of the delinquent tax, penalty, interest and costs for which said tract or lot of land was sold, such excess sum shall also be noted in the certificate of purchase, in a separate column to be provided therefor. Such certificate of purchase shall also recite the name and address of the owner or reputed owner if known, and if unknown then the party or parties to whom each tract or lot of land was assessed, together with the address of such party, if known, and shall also have incorporated therein the name and address of the purchaser. Such certificate of purchase shall also contain the true date of the sale and the time when the purchaser will be entitled to a deed for said land, if not redeemed as in this chapter provided, and the rate of interest that such certificate of purchase shall bear, which rate of interest shall not exceed the sum of ten percent per annum. Such certificate shall be authenticated by the county collector, who shall record the same in a permanent record book in his office before delivery to the purchaser.

3. Such certificate shall be assignable, but no assignment thereof shall be valid unless endorsed on such certificate and acknowledged before some officer authorized to take acknowledgment of deeds and an entry of such assignment entered in the record of said certificate of purchase in the office of the county collector.

4. [For each certificate of purchase issued, including the recording of the same, the county collector shall be entitled to receive and retain a fee of fifty cents, to be paid by the purchaser and treated as a part of the cost of the sale, and so noted on the certificate. For noting any assignment of any certificate the county collector shall be entitled to a fee of twenty-five cents, to be paid by the person requesting such recital of assignment, and which shall not be treated as a part of the cost of the sale.] For each certificate of purchase issued, as a part of the cost of the sale, the purchaser shall pay to the collector the fee necessary to record such certificate of purchase in the office of the county recorder. The collector shall record the certificate of purchase before delivering such certificate of purchase to the purchaser.

5. No collector shall be authorized to issue a certificate of purchase to any nonresident of the state of Missouri, however, any nonresident as described in subsection 2 of section 140.190 may appoint an agent, and such agent shall comply with the provisions of section 140.190 pertaining to a nonresident.

6. This section shall not apply to any post-third-year tax sale, except for nonresidents as provided in subsection 5 of this section.

140.405. 1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, except that such requirements shall not apply to post-third-year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property. Such title search report shall be declared invalid if the effective date is more than one hundred twenty days from the date the purchaser applies for a collector's deed under section 140.250 or 140.420.

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the United States Postal Service, or any combination thereof, notice shall be presumed received by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance with subsection 4 of this section.

3. If the owner of record or **the holder of** any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) **Notices of right to redeem sent by** first class mail;
- (2) **Notices of right to redeem sent by** certified mail [notice];
- (3) Addressed envelopes **for all notices**, as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and
- (5) Any returned regular mailed envelopes. As provided in this section, at such time the purchaser notifies the

collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, **and the holder of** any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. If the property is redeemed, the person redeeming the property shall pay the costs incurred by the purchaser in providing notice under this section. Recoverable costs on any property sold at a tax sale shall include the title search, postage, and costs for the recording of any certificate of purchase issued and for recording the release of such certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

9. Failure of the purchaser to comply with this section shall result in such purchaser's loss of all interest in the real estate.

140.460. 1. Such conveyance shall be executed by the county collector, under his hand and seal, [witnessed by the county clerk] and acknowledged before the county recorder or any other officer authorized to take acknowledgments and the same shall be recorded in the recorder's office before delivery; a fee for recording shall be paid by the purchaser and shall be included in the costs of sale.

2. Such deed shall be prima facie evidence that the property conveyed was subject to taxation at the time assessed, that the taxes were delinquent and unpaid at the time of sale, of the regularity of the sale of the premises described in the deed, and of the regularity of all prior proceedings, that said land or lot had not been redeemed and that the period therefor had elapsed, and prima facie evidence of a good and valid title in fee simple in the grantee of said deed; and such deed shall be in the following form, as nearly as the nature of the case will admit, namely:

Whereas, A. B. did, on the day of, 20. . . , produce to the undersigned, C. D., collector of the county of in the state of Missouri, a certificate of purchase, in writing, bearing date the day of 20. . . , signed by E. F., who at the last mentioned date was collector of said county, from which it appears that the said A. B. did, on the day of, 20. . . , purchase at public auction at the door of the courthouse in said county, the tract, parcel or lot of land lastly in this indenture described, and which lot was sold to for the sum of dollars and cents, being the amount due on the following tracts or lots of land, returned delinquent in the name of G. H., for nonpayment of taxes, costs and charges for the year, namely: (Here set out the lands offered for sale); which said lands have been recorded, among other tracts, in the office of said

collector, as delinquent for the nonpayment of taxes, costs, and charges due for the year last aforesaid, and legal publication made of the sale of said lands; and it appearing that the said A. B. is the legal owner of said certificate of purchase and the time fixed by law for redeeming the land therein described having now expired, the said G. H. nor any person in his behalf having paid or tendered the amount due the said A. B. on account of the aforesaid purchase, and for the taxes by him since paid, and the said A. B., having demanded a deed for the tract of land mentioned in said certificate, and which was the least quantity of the tract above described that would sell for the amount due thereon for taxes, costs and charges, as above specified, and it appearing from the records of said county collector's office that the aforesaid lands were legally liable for taxation, and has been duly assessed and properly charged on the tax book with the taxes for the years;

Therefore, this indenture, made this day of , 20. . . , between the state of Missouri, by C. D., collector of said county, of the first part, and the said A. B., of the second part, Witnesseth: That the said party of the first part, for and in consideration of the premises, has granted, bargained and sold unto the said party of the second part, his heirs and assigns, forever, the tract or parcel of land mentioned in said certificate, situate in the county of, and state of Missouri, and described as follows, namely: (Here set out the particular tract or parcel sold), To have and to hold the said last mentioned tract or parcel of land, with the appurtenances thereto belonging, to the said party of the second part, his heirs and assigns forever, in as full and ample a manner as the collector of said county is empowered by law to sell the same.

In Testimony Whereof, the said C. D., collector of said county of, has hereunto set his hand, and affixed his official seal, the day and year last above written.

Witness: (L.S.)
Collector of County.

State of Missouri, County, ss:

Before me, the undersigned,, in and for said county, this day, personally came the above-named C. D., collector of said county, and acknowledged that he executed the foregoing deed for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and seal this day of, 20. . . .
. (L.S.)

140.470. [1.] In case circumstances should exist requiring any variation from the foregoing form, in the recital part thereof, the necessary change shall be made by the county collector executing such deed, and the same shall not be vitiated by any such change, provided the substance be retained.

[2. The county collector shall be entitled to demand and receive from the person applying therefor, for each tax deed, one dollar and fifty cents, which shall include the acknowledgment.]

140.665. Whenever the word "collector" is used in sections 140.050 to 140.660, as applicable to counties which have adopted township organization, it shall be construed to mean ["treasurer and ex officio collector"] "**collector-treasurer**". Where applicable it shall also refer to the collector, or other proper officer, collecting taxes in any city or town. Where applicable the word "county" as used in sections 140.050 to 140.660 shall be construed "city" and the words "county clerk" shall be construed "city clerk or other proper officer".

140.730. 1. Tangible personal property [taxes assessed] **subject to assessment** on and after January 1, 1946, and all personal taxes delinquent at that date, shall constitute a debt, as of the date on which such taxes were levied for which a personal judgment may be recovered against the party assessed with such taxes before any court of this state having jurisdiction.

2. All actions commenced pursuant to this law shall be prosecuted in the name of the state of Missouri, at the relation and to the use of the collector and against the person or persons named in the tax bill, and in one petition and in one count thereof may be included the said taxes for all such years as may be delinquent and unpaid, and said taxes shall be set forth in a tax bill or bills of said personal back taxes duly authenticated by the certificate of the collector and filed with the petition; and said tax bill or tax bills so certified shall be prima facie evidence that the amount claimed in said suit is just and correct, and all notices and process in suits pursuant to this chapter shall be sued and served in the same manner as in civil actions, and the general laws of this state as to practice and proceedings and appeals and writs of error in civil cases shall apply, as far as applicable, to the above actions; provided, however, that in no case shall the state, county, city or collector be liable for any costs nor shall any be taxed against them or any of them.

3. For the purpose of this chapter, personal tax bills shall become delinquent on the first day of January following the year the taxes are due, and suits thereon may be instituted on and after the first day of February following, and within three years from said day. If the collector, after using due diligence, is unable to collect any personal property

taxes charged in the delinquent tax list within three years following the year the taxes are due, the collector may remove such personal property taxes from the delinquent or back taxes books in the same manner as real estate is removed under section 137.260. Such abated amounts shall be reported on the annual settlement made by a collector of revenue.

4. Said personal tax shall be presented and allowed against the estates of deceased or insolvent debtors, in the same manner and with like effect, as other indebtedness of said debtors. The remedy hereby provided for the collection of personal tax bills is cumulative, and shall not in any manner impair other methods existing or hereafter provided for the collection of the same."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Crawford, **House Amendment No. 2** was adopted.

On motion of Representative Fraker, **SCS SB 248, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 007

Conway 10	Conway 104	Curtis	Ellinger	Higdon
Marshall	Mitten			

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Berry	Brown	Frame	Franklin
Gardner	Guernsey	Hoskins	Kelly 45	Lichtenegger
Mims	Molendorp	Ross		

Speaker Jones declared the bill passed.

SB 35, relating to the designation of tax refunds for CureSearch for Children's Cancer, was taken up by Representative Engler.

On motion of Representative Engler, **SB 35** was truly agreed to and finally passed by the following vote:

AYES: 147

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 015

Allen	Berry	Brown	Dohrman	Fowler
Franklin	Gardner	Guernsey	Kelly 45	Lichtenegger
McManus	Mims	Ross	Smith 120	Spencer

Speaker Jones declared the bill passed.

HCS SCS SB 42, relating to county criminal justice, was taken up by Representative Jones (50).

Representative Jones (50) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 3, Section 57.280, Lines 40-41, by deleting all of said lines and inserting in lieu thereof, the following:

"duties]. **Beginning October 1, 2013, moneys in the fund shall be used to supplement the 2013 sheriff's salary and any future increase in salary, benefit package and cost of living to an amount no greater than the annual salary of an associate circuit judge. Any such"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 1** was adopted.

Representative Webber offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 3, Section 57.280, Line 53, by inserting after all of said section and line the following:

"143.790. 1. Any hospital or health care provider who has provided health care services to an individual who was not covered by a health insurance policy or was not eligible to receive benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq., under chapter 208 and the health insurance for uninsured children under sections 208.631 to 208.657 at the time such health care services were administered, and such person has failed to pay for such services for a period greater than ninety days, may submit a claim to the director of the department of health and senior services for the unpaid health care services. The director of the department of health and senior services shall review such claim. If the claim appears meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the department of health and senior services for purposes of sections 143.782 to 143.788, and the director may certify the debt to the department of revenue in order to set off the debtor's income tax refund. Once the debt has been certified, the director of the department of health and senior services shall submit the debt to the department of revenue under the setoff procedure established under section 143.783.

2. At the time of certification, the director of the department of health and senior services shall supply any information necessary to identify each debtor whose refund is sought to be set off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such debtor.

3. If a debtor identified by the director of the department of health and senior services is determined by the department of revenue to be entitled to a refund, the department of revenue shall notify the department of health and senior services that a refund has been set off on behalf of the department of health and senior services for purposes of this section and shall certify the amount of such setoff, which shall not exceed the amount of the claimed debt certified. When the refund owed exceeds the claimed debt, the department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

4. The department of revenue shall notify the debtor by certified mail the taxpayer whose refund is sought to be set off that such setoff will be made. The notice shall contain the provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing to contest the setoff provided therein, and shall otherwise substantially comply with the provisions of subsection 3 of section 143.784.

5. Once a debt has been set off and finally determined under the applicable provisions of sections 143.782 to 143.788, and the department of health and senior services has received the funds transferred from the department of revenue, the department of health and senior services shall settle with each hospital or health care provider for the amounts that the department of revenue set off for such party. At the time of each settlement, each hospital or health care provider shall be charged for administration expenses which shall not exceed twenty percent of the collected amount.

6. Lottery prize payouts made under section 313.321 shall also be subject to the setoff procedures established in this section and any rules and regulations promulgated thereto.

7. The director of the department of revenue shall have priority to offset any delinquent tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency debt or to meet a child support obligation that is enforced by the division of family services on behalf of a person who is receiving support enforcement services under section 454.425.

8. **Ambulance services, as licensed by RSMo Chapter 190, shall make use of the debt setoff through the use of a debt setoff clearinghouse for processing claims. Unpaid claims in excess of one hundred sixty days shall be determined in accordance with this section and only valid unpaid claims regarding health care services provided shall be submitted to the claim clearinghouse. Ambulance services shall implement a financial hardship policy in accordance with applicable Medicare guidelines. Ambulance services shall establish an appeal process. The appeal process shall, at a minimum, include a provision that will establish that the ambulance service will not be permitted to setoff any claim against the patients refund under this section, unless and until the ambulance service files suit against the patient in court seeking a determination that the ambulance service's claim is valid regarding the amount of the claim and that the claim is eligible for seoff under this section. Administrative costs incurred by the state agency and the claim clearinghouse shall be recovered from each claim being processed prior to the debt setoff for the ambulance service. To the extent that any ambulance service receives any payment pursuant to this section, the debt shall be deemed paid in full and the district is protected from pursuing any remedy.**

9. The director of the department of revenue and the director of the department of health and senior services shall promulgate rules and regulations necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Engler offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 3, Section 57.280, Line 21 of Page 2, by inserting after all of said lines the following:

"The claims clearing house shall only be used by a political subdivision emergency medical service."

On motion of Representative Engler, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Webber moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Bahr	Berry	Black	Burns
Cross	Dunn	English	Englund	Gatschenberger
Higdon	Hodges	Hubbard	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	May	Mayfield	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Neely	Newman	Nichols
Otto	Pierson	Reiboldt	Riddle	Rizzo
Scharnhorst	Schupp	Thomson	Walker	Walton Gray
Webber	Wieland	Wright		

NOES: 102

Allen	Anderson	Austin	Barnes	Bernskoetter
Brattin	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellinger	Ellington
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Frederick
Funderburk	Gannon	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Leara	Love	Lynch	Marshall	McCaherty
McCann Beatty	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neth	Norr	Pace
Parkinson	Peters	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Shull	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Torpey	Webb	White	Wilson
Wood	Mr Speaker			

PRESENT: 003

Roorda	Schieffer	Shumake
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ABSENT WITH LEAVE: 010

Brown	Franklin	Gardner	Guernsey	Hinson
Hummel	Kelly 45	Lichtenegger	Mims	Zerr

Representative Funderburk offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 8, Section 488.5029, Line 4, by striking the following: “the department of revenue and”; and

Further amend Line 10, by striking “departments” and inserting in lieu thereof the following:

“Department”; and

Further amend Line 12, by striking the word “each” and inserting in lieu thereof the following:

“the”; and

Further amend Lines 13-20, by striking all of said lines; and

Further amend said bill and section, Page 9, Lines 38-46, by striking all of said lines; and

Further amend said section by renumbering the subsections accordingly; and

Further amend Line 49, by striking “the department of revenue and”; and

Further amend Lines 54-55, by striking the following: “issuance, renewal, and suspension of a concealed carry endorsement and the”; and

Further amend Line 56, by inserting at the end of said line the word **“and”**; and

Further amend Lines 57-60, by striking all of said lines and inserting in lieu thereof the following:

“(5) The right of the debtor to apply in writing to the court in which the debt”; and

Further amend said bill, Pages 10-13, Section 571.104, by striking all of said section from the bill.

Representative Conway (104) offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 1, Line 20, by inserting after said line the following:

“Further amend said bill, Page 3, Section 57.280, Line 46, by inserting after the period on said line the following:

“The provisions of this subsection shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (104), **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Funderburk, **House Amendment No. 3, as amended**, was adopted.

Representative Brattin offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 13, Section 571.104, Line 122, by inserting after all of said section and line the following:

"590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a Department of Public Safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 4** is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Cierpiot	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Diehl
Dohrman	Dugger	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore

Haahr	Haefner	Hampton	Hansen	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 044

Black	Burns	Butler	Carpenter	Conway 10
Curtis	Dunn	Ellinger	Ellington	English
Englund	Frame	Harris	Hodges	Hubbard
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Anders	Brown	Burlison	Colona
Conway 104	Davis	Elmer	Franklin	Gardner
Guernsey	Hicks	Hummel	Kelly 45	Lichtenegger
Marshall	May	McCaherty	Mims	Neth
Pace	Pierson	Schatz		

On motion of Representative Brattin, **House Amendment No. 4** was adopted.

Representative Wilson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, Page 9, Section 488.5029, Line 70, by inserting after all of said line the following:

"488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, [excluding] **including** cases disposed of by a [traffic] violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; **except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the**

citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.

2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[3.] **4.** The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[4.] **5.** Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

6. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the Peace Officers Standards and Training Commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson, **House Amendment No. 5** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Anderson	Austin	Bahr	Barnes	Berry
Brattin	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lant	Lauer	Leara
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel

Neely	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Harris	Hodges	Hubbard
Hummel	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bernskoetter	Brown	Colona	Ellinger
Franklin	Gardner	Guernsey	Kelly 45	Lair
Lichtenegger	McCaherty	McDonald	Mims	Neth
Runions	Shull	Stream	Zerr	

On motion of Representative Jones (50), **HCS SCS SB 42, as amended**, was adopted.

On motion of Representative Jones (50), **HCS SCS SB 42, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGough
McKenna	McManus	Meredith	Messenger	Miller
Molendorp	Moon	Morgan	Morris	Muntzel

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Neely	Neth	Nichols	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 012

Curtis	Ellinger	Kirkton	Marshall	McNeil
Mitten	Montecillo	Newman	Norr	Pogue
Schupp	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Franklin	Gardner	Kelly 45	Lichtenegger
Mims				

Speaker Jones declared the bill passed.

SB 216, relating to first responder political activity, was taken up by Representative Hinson.

On motion of Representative Hinson, **SB 216** was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder

Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 001

Mitten

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Gardner	Haefner	Higdon	Kelly 45
Lichtenegger	Mims	Molendorp	Reiboldt	Zerr

Speaker Jones declared the bill passed.

HCS SCS SB 45, relating to judicial procedures, was taken up by Representative Hough.

Representative Cornejo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 3, Section 56.807, Line 74, by inserting after said line the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 1** was adopted.

Representative Elmer offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 4, Section 487.020, Line 32, by inserting after all of said section and line the following:

"478.320. 1. In counties having a population of thirty thousand or less, there shall be one associate circuit judge. In counties having a population of more than thirty thousand and less than one hundred thousand, there shall be two associate circuit judges. In counties having a population of one hundred thousand or more, there shall be three associate circuit judges and one additional associate circuit judge for each additional one hundred thousand inhabitants.

2. When the office of state courts administrator indicates in an annual judicial weighted workload model for three consecutive years or more the need for four or more full-time judicial positions in any judicial circuit having a population of one hundred thousand or more, there shall be one additional associate circuit judge position in such circuit for every four full-time judicial positions needed as indicated in the weighted workload model. In a multi-county circuit, the additional associate circuit judge positions shall be apportioned among the counties in the circuit on the basis of population, starting with the most populous county, then the next most populous county, and so forth.

3. For purposes of this section, notwithstanding the provisions of section 1.100, population of a county shall be determined on the basis of the last previous decennial census of the United States; and, beginning after certification of the year 2000 decennial census, on the basis of annual population estimates prepared by the United States Bureau of the Census, provided that the number of associate circuit judge positions in a county shall be adjusted only after population estimates for three consecutive years indicate population change in the county to a level provided by subsection 1 of this section.

[3.] **4.** Except in circuits where associate circuit judges are selected under the provisions of sections 25(a) to (g) of article V of the constitution, the election of associate circuit judges shall in all respects be conducted as other elections and the returns made as for other officers.

[4.] **5.** In counties not subject to sections 25(a) to (g) of article V of the constitution, associate circuit judges shall be elected by the county at large.

[5.] **6.** No associate circuit judge shall practice law, or do a law business, nor shall he **or she** accept, during his **or her** term of office, any public appointment for which he **or she** receives compensation for his services.

[6.] **7.** No person shall be elected as an associate circuit judge unless he **or she** has resided in the county for which he **or she** is to be elected at least one year prior to the date of his **or her** election; provided that, a person who is appointed by the governor to fill a vacancy may file for election and be elected notwithstanding the provisions of this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 2** was adopted.

Representative Scharnhorst offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 45, Page 5, Section 488.426, Line 20, by inserting after said line the following:

"Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown	Cierpiot	Fraker	Franklin	Gardner
Grisamore	Hubbard	Kelly 45	Lichtenegger	Mims
Molendorp	Reiboldt	Richardson	Webber	Zerr

On motion of Representative Hough, **HCS SCS SB 45, as amended**, was adopted.

On motion of Representative Hough, **HCS SCS SB 45, as amended**, was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 014

Bahr	Butler	Ellinger	Ellington	Marshall
Mitten	Newman	Parkinson	Pierson	Pogue
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Gardner	Kelly 45	Lichtenegger	Mims	Molendorp
Richardson	Webber	Zerr		

Speaker Jones declared the bill passed.

HCS SB 90, relating to elections, was taken up by Representative Dugger.

Representative Keeney assumed the Chair.

Representative Entlicher offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 90, Page 14, Section 115.493, Line 3, by enclosing in brackets the word: "twelve" on said line and inserting immediately thereafter the phrase:

"**twenty-two**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 1** was adopted.

Representative Lant offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23, by inserting after all of said line the following:

"79.070. No person shall be an alderman unless he or she is at least [twenty-one] **eighteen** years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 2** was adopted by the following vote:

AYES: 127

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
McCaherty	McGaugh	McKenna	Messenger	Miller
Molendorp	Moon	Morgan	Morris	Muntzel
Neely	Neth	Parkinson	Peters	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer

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Stream	Swan	Swearingen	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 026

Berry	Burns	Dohrman	Ellington	Frame
Hummel	Kratky	LaFaver	May	Mayfield
McCann Beatty	McManus	McNeil	Meredith	Mitten
Montecillo	Newman	Nichols	Norr	Otto
Pace	Pierson	Rizzo	Walton Gray	Webb
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Gardner	Kelly 45	Lichtenegger	Marshall
McDonald	Mims	Rehder	Ross	Webber

Representative Dugger offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 90, Page 15, Section 115.601, Line 48, by inserting after all of said section and line the following:

"116.030. The following shall be substantially the form of each page of referendum petitions on any law passed by the general assembly of the state of Missouri: County

Page No.

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter. PETITION FOR REFERENDUM To the Honorable, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and County (or city of St. Louis), respectfully order that the Senate (or House) Bill No. entitled (title of law), passed by the general assembly of the state of Missouri, at the regular (or special) session of the general assembly, shall be referred to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the day of,, unless the general assembly shall designate another date, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name. **Ballot title goes here.** Circulator's Affidavit State Of Missouri, County Of

I,, being first duly sworn, say (print or type names of signers)

REGISTERED VOTING NAME	DATE	ADDRESS	ZIP	CONGR. NAME (Signature)	SIGNED
(Street)(City, CODE DIST. (Printed Town or Village)	(Printed or Typed)				

____ (Here follow numbered lines for signers)

____ signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and County.

I am at least 18 years of age. I do do not (check one) expect to be paid for circulating this petition.
If paid, list the payer

Signature of Affiant

(Person obtaining signatures)

(Printed Name of Affiant)

Address of Affiant Subscribed and sworn to before me this day of, A.D.

Signature of Notary

Address of Notary Notary Public (Seal) My commission expires If this form is followed

County

Page No.

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the

We, the undersigned, registered voters of the state of Missouri and County (or city of St. Louis),

REGISTERED VOTING NAME	DATE	ADDRESS	ZIP	CONGR. NAME	(Signature)	SIGNED
------------------------	------	---------	-----	-------------	-------------	--------

Town or Village) or Typed)

(Here follow numbered lines for signers)

_____ signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County. **FURTHERMORE, I HEREBY SWEAR OR**

I am at least 18 years of age. I do do not (check one) expect to be paid for circulating this petition.

Signature of Affiant

(Person obtaining

signatures)

(Printed Name of Affiant)

Address of Affiant Subscribed and sworn to before me this day of, A.D.

.....

Signature of Notary

Address of Notary Notary Public (Seal) My commission expires If this form is followed substantially and the requirements of section 116.050 and section 116.080 are met, it shall be sufficient, disregarding clerical and merely technical errors.

116.080. 1. Each petition circulator shall be at least eighteen years of age and registered with the secretary of state. **No person shall qualify as a petition circulator who has been convicted of, found guilty of, or pled guilty to an offense involving forgery under the laws of this state or an offense under the laws of any other jurisdiction if that offense would be considered forgery under the laws of this state** [Signatures collected by any circulator who has not registered with the secretary of state pursuant to this chapter on or before 5:00 p.m. on the final day for filing petitions with the secretary of state shall not be counted.

2. Each petition circulator shall supply the following information to the secretary of state's office:

- (1) Name of petition;
- (2) Name of circulator;
- (3) Residential address, including street number, city, state and zip code;
- (4) Mailing address, if different;
- (5) Have you been or do you expect to be paid for soliciting signatures for this petition?
☐ YES ☐ NO;
- (6) If the answer to subdivision (5) is yes, then identify the payor;
- (7) Signature of circulator.

3. The circulator information required in subsection 2 of this section shall be submitted to the secretary of state's office with the following oath and affirmation:

I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT].

[4.] 2. Each petition circulator shall subscribe and swear to the proper affidavit on each petition page such circulator submits before a notary public commissioned in Missouri. When notarizing a circulator's signature, a notary public shall sign his or her official signature and affix his or her official seal to the affidavit only if the circulator personally appears before the notary and subscribes and swears to the affidavit in his or her presence.

[5.] 3. Any circulator who falsely swears to a circulator's affidavit knowing it to be false is guilty of a class A misdemeanor punishable, notwithstanding the provisions of section 560.021 to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both.

116.115. Any person who submits a sample sheet to or files an initiative petition with the secretary of state may withdraw the petition upon written notice to the secretary of state. If such notice is submitted to the secretary of state, the proposed petition shall no longer be circulated by any person, committee, or other entity. The secretary of state shall vacate the certification of the official ballot title within three days of receiving notice of the withdrawal.

116.153. Within thirty days of issuing certification that the petition contains a sufficient number of valid signatures pursuant to section 116.150, the joint committee on legislative research shall hold a public hearing in Jefferson City to take public comments concerning the proposed measure. Such hearing shall be a public meeting under chapter 610. Within five business days after the end of the public hearing, the joint committee on legislative research shall provide a summary of the hearing to the secretary of state or his or her designee and the secretary of state shall post a copy of the summary on the website of the office of the secretary of state.

116.190. 1. Any citizen who wishes to challenge the official ballot title or the fiscal note prepared for a proposed constitutional amendment submitted by the general assembly, by initiative petition, or by constitutional convention, or for a statutory initiative or referendum measure, may bring an action in the circuit court of Cole County. The action must be brought within ten days after the official ballot title is certified by the secretary of state in accordance with the provisions of this chapter.

2. The secretary of state shall be named as a party defendant in any action challenging the official ballot title prepared by the secretary of state. When the action challenges the fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be named as a party defendant. The president pro tem of the senate, the speaker of the house and the sponsor of the measure and the secretary of state shall be the named party defendants in any action challenging the official summary statement, fiscal note or fiscal note summary prepared pursuant to section 116.155.

3. The petition shall state the reason or reasons why the summary statement portion of the official ballot title is insufficient or unfair and shall request a different summary statement portion of the official ballot title. Alternatively, the petition shall state the reasons why the fiscal note or the fiscal note summary portion of the official ballot title is insufficient or unfair and shall request a different fiscal note or fiscal note summary portion of the official ballot title.

4. The action shall be placed at the top of the civil docket. Insofar as the action challenges the summary statement portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision certify the summary statement portion of the official ballot title to the secretary of state. Insofar as the action challenges the fiscal note or the fiscal note summary portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision, either certify the fiscal note or the fiscal note summary portion of the official ballot title to the secretary of state or remand the fiscal note or the fiscal note summary to the auditor for preparation of a new fiscal note or fiscal note summary pursuant to the procedures set forth in section 116.175. Any party to the suit may appeal to the supreme court within ten days after a circuit court decision. In making the legal notice to election authorities under section 116.240, and for the purposes of section 116.180, the secretary of state shall certify the language which the court certifies to him.

5. Any action brought under this section that is not fully and finally adjudicated within one hundred eighty days of filing, including all appeals, shall be extinguished, unless a court extends such period upon a finding of good cause for such extension. Such good cause shall consist only of court-related scheduling issues and shall not include requests for continuance by the parties.

116.332. 1. Before a constitutional amendment petition, a statutory initiative petition, or a referendum petition may be circulated for signatures, a sample sheet must be submitted to the secretary of state in the form in which it will be circulated. When a person submits a sample sheet of a petition he or she shall designate to the secretary of state the name and address of the person to whom any notices shall be sent pursuant to sections 116.140 and 116.180. The secretary of state shall refer a copy of the petition sheet to the attorney general for his approval and to the state auditor for purposes of preparing a fiscal note and fiscal note summary. The secretary of state and attorney general must each review the petition for sufficiency as to form and approve or reject the form of the petition, stating the reasons for rejection, if any.

2. Within two business days of receipt of any such sample sheet, the office of the secretary of state shall conspicuously post on its website the text of the proposed measure, a disclaimer stating that such text may not constitute the full and correct text as required under section 116.050, and the name of the person or organization submitting the sample sheet. The posting shall be removed within three days of either the withdrawal of the petition under section 116.115 or the rejection for any reason of the petition. The secretary of state's failure to comply with this section shall be considered a violation under subsection 3 of section 610.027.

3. Upon receipt of a petition from the office of the secretary of state, the attorney general shall examine the petition as to form. If the petition is rejected as to form, the attorney general shall forward his or her comments to the secretary of state within ten days after receipt of the petition by the attorney general. If the petition is approved as to form, the attorney general shall forward his or her approval as to form to the secretary of state within ten days after receipt of the petition by the attorney general.

[3.] 4. The secretary of state shall review the comments and statements of the attorney general as to form and make a final decision as to the approval or rejection of the form of the petition. The secretary of state shall send written notice to the person who submitted the petition sheet of the approval within [thirty] **fifteen** days after submission of the petition sheet. The secretary of state shall send written notice if the petition has been rejected, together with reasons for rejection, within [thirty] **fifteen** days after submission of the petition sheet.

116.334. 1. If the petition form is approved, the secretary of state shall **make a copy of the sample petition available on the secretary of state's website and refer a copy of the sample petition to the state auditor for purposes of preparing a fiscal note summary. For a period of fifteen days after the petition is approved as to form, the secretary of state shall accept public comments regarding the proposed measure and provide copies of such comments upon request.** Within [ten] **twenty-three** days of receipt of such approval, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure which shall be a concise statement not exceeding one hundred words. This statement shall be in the form of a question using language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. Signatures obtained prior to the date the official ballot title is certified by the secretary of state shall not be counted.

3. Signatures for statutory initiative petitions shall be filed not later than six months prior to the general election during which the petition's ballot measure is submitted for a vote, and shall also be collected not earlier than the day after the day upon which the previous general election was held.

Section B. The provisions of this act are severable. If any provision of this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions are valid except to the extent that the court finds the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the will of the people."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, House Amendment No. 3 was adopted.

Representative Hough offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said section and line the following:

"115.017. There shall be a board of election commissioners:

(1) In each county which has or hereafter has over nine hundred thousand inhabitants;

(2) In each city not situated in a county;

(3) [In each city which has over three hundred thousand inhabitants on January 1, 1978, and is situated in more than one county;

(4)] In each county of the first classification containing any part of a city which has over three hundred thousand inhabitants; provided that the county commission of a county which becomes a county of the first classification after December 31, 1998, may, prior to such date, adopt an order retaining the county clerk as the election authority. The county may subsequently establish a board of election commissioners as provided in subdivision [(5)] (4) of this section;

[(5)] (4) In each county of the first class which elects to have such a board through procedures provided in section 115.019.

115.021. 1. [In each city which has over three hundred thousand inhabitants on January 1, 1978, and is situated in more than one county, the board of election commissioners for the city shall have jurisdiction in that part of the city situated in the county containing the major portion of the city.

2. In each county of the first class containing the major portion of a city which has over three hundred thousand inhabitants, the board of election commissioners shall have jurisdiction in that part of the county outside the city.

3.] In each city not situated in a county, the board of election commissioners shall have jurisdiction throughout the city.

[4.] 2. In all other counties, the election authority shall have jurisdiction throughout the county.

3. In each county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government, the board of election commissioners shall have jurisdiction throughout such area.

115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the

board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. Notwithstanding the provisions of subsection 1 of this section to the contrary, in each county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government, the board of election commissioners shall be composed of the chairperson and vice chairperson of each of the following board of election commissioners holding office at the time of the enactment of this subsection until such commissioners are appointed pursuant to subsection 1 of section 115.029:

(1) The board of election commissioners that, at the time of the enactment of this subsection, has jurisdiction in the part of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is situated in the county containing the major portion of the city; and

(2) The board of election commissioners that, at the time of the enactment of this section, has jurisdiction in the part of a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants that is located outside of the city referenced in subdivision (1) of this subsection.

115.029. 1. In each county [of the first class containing the major portion of a city which has more than three hundred thousand inhabitants] **with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county, that is located in such county with a charter form of government,** each election commissioner shall be appointed [on April 21, 1982,] for a term of four years and until his successor is appointed, confirmed and sworn. Successors shall be appointed in like manner for a term of four years and until their successors are appointed, confirmed and sworn.

2. In each county containing a portion but not the major portion of a city which has more than three hundred thousand inhabitants, each election commissioner shall be appointed on June 15, 1981, for a term of four years and until his successor is appointed, confirmed and sworn. Successors shall be appointed in like manner for a term of four years and until their successors are appointed, confirmed and sworn. The first two election commissioners appointed after May 10, 1994, shall be appointed for terms of two years and until their successors are appointed, confirmed and sworn. One of those appointed to a two-year term shall be a member of one major political party and one shall be a member of the other major political party.

The next two election commissioners appointed, and all successors, shall be appointed for terms of four years and until their successors are appointed, confirmed and sworn.

3. In all other cities and counties which have or hereafter have a board of election commissioners, each commissioner's term of office shall coincide with the term of the governor who appoints him and until the commissioner's successor is appointed, confirmed and sworn."; and

Further amend said bill, Section 115.300, Page 8, Line 8, by inserting after all of said section and line the following:

"115.353. All declarations of candidacy shall be filed as follows:

(1) For presidential elector, United States senator, representative in Congress, statewide office, circuit judge not subject to the provisions of article V, section 25 of the Missouri Constitution, state senator and state representative, in the office of the secretary of state;

(2) For all county offices which for the purpose of election procedures shall include associate circuit judges not subject to the provisions of article V, section 25 of the Missouri Constitution, in the office of the county election authority;

(3) For all county offices, in the office of the county election authority. In any county in which there [are two boards] **is a board** of election commissioners, the [county clerk] **board of elections** shall be deemed to be the election authority for purposes of this section."; and

Further amend said bill, Section 115.601, Page 15, Line 48, by inserting after all of said section and line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person's election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. **No person who is an employee of a county, with the exception of a person elected to public office in such county, or has any contractual relationship with such county shall be elected to, or serve on, the county committee of such county unless such election or commencement of service occurs on or before November 4, 2013.** Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city.

3. In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4. In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

5. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

6. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

7. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 4** was adopted.

Representative Engler offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 90, Page 3, Section 77.030, Line 27, by inserting after all of said line the following:

"77.675. 1. In addition to the process for passing ordinances provided in section 77.080, the council of any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants may adopt or repeal any ordinance by passage of a bill that sets forth the ordinance and specifies that the ordinance so proposed shall be submitted to the registered voters of the city at the next municipal election. The bill shall be passed under the procedures in section 77.080, except that it shall take effect upon approval of a majority of the voters rather than upon the approval and signature of the mayor.

2. If the mayor approves the bill and signs it, the question shall be submitted to the voters in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance.)

☐ YES

☐ NO

3. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 5** was adopted.

Representative Dugger offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said section and line the following:

"115.121. 1. The general election day shall be the first Tuesday after the first Monday in November of even-numbered years.

2. The primary election day shall be the [first] ~~third~~ Tuesday after the first Monday in [August] ~~June~~ of even-numbered years.

3. The election day for the election of political subdivision and special district officers shall be the first Tuesday after the first Monday in April each year; and shall be known as the general municipal election day.

4. In addition to the primary election day provided for in subsection 2 of this section, for the year 2003, the first Tuesday after the first Monday in August, 2003, also shall be a primary election day for the purpose of permitting school districts and other political subdivisions of Missouri to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district or other political subdivision voting thereon, to provide funds for the acquisition, construction, equipping, improving, restoration, and furnishing of facilities to replace, repair, reconstruct, reequip, restore, and refurnish facilities damaged, destroyed, or lost due to severe weather, including, without limitation, windstorms, hail storms, flooding, tornadic winds, rainstorms and the like which occurred during the month of April or May, 2003.

5. Notwithstanding the provisions of subsection 1 of section 115.125, the officer or agency calling an election on the first Tuesday after the first Monday of August, 2003, shall notify the election authorities responsible for conducting the election not later than 5:00 p.m. on the sixth Tuesday prior to the election. For purposes of any such election, all references in section 115.125 to the tenth Tuesday prior to such election shall be deemed to refer to the sixth Tuesday prior to such election.

6. In addition to the general election day provided for in subsection 1 of this section, for the year 2009 the first Tuesday after the first Monday in November shall be a general election day for the purpose of permitting school districts to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district, to provide funds for school districts to acquire, construct, equip, improve, restore, and furnish public school facilities in accordance with the provisions of Section 54F of the Internal Revenue Code of 1986, as amended, which provides for qualified school construction bonds and the provisions of Section 54AA of the Internal Revenue Code of 1986, as amended, which provides for build

America bonds, as well as in accordance with the provisions of Section 103 of the Internal Revenue Code of 1986, as amended, which provides for traditional government bonds."; and

Further amend said bill, Section 115.300, Page 8, Line 8, by inserting after all of said section and line the following:

"115.341. For the nomination of candidates to be elected at the next general election, a primary election shall be held on the [first] **third** Tuesday after the first Monday in [August] **June** of even-numbered years.

115.349. 1. Except as otherwise provided in sections 115.361 to 115.383 or sections 115.755 to 115.785, no candidate's name shall be printed on any official primary ballot unless the candidate has filed a written declaration of candidacy in the office of the appropriate election official by 5:00 p.m. on the [last] **first** Tuesday in [March] **February** immediately preceding the primary election.

2. No declaration of candidacy for nomination in a primary election shall be accepted for filing prior to 8:00 a.m. on the [last] **second** Tuesday in [February] **January** immediately preceding the primary election.

3. Each declaration of candidacy for nomination in a primary election shall state the candidate's full name, residence address, office for which such candidate proposes to be a candidate, the party ticket on which he or she wishes to be a candidate and that if nominated and elected he or she will qualify. The declaration shall be in substantially the following form: I,, a resident and registered voter of the county of and the state of Missouri, residing at, do announce myself a candidate for the office of on the party ticket, to be voted for at the primary election to be held on the day of, ..., and I further declare that if nominated and elected to such office I will qualify. Subscribed and sworn to Signature of candidate before me this day of, Residence address Signature of election official or other officer authorized to administer oaths Mailing address (if different) Telephone Number (Optional) If the declaration is to be filed in person, it shall be subscribed and sworn to by the candidate before an official authorized to accept his or her declaration of candidacy. If the declaration is to be filed by certified mail pursuant to the provisions of subsection 2 of section 115.355, it shall be subscribed and sworn to by the candidate before a notary public or other officer authorized by law to administer oaths."; and

Further amend said bill, Section 115.601, Page 15, Line 48, by inserting after all of said section and line the following:

"Section B. The repeal and reenactment of sections 115.121, 115.341, and 115.349 of section A of this act shall become effective on January 1, 2016."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris

Muntzel	Neely	Neth	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Curtman	Funderburk	Gardner	Haahr
Hinson	Kelly 45	Lichtenegger	McDonald	Mims
Molendorp	Parkinson	Swan	Webber	Zerr

On motion of Representative Dugger, **House Amendment No. 6** was adopted by the following vote:

AYES: 087

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Conway 104	Cookson
Cornejo	Cox	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Hampton	Hansen	Hicks	Higdon
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Moon	Morris
Muntzel	Neely	Pfautsch	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Walker	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 064

Anders	Berry	Black	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Crawford
Curtis	Dunn	Ellinger	Ellington	Elmer
English	Englund	Frame	Franklin	Haefner
Harris	Hodges	Hoskins	Hough	Hubbard
Hummel	Justus	Kirkton	Korman	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Miller
Mitten	Montecillo	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Torpey
Walton Gray	Webb	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Funderburk	Gardner	Grisamore	Hinson
Kelly 45	Lichtenegger	Mims	Molendorp	Parkinson
Phillips	Webber			

Representative Jones (50) offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23, by inserting after said line the following:

"96.229. 1. Notwithstanding subsection 5 of section 96.150 regarding the lease of substantially all of a hospital where the board of trustees is lessor, a city in which a hospital is located that:

(1) Is organized and operated under this chapter;

(2) Has not accepted appropriated funds from the city during the prior twenty years; and

(3) Is licensed by the department of health and senior services for two hundred beds or more pursuant to sections 197.010 to 197.120, shall not have authority to sell, lease, or otherwise transfer all or substantially all of the property from a hospital organized under this chapter, both real and personal, except in accordance with this section.

2. Upon filing with the city clerk of a resolution adopted by no less than two-thirds of the incumbent members of the board of trustees to sell, lease, or otherwise transfer all or substantially all of the hospital property, both real and personal, for reasons specified in the resolution, the clerk shall present the resolution to the city council. If a majority of the incumbent members of the city council determine that sale, lease, or other transfer of the hospital property is desirable, the city council shall submit to the voters of the city the question in substantially the following form:

"Shall the city council of, Missouri and the board of trustees of hospital be authorized to sell (or lease or otherwise transfer) the property, real and personal, of hospital as approved by, and in accordance with, the resolution of the board of trustees authorizing such sale (or lease or transfer)?"

A majority of the votes cast on such question shall be required in order to approve and authorize such sale, lease or other transfer. If the question receives less than the required majority, then the city council and the board of trustees shall have no power to sell, lease or otherwise transfer the property, real and personal, of the hospital unless and until the city council has submitted another question to authorize such sale, lease or transfer authorized under this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section and after the adoption of another resolution

by no less than two-thirds of the board of trustees and a subsequent vote by a majority of the city council to again submit the question to the voters.

3. Upon passage of such question by the voters, the board of trustees shall sell and dispose of such property, or lease or transfer such property, in the manner proposed by the board of trustees. The deed of the board of trustees, duly authorized by the board of trustees and duly acknowledged and recorded, shall be sufficient to convey to the purchaser all the rights, title, interest, and estate in the hospital property.

4. No sale, lease, or other transfer of such hospital property shall be authorized or effective unless such transaction provides sufficient proceeds to be available to be applied to the payment of all interest and principal of any outstanding valid indebtedness incurred for purchase of the site or construction of the hospital, or for any repairs, alterations, improvements, or additions thereto, or for operation of the hospital.

5. Assets donated to the hospital pursuant to section 96.210 shall be used to provide health care services in the city and in the geographic region previously served by the hospital, except as otherwise prescribed by the terms of the deed, gift, devise, or bequest."; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting after said line the following:

"Section B. Because of the need to ensure local hospitals can continue the purpose of providing the best care and treatment of the sick, disabled, and infirm persons as decided on by the people in the affected community, the enactment of section 96.229 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 96.229 of this act shall be in full force and effect upon its passage its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 7** was adopted.

Representative Fraker offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 90, Page 1, Section A, Line 7, by inserting after all of said line the following:

"11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state or a designated employee of the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 8** was adopted.

Representative McGaugh offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 90, Page 5, Section 115.124, Line 41, by inserting after all of said section and line the following:

"115.135. 1. Any person who is qualified to vote, or who shall become qualified to vote on or before the day of election, shall be entitled to register in the jurisdiction within which he or she resides. In order to vote in any election for which registration is required, a person must be registered to vote in the jurisdiction of his or her residence no later than 5:00 p.m., or the normal closing time of any public building where the registration is being held if such time is later than 5:00 p.m., on the fourth Wednesday prior to the election, unless the voter is an interstate former resident, an intrastate new resident or a new resident, as defined in section 115.275. In no case shall registration for an election extend beyond 10:00 p.m. on the fourth Wednesday prior to the election. Any person registering after such date shall be eligible to vote in subsequent elections.

2. A person applying to register with an election authority or a deputy registration official shall identify himself or herself by presenting a copy of a birth certificate, a Native American tribal document, other proof of United States citizenship, a valid Missouri drivers license or other form of personal identification at the time of registration. **Any documentation presented under this subsection must contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted.**

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 9** was adopted.

Representative McCaherty offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 90, Section 115.300, Page 8, Line 8, by inserting after all of said line the following:

"115.342. 1. Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

2. Each potential candidate for election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

..... Candidate's Signature

..... Printed Name of Candidate.

3. Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department

shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.

4. No person shall be appointed to any public office if the person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence, or any county or municipal taxes or user fees.

115.346. 1. Notwithstanding any other provisions of law to the contrary, no person shall be certified as a candidate for a municipal office, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid city taxes or municipal user fees on the last day to file a declaration of candidacy for the office.

2. No person shall be appointed to any public office if the person is delinquent in the payment of any state income taxes, personal property taxes, real property taxes on the place of residence, or any county or municipal taxes or user fees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 10** was adopted.

Representative Fitzpatrick offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 90, Page 1, In the Title, Line 4, by inserting after "RSMo," the following:

"and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following:

"and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Page 3, Section 77.030, Line 27, by deleting the words "**the adoption of the ordinance or**"; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting after all of said line the following:

"[77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each

annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

**Shall the terms of council members which are currently set at two years in.....
(city) be extended to four years for members elected after August 28, 2013?**

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fitzpatrick, **House Amendment No. 11** was adopted.

Representative Diehl offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 115.007, Line 3, by inserting after all of said section and line the following:

"115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. The term of service of any such individual appointed to serve as an election commissioner under this section in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants prior to the effective date of this section shall terminate as of the effective date of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 12** was adopted.

Representative Muntzel offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 90, Section 115.601, Page 15, Line 48, by inserting after all of said line the following:

"205.207. 1. The governing body of any county of the third classification without a township form of government and with more than sixteen thousand but fewer than eighteen thousand inhabitants and with a city of the third classification with more than eight thousand but fewer than nine thousand inhabitants as the county seat, that operates a hospital established under this chapter may, by resolution, abolish the property tax authorized to fund the county under this chapter and impose a sales tax on all retail sales made within the county which are subject to under chapter 144. The tax authorized in this section shall be not more than two percent, and shall be imposed solely for the purpose of funding the county hospital. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the county hospital, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The

director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Muntzel, **House Amendment No. 13** was adopted.

Representative Gatschenberger offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 90, Section 54.330, Page 2, Line 22, by inserting after all of said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and ~~the~~ Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of the adoption of the annexation ordinance.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 14** was adopted.

Representative Engler offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 90, Page 2, Section 54.330, Line 22, by inserting after all of said line the following:

"71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days' notice thereof, either personally or by United States mail to the owner or owners, or the owner's agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or

informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants, or in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants**, the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first

classification where such city establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Curtis offered **House Amendment No. 1 to House Amendment No. 15.**

*House Amendment No. 1
to
House Amendment No. 15*

AMEND House Amendment No. 15 to House Committee Substitute for Senate Bill No. 90, Page 4, Line 25, by inserting after all of said section and line the following:

'Further amend said bill, Section 115.601, Page 15, Line 48, by inserting after all of said section and line the following:

"Section 1. Notwithstanding any other provision of law, beginning November 1, 2014, all elections to the office of state representative shall be "at large"."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Curtis moved that **House Amendment No. 1 to House Amendment No. 15** be adopted.

Which motion was defeated by the following vote:

AYES: 009

Curtis	Ellinger	Hubbard	May	McNeil
Pace	Schupp	Walton Gray	Webb	

NOES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Peters

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Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Shull	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Cross	Gardner	Hinson	Kelly 45	Lichtenegger
Mims	Scharnhorst	Shumake	Webber	Zerr

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Curtman	Franklin	Gardner	Hinson	Kelly 45
Lichtenegger	Mims	Scharnhorst	Webber	Zerr

On motion of Representative Engler, **House Amendment No. 15** was adopted.

Representative Korman offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 90, Page 15, Section 115.601, Line 48, by inserting after said line the following:

"247.060. 1. The management of the business and affairs of the district is hereby vested in a board of directors, who shall have all the powers conferred upon the district except as herein otherwise provided. It shall be composed of five members, each of whom shall be a voter of the district and shall have resided in said district one whole year immediately prior to his **or her** election[, or if not a voter or resident of said district, shall have received service from the district at his or her primary place of residence one whole year immediately prior to his or her election]. A member shall be at least twenty-five years of age and shall not be delinquent in the payment of taxes at the time of his election. Except as provided in subsection 2 of this section, the term of office of a member of the board shall be three years. The remaining members of the board shall appoint a qualified person to fill any vacancy on the board. If no qualified person who lives in the subdistrict for which there is a vacancy is willing to serve on the board, the board may appoint an otherwise qualified person who lives in the district but not in the subdistrict in which the vacancy exists to fill such vacancy.

2. After notification by certified mail that he or she has two consecutive unexcused absences, any member of the board failing to attend the meetings of the board for three consecutive regular meetings, unless excused by the board for reasons satisfactory to the board, shall be deemed to have vacated the seat, and the secretary of the board shall certify that fact to the board. The vacancy shall be filled as other vacancies occurring in the board.

3. The initial members of the board shall be appointed by the circuit court and one shall serve until the immediately following first Tuesday after the first Monday in April, two shall serve until the first Tuesday after the first Monday in April on the second year following their appointment and the remaining appointees shall serve until the first Tuesday after the first Monday in April on the third year following their appointment. On the expiration of such terms and on the expiration of any subsequent term, elections shall be held as otherwise provided by law, and such elections shall be held in April pursuant to section 247.180.

4. In 2008, 2009, and 2010, directors elected in such years shall serve from the first Tuesday after the first Monday in June until the first Tuesday in April of the third year following the year of their election. All directors elected thereafter shall serve from the first Tuesday in April until the first Tuesday in April of the third year following the year of their election.

5. Each member of the board may receive an attendance fee not to exceed one hundred dollars for attending each regularly called board meeting, or special meeting, but shall not be paid for attending more than two meetings in any calendar month, except that in a county of the first classification, a member shall not be paid for attending more than four meetings in any calendar month. However, no board member shall be paid more than one attendance fee if such member attends more than one board meeting in a calendar week. In addition, the president of the board of directors may receive fifty dollars for attending each regularly or specially called board meeting, but shall not be paid the additional fee for attending more than two meetings in any calendar month. Each member of the board shall be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district.

6. In no event, however, shall a board member receive any attendance fees or additional compensation authorized in subsection 5 of this section until after such board member has completed a minimum of six hours training regarding the responsibilities of the board and its members concerning the basics of water treatment and distribution, budgeting and rates, water utility planning, the funding of capital improvements, the understanding of water utility financial statements, the Missouri sunshine law, and this chapter.

7. The circuit court of the county having jurisdiction over the district shall have jurisdiction over the members of the board of directors to suspend any member from exercising his or her office, whensoever it appears that he or she has abused his or her trust or become disqualified; to remove any member upon proof or conviction of gross misconduct or disqualification for his or her office; or to restrain and prevent any alienation of property of the district by members, in cases where it is threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of the district.

8. The jurisdiction conferred by this section shall be exercised as in ordinary cases upon petition, filed by or at the instance of any member of the board, or at the instance of any ten voters residing in the district who join in the petition, verified by the affidavit of at least one of them. The petition shall be heard in a summary manner after ten days' notice in writing to the member or officer complained of. An appeal shall lie from the judgment of the circuit court as in other causes, and shall be speedily determined; but an appeal does not operate under any condition as a supersedeas of a judgment of suspension or removal from office.

247.080. 1. The exercise of the powers conferred upon the district by sections 247.010 to 247.220 shall be by its board of directors, acting as a board.

2. The board shall have power and it shall be its duty to employ necessary help and to contract for such professional service as the demands of the district require in creating and operating a waterworks system contemplated in this law, and shall pay out of the funds of the district available for such purposes reasonable compensation for the service rendered. It shall have made by a competent accountant an annual audit of the receipts and expenditures of the district. All persons employed shall serve for an indefinite term and at the will of the board, and party politics shall not enter into the selection of employees.

3. The board shall have regular monthly meetings and the president thereof may call special meetings as occasion requires. It shall establish an office for its meeting place and for the transaction of business.

4. All persons charged with handling of funds shall be required to give bond to be fixed and approved by the board, but at the expense of the district.

5. All contracts made by the district shall conform to [law] **section 432.070** governing contracts [of other municipal corporations]. It shall have power to authorize and enter into all contracts in behalf of the district, and shall provide an official seal for district, and all official documents shall be attested by the seal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 16** was adopted.

Representative Guernsey offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 90, Page 4, Section 78.090, Line 23, by inserting after all of said section and line the following:

"96.155. 1. The board of trustees of a hospital established under this chapter, with the concurrence of the council of the city of the third class, may, by resolution, abolish the property tax authorized by section 96.150 to fund the operations of a hospital in accordance with sections 96.150 to 96.228 and impose a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the operations of a hospital under sections 96.150 to 96.228. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the board of trustees of such a hospital submits to the voters residing within the city of the third class at a state general, primary, or special election a proposal to authorize the board of trustees to impose a tax under this section. If two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than two-thirds of the votes cast on the question by the qualified voters

voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by two-thirds of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital operated under sections 96.150 to 96.228, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City of the Third Class City Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the board of trustees of the city hospital for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such board of trustees. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city of the third class. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city of the third class equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the board of trustees shall submit to the voters of the city of the third class a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the board of trustees shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city of the third class, the director shall remit the balance in the account to the district and close the account of that city hospital. The director shall notify each board of trustees of each instance of any amount refunded or any check redeemed from receipts due the hospital operated under sections 96.150 to 96.228."; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting after all of said section and line the following:

"144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570 **or sections 96.150 to 92.228**, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or section 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165**, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

205.205. 1. The governing body of any [hospital district] **county which has established a county hospital** under sections 205.160 to 205.379 [in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants or any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants] may, by resolution, abolish the property tax authorized [in such district] **by section 205.200 to fund a county hospital** under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the **county hospital** [district]. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the [hospital district] **county** submits to the voters residing within the [district] **county** at a state general, primary, or special election a proposal to authorize the governing body of the [district] **county** to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the **county hospital** [district], except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "**County Hospital** [District] Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the [district] **county** equal to at least ten percent of the number of registered voters of the [district] **county** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the [district] **county** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the [hospital district] **county** shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the [district] **county** and close the account of that [district] **county**. The director shall notify each [district] **county** of each instance of any amount refunded or any check redeemed from receipts due the [district] **county**.

7. The levy of a sales tax by a county under this section or section 205.202 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the county.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall not be more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. The levy of a sales tax by a hospital district under section 205.205 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the hospital district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 17** was adopted.

Representative Hough offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 90, Page 1, Section A, Line 7, by inserting immediately after said line the following:

"32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. **(1)** The ordinance or order imposing a local sales tax under the local sales tax law shall impose **a tax** upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax

to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.

(4) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] imposed at the rate in effect at the location of the residence of the purchaser, and remitted to that local taxing entity** and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller** [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] **required to be titled under the laws of the state of Missouri**, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution

and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax."; and

Further amend said bill, Page 15, Section 115.601, Line 48, by inserting immediately after said line the following:

"144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection,** upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection,** a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.".

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.** Except as otherwise provided, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020** and sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their "gross receipts", defined herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected **and remitted** on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term "boat" includes all motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] 2. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisement by the director.

[4.] 3. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] 4. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] sales tax shall

be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] **5.** In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] sales tax[,], all of its lease receipts would be subject to the [use] sales tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] **6.** The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

[4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

[5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

[6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

[7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

[8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020 on the titling of** motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and sections 144.440 to 144.455, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by subdivision (9) of subsection 1 of section [144.440] 144.020 on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020,** purchased on or after the effective date of sections 144.600 to 144.745 in an

amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1 of this section** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020;**

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state.

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act.

Section B. Because of the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace

and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 048

Anders	Black	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Shupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Burns	Curtman	Flanigan	Gardner	Hinson
Kelly 45	Lichtenegger	Mims	Scharnhorst	Shumake
Webber	Zerr			

On motion of Representative Hough, **House Amendment No. 18** was adopted.

Representative Cox offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Bill No. 90, Pages 4-5, Section 115.124, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Frame	Gardner	Hinson	Kelly 45	Lichtenegger
Mims	Roorda	Runions	Scharnhorst	Spencer
Webber	Zerr			

Representative Cox moved that **House Amendment No. 19** be adopted.

Which motion was defeated.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

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ABSENT WITH LEAVE: 013

Fraker	Frame	Gardner	Hinson	Kelly 45
Lichtenegger	Mims	Moon	Roorda	Scharnhorst
Spencer	Webber	Zerr		

On motion of Representative Dugger, **HCS SB 90, as amended**, was adopted.

On motion of Representative Dugger, **HCS SB 90, as amended**, was read the third time and passed by the following vote:

AYES: 085

Allen	Anderson	Austin	Barnes	Bernskoetter
Brown	Carpenter	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Jones 50	Keeney	Kelley 127
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Muntzel	Neth	Nichols
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Shull
Shumake	Solon	Stream	Swan	Swearingen
Thomson	Walker	Wilson	Wood	Mr Speaker

NOES: 067

Anders	Bahr	Berry	Black	Brattin
Burlison	Burns	Butler	Cierpiot	Colona
Curtis	Curtman	Dunn	Ellinger	Ellington
English	Englund	Fitzpatrick	Frame	Haahr
Harris	Hodges	Hubbard	Hummel	Johnson
Justus	Kirkton	Koenig	Kratky	LaFaver
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Moon	Morgan	Morris	Neely
Newman	Norr	Otto	Pace	Parkinson
Peters	Pierson	Pogue	Rizzo	Roorda
Runions	Schieber	Schieffer	Schupp	Smith 85
Sommer	Torpey	Walton Gray	Webb	White
Wieland	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 011

Gardner	Hinson	Kelly 45	Lichtenegger	Mims
Molendorp	Scharnhorst	Smith 120	Spencer	Webber
Zerr				

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Mitten	Moon
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Otto	Parkinson	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 016

Curtis	Ellington	Frame	Leara	Marshall
May	McNeil	Meredith	Montecillo	Newman
Norr	Pace	Peters	Pogue	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Gardner	Hinson	Kelly 45	Lichtenegger	Mims
Molendorp	Riddle	Scharnhorst	Smith 85	Webber
Zerr				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 199**, entitled:

An act to repeal 32.087, 77.030, 115.003, 115.005, 115.007, 115.121, 115.249, 115.259, 115.281, 115.299, 115.300, 115.341, 115.349, 115.383, 115.419, 115.423, 115.433, 115.436, 115.439, 115.449, 115.455, 115.456, 115.493, 115.607, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, 144.615, 190.335, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof forty-one new sections relating to elections, with an effective date for certain sections and an emergency clause for a certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Page 16, Section 115.007, Line 9, by inserting immediately after said line the following:

"115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, to the board of election commissioners in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Page 57, Section 190.335, Line 2, by inserting after all of said line the following:

"198.310. 1. For the purpose of purchasing nursing home district sites, erecting nursing homes and related facilities and furnishing the same, building additions to and repairing old buildings, the board of directors may borrow money and issue bonds for the payment thereof in the manner provided herein. The question of the loan shall be submitted by an order of the board of directors of the district. Notice of the submission of the question, the amount and the purpose of the loan shall be given as provided in section 198.250.

2. The question shall be submitted in substantially the following form:

Shall the Nursing Home District borrow money in the amount of dollars for the purpose of and issue bonds in payment thereof?

3. If [two-thirds] **the constitutionally required percentage** of the votes cast are for the loan, the board shall, subject to the restrictions of subsection 4, be vested with the power to borrow money in the name of the district, to the amount and for the purposes specified on the ballot, and issue the bonds of the district for the payment thereof.

4. The loans authorized by this section shall not be contracted for a period longer than twenty years, and the entire amount of the loan shall at no time exceed, including the existing indebtedness of the district, in the aggregate, ten percent of the value of taxable tangible property therein, as shown by the last completed assessment for state and county purposes, the rate of interest to be agreed upon by the parties, but in no case to exceed the highest legal rate allowed by contract; when effected, it shall be the duty of the directors to provide for the collection of an annual tax sufficient to pay the interest on the indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within the time the principal becomes due.

198.345. Nothing in sections 198.200 to 198.350 shall prohibit a nursing home district from establishing and maintaining apartments for seniors that provide at a minimum housing[, and food services[, and emergency call buttons to the apartment residents] in any county of the third **or fourth** classification [without a township form of government and with more than twenty-eight thousand two hundred but fewer than twenty-eight thousand three hundred inhabitants or any county of the third classification without a township form of government and with more than nine thousand five hundred fifty but fewer than nine thousand six hundred fifty inhabitants] **within its corporate limits**. Such nursing home districts shall not lease such apartments for less than fair market rent as reported by the United States Department of Housing and Urban Development."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Page 61, Section C, Line 1, by inserting after the word "community", the following:

", because of the need to ensure fair representation on boards of election commissioners"; and

Further amend Line 6, by inserting after the number "32.087", the following:

", 115.027"; and

Further amend Line 12, by inserting after the number "32.087", the following:

", 115.027".

Senate Amendment No. 5

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Page 2, Section A, Line 2, by inserting after all of said line the following:

"26.226. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election. The candidates for the election shall be nominated and placed on the ballot in accordance with the provisions of sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. During any period of time when the office of lieutenant governor is vacant, the chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy, provided however, that any duties of the lieutenant governor as president of the senate shall be performed by the president pro tempore of the senate during the period of such vacancy."; and

Further amend said bill, Page 61, Section C, Line 1, by inserting after the word "community" the following:

", because of the need to determine how to fill a vacancy in the office of lieutenant governor"; and

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Further amend Line 8, by inserting after the word "sections" the following:

"26.226,"; and

Further amend Line 14, by inserting after the word "sections" the following:

"26.226,"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Pages 12-13, Section 77.030, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Committee Substitute for House Bill No. 199, Page 13, Section 77.030, Line 15, by inserting immediately after said line, the following:

"78.090. **1.** Candidates to be voted for at all general municipal elections at which a mayor and councilmen are to be elected under the provisions of sections 78.010 to [78.420] **78.400** shall be nominated by a primary election, **except as provided in this section**, and no other names shall be placed upon the general ballot except those selected in the manner herein prescribed. The primary election for such nomination shall be held on the first Tuesday after the first Monday in February preceding the municipal election.

2. (1) In lieu of conducting a primary election under this section, any city organized under sections 78.010 to 78.400 may, by order or ordinance, provide for the elimination of the primary election and the conduct of elections for mayor and councilman as provided in this subsection.

(2) Any person desiring to become a candidate for mayor or councilman shall file with the city clerk a signed statement of such candidacy, stating whether such person is a resident of the city and a qualified voter of the city, that the person desires to be a candidate for nomination to the office of mayor or councilman to be voted upon at the next municipal election for such office, that the person is eligible for such office, that the person requests to be placed on the ballot, and that such person will serve if elected. Such statement shall be sworn to or affirmed before the city clerk.

(3) Under the requirements of section 115.023, the city clerk shall notify the requisite election authority who shall cause the official ballots to be printed, and the names of the candidates shall appear on the ballots in the order that their statements of candidacy were filed with the city clerk. Above the names of the candidates shall appear the words "Vote for (number to be elected)". The ballot shall also include a warning that voting for more than the total number of candidates to be elected to any office invalidates the ballot."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 542**, entitled:

An act to repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, and 413.225, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 24, Section 413.225, Line 28 of said page, by inserting immediately after said line the following:

"644.052. 1. Persons with operating permits or permits by rule issued pursuant to this chapter shall pay fees pursuant to subsections 2 to 8 and 12 to 13 of this section. Persons with a sewer service connection to public sewer systems owned or operated by a city, public sewer district, public water district or other publicly owned treatment works shall pay a permit fee pursuant to subsections 10 and 11 of this section.

2. A privately owned treatment works or an industry which treats only human sewage shall annually pay a fee based upon the design flow of the facility as follows:

- (1) One hundred dollars if the design flow is less than five thousand gallons per day;
- (2) One hundred fifty dollars if the design flow is equal to or greater than five thousand gallons per day but less than six thousand gallons per day;
- (3) One hundred seventy-five dollars if the design flow is equal to or greater than six thousand gallons per day but less than seven thousand gallons per day;
- (4) Two hundred dollars if the design flow is equal to or greater than seven thousand gallons per day but less than eight thousand gallons per day;
- (5) Two hundred twenty-five dollars if the design flow is equal to or greater than eight thousand gallons per day but less than nine thousand gallons per day;
- (6) Two hundred fifty dollars if the design flow is equal to or greater than nine thousand gallons per day but less than ten thousand gallons per day;
- (7) Three hundred seventy-five dollars if the design flow is equal to or greater than ten thousand gallons per day but less than eleven thousand gallons per day;
- (8) Four hundred dollars if the design flow is equal to or greater than eleven thousand gallons per day but less than twelve thousand gallons per day;
- (9) Four hundred fifty dollars if the design flow is equal to or greater than twelve thousand gallons per day but less than thirteen thousand gallons per day;
- (10) Five hundred dollars if the design flow is equal to or greater than thirteen thousand gallons per day but less than fourteen thousand gallons per day;
- (11) Five hundred fifty dollars if the design flow is equal to or greater than fourteen thousand gallons per day but less than fifteen thousand gallons per day;
- (12) Six hundred dollars if the design flow is equal to or greater than fifteen thousand gallons per day but less than sixteen thousand gallons per day;
- (13) Six hundred fifty dollars if the design flow is equal to or greater than sixteen thousand gallons per day but less than seventeen thousand gallons per day;
- (14) Eight hundred dollars if the design flow is equal to or greater than seventeen thousand gallons per day but less than twenty thousand gallons per day;
- (15) One thousand dollars if the design flow is equal to or greater than twenty thousand gallons per day but less than twenty-three thousand gallons per day;
- (16) Two thousand dollars if the design flow is equal to or greater than twenty-three thousand gallons per day but less than twenty-five thousand gallons per day;
- (17) Two thousand five hundred dollars if the design flow is equal to or greater than twenty-five thousand gallons per day but less than thirty thousand gallons per day;
- (18) Three thousand dollars if the design flow is equal to or greater than thirty thousand gallons per day but less than one million gallons per day; or

(19) Three thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

3. Persons who produce industrial process wastewater which requires treatment and who apply for or possess a site-specific permit shall annually pay:

(1) Five thousand dollars if the industry is a class IA animal feeding operation as defined by the commission; or

(2) For facilities issued operating permits based upon categorical standards pursuant to the Federal Clean Water Act and regulations implementing such act:

(a) Three thousand five hundred dollars if the design flow is less than one million gallons per day; or

(b) Five thousand dollars if the design flow is equal to or greater than one million gallons per day.

4. Persons who apply for or possess a site-specific permit solely for industrial storm water shall pay an annual fee of:

(1) One thousand three hundred fifty dollars if the design flow is less than one million gallons per day; or

(2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than one million gallons per day.

5. Persons who produce industrial process wastewater who are not included in subsection 2 or 3 of this section shall annually pay:

(1) One thousand five hundred dollars if the design flow is less than one million gallons per day; or

(2) Two thousand five hundred dollars if the design flow is equal to or greater than one million gallons per day.

6. Persons who apply for or possess a general permit shall pay:

(1) Three hundred dollars for the discharge of storm water from a land disturbance site;

(2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;

(3) One hundred fifty dollars for the operation of an animal feeding operation or a concentrated animal feeding operation;

(4) One hundred fifty dollars annually for new permits for the discharge of process water or storm water potentially contaminated by activities not included in subdivisions (1) to (3) of this subsection. Persons paying fees pursuant to this subdivision with existing general permits on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed general permits on the same facility after August 27, 2000, shall pay sixty dollars annually;

(5) Up to two hundred fifty dollars annually for the operation of an aquaculture facility.

7. Requests for modifications to state operating permits on entities that charge a service connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred dollar fee. The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

8. Requests for state operating permit modifications other than those described in subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the annual operating fee assessed for the facility pursuant to this section. **However, requests for modifications for such operating permits that seek name changes, address changes, or other nonsubstantive changes to the operating permit shall be accompanied by a fee of one hundred dollars.** The department may waive the fee if it is determined that the necessary modification was either initiated by the department or caused by an error made by the department.

9. Persons requesting water quality certifications in accordance with Section 401 of the Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard application form for a Section 404 permit as administered by the U.S. Army Corps of Engineers or similar information required for other federal licenses and permits, except that the fee is waived for water quality certifications issued and accepted for activities authorized pursuant to a general permit or nationwide permit by the U.S. Army Corps of Engineers.

10. Persons with a direct or indirect sewer service connection to a public sewer system owned or operated by a city, public sewer district, public water district, or other publicly owned treatment works shall pay an annual fee per water service connection as provided in this subsection. Customers served by multiple water service connections shall pay such fee for each water service connection, except that no single facility served by multiple connections shall pay more than a total of seven hundred dollars per year. The fees provided for in this subsection shall be collected by the agency billing such customer for sewer service and remitted to the department. The fees may be collected in monthly, quarterly or annual increments, and shall be remitted to the department no less frequently than annually. The fees collected shall not exceed the amounts specified in this subsection and, except as provided in subsection 11 of this section, shall be collected at the specified amounts unless adjusted by the commission in rules. The annual fees shall not exceed:

(1) For sewer systems that serve more than thirty-five thousand customers, forty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(2) For sewer systems that serve equal to or less than thirty-five thousand but more than twenty thousand customers, fifty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(3) For sewer systems that serve equal to or less than twenty thousand but more than seven thousand customers, sixty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(4) For sewer systems that serve equal to or less than seven thousand but more than one thousand customers, seventy cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(5) For sewer systems that serve equal to or less than one thousand customers, eighty cents per residential customer as defined by the provider of said sewer service until such time as the commission promulgates rules defining the billing procedure;

(6) Three dollars for commercial or industrial customers not served by a public water system as defined in chapter 640;

(7) Three dollars per water service connection for all other customers with water service connections of less than or equal to one inch excluding taps for fire suppression and irrigation systems;

(8) Ten dollars per water service connection for all other customers with water service connections of more than one inch but less than or equal to four inches, excluding taps for fire suppression and irrigation systems;

(9) Twenty-five dollars per water service connection for all other customers with water service connections of more than four inches, excluding taps for fire suppression and irrigation systems.

11. Customers served by any district formed pursuant to the provisions of section 30(a) of article VI of the Missouri Constitution shall pay the fees set forth in subsection 10 of this section according to the following schedule:

(1) From August 28, 2000, through September 30, 2001, customers of any such district shall pay fifty percent of such fees; and

(2) Beginning October 1, 2001, customers of any such districts shall pay one hundred percent of such fees.

12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay a filing fee of twenty-five dollars.

13. For any general permit issued to a state agency for highway construction pursuant to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the permit."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 24, Section 413.225, Line 28, by inserting after all of said line the following:

"640.725. 1. The owner or operator of any flush system animal waste wet handling facility shall employ one or more persons who shall **once per week** visually inspect the [animal waste wet handling facility and lagoons for unauthorized discharge and structural integrity at least every twelve hours with a deviation of not to exceed three hours] **gravity outfall lines, recycle pump stations, recycle force mains, and appurtenances for any release to any containment structure required by section 640.730. The owner or operator shall also visually inspect once per day any lagoon whose water level is less than twelve inches from the emergency spillway.** The owner or operator of the facility shall keep records of each inspection. Such records shall be retained for three years. The department shall provide or approve a form provided by the owner or operator for each facility for such inspections.

2. All new construction permits for flush system animal waste wet handling facilities shall have an electronic or mechanical shutoff of the system in the event of pipe stoppage. As of July 1, 1997, all existing flush system animal waste wet handling facilities shall have, at a minimum, an electronic or mechanical shutoff of the system in the event of pipe stoppage or backflow."; and

Further amend the title and enacting clause accordingly.

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 7, Section 196.311, Line 22, by inserting after all of said line the following:

"262.598. 1. As used in this section, the following terms shall mean:

- (1) "Consolidated district", a district formed jointly by two or more councils;**
- (2) "Council", a University of Missouri extension council authorized under section 262.563;**
- (3) "District" or "extension district", a political subdivision formed by one or more councils;**
- (4) "Single-council district", a district formed by one council;**
- (5) "Governing body", the group of individuals who govern a district.**

2. University of Missouri extension councils , except for any council located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council shall also have the powers and duties provided under subsection 5 of this section.

4. In a consolidated district, the governing body of the district shall consist of at least three, but no more than five, representatives appointed by each participating council. The term of office shall be two years. Representatives may be reappointed. The governing body shall elect officers, who shall serve as officers for two years, and establish a regular meeting schedule which shall not be less than once every three months.

5. The governing body of a district shall have the following powers and duties:

- (1) Review the activities and annual budgets of each participating council;**
- (2) Determine, by September first of each year, the tax rate necessary to generate sufficient revenue to fund the extension programming in the district, which includes annual funding for each participating council for the costs of personnel and the acquisition, supply, and maintenance of each council's property, work, and equipment;**

- (3) Oversee the collection of any tax authorized under this section by ensuring the revenue is deposited into a special fund and monitoring the use of the funds to ensure they are used solely for extension programming in the district;**

- (4) Approve payments from the special fund in which the tax revenue is deposited; and**

- (5) Work cooperatively with each participating council to plan and facilitate the programs, equipment, and activities in the district.**

6. The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the county or counties that compose the district. Questions may be submitted to the voters of the district at any general municipal election. Any such proposed tax shall not exceed thirty cents per one hundred dollars of assessed valuation. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. Such question shall be submitted in substantially the following form:

"Shall the Extension District in County (insert name of county) be authorized to levy an annual tax of (insert amount not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then no tax shall be imposed. In a consolidated district, if a majority of voters in each county in the district approve the question, then the district shall impose the tax. If a majority of the voters in a consolidated district do not approve the question, then no tax shall be imposed in any county of the district. In a consolidated district, if a majority of voters in a county do not approve the question, the council in the county that did not approve the question may withdraw from the district. Upon such withdrawal, the district shall be made up of the remaining counties and the tax shall be imposed in those counties. However, if the county that did not approve the question does not withdraw from the district, the tax shall not be imposed. Revenues collected from the imposition of a tax

authorized under this section shall be deposited into a special fund dedicated only for use by the local district for programming purposes.

7. The county commission of any county in which the tax authorized under this section is levied and collected:

(1) Shall be exempt from the funding requirements under section 262.597 if revenue derived from the tax authorized under this section is in excess of an amount equal to two hundred percent of the average funding received under section 262.597 for the immediately preceding three years; or

(2) May reduce the current year's funding amount under section 262.597 by thirty-three percent of the amount of tax revenues derived from the tax authorized under this section which exceed the average amount of funding received under section 262.597 for the immediately preceding three years.

8. Any county that collects tax revenues authorized under this section shall transfer all attributable revenue plus monthly interest for deposit into the district's special fund. The governing body of the district shall comply with the prudent investor standard for investment fiduciaries as provided in section 105.688.

9. In any county in which a single-council district is established, and for which a tax has not been levied, the district may be dissolved in the same manner in which it was formed.

10. A county may withdraw from a consolidated district at any time by the filing of a petition with the circuit court having jurisdiction over the district. The petition shall be signed by not fewer than ten percent of those who voted in the most recent presidential election in the county seeking to withdraw that is part of a consolidated district stating that further operation of the district is contrary to the best interest of the inhabitants of the county in which the district is located and that the county seeks to withdraw from the district. The circuit court shall hear evidence on the petition. If the court finds that it is in the best interest of the inhabitants of the county in which the district is located for the county to withdraw from the district, the court shall make an order reciting the same and submit the question to the voters. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following format:

"Shall the County of (insert name of county) being part of (insert name of district) Extension District withdraw from the district?"

The question shall be submitted at the next general municipal election date. The election returns shall be certified to the court. If the court finds that two-thirds of the voters voting on the question voted in favor of withdrawing from the district, the court shall issue an order withdrawing the county from the district, which shall contain a proviso that the district shall remain intact for the sole purposes of paying all outstanding and lawful obligations and disposing of the district's property. No additional costs or obligations for the withdrawing county shall be created except as necessary. The withdrawal shall occur on the first day of the following January after the vote. If the court finds that two-thirds of the voters voting on the question shall not have voted favorably on the question to withdraw from the district, the court shall issue an order dismissing the petition and the district shall continue to operate.

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following form:

"Shall the Extension District in (insert name of county or counties) be authorized to increase the tax rate from (insert current amount of tax) cents to (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. In a consolidated district, if a majority of voters in the district approve the question, then the district shall impose the new tax rate. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 542, Page 16, Section 262.900, Line 14, by inserting after all of said line the following:

"14. The provisions of this section shall not apply to any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 23, as amended**, and has taken up and passed **CCS HCS SB 23**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 116, as amended**, and has taken up and passed **HCS SS SCS SB 116, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 148, as amended**, and has taken up and passed **HCS SB 148, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 411**, entitled:

An act to repeal sections 302.720, 302.735, 302.740, 302.755, and 304.820, RSMo, and section 302.700 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470 merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480 merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, and to enact in lieu thereof six new sections relating to the operation of commercial motor vehicles, with an existing penalty provision.

In which the concurrence of the House is respectfully requested.

On motion of Representative Diehl, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF SENATE BILLS

SB 265, relating to private property rights, was taken up by Representative Rowland.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McKenna	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown	Cross	Funderburk	Gardner	Guernsey
Hodges	Kelly 45	Korman	Lichtenegger	McDonald
Mims	Parkinson	Scharnhorst	Stream	Webber
Wright	Zerr			

On motion of Representative Rowland, **SB 265** was truly agreed to and finally passed by the following vote:

AYES: 118

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 037

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Englund	Hubbard
Hummel	Kirkton	Kratky	LaFaver	May
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Runions	Schupp	Smith 85
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Funderburk	Gardner	Guernsey	Kelly 45
Lichtenegger	Mims	Webber		

Speaker Jones declared the bill passed.

SCS SB 33, relating to persons with mental disabilities, was taken up by Representative Grisamore.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Grisamore moved for the adoption of **HCS SCS SB 33**.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 3, Section 209.200, Line 20, by inserting immediately after all of said line the following:

"(f) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SCS SB 33, with House Amendment No. 1, pending, was laid over.

HCS SB 41, relating to private nuisance actions, was taken up by Representative Hough.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 41, Section A, Page 1, Line 2, by inserting the following after all of said line:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after

the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. **1.** Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the

general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of the adoption of the annexation ordinance.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Korman offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 41, Page 1, Lines 2-3 in the Title, by deleting the words "private nuisance actions" and inserting in lieu thereof the words "environmental protection"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"260.262. A person selling lead-acid batteries at retail or offering lead-acid batteries for retail sale in the state shall:

(1) Accept, at the point of transfer, in a quantity at least equal to the number of new lead-acid batteries purchased, used lead-acid batteries from customers, if offered by customers;

(2) Post written notice which must be at least four inches by six inches in size and must contain the universal recycling symbol and the following language:

(a) It is illegal to discard a motor vehicle battery or other lead-acid battery;

(b) Recycle your used batteries; and

(c) State law requires us to accept used motor vehicle batteries, or other lead-acid batteries for recycling, in exchange for new batteries purchased; and

(3) Manage used lead-acid batteries in a manner consistent with the requirements of the state hazardous waste law;

(4) Collect at the time of sale a fee of fifty cents for each lead-acid battery sold. Such fee shall be added to the total cost to the purchaser at retail after all applicable sales taxes on the battery have been computed. The fee imposed, less six percent of fees collected, which shall be retained by the seller as collection costs, shall be paid to the department of revenue in the form and manner required by the department and shall include the total number of batteries sold during the preceding month. The department of revenue shall promulgate rules and regulations necessary to administer the fee collection and enforcement. The terms "sold at retail" and "retail sales" do not include the sale of batteries to a person solely for the purpose of resale, if the subsequent retail sale in this state is to the ultimate consumer and is subject to the fee. However, this fee shall not be paid on batteries sold for use in agricultural operations upon written certification by the purchaser; and

(5) The department of revenue shall administer, collect, and enforce the fee authorized pursuant to this section pursuant to the same procedures used in the administration, collection, and enforcement of the general state sales and use tax imposed pursuant to chapter 144 except as provided in this section. The proceeds of the battery fee, less four percent of the proceeds, which shall be retained by the department of revenue as collection costs, shall be transferred by the department of revenue into the hazardous waste fund, created pursuant to section 260.391. The fee created in subdivision (4) and this subdivision shall be effective October 1, 2005. The provisions of subdivision (4) and this subdivision shall terminate December 31, [2013] **2018**.

260.380. 1. After six months from the effective date of the standards, rules and regulations adopted by the commission pursuant to section 260.370, hazardous waste generators located in Missouri shall:

(1) Promptly file and maintain with the department, on registration forms it provides for this purpose, information on hazardous waste generation and management as specified by rules and regulations. Hazardous waste generators shall pay a one hundred dollar registration fee upon initial registration, and a one hundred dollar registration renewal fee annually thereafter to maintain an active registration. Such fees shall be deposited in the hazardous waste fund created in section 260.391;

(2) Containerize and label all hazardous wastes as specified by standards, rules and regulations;

(3) Segregate all hazardous wastes from all nonhazardous wastes and from noncompatible wastes, materials and other potential hazards as specified by standards, rules and regulations;

(4) Provide safe storage and handling, including spill protection, as specified by standards, rules and regulations, for all hazardous wastes from the time of their generation to the time of their removal from the site of generation;

(5) Unless provided otherwise in the rules and regulations, utilize only a hazardous waste transporter holding a license pursuant to sections 260.350 to 260.430 for the removal of all hazardous wastes from the premises where they were generated;

(6) Unless provided otherwise in the rules and regulations, provide a separate manifest to the transporter for each load of hazardous waste transported from the premises where it was generated. The generator shall specify the

destination of such load on the manifest. The manner in which the manifest shall be completed, signed and filed with the department shall be in accordance with rules and regulations;

(7) Utilize for treatment, resource recovery, disposal or storage of all hazardous wastes, only a hazardous waste facility authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act, or any facility exempted from the permit required pursuant to section 260.395;

(8) Collect and maintain such records, perform such monitoring or analyses, and submit such reports on any hazardous waste generated, its transportation and final disposition, as specified in sections 260.350 to 260.430 and rules and regulations adopted pursuant to sections 260.350 to 260.430;

(9) Make available to the department upon request samples of waste and all records relating to hazardous waste generation and management for inspection and copying and allow the department to make unhampered inspections at any reasonable time of hazardous waste generation and management facilities located on the generator's property and hazardous waste generation and management practices carried out on the generator's property;

(10) Pay annually, on or before January first of each year, effective January 1, 1982, a fee to the state of Missouri to be placed in the hazardous waste fund. The fee shall be five dollars per ton or portion thereof of hazardous waste registered with the department as specified in subdivision (1) of this subsection for the twelve-month period ending June thirtieth of the previous year. However, the fee shall not exceed fifty-two thousand dollars per generator site per year nor be less than one hundred fifty dollars per generator site per year;

(a) All moneys payable pursuant to the provisions of this subdivision shall be promptly transmitted to the department of revenue, which shall deposit the same in the state treasury to the credit of the hazardous waste fund created in section 260.391;

(b) The hazardous waste management commission shall establish and submit to the department of revenue procedures relating to the collection of the fees authorized by this subdivision. Such procedures shall include, but not be limited to, necessary records identifying the quantities of hazardous waste registered, the form and submission of reports to accompany the payment of fees, the time and manner of payment of fees, which shall not be more often than quarterly.

2. Missouri treatment, storage, or disposal facilities shall pay annually, on or before January first of each year, a fee to the department equal to two dollars per ton or portion thereof for all hazardous waste received from outside the state. This fee shall be based on the hazardous waste received for the twelve-month period ending June thirtieth of the previous year.

3. Exempted from the requirements of this section are individual householders and farmers who generate only small quantities of hazardous waste and any person the commission determines generates only small quantities of hazardous waste on an infrequent basis, except that:

(1) Householders, farmers and exempted persons shall manage all hazardous wastes they may generate in a manner so as not to adversely affect the health of humans, or pose a threat to the environment, or create a public nuisance; and

(2) The department may determine that a specific quantity of a specific hazardous waste requires special management. Upon such determination and after public notice by press release or advertisement thereof, including instructions for handling and delivery, generators exempted pursuant to this subsection shall deliver, but without a manifest or the requirement to use a licensed hazardous waste transporter, such waste to:

(a) Any storage, treatment or disposal site authorized to operate pursuant to sections 260.350 to 260.430 or the federal Resource Conservation and Recovery Act, or a state hazardous waste management program authorized pursuant to the federal Resource Conservation and Recovery Act which the department designates for this purpose; or

(b) A collection station or vehicle which the department may arrange for and designate for this purpose.

4. Failure to pay the fee, or any portion thereof, prescribed in this section by the due date shall result in the imposition of a penalty equal to fifteen percent of the original fee. The fee prescribed in this section shall expire December 31, [2013] **2018**, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

260.475. 1. Every hazardous waste generator located in Missouri shall pay, in addition to the fees imposed in section 260.380, a fee of twenty-five dollars per ton annually on all hazardous waste which is discharged, deposited, dumped or placed into or on the soil as a final action, and two dollars per ton on all other hazardous waste transported off site. No fee shall be imposed upon any hazardous waste generator who registers less than ten tons of hazardous waste annually pursuant to section 260.380, or upon:

(1) Hazardous waste which must be disposed of as provided by a remedial plan for an abandoned or uncontrolled hazardous waste site;

(2) Fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;

(3) Solid waste from the extraction, beneficiation and processing of ores and minerals, including phosphate rock and overburden from the mining of uranium ore and smelter slag waste from the processing of materials into reclaimed metals;

(4) Cement kiln dust waste;

(5) Waste oil; or

(6) Hazardous waste that is:

(a) Reclaimed or reused for energy and materials;

(b) Transformed into new products which are not wastes;

(c) Destroyed or treated to render the hazardous waste nonhazardous; or

(d) Waste discharged to a publicly owned treatment works.

2. The fees imposed in this section shall be reported and paid to the department on an annual basis not later than the first of January. The payment shall be accompanied by a return in such form as the department may prescribe.

3. All moneys collected or received by the department pursuant to this section shall be transmitted to the department of revenue for deposit in the state treasury to the credit of the hazardous waste fund created pursuant to section 260.391. Following each annual reporting date, the state treasurer shall certify the amount deposited in the fund to the commission.

4. If any generator or transporter fails or refuses to pay the fees imposed by this section, or fails or refuses to furnish any information reasonably requested by the department relating to such fees, there shall be imposed, in addition to the fee determined to be owed, a penalty of fifteen percent of the fee shall be deposited in the hazardous waste fund.

5. If the fees or any portion of the fees imposed by this section are not paid by the date prescribed for such payment, there shall be imposed interest upon the unpaid amount at the rate of ten percent per annum from the date prescribed for its payment until payment is actually made, all of which shall be deposited in the hazardous waste fund.

6. The state treasurer is authorized to deposit all of the moneys in the hazardous waste fund in any of the qualified depositories of the state. All such deposits shall be secured in such a manner and shall be made upon such terms and conditions as are now or may hereafter be provided for by law relative to state deposits. Interest received on such deposits shall be credited to the hazardous waste fund.

7. This fee shall expire December 31, [2013] **2018**, except that the department shall levy and collect this fee for any hazardous waste generated prior to such date and reported to the department.

444.772. 1. Any operator desiring to engage in surface mining shall make written application to the director for a permit.

2. Application for permit shall be made on a form prescribed by the commission and shall include:

(1) The name of all persons with any interest in the land to be mined;

(2) The source of the applicant's legal right to mine the land affected by the permit;

(3) The permanent and temporary post office address of the applicant;

(4) Whether the applicant or any person associated with the applicant holds or has held any other permits pursuant to sections 444.500 to 444.790, and an identification of such permits;

(5) The written consent of the applicant and any other persons necessary to grant access to the commission or the director to the area of land affected under application from the date of application until the expiration of any permit granted under the application and thereafter for such time as is necessary to assure compliance with all provisions of sections 444.500 to 444.790 or any rule or regulation promulgated pursuant to them. Permit applications submitted by operators who mine an annual tonnage of less than ten thousand tons shall be required to include written consent from the operator to grant access to the commission or the director to the area of land affected;

(6) A description of the tract or tracts of land and the estimated number of acres thereof to be affected by the surface mining of the applicant for the next succeeding twelve months; and

(7) Such other information that the commission may require as such information applies to land reclamation.

3. The application for a permit shall be accompanied by a map in a scale and form specified by the commission by regulation.

4. The application shall be accompanied by a bond, security or certificate meeting the requirements of section 444.778, a geologic resources fee authorized under section 256.700, and a permit fee approved by the commission not to exceed one thousand dollars. The commission may also require a fee for each site listed on a permit not to exceed four hundred dollars for each site. If mining operations are not conducted at a site for six months or more during any year, the fee for such site for that year shall be reduced by fifty percent. The commission may also require a fee for each acre bonded by the operator pursuant to section 444.778 not to exceed twenty dollars per acre. If such fee is assessed,

the per-acre fee on all acres bonded by a single operator that exceed a total of two hundred acres shall be reduced by fifty percent. In no case shall the total fee for any permit be more than three thousand dollars. Permit and renewal fees shall be established by rule, except for the initial fees as set forth in this subsection, and shall be set at levels that recover the cost of administering and enforcing sections 444.760 to 444.790, making allowances for grants and other sources of funds. The director shall submit a report to the commission and the public each year that describes the number of employees and the activities performed the previous calendar year to administer sections 444.760 to 444.790. For any operator of a gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the total cost of submitting an application shall be three hundred dollars. The issued permit shall be valid from the date of its issuance until the date specified in the mine plan unless sooner revoked or suspended as provided in sections 444.760 to 444.790. Beginning August 28, 2007, the fees shall be set at a permit fee of eight hundred dollars, a site fee of four hundred dollars, and an acre fee of ten dollars, with a maximum fee of three thousand dollars. Fees may be raised as allowed in this subsection after a regulation change that demonstrates the need for increased fees.

5. An operator desiring to have his or her permit amended to cover additional land may file an amended application with the commission. Upon receipt of the amended application, and such additional fee and bond as may be required pursuant to the provisions of sections 444.760 to 444.790, the director shall, if the applicant complies with all applicable regulatory requirements, issue an amendment to the original permit covering the additional land described in the amended application.

6. An operation may withdraw any land covered by a permit, excepting affected land, by notifying the commission thereof, in which case the penalty of the bond or security filed by the operator pursuant to the provisions of sections 444.760 to 444.790 shall be reduced proportionately.

7. Where mining or reclamation operations on acreage for which a permit has been issued have not been completed, the permit shall be renewed. The operator shall submit a permit renewal form furnished by the director for an additional permit year and pay a fee equal to an application fee calculated pursuant to subsection 4 of this section, but in no case shall the renewal fee for any operator be more than three thousand dollars. For any operator involved in any gravel mining operation where the annual tonnage of gravel mined by such operator is less than five thousand tons, the permit as to such acreage shall be renewed by applying on a permit renewal form furnished by the director for an additional permit year and payment of a fee of three hundred dollars. Upon receipt of the completed permit renewal form and fee from the operator, the director shall approve the renewal. With approval of the director and operator, the permit renewal may be extended for a portion of an additional year with a corresponding prorating of the renewal fee.

8. Where one operator succeeds another at any uncompleted operation, either by sale, assignment, lease or otherwise, the commission may release the first operator from all liability pursuant to sections 444.760 to 444.790 as to that particular operation if both operators have been issued a permit and have otherwise complied with the requirements of sections 444.760 to 444.790 and the successor operator assumes as part of his or her obligation pursuant to sections 444.760 to 444.790 all liability for the reclamation of the area of land affected by the former operator.

9. The application for a permit shall be accompanied by a plan of reclamation that meets the requirements of sections 444.760 to 444.790 and the rules and regulations promulgated pursuant thereto, and shall contain a verified statement by the operator setting forth the proposed method of operation, reclamation, and a conservation plan for the affected area including approximate dates and time of completion, and stating that the operation will meet the requirements of sections 444.760 to 444.790, and any rule or regulation promulgated pursuant to them.

10. At the time that a permit application is deemed complete by the director, the operator shall publish a notice of intent to operate a surface mine in any newspaper qualified pursuant to section 493.050 to publish legal notices in any county where the land is located. If the director does not respond to a permit application within forty-five calendar days, the application shall be deemed to be complete. Notice in the newspaper shall be posted once a week for four consecutive weeks beginning no more than ten days after the application is deemed complete. The operator shall also send notice of intent to operate a surface mine by certified mail to the governing body of the counties or cities in which the proposed area is located, and to the last known addresses of all record landowners of contiguous real property or real property located adjacent to the proposed mine plan area. The notices shall include the name and address of the operator, a legal description consisting of county, section, township and range, the number of acres involved, a statement that the operator plans to mine a specified mineral during a specified time, and the address of the commission. The notices shall also contain a statement that any person with a direct, personal interest in one or more of the factors the commission may consider in issuing a permit may request a public meeting, a public hearing or file written comments to the director no later than fifteen days following the final public notice publication date.

11. The commission may approve a permit application or permit amendment whose operation or reclamation plan deviates from the requirements of sections 444.760 to 444.790 if it can be demonstrated by the operator that the conditions present at the surface mining location warrant an exception. The criteria accepted for consideration when

evaluating the merits of an exception or variance to the requirements of sections 444.760 to 444.790 shall be established by regulations.

12. Fees imposed pursuant to this section shall become effective August 28, 2007, and shall expire on December 31, [2013] **2018**. No other provisions of this section shall expire."; and

Further amend said bill and page, Section 537.291, Line 15, by inserting after all of said section and line the following:

"644.054. 1. Fees imposed in sections 644.052 and 644.053 shall, except for those fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052, become effective October 1, 1990, and shall expire September 1, [2013] **2018**. Fees imposed pursuant to subsection 4 and subsections 6 to 13 of section 644.052 shall become effective August 28, 2000, and shall expire on September 1, [2013] **2018**. The clean water commission shall promulgate rules and regulations on the procedures for billing and collection. All sums received through the payment of fees shall be placed in the state treasury and credited to an appropriate subaccount of the natural resources protection fund created in section 640.220. Moneys in the subaccount shall be expended, upon appropriation, solely for the administration of sections 644.006 to 644.141. Fees collected pursuant to subsection 10 of section 644.052 by a city, a public sewer district, a public water district or other publicly owned treatment works are state fees. Five percent of the fee revenue collected shall be retained by the city, public sewer district, public water district or other publicly owned treatment works as reimbursement of billing and collection expenses.

2. The commission may grant a variance pursuant to section 644.061 to reduce fees collected pursuant to section 644.052 for facilities that adopt systems or technologies that reduce the discharge of water contaminants substantially below the levels required by commission rules.

3. Fees imposed in subsections 2 to 6 of section 644.052 shall be due on the date of application and on each anniversary date of permit issuance thereafter until the permit is terminated.

[4. The director of the department of natural resources shall conduct a comprehensive review of the fee structure in sections 644.052 and 644.053. The review shall include stakeholder meetings in order to solicit stakeholder input. The director shall submit a report to the general assembly by December 31, 2012, which shall include its findings and a recommended plan for the fee structure. The plan shall also include time lines for permit issuance, provisions for expedited permits, and recommendations for any other improved services provided by the fee funding.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2** was adopted.

Representative Schatz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 41, Page 1, Section 537.291, Line 15, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat." and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Roorda raised an additional point of order that **House Amendment No. 3** is not germane.

The Chair ruled the points of order not well taken.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtman	Engler	Gardner	Gatschenberger	Hinson
Kelly 45	Lichtenegger	McDonald	Mims	Stream
Webber	Zerr			

On motion of Representative Schatz, **House Amendment No. 3** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Marshall
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Curtman	Gardner	Grisamore	Kelly 45	Lichtenegger
Love	Lynch	McCaherty	Mims	Webber

On motion of Representative Hough, **HCS SB 41, as amended**, was adopted.

On motion of Representative Hough, **HCS SB 41, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cornejo	Cox
Crawford	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 043

Anders	Barnes	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Smith 85
Swearingen	Walton Gray	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Cookson	Cross	Curtman	Davis	Gardner
Hansen	Kelly 45	Lichtenegger	McCaherty	Mims
Otto	Smith 120	Webb	Webber	

Speaker Jones declared the bill passed.

SB 327, relating to electronic monitoring, was taken up by Representative Haahr.

Representative Cornejo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 327, Page 1, Section A, Line 3, by inserting after said line the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Love
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schieber	Shull	Shumake	Smith 120

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Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McDonald	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 019

Curtis	Diehl	Flanigan	Gardner	Gatschenberger
Gosen	Grisamore	Hoskins	Jones 50	Kelly 45
Lichtenegger	Lynch	McCann Beatty	McKenna	McManus
Mims	Richardson	Schatz	Webber	

On motion of Representative Haahr, **SB 327, as amended**, was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake

Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cox	Ellington	Flanigan	Gardner	Kelly 45
Lichtenegger	Mims	Webb	Webber	

Speaker Jones declared the bill passed.

HCS SCS SB 33, with House Amendment No. 1, pending, relating to persons with mental disabilities, was again taken up by Representative Grisamore.

House Amendment No. 1 was withdrawn.

HCS SCS SB 33 was withdrawn.

Representative Grisamore again moved for the third reading and passage of **SCS SB 33**.

Representative Hoskins again offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 3, Section 209.200, Line 20, by inserting immediately after all of said line the following:

"(f) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Molendorp offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the

reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, or podiatrist; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, or podiatrist may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is

qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) Beginning July 1, 1990, the services of a certified pediatric or family nursing practitioner with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this [subsection] **subdivision**, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the [Missouri] MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. Beginning July 1, 2013, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154, or their successor codes, under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists."; and

Further amend said bill, Page 3, Section 209.200, Line 23, by inserting after all of said section and line, the following:

"Section B. Because immediate action is necessary to ensure adequate provision of behavior assessment and intervention services under the MO HealthNet program, section 208.152 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 208.152 of section A of this act shall be in full force and effect July 1, 2013, or upon its passage and approval, whichever later occurs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Kirkton offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said line the following:

"9.149. December fourth shall be designated as "PKS Day" in Missouri. Pallister-Killian Mosaic Syndrome, commonly known as Pallister-Killian Syndrome or PKS, is a disorder usually caused by the presence of an abnormal extra chromosome and is characterized by vision and hearing impairments, seizure disorders, and early childhood, intellectual disability, distinctive facial features, sparse hair, areas of unusual skin coloring, weak muscle tone, and other birth defects. It is recommended to the people of the state that this day be appropriately observed by participating in awareness and educational activities on the symptoms and impact of Pallister-Killian Syndrome and to support programs of research, education, and community service."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kirkton, **House Amendment No. 3** was adopted.

Representative Funderburk assumed the Chair.

Representative Hough offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said line the following:

"208.895. 1. Upon **the** receipt of a [properly completed] referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] **or a** physician's order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] Process the referral within fifteen business days;
 (2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3)] Arrange for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity within five business days of receiving the referral if additional information is required to process the referral; [and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days]

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. **If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract] has not complied with subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The department shall [include a requirement that:**

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor] notify the referring entity [within five days] **or individual** of receipt of referral if additional information is needed to process the referral. [The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract.]

3. The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based **service** providers for including, but not limited to, reassessment and level of care recommendations. [These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.]

4. [The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective.**

5. The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) "Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

(a) Is conducted by an assessor trained to perform home- and community-based care assessments;

(b) Uses forms provided by the department;

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process;

(2) A "referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

(a) The stated need for MO HealthNet home- and community-based services;

(b) The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and

(c) The physical address and phone number of the client or person needing services.

Additional information which may assist the department may also be submitted.

7. The department shall:

(1) Develop an automated electronic assessment care plan tool to be used by providers; and

(2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.

8. At the end of the first year of this plan being in effect, the department of health and senior services shall prepare a report for the appropriation committee for health, mental health and social services or a committee appointed by the speaker to review the following:

(1) How well the department is doing on meeting the fifteen-day requirement;

(2) The process the department used to approve the assessors;

(3) Financial data on the cost of the program prior to and after enactment of this section;

(4) Any audit information available on assessments performed outside the department; and

(5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.

208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010."; and

Further amend said bill, Page 3, Section 209.200, Line 23, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;
 (3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;
 (4) Is approved by the department to issue certificates for nursing assistants training;
 (5) Is an entity licensed under chapter 197;
 (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

- (1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;**
- (2) Was placed on the employee disqualification list under this section after the date of hire;**
- (3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;**
- (4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or**
- (5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.**

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cornejo	Cox	Crawford	Cross
Curtman	Diehl	Dohrman	Dugger	Ellington
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Higdon
Hinson	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 014

Conway 104	Cookson	Davis	Engler	Gardner
Hicks	Hoskins	Kelly 45	Kirkton	Lichtenegger
Mims	Stream	Webber	Zerr	

On motion of Representative Hough, **House Amendment No. 4** was adopted.

Representative Lauer offered **House Amendment No. 5**.

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"34.470. 1. As used in this section, the following terms shall mean:

(1) "Direct labor", all work performed to fulfill a contract under the provisions of this section, excluding supervision and administration;

(2) "Qualifying disability", a significant mental or physical impairment, including blindness, that impedes a person who is seeking, entering, or maintaining gainful employment. Such significant disability shall be certified by the division of vocational rehabilitation within the department of elementary and secondary education; the Social Security Administration Title 42, Section 423 of the United States Code; the Social Security Administration Title 42, Section 416(i)(1)(B) of the United States Code; or a person eligible for services from the division of developmental disabilities of the department of mental health;

(3) "Qualifying vendor":

(a) A person with a qualifying disability;

(b) A business or entity, whether for profit or nonprofit, that employs individuals with a qualifying disability, provided such individuals perform at least seventy-five percent of the direct labor hours required to fulfill a state contract for goods or services; or

(c) Any nonprofit agency serving people with significant disabilities that meets the eligibility criteria to participate in the federal AbilityOne program, or its successor program, as described in 41 U.S.C. Section 46-48c.

2. The broad purpose of this legislation is to provide persons with a qualifying disability access to job opportunities in the private sector competitive job market and additional job opportunities for individuals who choose facility-based employment in their community. Notwithstanding any other provision of this chapter to the contrary, the division of purchasing within the office of administration shall set a goal of procuring at least three percent of goods and services from qualifying vendors. The division shall develop and maintain a list of goods and services that are available from qualifying vendors and which such division determines are suitable for procurement from qualifying vendors by departments of the state, approve prices for goods and services identified under this section, review bids received by qualifying vendors, and award and renew contracts for the purchase of goods and services under this section without competitive bidding. Such procurement list, and revision thereof, shall be submitted to the board for approval and, upon approval, be distributed to all purchasing officers of the state, its departments and all political subdivisions. All products or services offered for purchase to a state department or a political subdivision by a qualifying vendor shall have significant value added by blind or significantly disabled persons as determined by the office of administration. Suspected violations of the eligibility criteria for a qualifying vendor may be reported to and shall be investigated by the department of labor and industrial relations.

3. Individuals with a qualifying disability shall be paid at least minimum wage for direct labor hours performed in fulfillment of any contract awarded under the provisions of this section.

4. The amount of goods and services that may be purchased in accordance with this section shall not exceed twenty-five million dollars.

5. It shall be the duty of the office of administration to determine the fair market price of all products and services offered for sale to the various departments of the state by qualifying vendors. The fair market price shall be competitive with the cost of procuring the goods or services from another source; shall, at a minimum, recover for the qualifying vendor the cost of raw materials, labor, overhead, and delivery; and shall be revised from time to time in accordance with changing cost factors. The office of administration may make such rules and regulations necessary to carry out the purposes of this section including specifications, time of delivery, assignment of products and services to be supplied by qualifying vendors, and other relevant matters of procedure. After a contract has been awarded, all state departments as defined in section 34.010 shall purchase the products and services on the procurement list as determined by the office of administration in accordance with this section. The office of administration may authorize the purchase of products and services from other sources when requisitions cannot reasonably be fulfilled by a qualifying vendor.

6. In assessing the suitability of any potential addition to the procurement list, the office of administration shall consider the interest of small businesses and businesses owned by disadvantaged persons by determining whether the addition would have a severe adverse impact on the current contractor for the commodity or service. Generally, an impact up to fifteen percent of the total revenue of the contractor would not be deemed severe.

However, in deciding whether a proposed addition to the procurement list would have a severe adverse impact on the current contractor, the office of administration shall consider:

(1) Financial and employment information provided by the current contractor regarding the impact on the contractor's sales;

(2) Whether the contractor has been a consistent supplier of the commodity or service and, therefore, more dependent on such sales; and

(3) Any other factor the office of administration deems relevant.

7. Except as otherwise provided in this section, all departments shall purchase goods and services produced by a qualifying vendor if:

(1) The goods or services offered for sale by a qualifying vendor reasonably conform to the needs and specifications of the department; and

(2) The qualifying vendor can supply the goods or services within a reasonable time.

8. In furtherance of this act, the Governor may elect to appoint a committee of no fewer than five senior state agency procurement officials, at least one representative of a qualified nonprofit agency for the blind, and one representative of a qualified nonprofit agency for the significantly disabled, and one private citizen to collaborate to further the Act. Such committee will be unpaid, not require appropriation, and would serve in an advisory capacity only."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 5** was adopted.

Representative Roorda offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Committee Substitute for Senate Bill No. 33, Page 3, Section 209.200, Line 23, by inserting after all of said section and line the following:

"210.116. Notwithstanding any other provision of law, no child who is or is suspected to be the victim of abuse and neglect shall be denied access to mental health care and treatment, regardless of the person or entity responsible for the child's care, custody, and control.

210.160. 1. In every case involving an abused or neglected child which results in a judicial proceeding, the judge shall appoint a guardian ad litem to appear for and represent:

(1) A child who is the subject of proceedings pursuant to sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, RSMo, or sections 453.005 to 453.170, RSMo, or proceedings to determine custody or visitation rights under sections 452.375 to 452.410, RSMo; or

(2) A parent who is a minor, or who is a mentally ill person or otherwise incompetent, and whose child is the subject of proceedings under sections 210.110 to 210.165, sections 210.700 to 210.760, sections 211.442 to 211.487, RSMo, or sections 453.005 to 453.170, RSMo.

2. The guardian ad litem shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon appointment by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Employees of the division, officers of the court, and employees of any agency involved shall fully inform the guardian ad litem of all aspects of the case of which they have knowledge or belief.

3. The appointing judge shall require the guardian ad litem to faithfully discharge such guardian ad litem's duties, and upon failure to do so shall discharge such guardian ad litem and appoint another. The appointing judge shall have the authority to examine the general and criminal background of persons appointed as guardians ad litem, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are appointed to represent. The judge in making appointments pursuant to this section shall give preference to persons who served as guardian ad litem for the child in the earlier proceeding, unless there is a reason on the record for not giving such preference.

4. The guardian ad litem may be awarded a reasonable fee for such services to be set by the court. The court, in its discretion, may award such fees as a judgment to be paid by any party to the proceedings or from public funds. However, no fees as a judgment shall be taxed against a party or parties who have not been found to have abused or neglected a child or children. Such an award of guardian fees shall constitute a final judgment in favor of the guardian ad litem. Such final judgment shall be enforceable against the parties in accordance with chapter 513, RSMo.

5. The court may designate volunteer advocates, who may or may not be attorneys licensed to practice law, to assist in the performance of the guardian ad litem duties for the court. Nonattorney volunteer advocates shall not provide legal representation. The court shall have the authority to examine the general and criminal background of persons designated as volunteer advocates, including utilization of the family care safety registry and access line pursuant to sections 210.900 to 210.937, to ensure the safety and welfare of the children such persons are designated to represent. The volunteer advocate shall be provided with all reports relevant to the case made to or by any agency or person, shall have access to all records of such agencies or persons relating to the child or such child's family members or placements of the child, and upon designation by the court to a case, shall be informed of and have the right to attend any and all family support team meetings involving the child. Any such designated person shall receive no compensation from public funds. This shall not preclude reimbursement for reasonable expenses.

6. Any person appointed to perform guardian ad litem duties shall have completed a training program in:

(1) Child abuse and neglect. The requirement of this subsection shall be satisfied if the guardian ad litem has a degree or significant training and experience in a mental health profession; and

(2) Permanency planning [and]. The guardian ad litem shall advocate for timely court hearings whenever possible to attain permanency for a child as expeditiously as possible to reduce the effects that prolonged foster care may have on a child.

A nonattorney volunteer advocate shall have access to a court appointed attorney guardian ad litem should the circumstances of the particular case so require."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 6** was adopted.

On motion of Representative Grisamore, **SCS SB 33, as amended**, was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson

Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Cookson	Engler	English	Gardner
Hummel	Kelly 45	Lichtenegger	Mims	Molendorp
Scharnhorst	Webber	Zerr		

Representative Funderburk declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	English	Englund	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

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NOES: 005

Bahr	Curtis	Marshall	May	Walton Gray
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PRESENT: 000

ABSENT WITH LEAVE: 012

Engler	Entlicher	Gardner	Hummel	Kelly 45
Koenig	Lichtenegger	Mims	Molendorp	Redmon
Scharnhorst	Webber			

SS SB 267, relating to the laws of other countries, was taken up by Representative Curtman.

Representative Diehl assumed the Chair.

On motion of Representative Curtman, **SS SB 267** was truly agreed to and finally passed by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 041

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Hodges	Hubbard	Hummel	Kirkton
LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 002

Englund Mayfield

ABSENT WITH LEAVE: 011

Funderburk	Gardner	Haefner	Kelly 45	Kratky
Lichtenegger	McCaherty	Mims	Scharnhorst	Webber
Zerr				

Representative Diehl declared the bill passed.

HCS SB 57, relating to certain civil actions, was taken up by Representative Engler.

Representative Shull offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 57, Page 1, In the Title, Line 3, by deleting the word "civil" and inserting in lieu thereof the word "legal"; and

Further amend said bill, Page 11, Section 206.165, Line 68, by inserting after all of said section and line the following:

"313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the

provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses. Notwithstanding any other provision of law to the contrary, any fines collected for offenses committed under this subsection shall be deposited into the Veterans Commission Capitol Improvement Trust Fund established in section 42.300."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Shull, **House Amendment No. 1** was adopted.

Representative Rehder moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Torpey	Walker	White
Wieland	Wilson	Wood		

NOES: 048

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto

Pace	Peters	Pierson	Richardson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 017

Butler	Elmer	Gardner	Guernsey	Haefner
Jones 50	Kelley 127	Kelly 45	Lichtenegger	Marshall
Mims	Scharnhorst	Thomson	Webber	Wright
Zerr	Mr Speaker			

On motion of Representative Engler, **HCS SB 57, as amended**, was adopted.

On motion of Representative Engler, **HCS SB 57, as amended**, was read the third time and passed by the following vote:

AYES: 104

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	McGaugh	McKenna	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Schatz	Schieffer	Shull
Shumake	Smith 120	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 050

Anders	Bahr	Burlison	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Frederick	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieber	Schupp	Smith 85
Solon	Swearingen	Torpey	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 009

Gardner	Guernsey	Haefner	Kelly 45	Lichtenegger
Mims	Scharnhorst	Webber	Zerr	

Representative Diehl declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 436, as amended, relating to firearms, was taken up by Representative Funderburk.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin	Gardner	Haefner	Kelly 45	Lichtenegger
Marshall	Mims	Stream	Webber	

On motion of Representative Funderburk, **SCS HCS HB 436, as amended**, was adopted by the following vote:

AYES: 116

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 038

Anders	Barnes	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Hummel	Kirkton	Kratky	LaFaver
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Runions	Schupp	Smith 85
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Cross	Gardner	Haefner	Kelly 45	Lichtenegger
Mims	Molendorp	Pike	Webber	

On motion of Representative Funderburk, **SCS HCS HB 436, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 116

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 038

Anders	Barnes	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Hummel	Kirkton	Kratky	LaFaver	May
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Burns	Cross	Gardner	Haefner	Kelly 45
Lichtenegger	Mims	Molendorp	Webber	

Representative Diehl declared the bill passed.

Speaker Jones resumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SCS SB 125, relating to educational accountability, was taken up by Representative Barnes.

Representative Webb offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 11, Section 160.420, Line 45, by inserting the word "**academic**" immediately after the word "**in**"; and

Further amend said bill, section, and page, Lines 46 and 47, by deleting the words "**rigorous, valid, and**" and inserting in lieu thereof the following:

"applied consistently, reasonable,"; and

Further amend said bill, Pages 12 to 13, Section 160.420, Lines 54 to 91, by deleting said lines from the bill; and

Further amend said bill, Pages 20 to 21, Section 168.124, Lines 1 to 34, by deleting said section from the bill; and

Further amend said bill, Pages 21 to 24, Section 168.128, Lines 8 to 125, by deleting all of said lines, and inserting in lieu thereof the following:

"2. All evaluations shall be maintained in the teacher's personnel file at the office of the"; and

Further amend said bill and section, Page 25, Lines 129 to 143, by deleting all of said lines; and

Further amend said bill and page, Section 168.221, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"period any probationary teacher whose work is unsatisfactory shall"; and

Further amend said bill, page, and section, Lines 11 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"the date on which the teacher entered the employ of the board of education. The"; and

Further amend said bill and section, Page 27, Line 57, by deleting the words "**or incompetency**"; and

Further amend said bill, section, and page, Lines 68 to 80, by deleting all of said lines and inserting in lieu thereof the following:

"5. Whenever it is necessary to decrease the number of teachers because of insufficient"; and

Further amend said bill, page, and section, Lines 83 to 87, by deleting all of said lines and inserting in lieu thereof the following:

"number of teachers beginning with those serving probationary periods to be placed on leave of absence without pay, but only in the inverse order of their appointment."; and

Further amend said bill, page, and section, Line 90, by deleting the opening bracket "["; and

Further amend said bill, and section, Page 28, Line 91, by deleting the closing bracket "];" and

Further amend said bill, page, and section, Line 98, by inserting immediately after the word "schools." the following:

"No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies. Such leave of absence shall not impair the tenure of a teacher. The leave of absence shall continue for a period of not more than three years unless extended by the board."; and

Further amend said bill, page, and section, Line 99, by deleting the following: "] **8.**"; and

Further amend said bill, page, and section, Line 103, by deleting "[7.] **9.**" and inserting the following: "7."; and

Further amend said bill, page, and section, Lines 106 to 113, by deleting all of said lines; and

Further amend said bill, Pages 28 and 29, Section 168.126, Lines 1 to 46, by deleting said section from the bill; and

Further amend said bill, Page 30, Section 168.410, Lines 1 to 13, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Torpey offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1
for
House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 11, Section 160.420, Line 45, by inserting the word "**academic**" immediately after the word "**in**"; and

Further amend said bill, section, and page, Lines 46 and 47, by deleting the words "**rigorous, valid, and**" and inserting in lieu thereof the following:

"applied consistently, reasonable," and

Further amend said bill, section, and page, Line 47, by inserting immediately after the word "**levels**" the following:

"and supplied to administrators in advance of their use in evaluations"; and

Further amend said bill, Pages 12 to 13, Section 160.420, Lines 54 to 91, by deleting said lines and inserting in lieu thereof the following:

"(3) Each charter school shall develop an evaluation system centered on student achievement, performance, and progress that conforms to the provisions of the charter school's performance contract, its mission, and this subsection, and implement it no later than the 2014-2015 school year. The evaluation system shall include formative performance reviews to provide feedback and summative evaluations, and the charter school shall use the evaluation results to improve student achievement, performance, and progress.

(4) Administrators shall be evaluated no less than annually, using multiple measures. Evaluation measures shall include the following elements:

(a) Student growth shall be measured through assessments in accordance with value-added methods or models and shall reflect at least one year's worth of growth for a school year of instruction, or that students otherwise achieved appropriate growth based on expectations derived from at least two years of individual student achievement data;

(b) Multiple additional measures for administrators shall be correlated with impacts on student achievement results for students in all subgroups and shall include the administrator's ability to create an academic environment which fosters student growth; however, student growth on assessments for building principals, and any vice principals or assistant principals as determined by the charter school, shall count for at least thirty-three percent of the evaluation but not to exceed the percentage allocated to student assessment on the annual report of the Missouri school improvement program as applied to school districts, using value-added measures. Evaluations of administrators shall use confidential teacher surveys and include methods for input from parents and guardians; include the ability to attract, develop, and retain highly effective teachers; management of schools, including finances, space and legal compliance; and parental engagement in the school; and may include other measures aligned with student achievement.

(5) Each administrator shall be given one of four rating levels that are designated as "highly effective", "effective", "minimally effective", or "ineffective". Such rating levels shall be directly correlated to the summative evaluation results provided for in subdivision (3) of this subsection."; and

Further amend said bill, Pages 20 to 21, Section 168.124, Lines 1 to 34, by deleting said section from the bill; and

Further amend said bill, Pages 21 to 24, Section 168.128, Lines 8 to 125, by deleting all of said lines, and inserting in lieu thereof the following:

"2. All evaluations shall be maintained in the teacher's personnel file at the office of the"; and

Further amend said bill and section, Page 25, Lines 129 to 143, by deleting all of said lines; and

Further amend said bill and page, Section 168.221, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"period any probationary teacher whose work is unsatisfactory shall"; and

Further amend said bill, page, and section, Lines 11 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"the date on which the teacher entered the employ of the board of education. The"; and

Further amend said bill and section, Page 27, Line 57, by deleting the words **"or incompetency,"**; and

Further amend said bill, section, and page, Lines 68 to 80, by deleting all of said lines and inserting in lieu thereof the following:

"5. Whenever it is necessary to decrease the number of teachers because of insufficient"; and

Further amend said bill, page, and section, Lines 83 to 87, by deleting all of said lines and inserting in lieu thereof the following:

"number of teachers beginning with those serving probationary periods to be placed on leave of absence without pay, but only in the inverse order of their appointment."; and

Further amend said bill, page, and section, Line 90, by deleting the opening bracket "["; and

Further amend said bill, and section, Page 28, Line 91, by deleting the closing bracket "]; and

Further amend said bill, page, and section, Line 98, by inserting immediately after the word "schools." the following:

"No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies. Such leave of absence shall not impair the tenure of

a teacher. The leave of absence shall continue for a period of not more than three years unless extended by the board." ; and

Further amend said bill, page, and section, Line 99, by deleting the following: "] 8."; and

Further amend said bill, page, and section, Line 103, by deleting "[7.] 9." and inserting the following: "7."; and

Further amend said bill, page, and section, Line 105, by inserting after all of said line the following:

"8. The metropolitan school district shall establish and implement a local evaluation system for administrators that conforms to the requirements of section 168.411."; and

Further amend said bill, page, and section, Lines 106 to 113, by deleting all of said lines and inserting the following:

"168.291. Whenever it is necessary to decrease the number of employees because of insufficient funds or decrease in pupil enrollment or lack of work the board of education may cause the necessary number of employees, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Each employee placed on leave of absence shall be reinstated in inverse order of his placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous periods of service. No new appointments shall be made while there are available employees on leave of absence [who have not attained the age of seventy years] **for not more than three years** and who are adequately qualified to fill the vacancy in the particular department unless the employees fail to advise the board within thirty days from date of notification by the board that positions are available to them, that they will return to employment, and will assume the duties of the position to which they are appointed not later than the beginning of the month following the date of the notice by the board.

168.411. 1. Consistent with department of elementary and secondary education regulations, each district shall fully implement an evaluation system for school administrators that conforms to the provisions of this section, including using the evaluation results for personnel decisions in advance of the next school year. Each district with such assistance as may be available from the department shall develop an evaluation system that conforms to the provisions of this section and implement it no later than the 2014-15 school year. The evaluation system shall include summative evaluations.

2. Each local school district shall establish and implement a local evaluation system for administrators centered on student achievement. Evaluations of all administrators shall be conducted no less than annually based on the following parameters; however, if any of the parameters shall be found by the department to be in conflict with the department's ability to comply with the conditions set forth in the waiver from the federal Elementary and Secondary Education Act, those items shall not be included:

(1) Each local district shall develop and implement an evaluation system for elementary and secondary school administrators that uses multiple measures, centered on growth in student achievement, consistent with this section and with implementing regulations issued by the department of elementary and secondary education with input from the local districts;

(2) If a district fails to adopt an evaluation system consistent with the requirements and time lines of this section, or at the election of the district, the district shall use the model evaluation system developed by the department of elementary and secondary education under subsection 3 of this section;

(3) If a district chooses to adopt an evaluation system which differs from the model evaluation developed by the department under subsection 3 of this section, the local evaluation system shall be developed and implemented in consultation with teachers and administrators and with parents of students;

(4) Administrators shall be evaluated no less than annually using multiple measures. Evaluation measures shall include the following elements:

(a) Student growth shall be measured through assessments in accordance with value-added methods or models developed by the department of elementary and secondary education, and shall reflect at least one year's worth of growth for a school year of instruction, or that students otherwise achieved appropriate growth based on expectations derived from at least two years of individual student achievement data;

(b) Multiple additional measures for administrators shall be correlated with impacts on student achievement results for students in all subgroups and shall include the administrator's ability to create an

academic environment which fosters student growth; however, student growth on assessments for building principals, and any vice principals or assistant principals as determined by the district, shall count for at least thirty-three percent of the evaluation but not to exceed the percentage allocated to student assessment on the annual report of the Missouri school improvement program, using value-added measures. Confidential teacher surveys shall be included as a portion of the evaluation for administrators. In addition, evaluations of administrators shall include methods for input from parents and guardians; the ability to attract, develop, and retain highly effective teachers; management of schools, including finances, space and legal compliance; and parental engagement in the school; and may include other measures aligned with student achievement;

(5) Each administrator shall be given one of four rating levels that are designated as "highly effective", "effective", "minimally effective", or "ineffective", as further defined by the department of elementary and secondary education or the local school district. Such rating levels shall be directly correlated to the summative evaluation results provided for in subsection 2 of this section;

3. The department of elementary and secondary education shall:

(1) Promulgate rules and regulations governing the development and implementation of local evaluation systems under subsection 2 of this section. Such rules and regulations shall be designed to preserve autonomy and flexibility for districts to adopt their own policies and processes for the evaluation system and may include, but not be limited to:

(a) Standards for rating levels to be assigned to administrators, consistent with subsection 3 of this section;

(b) Processes and requirements for value-added models to be used in measuring student achievement growth for purposes of administrator evaluation;

(2) Develop, implement, and publicly disseminate a statewide student growth model and a value-added model for determining student growth on assessments;

(3) Provide technical assistance to districts in developing and implementing a local evaluation system;

(4) Develop a model evaluation system that shall be used by districts that are not able to develop their own system or that elect to use the state model evaluation system; and

(5) Monitor local evaluation systems established under subsection 2 of this section to ensure that evaluation outcomes are consistent in the aggregate with student achievement results at the district and school levels; and that the evaluation systems meet the requirements of this section and implement rules and regulations issued by the department of elementary and secondary education; and direct any appropriate corrective actions.

4. As used in this section, the following terms shall mean:

(1) "Student growth", the change in academic achievement for an individual student between two or more points in time based on standards-based measures that are applied consistently, reasonable, comparable across classrooms of similar content and levels, and supplied to administrators in advance of their use in evaluations;

(2) "Value-added model", a growth model used to isolate the effect of a teacher's impact on student learning, controlling for preexisting characteristics of a student, including but not limited to, where available, prior achievement data, and, where available and at the discretion of the school district, a student's gifted status, section 504 status, attendance, disability status, eligibility for free or reduced lunch, limited English proficiency, or prior discipline history."; and

Further amend said bill, Pages 28 and 29, Section 168.126, Lines 1 to 47, by deleting all of said section from the bill; and

Further amend said bill, Pages 29 and 30, Section 168.291, Lines 1 to 15, by deleting all of said repealed section from the bill; and

Further amend said bill, Page 30, Section 168.410, Lines 1 to 13, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 082

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Cross	Curtis	Curtman	Diehl	Dunn
Elmer	Engler	Fitzpatrick	Flanigan	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Hansen	Hicks	Higdon	Hinson	Hough
Houghton	Hubbard	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
LaFaver	Lant	Leara	Love	May
McCaherty	McCann Beatty	Molendorp	Moon	Muntzel
Neely	Neth	Parkinson	Peters	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Scharnhorst	Schatz	Schieber
Smith 120	Sommer	Spencer	Stream	Swan
Torpey	Webb	Wieland	Wilson	Wright
Zerr	Mr Speaker			

NOES: 074

Anders	Black	Brown	Burns	Butler
Carpenter	Conway 10	Crawford	Davis	Dohrman
Dugger	Ellinger	Ellington	English	Englund
Entlicher	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Hampton	Harris
Hodges	Hoskins	Hummel	Hurst	Kirkton
Kratky	Lair	Lauer	Lynch	Marshall
Mayfield	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Newman
Nichols	Norr	Otto	Pace	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rizzo	Roorda	Rowland	Runions	Schieffer
Schupp	Shull	Smith 85	Solon	Swearingen
Thomson	Walker	White	Wood	

PRESENT: 002

Shumake	Walton Gray
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ABSENT WITH LEAVE: 005

Gardner	Haefner	Kelly 45	Lichtenegger	Webber
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Representative Korman offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 28, Section 168.221, Line 113, by inserting after all of said line the following:

"168.412. The provisions of section 168.411 shall sunset August 28, 2020."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2** was adopted.

Representative Barnes offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 17, Section 162.081, Line 98, by inserting immediately after the word "**score**" the following:

"of at least five points in academic achievement"; and

Further amend said bill and section, Page 18, Line 103, by inserting immediately after the word "**score**" the following:

"of at least five points in academic achievement"; and

Further amend said bill and section, Page 19, Line 143, by deleting all of said line and inserting in lieu thereof the following:

"[9. (1) The governing body of a school district, upon an initial declaration by the"; and

Further amend said bill, section, and page, Lines 161 and 162, by deleting all of said lines and inserting in lieu thereof the following:

"achievement of accredited status for such districts.

10.] 8. In the event that a school district with an enrollment in excess of five thousand"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Funderburk offered **House Amendment No. 4.**

House Amendment No. 4 was withdrawn.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox

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Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Lauer	Leara	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Gardner	Haefner	Kelly 45	Lair	Lichtenegger
Marshall	Phillips	Webber	Wieland	

Representative Barnes moved that **HCS SS SCS SB 125, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 076

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Cross	Curtis	Curtman	Diehl	Dunn
Ellington	Elmer	Engler	Fitzpatrick	Flanigan
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hicks	Hinson	Hough	Hubbard
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	LaFaver	Lant	Leara
Love	May	McCaherty	McCann Beatty	Moon
Neth	Peters	Pfautsch	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross

Rowden	Scharnhorst	Schatz	Schieber	Smith 120
Sommer	Spencer	Stream	Swan	Torpey
Webb	Wieland	Wilson	Wright	Zerr
Mr Speaker				

NOES: 082

Anders	Black	Brown	Burns	Butler
Carpenter	Conway 10	Crawford	Davis	Dohrman
Dugger	Ellinger	English	Englund	Entlicher
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Hampton	Hansen	Harris
Higdon	Hodges	Hoskins	Houghton	Hummel
Hurst	Johnson	Kirkton	Kratky	Lair
Lauer	Lynch	Marshall	Mayfield	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Phillips	Pierson	Pike	Pogue
Redmon	Rizzo	Roorda	Rowland	Runions
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Swearingen	Thomson	Walker	Walton Gray
White	Wood			

PRESENT: 000

ABSENT WITH LEAVE: 005

Gardner	Haefner	Kelly 45	Lichtenegger	Webber
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SS SCS SB 125 was laid over.

Representative Diehl moved that the House stand adjourned until 9:00 a.m., Thursday, May 9, 2013.

Which motion was defeated.

THIRD READING OF SENATE BILL

SS SCS SB 129, relating to the establishment of the Volunteer Health Services Act, was taken up by Representative Burlison.

SS SCS SB 129 was laid over.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 75**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 83**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 161**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 256**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Committee on General Laws, Chairman Jones (50) reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 112**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Gosen reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SS SB 401**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 253**, entitled:

An act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 143.221, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.517, 144.526, 144.605, 144.655, 144.710,

144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof seventy-nine new sections relating to taxation, with penalty provisions, effective dates for certain sections, and an emergency clause.

With Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 253, Page 162, Section 143.011, Line 26, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (1) of this subsection have been met and until the provisions of subdivision (3) of this subsection are met,"; and

Further amend said line, by striking the word "first"; and

Further amend said bill and section, Page 163, Lines 3-4, by striking the words ", until the provisions of subdivision (3) of this subsection are met,"; and

Further amend Line 28, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (2) of this subsection have been met and until the provisions of subdivision (4) of this subsection are met,"; and

Further amend said line by striking the word "second"; and

Further amend said bill and section, Page 164, Lines 5-6, by striking the words ", until the provisions of subdivision (4) of this subsection are met,"; and

Further amend said bill and section, Page 165, Line 2, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (3) of this subsection have been met and until the provisions of subdivision (5) of this subsection are met,"; and

Further amend said line, by striking the word "third"; and

Further amend Lines 7-8, by striking the words ", until the provision of subdivision (5) of this subsection are met,"; and

Further amend said bill and section, Page 166, Line 4, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (4) of this subsection have been met and until the provisions of subdivision (6) of this subsection are met,"; and

Further amend said line, by striking the word "fourth"; and

Further amend Lines 9-10, by striking the words ", until the provisions of subdivision (6) of this subsection are met,"; and

Further amend said bill and section, Page 167, Line 6, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (5) of this subsection have been met and until the provisions of subdivision (7) of this subsection are met,"; and

Further amend said line, by striking the word "fifth"; and

Further amend Lines 11-12, by striking the words ", until the provisions of subdivision (7) of this subsection are met,"; and

Further amend said bill and section, Page 168, Line 8, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (6) of this subsection have been met and until the provisions of subdivision (8) of this subsection are met,"; and

Further amend said line, by striking the word "sixth"; and

Further amend Lines 13-14, by striking the words ", until the provisions of subdivision (8) of this subsection are met,"; and

Further amend said bill and section, Page 169, Line 10, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (7) of this subsection have been met and until the provisions of subdivision (9) of this subsection are met,"; and

Further amend said line, by striking the word "seventh"; and

Further amend Lines 15-16, by striking the words ", until the provisions of subdivision (9) of this subsection are met,"; and

Further amend said bill and section, Page 170, Line 12, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (8) of this subsection have been met and until the provisions of subdivision (10) of this subsection are met,"; and

Further amend said line, by striking the word "eighth"; and

Further amend Lines 17-18, by striking the words ", until the provisions of subdivision (10) of this subsection are met,"; and

Further amend said bill and section, Page 171, Line 14, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (9) of this subsection have been met and until the provisions of subdivision (11) of this subsection are met,"; and

Further amend said lines, by striking the word "ninth"; and

Further amend Lines 19-20, by striking the words ", until the provision of subdivision (11) of this subsection are met,"; and

Further amend said bill and section, Page 172, Line 16, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (10) of this subsection have been met,"; and

Further amend said line, by striking the word "tenth"; and

Further amend said bill, Page 173, Section 143.021, Lines 21-25, by striking all of the underlined words and inserting in lieu thereof the following:

"1. For all tax years beginning before the provisions of subdivision (11) of subsection 1 of section 143.011 are met,"; and

Further amend said bill and section, Page 174, Lines 11-15, by striking all said lines and inserting in lieu thereof the following:

"the calendar year in which the provisions of subdivision (11) of subsection 1 of section 143.011 are met, every resident having a taxable income of less than"; and

Further amend said bill, Page 177, Section 143.071, Line 5, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (1) of this subsection have been met and until the provisions of subdivision (3) of this subsection are met,"; and

Further amend said line, by striking the word "second"; and

Further amend Lines 10-11, by striking the words "until the provisions of subdivision (3) of this subsection are met,"; and

Further amend Line 14, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (2) of this subsection have been met and until the provisions of subdivision (4) of this subsection are met,"; and

Further amend said line, by striking the word "third"; and

Further amend Lines 19-20, by striking the words "until the provisions of subdivision (4) of this subsection are met,"; and

Further amend Line 23, inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (3) of this subsection have been met and until the provisions of subdivision (5) of this subsection are met,"; and

Further amend said line, by striking the word "fourth"; and

Further amend Line 28, by striking the words "until the provisions of subdivision"; and

Further amend said bill and section, Page 178, Line 1, by striking the words "(5) of this subsection are met,"; and

Further amend Line 4, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (4) of this subsection have been met and until the provisions of subdivision (6) of this subsection are met,"; and

Further amend said line by striking the word "fifth"; and

Further amend Lines 9-10, by striking the words "until the provisions of subdivision (6) of this subsection are met,"; and

Further amend Line 13, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (5) of this subsection have been met and until the provisions of subdivision (7) of this subsection are met,"; and

Further amend said line, by striking the word "sixth"; and

Further amend Lines 18-19, by striking the words "until the provisions of subdivision (7) of this subsection are met,"; and

Further amend Line 22, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (6) of this subsection have been met and until the provisions of subdivision (8) of this subsection are met,"; and

Further amend said line, by striking the word "seventh"; and

Further amend Lines 27-28, by striking the words "until the provisions of subdivision (8) of this subsection are met,"; and

Further amend said bill and section, Page 179, Line 3, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (7) of this subsection have been met and until the provisions of subdivision (9) of this subsection are met,"; and

Further amend said line, by striking the word "eighth"; and

Further amend Lines 8-9, by striking the words "until the provisions of subdivision (9) of this subsection are met,"; and

Further amend Line 13, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (8) of this subsection have been met and until the provisions of subdivision (10) of this subsection are met,"; and

Further amend said line, by striking the word "ninth"; and

Further amend Lines 18-19, by striking the words "until the provisions of subdivision (10) of this subsection are met,"; and

Further amend Line 22, by inserting immediately before the word "Beginning" the following:

"For all calendar years after the provisions of subdivision (9) of this subsection have been met,"; and

Further amend said line, by striking the word "tenth".

Senate Amendment No. 5

AMEND Senate Substitute for House Bill No. 253, Page 228, Section 144.030, Line 9, by inserting after the word "disabilities" the following:

"all sales of kidney dialysis equipment and enteral feeding systems,".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1 to SB 230**, and has taken up and passed **SB 230, as amended**.

COMMUNICATION

May 8, 2013

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation in which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this report in the Journal of the House.

Thank you for your assistance with this matter.

Sincerely,

/s/ Jeanie Riddle
State Representative
District 49

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Mike Lair
/s/ Genise Montecillo

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan
/s/ Genise Montecillo

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 4**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Denny Hoskins
/s/ Gail McCann Beatty

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Mark Parkinson
/s/ Gail McCann Beatty

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 6, AS AMENDED**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6, as amended.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Craig Redmon
/s/ Jeanne Kirkton

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 7, AS AMENDED**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7, as amended.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan
/s/ Kevin Mcmanus

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 8**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Marsha Haefner

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 9**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan
/s/ Jill Schupp

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 10**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Sue Allen

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 11, AS AMENDED**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11, as amended.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn “Kiki” Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 12**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12.

2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Shalonn "Kiki" Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Tom Flanigan

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 23**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 23, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11 as amended, House Amendment Nos. 12, 13, 14, 16, 17, 18, 19, House Substitute Amendment No. 1 for House Amendment No. 20, House Amendment Nos. 21, 22, 23, & 24, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 23, as amended;
2. That the Senate recede from its position on Senate Bill No. 23;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 23 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Mike Kehoe
/s/ Mike Cunningham
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Lincoln Hough

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 9:00 a.m., Thursday, May 9, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, May 9, 2013, Upon Morning Adjournment, House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, May 9, 2013, 8:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.
CANCELLED

FISCAL REVIEW
Friday, May 10, 2013, 8:30 AM, South Gallery.
Executive session may be held on any matter referred to the committee.
If in session that day

HOUSE CALENDAR

SIXTY-SIXTH DAY, THURSDAY, MAY 9, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 9 HB 448 - Webb
- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman

- 14 HCS HB 402 - Shumake
- 15 HCS HB 717 - Grisamore
- 16 HCS HB 727 - Grisamore
- 17 HCS HB 83 - Reiboldt
- 18 HCS HB 132 - Stream
- 19 HCS HB 1041 - Swan
- 20 HCS HBs 309 & 73 - Solon
- 21 HCS HB 350 - Frederick
- 22 HCS HB 464 - Higdon
- 23 HCS HB 484 - Lauer
- 24 HCS HB 564 - McGaugh
- 25 HCS HB 604 - Phillips
- 26 HCS HB 608 - Frederick
- 27 HCS HB 685 - Burlison
- 28 HB 745 - Thomson
- 29 HCS HB 783 - Diehl
- 30 HCS HB 814 - Fraker
- 31 HCS HB 830 - Jones (50)
- 32 HB 863 - Allen
- 33 HCS HB 930 - Flanigan
- 34 HB 411 - Muntzel
- 35 HB 447 - Diehl
- 36 HB 467 - Lichtenegger
- 37 HB 827 - Redmon
- 38 HB 915 - Bahr
- 39 HCS HB 975 - Richardson

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS#2 HJR 14 - Jones (110)

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer
- 6 HCS HB 458 - Scharnhorst

SENATE BILLS FOR SECOND READING

- 1 SS SCS SB 210
- 2 SCS SB 411

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 SS SCS SB 125 - Barnes
- 2 HCS SCS SB 88 - Frederick
- 3 HCS SB 222 - Kelly (45)
- 4 SCS SB 224 - Rizzo
- 5 HCS SB 51, as amended - Guernsey
- 6 HCS SS SCS SB 241 - Cierpiot
- 7 SCS SB 302 - Elmer
- 8 HCS SB 18, E.C. - Cox
- 9 SCS SB 87 - Bahr
- 10 HCS SB 110 - Davis
- 11 SS SCS SB 129 - Burlison
- 12 SCS SB 178 - Kirkton
- 13 HCS SS SB 252, E.C. - Richardson
- 14 SB 350 - Diehl
- 15 SS SB 357 - Schatz
- 16 SCS SB 240 - Funderburk
- 17 HCS SCS SB 89, E.C. - Jones (50)
- 18 HCS SB 12, E.C. - Jones (50)
- 19 HCS SB 127 - Lichtenegger
- 20 SCS SB 69 - Cox
- 21 HCS SB 99 - Dugger
- 22 HCS SB 100, E.C. - Cox
- 23 SB 208 - White
- 24 HCS SS SB 282 - Hough
- 25 SB 58 - Engler
- 26 SS SCS SB 29 - Burlison
- 27 HCS SB 161 - Stream
- 28 HCS SB 75 - Burlison
- 29 HCS SB 205 - Burlison
- 30 HCS SS SB 245 - Mitten
- 31 HCS SCS SB 256 - Torpey
- 32 HCS SCS SBs 317 & 319 - Gosen
- 33 HCS SCS SB 229 - Grisamore
- 34 HCS SB 24, E.C. - Hinson
- 35 HCS SS SCS SB 83, E.C. - Crawford

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HBs 256, 33 & 305, SA 2 , SA 3, E.C. - Jones (50)
- 2 HB 400, SA 2 - Riddle
- 3 HB 316, SA 1 - Phillips
- 4 SCS HCS HB 1035 , as amended, E.C. - Kelley (127)
- 5 SCS HCS HB 17 - Stream
- 6 SCS HB 18 - Stream
- 7 SS SCS HCS HB 19 - Stream

BILLS CARRYING REQUEST MESSAGES

- 1 HCS SS SB 262, as amended (request House recede/grant conference), E.C. - Molendorp
- 2 HCS SCS SB 157 and SB 102, as amended
(request House recede/grant conference) - Phillips
- 3 SCS SB 36, HA 1 (request House recede/take up and pass SCS SB 36) - Hicks
- 4 HCS SCS SB 17, as amended (request House recede/grant conference) - Thomson
- 5 HCS SCS SB 9, as amended (request House receded/grant conference) - Guernsey
- 6 HCS SB 330, as amended (request House recede/grant conference) - Burlison
- 7 HCS SB 43, as amended (request House recede/grant conference) - Kolkmeier

BILLS IN CONFERENCE

- 1 SCS HCS HB 1 - Stream
- 2 CCR SCS HCS HB 2 - Stream
- 3 CCR SCS HCS HB 3 - Stream
- 4 CCR SCS HCS HB 4 - Stream
- 5 CCR SCS HCS HB 5 - Stream
- 6 CCR SCS HCS HB 6, as amended - Stream
- 7 CCR SCS HCS HB 7, as amended - Stream
- 8 CCR SCS HCS HB 8 - Stream
- 9 CCR SCS HCS HB 9 - Stream
- 10 CCR SCS HCS HB 10 - Stream
- 11 CCR SCS HCS HB 11, as amended - Stream
- 12 CCR SCS HCS HB 12 - Stream
- 13 SCS HCS HB 13 - Stream
- 14 CCR HCS SB 23, as amended, E.C. - Jones (50)
- 15 CCR SCS SB 106, HA1, HA2, HA3, HA1 to HA4, HA4 a.a., HA5 - Davis
- 16 CCR HCS SCS SB 117, as amended - Davis
- 17 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 18 HCS SS SB 34, as amended - Fraker
- 19 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson
- 20 SS SCS HB 307, as amended - Riddle

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SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, THURSDAY, MAY 9, 2013

The House met pursuant to adjournment.

Representative Engler in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my strength and my song, and He has become my salvation; this is my God, and I will praise Him, my Father's God and I will exalt Him. (Exodus 15:2)

Eternal God, before Whom a thousand years pass as a watch in the night, rekindle within us Your spirit and replenish us with Your grace as we face the tasks of another day. Be a pillar of fire to us by night and a pillar of cloud by day. Lead us into green pastures, beside still waters, along right paths, that our spirits may be restored, that we may find comfort in hours of need, and that goodness and mercy may follow us all the days of our lives.

In these tough times help us to rise above that which is mean and small and enable us to work together in glad good will for the honor and security of Missouri, for the good of our people and for the welfare of all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Halle Howes.

The Journal of the sixty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3033 through House Resolution No. 3093

SECOND READING OF SENATE BILLS

SS SCS SB 210 and SCS SB 411 were read the second time.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS#2 HJR 14, relating to the fifth state building fund, was taken up by Representative Jones (110).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Hodges	Kelly 45	Webber	Zerr
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On motion of Representative Jones (110), **HCS#2 HJR 14** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Black	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger

Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Jones 50	Justus	Kelley 127
Kirkton	Kolkmeyer	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 023

Bahr	Berry	Brattin	Brown	Burlison
Cox	Curtman	Ellington	Fowler	Frame
Johnson	Keeney	Koenig	Marshall	Montecillo
Parkinson	Pogue	Rehder	Richardson	Roorda
Schieber	Smith 85	Smith 120		

PRESENT: 000

ABSENT WITH LEAVE: 004

Hodges	Kelly 45	Korman	Webber
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Representative Engler declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SS SB 262, as amended, relating to health insurance, was taken up by Representative Molendorp.

Representative Molendorp moved that the House refuse to recede from its position on **HCS SS SB 262, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 157 and SB 102, as amended, relating to scrap metal, was taken up by Representative Phillips.

Representative Phillips moved that the House refuse to recede from its position on **HCS SCS SB 157 and SB 102, as amended**, and grant the Senate a conference.

Which motion was adopted.

SCS SB 36, with House Amendment No. 1, relating to juvenile offenders, was taken up by Representative Hicks.

Representative Hicks moved that the House refuse to recede from its position on **House Amendment No. 1 to SCS SB 36** and request the Senate grant the House a conference.

Which motion was adopted.

HCS SCS SB 17, as amended, relating to the Career and Technical Education Advisory Board Council, was taken up by Representative Thomson.

Representative Thomson moved that the House refuse to recede from its position on **HCS SCS SB 17, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 9, as amended, relating to agriculture, was taken up by Representative Guernsey.

Representative Guernsey moved that the House refuse to recede from its position on **HCS SCS SB 9, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 330, as amended, relating to professional registration, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to recede from its position on **HCS SB 330, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 43, as amended, relating to commercial motor vehicles, was taken up by Representative Kolkmeyer.

Representative Kolkmeyer moved that the House refuse to recede from its position on **HCS SB 43, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 316, with Senate Amendment No. 1, relating to the tourism supplemental revenue fund, was taken up by Representative Phillips.

Representative Phillips moved that the House refuse to concur in **Senate Amendment No. 1** to **HB 316** and request the Senate to recede from its position on **Senate Amendment No. 1** and truly agree to and finally pass **HB 316**.

Which motion was adopted.

SCS HCS HB 1035, as amended, relating to property taxes, was taken up by Representative Kelley (127).

Representative Kelley (127) moved that the House refuse to adopt **SCS HCS HB 1035, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

SCS HCS HB 1, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the Conference Committee on **SCS HCS HB 1** be dissolved and **SCS HCS HB 1** be adopted.

Which motion was adopted by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp

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Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bernskoetter	Kelly 45	Lichtenegger	Richardson	Webber
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Speaker Jones assumed the Chair.

On motion of Representative Stream, **SCS HCS HB 1** was truly agreed to and finally passed by the following vote:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGauth	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85

Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bernskoetter	Kelly 45	Mims	Webber
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Speaker Jones declared the bill passed.

CCR SCS HCS HB 2, relating to appropriations, was taken up by Representative Stream.

Representative Roorda raised a point of order that **CCR SCS HCS HB 2** is in violation of Rule 57(d).

The Chair ruled the point of order not well taken.

On motion of Representative Stream, **CCR SCS HCS HB 2** was adopted by the following vote:

AYES: 112

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

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NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kirkton	Kratky	LaFaver
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 45	Lichtenegger	Webber
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On motion of Representative Stream, **CCS SCS HCS HB 2** was read the third time and passed by the following vote:

AYES: 110

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kirkton	Kratky	LaFaver	Marshall
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr

Otto	Pace	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 007

Dunn	Gatschenberger	Kelly 45	Lichtenegger	Pierson
Swearingen	Webber			

Speaker Jones declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 9: Representatives Guernsey, Richardson and Mitten
HCS SCS SB 17: Representatives Thomson, Scharnhorst and Montecillo
HCS SB 43: Representatives Kolkmeyer, Schatz and Schieffer
HCS SCS SB 157 and SB 102: Representatives Phillips, Dugger and Nichols
HCS SS SB 262: Representatives Molendorp, Scharnhorst and McNeil
HCS SB 330: Representatives Burlison, Keeney and Kratky

BILLS IN CONFERENCE

CCR SCS HCS HB 3, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 3** was adopted by the following vote:

AYES: 124

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McGaugh	Messenger
Miller	Mims	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Newman	Nichols
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads

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Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 035

Black	Burns	Butler	Carpenter	Colona
Dunn	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kratky	Marshall
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Norr
Otto	Pace	Peters	Pierson	Roorda
Runions	Schupp	Smith 85	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 004

Kelly 45	LaFaver	Lichtenegger	Webber
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On motion of Representative Stream, **CCS SCS HCS HB 3** was read the third time and passed by the following vote:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	Mayfield	McCaherty	McGaugh	Meredith
Messenger	Miller	Mims	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 034

Black	Burns	Butler	Carpenter	Colona
Dunn	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kratky	Marshall
McCann Beatty	McDonald	McKenna	McManus	McNeil
Mitten	Montecillo	Morgan	Norr	Otto
Pace	Peters	Pierson	Roorda	Runions
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 004

Ellinger	Kelly 45	Lichtenegger	Webber
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Speaker Jones declared the bill passed.

CCR SCS HCS HB 4, relating to appropriations, was taken up by Representative Stream.

Representative Parkinson assumed the Chair.

On motion of Representative Stream, **CCR SCS HCS HB 4** was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner

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Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 45	Lichtenegger	Webber
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On motion of Representative Stream, **CCS SCS HCS HB 4** was read the third time and passed by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 45 Lichtenegger Webber

Representative Parkinson declared the bill passed.

CCR SCS HCS HB 5, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 5** was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 007

Ellington	Frame	Kratky	Otto	Pace
Smith 85	Walton Gray			

PRESENT: 000

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ABSENT WITH LEAVE: 009

Colona	Conway 10	Grisamore	Guernsey	Kelly 45
Lichtenegger	Marshall	Webb	Webber	

On motion of Representative Stream, **CCS SCS HCS HB 5** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 011

Curtis	Ellington	Frame	Kratky	Marshall
Newman	Otto	Pace	Parkinson	Smith 85
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 006

Colona	Conway 10	Kelly 45	Lichtenegger	Webb
Webber				

Representative Parkinson declared the bill passed.

CCR SCS HCS HB 6, as amended, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 6, as amended**, was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Rooda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 004

Ellington	Gardner	Marshall	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 007

Colona	Frame	Guernsey	Hicks	Kelly 45
Lichtenegger	Webber			

On motion of Representative Stream, **CCS SCS HCS HB 6** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 005

Ellington	Frame	Gardner	Marshall	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Colona	Guernsey	Hicks	Kelly 45
Lichtenegger	Swan	Webber		

Representative Parkinson declared the bill passed.

CCR SCS HCS HB 7, as amended, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 7, as amended**, was adopted by the following vote:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Butler	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellinger	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McDonald
McGaugh	Meredith	Messenger	Miller	Mitten
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Smith 120	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 031

Burns	Carpenter	Colona	Dunn	Ellington
English	Frame	Gardner	Harris	Hummel
LaFaver	Marshall	May	Mayfield	McCann Beatty
McKenna	McManus	McNeil	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Rizzo
Roorda	Schupp	Smith 85	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Kelly 45	Lichtenegger	Scharnhorst	Shumake
Spencer	Webber			

On motion of Representative Stream, **CCS SCS HCS HB 7** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McDonald	McGaugh	Meredith
Messenger	Miller	Mitten	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Otto
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 035

Burns	Butler	Carpenter	Colona	Dunn
Ellington	English	Frame	Gardner	Harris
Hummel	LaFaver	Marshall	May	Mayfield
McCann Beatty	McKenna	McManus	McNeil	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Pace	Peters	Rizzo	Roorda	Runions
Schupp	Smith 85	Swearingen	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Guernsey	Kelly 45	Lichtenegger	Scharnhorst
Webber				

Representative Parkinson declared the bill passed.

CCR SCS HCS HB 8, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 8** was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 008

Colona	Ellington	Gardner	Marshall	May
Morgan	Roorda	Smith 85		

PRESENT: 001

Black

ABSENT WITH LEAVE: 007

Cross	Grisamore	Kelly 45	Lichtenegger	Ross
Scharnhorst	Webber			

On motion of Representative Stream, **CCS SCS HCS HB 8** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 010

Colona	Ellington	Gardner	Hummel	Marshall
May	Morgan	Roorda	Smith 85	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Hansen	Kelly 45	Lichtenegger	Scharnhorst
Webber				

Representative Parkinson declared the bill passed.

Representative Sommer assumed the Chair.

CCR SCS HCS HB 9, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 9** was adopted by the following vote:

AYES: 153

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 004

Ellington	Frame	Marshall	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Kelly 45	Lauer	Lichtenegger	Mitten
Webber				

On motion of Representative Stream, **CCS SCS HCS HB 9** was read the third time and passed by the following vote:

AYES: 151

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 005

Ellington	Frame	Hummel	Marshall	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 007

Anders	Hicks	Kelly 45	Lauer	Lichtenegger
Shull	Webber			

Representative Sommer declared the bill passed.

CCR SCS HCS HB 10, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SCS HCS HB 10** was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Conway 10	Ellington	Gannon	Higdon	Kelly 45
Lauer	Lichtenegger	Peters	Webber	

On motion of Representative Stream, **CCS SCS HCS HB 10** was read the third time and passed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Leara	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 006

Ellington	Higdon	Kelly 45	Lauer	Lichtenegger
Webber				

Representative Sommer declared the bill passed.

Representative Conway (104) assumed the Chair.

CCR SCS HCS HB 11, as amended, relating to appropriations, was taken up by Representative Stream.

Representative Roorda raised a point of order that **CCR SCS HCS HB 11, as amended**, is in violation of Rule 57(d).

Representative Conway (104) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Jones resumed the Chair.

Representative Hummel made a substitute motion that the House refuse to adopt the Conference Committee Report on **SCS HCS HB 11** and request the Senate grant the House a further conference for the purpose of changing references to the non-existent Missouri Senior Services Protection Fund to the General Revenue Fund.

Which motion was defeated by the following vote:

AYES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

NOES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz

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Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 004

Kelly 45	Lichtenegger	Scharnhorst	Webber
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On motion of Representative Stream, **CCR SCS HCS HB 11, as amended**, was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45 Lichtenegger Scharnhorst Smith 120 Webber

On motion of Representative Stream, **CCS SCS HCS HB 11** was read the third time and passed by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes Kelly 45 Lichtenegger Scharnhorst Webber

Speaker Jones declared the bill passed.

CCR SCS HCS HB 12, relating to appropriations, was taken up by Representative Stream.

Representative Rehder assumed the Chair.

On motion of Representative Stream, **CCR SCS HCS HB 12** was adopted by the following vote:

AYES: 140

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Molendorp	Montecillo
Moon	Muntzel	Neely	Neth	Newman
Nichols	Norr	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 015

Colona	Curtis	Ellinger	Ellington	Frame
Gardner	Hubbard	Marshall	McNeil	Mitten
Morgan	Otto	Roorda	Schupp	Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 008

Franklin	Kelly 45	Lichtenegger	Mims	Morris
Rizzo	Scharnhorst	Webber		

On motion of Representative Stream, **CCS SCS HCS HB 12** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Love	Lynch	May	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	Messenger
Miller	Mims	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 018

Burns	Colona	Curtis	Ellinger	Ellington
Frame	Gardner	Hubbard	Marshall	Mayfield
McNeil	Meredith	Mitten	Morgan	Otto
Roorda	Schupp	Smith 85		

PRESENT: 000

ABSENT WITH LEAVE: 004

Kelly 45	Lichtenegger	Scharnhorst	Webber
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Representative Rehder declared the bill passed.

SCS HCS HB 13, relating to appropriations, was taken up by Representative Stream.

Representative Stream moved that the Conference Committee on **SCS HCS HB 13** be dissolved and **SCS HCS HB 13** be adopted.

Which motion was adopted by the following vote:

AYES: 127

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeier	Korman	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	McCaherty	McDonald	McGaugh	McManus
Meredith	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 030

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kratky	Marshall
Mayfield	McCann Beatty	McKenna	McNeil	Mitten
Montecillo	Morgan	Norr	Otto	Pace
Roorda	Schupp	Smith 85	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

Gannon	Kelly 45	Lichtenegger	Mims	Scharnhorst
Webber				

On motion of Representative Stream, **SCS HCS HB 13** was truly agreed to and finally passed by the following vote:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Carpenter	Cierpiot	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
May	McCaherty	McDonald	McGaugh	McManus
Meredith	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Parkinson	Pfausch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 031

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Hubbard	Hummel	Kratky	Marshall
Mayfield	McCann Beatty	McKenna	McNeil	Mitten
Montecillo	Morgan	Norr	Otto	Pace
Peters	Roorda	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 006

Conway 104	Kelly 45	Lichtenegger	Mims	Scharnhorst
Webber				

Representative Rehder declared the bill passed.

Speaker Jones resumed the Chair.

THIRD READING OF SENATE BILLS

SB 350, relating to the Missouri Senior Services Protection Fund, was taken up by Representative Diehl.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Fowler	Frame
Gardner	Harris	Hodges	Hubbard	Hummel
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Curtman	Kelly 45	Lichtenegger	Shumake	Smith 120
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On motion of Representative Diehl, **SB 350** was truly agreed to and finally passed by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Leara
Love	Lynch	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Sommer	Spencer	Stream	Thomson
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 069

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Davis	Dunn
Ellinger	Ellington	English	Englund	Fitzwater
Fowler	Frame	Gannon	Gardner	Hampton
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Lauer	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Pierson	Rehder	Rizzo	Roorda	Rowden
Runions	Schieffer	Schupp	Shumake	Smith 85
Solon	Swan	Swearingen	Torpey	Walton Gray
Webb	Webber	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 45	Lichtenegger	Smith 120
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Speaker Jones declared the bill passed.

SCS SB 240, relating to ratemaking for gas corporations, was taken up by Representative Funderburk.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Cross	Gosen	Kelly 45	Lichtenegger	McCaherty
McManus	Mitten	Smith 120		

On motion of Representative Funderburk, **SCS SB 240** was truly agreed to and finally passed by the following vote:

AYES: 110

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Burlison	Burns	Carpenter
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Funderburk	Guernsey	Hansen	Hicks	Higdon
Hoskins	Houghton	Hubbard	Hummel	Hurst
Jones 50	Justus	Kelley 127	Koenig	Korman
Lair	Lant	Leara	Love	Lynch
May	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Norr	Pace	Parkinson
Pfautsch	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Shumake	Smith 85	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Walker	Walton Gray	Webb	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 045

Anders	Berry	Brattin	Brown	Butler
Cierpiot	Cross	Ellinger	Ellington	Englund
Fowler	Gardner	Grisamore	Haahr	Hampton
Harris	Hinson	Hodges	Hough	Johnson
Keeney	Kirkton	Kolkmeier	Kratky	LaFaver
Lauer	Marshall	Mayfield	McNeil	Morgan
Neth	Newman	Nichols	Otto	Peters
Phillips	Pierson	Rehder	Richardson	Schieffer
Schupp	Shull	Solon	Torpey	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 008

Gannon	Gatschenberger	Gosen	Haefner	Kelly 45
Lichtenegger	Mitten	Smith 120		

Speaker Jones declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 253, as amended, relating to taxation, was taken up by Representative Berry.

Representative Frederick assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Entlicher	Funderburk	Gosen	Grisamore
Kelly 45	Lichtenegger	Mitten	Phillips	Smith 120
White				

On motion of Representative Berry, **SS HB 253, as amended**, was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gatschenberger	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Fowler	Frame
Gannon	Gardner	Hampton	Harris	Hubbard
Hummel	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Entlicher	Funderburk	Gosen	Grisamore	Kelly 45
Lichtenegger	Mitten	Phillips	Smith 120	

On motion of Representative Berry, **SS HB 253, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gatschenberger	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Fowler	Frame
Gannon	Gardner	Hampton	Harris	Hubbard
Hummel	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Runions	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Entlicher	Funderburk	Gosen	Grisamore	Kelly 45
Lichtenegger	Mitten	Phillips	Smith 120	

Representative Frederick declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McManus
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 028

Burns	Curtis	Ellinger	Ellington	Englund
Gardner	Hubbard	Marshall	May	McDonald
McKenna	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Runions	Smith 85
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Gatschenberger	Gosen	Kelly 45	Lichtenegger
Mitten	Phillips	Smith 120	Webb	

SCS HCS HB 17, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **SCS HCS HB 17** was adopted by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wright
Zerr	Mr Speaker			

NOES: 005

Ellington	Gardner	Marshall	Parkinson	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 011

Dugger	Gosen	Kelly 45	Lichtenegger	McManus
Mitten	Neely	Phillips	Pierson	Smith 120
Wood				

On motion of Representative Stream, **SCS HCS HB 17** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wright	Zerr	Mr Speaker	

NOES: 005

Ellington	Gardner	Marshall	Parkinson	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 009

Dugger	Gosen	Kelly 45	Lichtenegger	McManus
Mitten	Phillips	Smith 120	Wood	

Representative Frederick declared the bill passed.

SCS HCS HB 18, relating to appropriations, was taken up by Representative Stream.

On motion of Representative Stream, **SCS HCS HB 18** was adopted by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wright	Zerr
Mr Speaker				

NOES: 005

Ellington	Gardner	Marshall	Parkinson	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 012

Dugger	Funderburk	Gatschenberger	Gosen	Kelly 45
Lichtenegger	McManus	Mitten	Phillips	Shumake
Smith 120	Wood			

On motion of Representative Stream, **SCS HCS HB 18** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wright	Zerr	Mr Speaker	

NOES: 005

Ellington	Gardner	Marshall	Parkinson	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 009

Dugger	Gosen	Kelly 45	Lichtenegger	McManus
Mitten	Phillips	Smith 120	Wood	

Representative Frederick declared the bill passed.

SS SCS HCS HB 19, relating to appropriations, was taken up by Representative Stream.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Dugger	Ellington	Funderburk	Gosen	Kelly 45
Korman	Lichtenegger	McManus	Mitten	Molendorp
Phillips	Smith 120			

On motion of Representative Stream, **SS SCS HCS HB 19** was adopted by the following vote:

AYES: 111

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McDonald	McGaugh	Messenger
Miller	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Neth	Pfausch	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webb
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 042

Burns	Butler	Carpenter	Curtis	Curtman
Dunn	Ellinger	Ellington	English	Englund
Frame	Gardner	Harris	Hubbard	Hummel
LaFaver	Marshall	May	Mayfield	McCann Beatty
McKenna	McNeil	Meredith	Mims	Morgan
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pierson	Rizzo	Roorda
Runions	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Dugger	Funderburk	Gosen	Kelly 45	Lichtenegger
McManus	Mitten	Phillips	Reiboldt	Smith 120

On motion of Representative Stream, **SS SCS HCS HB 19** was truly agreed to and finally passed by the following vote:

AYES: 111

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McDonald	McGaugh	Messenger
Miller	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webb
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 042

Burns	Butler	Carpenter	Curtis	Curtman
Dunn	Ellinger	Ellington	English	Englund
Frame	Gardner	Harris	Hubbard	Hummel
LaFaver	Marshall	May	Mayfield	McCann Beatty
McKenna	McNeil	Meredith	Mims	Morgan
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pierson	Rizzo	Roorda
Runions	Schupp	Smith 85	Swearingen	Walton Gray
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 010

Dugger	Funderburk	Gosen	Kelly 45	Lichtenegger
McManus	Mitten	Molendorp	Phillips	Smith 120

Representative Frederick declared the bill passed.

Speaker Jones resumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the Conference Committee Report on **SS HCS HJR 11 & 7, as amended**, and request the House grant the Senate further conference and further that the conferees be allowed to exceed the differences.

BILLS CARRYING REQUEST MESSAGES

SS HCS HJR 11 & 7, as amended, relating to the right to farm, was taken up by Representative Reiboldt.

Representative Reiboldt moved that the House grant the Senate a further conference on **SS HCS HJR 11 & 7, as amended**, and the conferees be allowed to exceed the differences.

Which motion was adopted.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HCS HJR 11 & 7: Representatives Richardson, Reiboldt and Black

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 210 - Elementary and Secondary Education

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Committee on Government Oversight and Accountability, to which was referred **SS SB 251**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 77, 91 & 95**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 73**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 218**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 236**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 342**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2**, and has taken up and passed **CCS SCS HCS HB 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 3**, and has taken up and passed **CCS SCS HCS HB 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 4**, and has taken up and passed **CCS SCS HCS HB 4**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 5**, and has taken up and passed **CCS SCS HCS HB 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 6**, as **amended**, and has taken up and passed **CCS SCS HCS HB 6**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 7**, as **amended**, and has taken up and passed **CCS SCS HCS HB 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 8**, and has taken up and passed **CCS SCS HCS HB 8**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 9**, and has taken up and passed **CCS SCS HCS HB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 10**, and has taken up and passed **CCS SCS HCS HB 10**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 11**, as **amended**, and has taken up and passed **CCS SCS HCS HB 11**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 12**, and has taken up and passed **CCS SCS HCS HB 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 9**, as **amended**: Senators Pearce, Munzlinger, Sater, Curls and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 17**, as **amended**: Senators Munzlinger, Lamping, Romine, Curls and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5** and **House Amendment No. 6** to **SCS SB 33**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 34**, as **amended**, and has taken up and passed **CCS HCS SS SB 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 41**, as **amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 42**, as **amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 43, as amended**: Senators Munzlinger, Schaefer, Kehoe, Holsman and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 57, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1 to SB 77**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 90, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 157 and SB 102, as amended**: Senators Sater, Kraus, Silvey, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 262, as amended**: Senators Curls, Rupp, Parson, Wallingford and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1 to SB 327**, and requests the House to recede from its position on **House Amendment No. 1** and take up and pass **SB 327**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 330, as amended**: Senators Wasson, Cunningham, Sater, Keaveny and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 378**, entitled:

An act to repeal sections 160.545, 173.250, and 173.1104, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarship programs.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 437**, entitled:

An act to repeal sections 163.191 and 173.616, RSMo, and to enact in lieu thereof thirteen new sections relating to higher education.

In which the concurrence of the House is respectfully requested.

COMMITTEE APPOINTMENT

May 9, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to powers granted in Chapter 21 of the Revised Statutes of Missouri and House Rules 22 and 100, the Speaker hereby forms the Bipartisan Investigative Committee on Privacy Protection to investigate the circumstances surrounding the preparation, compilation, storage, sharing, and dissemination of over 163,000 concealed carry records. The investigation will aid the legislature in determining what motivated state officials to act as they did, whether state laws were broken in the process, and whether new or revised laws are needed to ensure that this will never happen again.

The Speaker hereby appoints the following to serve on the Bipartisan Investigative Committee on Privacy Protection:

Representative Nick Marshall	Sheriff Greg White
Representative Robert Ross	Sheriff Michael Dixon
Representative Caleb Jones	Sheriff John Jordan
Representative Shawn Rhoads	Sheriff Glenn Boyer
Representative Wanda Brown	Sheriff Stuart Miller
Representative Kathie Conway	Mike Fusselman
Representative Keith English	Russ Oliver
Representative Gina Mitten	Gary Fuhr
Representative Don Phillips	Omar Davis
Representative Scott Fitzpatrick	

The Speaker has designated Representative Stanley Cox as Chair, and Representative Ken Wilson as Vice-Chair. Todd Graves will serve as special counsel.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 34**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 34, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 34, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 34;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Cunningham
/s/ Scott Rupp
/s/ Mike Parson
/s/ Ryan McKenna
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Lyndall Fraker
/s/ Dave Schatz
/s/ Kevin McManus

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 2:00 p.m., Monday, May 13, 2013.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Bob Burns, District 93, hereby state and affirm that my vote as recorded on the motion by which Senate Committee Substitute for House Committee Substitute for House Bill 436, as amended, was truly agreed to and finally passed, as recorded on Page 2273 of the Journal of the House for the sixty-fifth day, Wednesday, May 8, 2013 was incorrectly recorded as "Absent with Leave." Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as "No."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May, 2013.

/s/ Bob Burns
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of May in the year 2013.

/s/ Leann M. Hager
Notary Public

I, State Representative Gina Mitten, District 83, hereby state and affirm that my vote as recorded on the motion by which Senate Bill 216 was truly agreed to and finally passed, as recorded on Page 2182 of the Journal of the House for the sixty-fifth day, Wednesday, May 8, 2013 was incorrectly recorded as "No." Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as "Aye."

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of May, 2013.

/s/ Gina C. Mitten
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 9th day of May in the year 2013.

/s/ Leann M. Hager
Notary Public

COMMITTEE HEARINGS

DOWNSIZING STATE GOVERNMENT

Monday, May 13, 2013, Noon or Upon Morning Adjournment, House Hearing Room 4.

Executive session will be held: SB 170

Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION

Monday, May 13, 2013, 12:00 PM, House Hearing Room 6.

Public hearing will be held: SS SCS SB 210

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Friday, May 10, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

If in session that day

CANCELLED

FISCAL REVIEW

Monday, May 13, 2013, 1:00 PM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Tuesday, May 14, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 15, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 16, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

RULES

Monday, May 13, 2013, Upon Afternoon Adjournment, South Gallery.

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SEVENTH DAY, MONDAY, MAY 13, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison
- 5 HCS HJR 23 - Hinson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 9 HB 448 - Webb
- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman

- 14 HCS HB 402 - Shumake
- 15 HCS HB 717 - Grisamore
- 16 HCS HB 727 - Grisamore
- 17 HCS HB 83 - Reiboldt
- 18 HCS HB 132 - Stream
- 19 HCS HB 1041 - Swan
- 20 HCS HBs 309 & 73 - Solon
- 21 HCS HB 350 - Frederick
- 22 HCS HB 464 - Higdon
- 23 HCS HB 484 - Lauer
- 24 HCS HB 564 - McGaugh
- 25 HCS HB 604 - Phillips
- 26 HCS HB 608 - Frederick
- 27 HCS HB 685 - Burlison
- 28 HB 745 - Thomson
- 29 HCS HB 783 - Diehl
- 30 HCS HB 814 - Fraker
- 31 HCS HB 830 - Jones (50)
- 32 HB 863 - Allen
- 33 HCS HB 930 - Flanigan
- 34 HB 411 - Muntzel
- 35 HB 447 - Diehl
- 36 HB 467 - Lichtenegger
- 37 HB 827 - Redmon
- 38 HB 915 - Bahr
- 39 HCS HB 975 - Richardson
- 40 HCS HB 198 - Funderburk
- 41 HB 385 - Burlison
- 42 HCS HBs 77, 91 & 95 - Burlison

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer
- 6 HCS HB 458 - Scharnhorst

SENATE BILLS FOR SECOND READING

- 1 SCS SB 378
- 2 SS SCS SB 437

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 SS SCS SB 125 - Barnes
- 2 HCS SCS SB 88 - Frederick
- 3 HCS SB 222 - Kelly (45)
- 4 SCS SB 224 - Rizzo
- 5 HCS SB 51, as amended - Guernsey
- 6 HCS SS SCS SB 241 - Cierpiot
- 7 SCS SB 302 - Elmer
- 8 HCS SB 18, E.C. - Cox
- 9 SCS SB 87 - Bahr
- 10 HCS SB 110 - Davis
- 11 SS SCS SB 129 - Burlison
- 12 SCS SB 178 - Kirkton
- 13 HCS SS SB 252, E.C. - Richardson
- 14 SS SB 357 - Schatz
- 15 HCS SCS SB 89, E.C. - Jones (50)
- 16 HCS SB 12, E.C. - Jones (50)
- 17 HCS SB 127 - Lichtenegger
- 18 SCS SB 69 - Cox
- 19 HCS SB 99 - Dugger
- 20 HCS SB 100, E.C. - Cox
- 21 SB 208 - White
- 22 HCS SS SB 282 - Hough
- 23 SB 58 - Engler
- 24 SS SCS SB 29 - Burlison
- 25 HCS SB 161 - Stream
- 26 HCS SB 75 - Burlison
- 27 HCS SB 205 - Burlison
- 28 HCS SS SB 245 - Mitten
- 29 HCS SCS SB 256 - Torpey
- 30 HCS SCS SBs 317 & 319 - Gosen
- 31 HCS SCS SB 229 - Grisamore
- 32 HCS SB 24, E.C. - Hinson
- 33 HCS SS SCS SB 83, E.C. - Crawford
- 34 SB 236 - Franklin
- 35 HCS SB 342 - Guernsey

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 HCS HBs 256, 33 & 305, SA 2 , SA 3, E.C. - Jones (50)
- 2 HB 400, SA 2 - Riddle
- 3 SS SCS HB 542, as amended - Love
- 4 SS HCS HB 199, as amended, E.C. - Dugger

BILLS CARRYING REQUEST MESSAGES

- 1 SCS SB 36, HA 1 (House refuse to recede/request Senate grant conference) - Hicks
- 2 HB 316, SA 1 (request Senate recede/TAFP HB 316) - Phillips
- 3 SCS HCS HB 1035 , as amended,
(request Senate recede, grant conference), E.C. - Kelley (127)
- 4 SB 77, HA 1 (request House recede/grant conference) - Allen
- 5 HCS SCS SB 42, as amended (request House recede/grant conference) - Jones (50)
- 6 HCS SB 90, as amended (request House recede/grant conference) - Dugger
- 7 HCS SB 57, as amended (request House recede/grant conference) - Engler
- 8 SCS SB 33, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6
(request House recede/grant conf) - Grisamore
- 9 SB 327, HA 1 (request House recede/TAFP SB 327) - Haahr
- 10 HCS SB 41, as amended (request House recede/grant conference) - Hough

BILLS IN CONFERENCE

- 1 CCR HCS SB 23, as amended, E.C. - Jones (50)
- 2 CCR SCS SB 106, HA1, HA2, HA3, HA1 to HA4, HA4 a.a., HA5 - Davis
- 3 CCR HCS SCS SB 117, as amended - Davis
- 4 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 5 CCR HCS SS SB 34, as amended - Fraker
- 6 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson
- 7 SS SCS HB 307, as amended - Riddle
- 8 HCS SS SB 262, as amended, E.C. - Molendorp
- 9 HCS SCS SB 157 and SB 102, as amended - Phillips
- 10 HCS SCS SB 17, as amended - Thomson
- 11 HCS SCS SB 9, as amended - Guernsey
- 12 HCS SB 330, as amended - Burlison
- 13 HCS SB 43, as amended - Kolkmeier
- 14 SS HCS HJR 11 & 7, as amended - Reiboldt

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, MONDAY, MAY 13, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Representative John McCaherty.

Father, as we humble ourselves before Your throne today we thank You for Your love, Your mercy, and Your grace. Today we face the final week of session for the General Assembly; there are many issues which remain that need to be addressed, and we pray for Your guidance as we face difficult decisions. May Your spirit reign within us, may Your peace comfort us, and may Your wisdom guide us in everything we do and may we live our lives for Your glory, honor and praise.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mariah Brattin, Kayla Brattin, Rick Brattin III, and Garrett Gordon.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3094 through House Resolution No. 3141

SECOND READING OF SENATE BILLS

SCS SB 378 and **SS SCS SB 437** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **SS HCS HJR 11 & 7, as amended**: Senators Parson, Munzlinger, Brown, Justus and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1035, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Schmitt, Pearce, Dixon, McKenna and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House a conference on **SCS SB 36, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Wallingford, Dixon, Romine, Justus and Keaveny.

THIRD READING OF SENATE BILLS

SS SB 357, relating to mechanics' liens, was taken up by Representative Schatz.

On motion of Representative Schatz, **SS SB 357** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	Messenger	Miller	Mims
Mitten	Molendorp	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 013

Butler	Ellinger	Ellington	Gardner	Kratky
LaFaver	McNeil	Montecillo	Newman	Otto
Pace	Smith 85	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 010

Guernsey	Kelly 45	McManus	Meredith	Parkinson
Roorda	Schupp	Smith 120	Walton Gray	Webber

Speaker Jones declared the bill passed.

SB 58, relating to City of Farmington ordinances, was taken up by Representative Engler.

Representative Engler offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 58, Page 1, Section A, Line 2, by inserting after all of said line the following:

"71.285. 1. Whenever weeds or trash, in violation of an ordinance, are allowed to grow or accumulate, as the case may be, on any part of any lot or ground within any city, town or village in this state, the owner of the ground, or in case of joint tenancy, tenancy by entireties or tenancy in common, each owner thereof, shall be liable. The marshal or other city official as designated in such ordinance shall give a hearing after ten days' notice thereof, either personally or by United States mail to the owner or owners, or the owner's agents, or by posting such notice on the premises; thereupon, the marshal or other designated city official may declare the weeds or trash to be a nuisance and order the same to be abated within five days; and in case the weeds or trash are not removed within the five days, the marshal or other designated city official shall have the weeds or trash removed, and shall certify the costs of same to the city clerk, who shall cause a special tax bill therefor against the property to be prepared and to be collected by the collector, with other taxes assessed against the property; and the tax bill from the date of its issuance shall be a first lien on the property until paid and shall be prima facie evidence of the recitals therein and of its validity, and no mere clerical error or informality in the same, or in the proceedings leading up to the issuance, shall be a defense thereto. Each special tax bill shall be issued by the city clerk and delivered to the collector on or before the first day of June of each year. Such tax bills if not paid when due shall bear interest at the rate of eight percent per annum. Notwithstanding the time limitations of this section, any city, town or village located in a county of the first classification may hold the hearing provided in this section four days after notice is sent or posted, and may order at the hearing that the weeds or trash shall be abated within five business days after the hearing and if such weeds or trash are not removed within five business days after the hearing, the order shall allow the city to immediately remove the weeds or trash pursuant to this section. Except for lands owned by a public utility, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad, the department of transportation, the department of natural resources or the department of conservation, the provisions of this subsection shall not apply to any city with a population of at least seventy thousand inhabitants which is located in a county of the first classification with a population of less than one hundred thousand inhabitants which adjoins a county with a population of less than one hundred thousand inhabitants that contains part of a city with a population of three hundred fifty thousand or more inhabitants, any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any city, town or village located within a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, or any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, or the City of St. Louis, where such city, town or village establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill.

2. Except as provided in subsection 3 of this section, if weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, or in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located

in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, the marshal or other designated city official may order that the weeds or trash be abated within five business days after notice is sent to or posted on the property. In case the weeds or trash are not removed within the five days, the marshal or other designated city official may have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section.

3. If weeds are allowed to grow, or if trash is allowed to accumulate, on the same property in violation of an ordinance more than once during the same growing season in the case of weeds, or more than once during a calendar year in the case of trash, in any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county, in the City of St. Louis, in any city, town or village located in a county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants, in any fourth class city located in a county of the first classification with a charter form of government and a population of less than three hundred thousand, in any home rule city with more than one hundred thirteen thousand two hundred but less than one hundred thirteen thousand three hundred inhabitants located in a county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants, in any third class city with a population of at least ten thousand inhabitants but less than fifteen thousand inhabitants with the greater part of the population located in a county of the first classification, in any city of the third classification with more than sixteen thousand nine hundred but less than seventeen thousand inhabitants, [or] in any city of the third classification with more than eight thousand but fewer than nine thousand inhabitants, **in any city of the fourth classification with more than eight thousand but fewer than nine thousand inhabitants and located in any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants, or in any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants,** the marshal or other designated official may, without further notification, have the weeds or trash removed and the cost of the same shall be billed in the manner described in subsection 1 of this section. The provisions of subsection 2 and this subsection do not apply to lands owned by a public utility and lands, rights-of-way, and easements appurtenant or incidental to lands controlled by any railroad.

4. The provisions of this section shall not apply to any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification where such city establishes its own procedures for abatement of weeds or trash, and such city may charge its costs of collecting the tax bill, including attorney fees, in the event a lawsuit is required to enforce a tax bill."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Engler, **House Amendment No. 1** was adopted.

Representative Gatschenberger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Bill No. 58, Section A, Page 1, Line 2, by inserting after all of said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third

classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty

days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any**

city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of the adoption of the annexation ordinance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 2** was adopted.

On motion of Representative Engler, **SB 58, as amended**, was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 005

Burlison	Ellington	Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 008

Guernsey	Kelly 45	Parkinson	Schupp	Smith 120
Swearingen	Walton Gray	Webber		

Speaker Jones declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1035: Representatives Kelley (127), Curtman and Swearingen

SCS SB 36: Representatives Hicks, Cox and LaFaver

THIRD READING OF SENATE BILLS

HCS SCS SB 229, relating to the Mental Health Employment Disqualification Registry, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS SCS SB 229** was adopted.

On motion of Representative Grisamore, **HCS SCS SB 229** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Hansen	Kelly 45	Marshall	Schupp
Smith 120	Swearingen	Walton Gray	Webber	

Speaker Jones declared the bill passed.

SS SCS SB 29, relating to labor organizations, was taken up by Representative Burlison.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Funderburk	Hicks	Kelly 45	Moon
Pfautsch	Schupp	Smith 120	Walton Gray	

On motion of Representative Burlison, **SS SCS SB 29** was truly agreed to and finally passed by the following vote:

AYES: 085

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Parkinson
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Shull
Shumake	Spencer	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Mr Speaker

NOES: 069

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Curtman	Dunn	Ellinger	Ellington	English
Englund	Frame	Funderburk	Gardner	Hansen
Harris	Higdon	Hinson	Hodges	Hubbard
Hummel	Kirkton	Kratky	LaFaver	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Rowden	Runions	Schieber	Schieffer	Smith 85
Solon	Sommer	Swearingen	Torpey	Webb
Webber	Wieland	Wright	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 009

Cornejo	Gannon	Hicks	Kelly 45	Korman
Pfautsch	Schupp	Smith 120	Walton Gray	

Speaker Jones declared the bill passed.

HCS SB 205, relating to foster children, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS SB 205** was adopted.

On motion of Representative Burlison, **HCS SB 205** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieffer
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 004

Curtman	Marshall	Pogue	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 010

Cornejo	Ellington	Grisamore	Kelly 45	Scharnhorst
Schupp	Shull	Smith 120	Walton Gray	Zerr

Speaker Jones declared the bill passed.

SCS SB 69, relating to administrative child support orders, was taken up by Representative Cox.

Representative Fitzpatrick offered **House Amendment No. 1.**

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 69, Page 1, in the Title, Line 3, by deleting the phrase "administrative child support decisions" and insert in lieu thereof the word "children"; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; [and]

(7) Any nursery school; **and**

(8) Any child-care facility in a third class county that discloses any noncompliance with sections 210.203 to 210.245 to the parent or guardian of the child being cared for and obtains written acknowledgment of such non-compliance from the parent or guardian."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger

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Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Cornejo	Ellington	Funderburk	Gardner	Kelly 45
Montecillo	Scharnhorst	Smith 120	Walton Gray	Zerr

Representative Fitzpatrick moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Anderson	Bahr	Brattin	Burlison	Cookson
Cox	Curtman	Diehl	Dohrman	Elmer
Fitzpatrick	Fitzwater	Fowler	Fraker	Frederick
Funderburk	Gatschenberger	Gosen	Guernsey	Hicks
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Marshall	McGaugh	Molendorp
Moon	Muntzel	Neely	Parkinson	Phillips
Pike	Pogue	Redmon	Remole	Riddle
Ross	Rowland	Schatz	Schieber	Shull
Sommer	Spencer	Wilson	Mr Speaker	

NOES: 103

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Conway 104
Crawford	Cross	Curtis	Davis	Dugger
Dunn	Ellinger	Ellington	Engler	English
Englund	Entlicher	Flanigan	Frame	Franklin
Gannon	Gardner	Grisamore	Haahr	Haefner

Hampton	Hansen	Harris	Higdon	Hinson
Hodges	Hough	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Morgan	Morris	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Pierson	Rehder	Reiboldt
Rhoads	Richardson	Rizzo	Roorda	Rowden
Runions	Schieffer	Schupp	Shumake	Smith 85
Solon	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 006

Cornejo	Kelly 45	Scharnhorst	Smith 120	Walton Gray
Zerr				

Representative May offered **House Amendment No. 2**.

Representative Cox raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Cox, **SCS SB 69** was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman

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Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schupp	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 004

Curtis	Ellington	Gardner	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 007

Cornejo	Flanigan	Kelly 45	Scharnhorst	Schieffer
Smith 120	Walton Gray			

Speaker Jones declared the bill passed.

SB 208, relating to foster care reentry, was taken up by Representative White.

Representative Dugger assumed the Chair.

On motion of Representative White, **SB 208** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters

Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 009

Bahr	Curtman	Hicks	Koenig	Marshall
Parkinson	Pogue	Schieber	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 004

Kelly 45	Smith 120	Swearingen	Walton Gray
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Representative Dugger declared the bill passed.

HCS SB 127, relating to MO HealthNet benefits, was taken up by Representative Lichtenegger.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 127, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred percent of the federal poverty level. For purposes of this subdivision, "gross income" includes all income of the person and the person's spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an "independent living account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse's earned income;

(c) A twenty dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent up to and including three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. The provisions of this section shall expire [six years after] August 28, [2007] **2019**.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12),

(13) or (14) of this subsection shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of intellectual disability and developmental disability program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) **Effective August 28, 2013**, persons who are [independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets] **in foster care under the responsibility of the state of Missouri on the date such persons attain the age of eighteen years, or at any time during the thirty-day period preceding their eighteenth birthday, without regard to income or assets, if such persons:**

- (a) **Are under twenty-six years of age;**
- (b) **Are not eligible for coverage under another mandatory coverage group; and**
- (c) **Were covered by Medicaid while they were in foster care.**

2. Rules and regulations to implement this section shall be promulgated in accordance with [section 431.064 and] chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955. A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(i)."; and

Further amend said bill, Page 10, Section 208.240, Line 5, by inserting after all of said section and line the following:

"208.895. 1. Upon **the** receipt of a properly completed referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] or a physician's order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] **Process, review and approve or deny** the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3) Arrange] **For approved referrals, arrange** for the provision of services by [an in-home] **a home- and community-based** provider;

[4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity **or individual** within five business days of receiving the referral if [additional information] **a different physical address** is required to [process the referral; and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days] **schedule the assessment. The referring entity has five days to provide a current physical address if requested by the department. If a different physical address is needed, the fifteen-day limit included in subdivision (1) of this subsection is suspended until the information is received by the department;**

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. **If** the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract shall include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor notify the referring entity within five days of receipt of referral if additional information is needed to process the referral.

The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract] **has not complied with subdivision (1) of subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall**

be approved and payment shall begin to the provider based on the assessment and care plan recommendation submitted by the provider.

3. [The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based providers for including, but not limited to, reassessment and level of care recommendations. These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.

4. The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective. If the department assessment determines the client does not meet level of care, the state shall not be responsible for the cost of services claimed prior to the department's written notification to the provider of such denial.**

4. **The department shall implement subsections 2 and 3 of this section unless the Centers for Medicare and Medicaid Services disapproves any necessary state plan amendments or waivers to implement the provisions in subsections 2 and 3 of this section allowing providers to perform assessments.**

5. **The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.**

6. **For purposes of this section:**

(1) **"Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:**

(a) **Is conducted by an assessor trained to perform home- and community-based care assessments;**

(b) **Uses forms provided by the department;**

(c) **Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and**

(d) **Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process.**

(2) **A "properly completed referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:**

(a) **The stated need for MO HealthNet home- and community-based services;**

(b) **The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and**

(c) **The current physical address and phone number of the client or person needing services.**

Addition information which may assist the department including contact information of a responsible party shall also be submitted.

7. **The department shall:**

(1) **Develop an automated electronic assessment care plan tool to be used by providers; and**

(2) **Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.**

8. **No later than December 31, 2014, the department of health and senior services shall submit a report to the general assembly that reviews the following:**

(1) **How well the department is doing on meeting the fifteen-day requirement;**

(2) **The process the department used to approve the assessors;**

(3) **Financial data on the cost of the program prior to and after enactment of this section;**

(4) **Any audit information available on assessments performed outside the department; and**

(5) **The department's staffing policies implemented to meet the fifteen-day assessment requirement.**

208.990. 1. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage individuals shall meet the eligibility criteria set forth in 42 CFR 435, including but not limited to the requirements that:

(1) The individual is a resident of the state of Missouri;
 (2) The individual has a valid Social Security number;
 (3) The individual is a citizen of the United States or a qualified alien as described in Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. Section 1641, who has provided satisfactory documentary evidence of qualified alien status which has been verified with the Department of Homeland Security under a declaration required by Section 1137(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that the applicant or beneficiary is an alien in a satisfactory immigration status; and

(4) An individual claiming eligibility as a pregnant woman shall verify pregnancy.

2. Notwithstanding any other provisions of law to the contrary, effective January 1, 2014, the family support division shall conduct an annual redetermination of all MO HealthNet participants' eligibility as provided in 42 CFR 435.916. The department may contract with an administrative service organization to conduct the annual redeterminations if it is cost effective.

3. The department, or family support division, shall conduct electronic searches to redetermine eligibility on the basis of income, residency, citizenship, identity and other criteria as described in 42 CFR 435.916 upon availability of federal, state, and commercially available electronic data sources. The department, or family support division, may enter into a contract with a vendor to perform the electronic search of eligibility information not disclosed during the application process and obtain an applicable case management system. The department shall retain final authority over eligibility determinations made during the redetermination process.

4. Notwithstanding any other provisions of law to the contrary, applications for MO HealthNet benefits shall be submitted in accordance with the requirements of 42 CFR 435.907 and other applicable federal law. The individual shall provide all required information and documentation necessary to make an eligibility determination, resolve discrepancies found during the redetermination process, or for a purpose directly connected to the administration of the medical assistance program.

5. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage under section 208.995, individuals shall meet the eligibility requirements set forth in subsection 1 of this section and all other eligibility criteria set forth in 42 CFR 435 and 457, including, but not limited to, the requirements that:

(1) The department of social services shall determine the individual's financial eligibility based on projected annual household income and family size for the remainder of the current calendar year;

(2) The department of social services shall determine household income for the purpose of determining the modified adjusted gross income by including all available cash support provided by the person claiming such individual as a dependent for tax purposes;

(3) The department of social services shall determine a pregnant woman's household size by counting the pregnant woman plus the number of children she is expected to deliver;

(4) CHIP-eligible children shall be uninsured, shall not have access to affordable insurance, and their parent shall pay the required premium;

(5) An individual claiming eligibility as an uninsured woman shall be uninsured.

208.995. 1. For purposes of this section and section 208.990, the following terms mean:

(1) "Child" or "children", a person or persons who are under nineteen years of age;

(2) "CHIP-eligible children", children who meet the eligibility standards for Missouri's children's health insurance program as provided in sections 208.631 to 208.658, including paying the premiums required under sections 208.631 to 208.658;

(3) "Department", the Missouri department of social services, or a division or unit within the department as designated by the department's director;

(4) "MAGI", the individual's modified adjusted gross income as defined in Section 36B(d)(2) of the Internal Revenue Code of 1986, as amended, and:

(a) Any foreign earned income or housing costs;

(b) Tax-exempt interest received or accrued by the individual; and

(c) Tax-exempt Social Security income;

(5) "MAGI equivalent net income standard", an income eligibility threshold based on modified adjusted gross income that is not less than the income eligibility levels that were in effect prior to the enactment of Public Law 111-148 and Public Law 111-152.

2. (1) Effective January 1, 2014, notwithstanding any other provision of law to the contrary, the following individuals shall be eligible for MO HealthNet coverage as provided in this section:

- (a) Individuals covered by MO HealthNet for families as provided in section 208.145;
- (b) Individuals covered by transitional MO HealthNet as provided in 42 U.S.C. Section 1396r-6;
- (c) Individuals covered by extended MO HealthNet for families on child support closings as provided in 42 U.S.C. Section 1396r-6;
- (d) Pregnant women as provided in subdivisions (10), (11), and (12) of subsection 1 of section 208.151;
- (e) Children under one year of age as provided in subdivision (12) of subsection 1 of section 208.151;
- (f) Children under six years of age as provided in subdivision (13) of subsection 1 of section 208.151;
- (g) Children under nineteen years of age as provided in subdivision (14) of subsection 1 of section 208.151;
- (h) CHIP-eligible children; and
- (i) Uninsured women as provided in section 208.659.

(2) Effective January 1, 2014, the department shall determine eligibility for individuals eligible for MO HealthNet under subdivision (1) of this subsection based on the following income eligibility standards, unless and until they are changed:

(a) For individuals listed in paragraphs (a), (b) and (c) of subdivision (1) of this subsection, the department shall apply the July 16, 1996, Aid to Families with Dependent Children (AFDC) income standard as converted to the MAGI equivalent net income standard;

(b) For individuals listed in paragraphs (f) and (g) of subdivision (1) of this subsection, the department shall apply one hundred thirty-three percent of the federal poverty level converted to the MAGI equivalent net income standard;

(c) For individuals listed in paragraph (h) of subdivision (1) of this subsection, the department shall convert the income eligibility standard set forth in section 208.633 to the MAGI equivalent net income standard;

(d) For individuals listed in paragraphs (d), (e) and (i) of subdivision (1) of this subsection, the department shall apply one hundred eighty-five percent of the federal poverty level converted to the MAGI equivalent net income standard;

(3) Individuals eligible for MO HealthNet under subdivision (1) of this subsection shall receive all applicable benefits under section 208.152.

3. The department or appropriate divisions of the department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. The department shall submit such state plan amendments and waivers to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services as the department determines are necessary to implement the provisions of this section.

660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

- (1) Whether the person acted recklessly or knowingly, as defined in chapter 562;
- (2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;
- (3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;
- (4) Whether the person has previously been listed on the employee disqualification list;
- (5) Any mitigating circumstances;
- (6) Any aggravating circumstances; and
- (7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

- (1) Is licensed as an operator under chapter 198;
- (2) Provides in-home services under contract with the department;
- (3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;
- (4) Is approved by the department to issue certificates for nursing assistants training;
- (5) Is an entity licensed under chapter 197;
- (6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or
- (7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee

disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], **if the employer terminated the employee because the employee:**

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, House Amendment No. 1 was adopted.

Representative Jones (50) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 127, Page 9, Section 208.152, Line 302, by inserting after all of said section and line the following:

"208.164. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(1) "Abuse", a documented pattern of inducing, furnishing, or otherwise causing a recipient to receive services or merchandise not otherwise required or requested by the recipient, attending physician or appropriate utilization review team; a documented pattern of performing and billing tests, examinations, patient visits, surgeries, drugs or merchandise that exceed limits or frequencies determined by the department for like practitioners for which there is no demonstrable need, or for which the provider has created the need through ineffective services or merchandise previously rendered. The decision to impose any of the sanctions authorized in this section shall be made by the director of the department, following a determination of demonstrable need or accepted medical practice made in consultation with medical or other health care professionals, or qualified peer review teams;

(2) "Department", the department of social services;

(3) "Excessive use", the act, by a person eligible for services under a contract or provider agreement between the department of social services or its divisions and a provider, of seeking and/or obtaining medical assistance benefits

from a number of like providers and in quantities which exceed the levels that are considered medically necessary by current medical practices and standards for the eligible person's needs;

(4) "Fraud", a known false representation, including the concealment of a material fact that provider knew or should have known through the usual conduct of his profession or occupation, upon which the provider claims reimbursement under the terms and conditions of a contract or provider agreement and the policies pertaining to such contract or provider agreement of the department or its divisions in carrying out the providing of services, or under any approved state plan authorized by the federal Social Security Act;

(5) "Health plan", a group of services provided to recipients of medical assistance benefits by providers under a contract with the department;

(6) "Medical assistance benefits", those benefits authorized to be provided by sections 208.152 and 208.162;

(7) "Prior authorization", approval to a provider to perform a service or services for an eligible person required by the department or its divisions in advance of the actual service being provided or approved for a recipient to receive a service or services from a provider, required by the department or its designated division in advance of the actual service or services being received;

(8) "Provider", any person, partnership, corporation, not-for-profit corporation, professional corporation, or other business entity that enters into a contract or provider agreement with the department or its divisions for the purpose of providing services to eligible persons, and obtaining from the department or its divisions reimbursement therefor;

(9) "Recipient", a person who is eligible to receive medical assistance benefits allocated through the department;

(10) "Service", the specific function, act, successive acts, benefits, continuing benefits, requested by an eligible person or provided by the provider under contract with the department or its divisions.

2. The department or its divisions shall have the authority to suspend, revoke, or cancel any contract or provider agreement or refuse to enter into a new contract or provider agreement with any provider where it is determined the provider has committed or allowed its agents, servants, or employees to commit acts defined as abuse or fraud in this section.

3. The department or its divisions shall have the authority to impose prior authorization as defined in this section:

(1) When it has reasonable cause to believe a provider or recipient has knowingly followed a course of conduct which is defined as abuse or fraud or excessive use by this section; or

(2) When it determines by rule that prior authorization is reasonable for a specified service or procedure.

4. If a provider or recipient reports to the department or its divisions the name or names of providers or recipients who, based upon their personal knowledge has reasonable cause to believe an act or acts are being committed which are defined as abuse, fraud or excessive use by this section, such report shall be confidential and the reporter's name shall not be divulged to anyone by the department or any of its divisions, except at a judicial proceeding upon a proper protective order being entered by the court.

5. Payments for services under any contract or provider agreement between the department or its divisions and a provider may be withheld by the department or its divisions from the provider for acts or omissions defined as abuse or fraud by this section, until such time as an agreement between the parties is reached or the dispute is adjudicated under the laws of this state.

6. The department or its designated division shall have the authority to review all cases and claim records for any recipient of public assistance benefits and to determine from these records if the recipient has, as defined in this section, committed excessive use of such services by seeking or obtaining services from a number of like providers of services and in quantities which exceed the levels considered necessary by current medical or health care professional practice standards and policies of the program.

7. The department or its designated division shall have the authority with respect to recipients of medical assistance benefits who have committed excessive use to limit or restrict the use of the recipient's Medicaid identification card to designated providers and for designated services; the actual method by which such restrictions are imposed shall be at the discretion of the department of social services or its designated division.

8. The department or its designated division shall have the authority with respect to any recipient of medical assistance benefits whose use has been restricted under subsection 7 of this section and who obtains or seeks to obtain medical assistance benefits from a provider other than one of the providers for designated services to terminate medical assistance benefits as defined by this chapter, where allowed by the provisions of the federal Social Security Act.

9. The department or its designated division shall have the authority with respect to any provider who knowingly allows a recipient to violate subsection 7 of this section or who fails to report a known violation of subsection 7 of this section to the department of social services or its designated division to terminate or otherwise sanction such

provider's status as a participant in the medical assistance program. Any person making such a report shall not be civilly liable when the report is made in good faith.

10. Nothing in this section shall prohibit providers from using clinical decision support tools as an alternative to prior authorization to determine the clinical appropriateness of services or procedures."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 2** was adopted.

On motion of Representative Lichtenegger, **HCS SB 127, as amended**, was adopted.

On motion of Representative Lichtenegger, **HCS SB 127, as amended**, was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Mr Speaker		

NOES: 012

Curtis	Curtman	Ellington	English	Flanigan
Gardner	Koenig	Marshall	Moon	Morgan
Newman	Pogue			

PRESENT: 000

ABSENT WITH LEAVE: 008

Colona
Smith 120

Kelly 45
Walton Gray

May
Zerr

Mitten

Parkinson

Representative Dugger declared the bill passed.

HCS SB 161, relating to health insurance, was taken up by Representative Stream.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 161, Page 38, Section 376.1900, Line 3, by deleting the word "website" and inserting in lieu thereof the phrase "**web-based or similar electronic-based communications network**"; and

Further amend said bill and section, Page 39, Line 56, by inserting after all of said section and line the following:

"376.2000. 1. Sections 376.2000 to 376.2014 shall be known and may be cited as the "Health Insurance Marketplace Innovation Act of 2013".

2. As used in sections 376.2000 to 376.2014, the following terms mean:

(1) "Department", the department of insurance, financial institutions and professional registration;
(2) "Director", the director of the department of insurance, financial institutions and professional registration;

(3) "Exchange", any health benefit exchange established or operating in this state, including any exchange established or operated by the United States Department of Health and Human Services.

(4) "Navigator", a person that, for compensation, provides information or services in connection with eligibility, enrollment, or program specifications of any health benefit exchange operating in this state, including any person that is selected to perform the activities and duties identified in 42 U.S.C. 18031(i) in this state, any person who receives funds from the United States Department of Health and Human Services to perform any of the activities and duties identified in 42 U.S.C. 18031(i), or any other person certified by the United States Department of Health and Human Services, or a health benefit exchange operating in this state, to perform such defined or related duties irrespective of whether such person is identified as a navigator, certified application counselor, in-person assister, or other title.

376.2002. 1. No individual or entity shall perform, offer to perform, or advertise any service as a navigator in this state, or receive navigator funding from the state or an exchange unless licensed as a navigator by the department under sections 376.2000 to 376.2014.

2. A navigator may:

(1) Provide fair and impartial information and services in connection with eligibility, enrollment, and program specifications of any health benefit exchange operating in this state, including information about the costs of coverage, advance payments of premium tax credits, and cost sharing reductions;

(2) Facilitate the selection of a qualified health plan;

(3) Initiate the enrollment process;

(4) Provide referrals to any applicable office of health insurance consumer assistance, ombudsman, or other agency for any enrollee with a grievance, complaint, or question regarding their health plan, coverage, or determination under the plan; and

(5) Use culturally and linguistically appropriate language to communicate the information authorized in this subsection.

3. Unless also properly licensed as an insurance producer in this state with authority for health under section 375.014, a navigator shall not:

- (1) Sell, solicit, or negotiate health insurance;
- (2) Engage in any activity that would require an insurance producer license;
- (3) Provide advice concerning the benefits, terms, and features of a particular health plan or offer advice about which exchange health plan is better or worse for a particular individual or employer;
- (4) Recommend or endorse a particular health plan or advise consumers about which health plan to choose; or
- (5) Provide any information or services related to health benefit plans or other products not offered in the exchange.

4. The following entities or persons are exempt from the requirement to be licensed as a navigator:

(1) An entity or person licensed as an insurance producer in this state with authority for health under section 375.014;

(2) A law firm or licensed attorney in this state; and

(3) A "health care provider" as defined in section 376.1350 provided that:

(a) The health care provider does not receive any funds from the United States Department of Health and Human Services or a health exchange operating in this state to act as a navigator; and

(b) The activities or functions performed are related to advising, assisting, or counseling patients regarding private or public coverage or financial matters related to medical treatments or government assistance programs.

However, nothing in this section shall prohibit a health care provider from voluntarily becoming licensed as a navigator.

376.2004. 1. An individual applying for a navigator license shall make application to the department on a form developed by the director and declare under penalty of refusal, suspension, or revocation of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the director shall find that the individual:

- (1) Is eighteen years of age or older;
- (2) Resides in this state or maintains his or her principal place of business in the state;
- (3) Is not disqualified for having committed any act that would be grounds for refusal to issue, renew, suspend, or revoke an insurance producer license under section 375.141;
- (4) Has successfully passed the written examination prescribed by the director;
- (5) When applicable, has the written consent of the director under 18 U.S.C. 1033 or any successor statute regulating crimes by or affecting persons engaged in the business of insurance whose activities affect interstate commerce;
- (6) Has identified the entity with which he or she is affiliated and supervised; and
- (7) Has paid the fees prescribed by the director.

2. An entity that acts as a navigator, supervises the activities of individual navigators, or receives funding to perform such activities shall obtain a navigator entity license. An entity applying for an entity navigator license shall make application on a form containing the information prescribed by the director.

3. The director may require any documents deemed necessary to verify the information contained in an application submitted in accordance with subsections 1 and 2 of this section.

4. Entities licensed as navigators shall, in a manner prescribed by the director, provide a list of all individual navigators that are employed by or in any manner affiliated with the navigator entity and shall report any changes in employment or affiliation within twenty days of such change.

5. The director shall require that each navigator obtain a surety bond in an amount acceptable to the director or otherwise demonstrate a level of financial responsibility capable of protecting all persons against the wrongful acts, misrepresentations, errors, omissions, or negligence of the navigator. The director may ask for a copy of the bond or other evidence of financial responsibility at any time.

6. Prior to any exchange becoming operational in this state, the director shall prescribe initial training, continuing education, and written examination standards and requirements for navigators.

376.2006. 1. A navigator license shall be valid for two years.

2. A navigator may file an application for renewal of a license and pay the renewal fee as prescribed by the director. Any navigator who fails to timely file for license renewal shall be charged a late fee in an amount prescribed by the director.

3. Prior to the filing date for an application for renewal of a license, an individual licensee shall comply with any ongoing training and continuing education requirements established by the director. Such navigator

shall file with the director, by a method prescribed by the director, proof of satisfactory certification of completion of the continuing education requirements. Any failure to fulfill the ongoing training and continuing education requirements shall result in the expiration of the license.

376.2008. Upon contact with a person who acknowledges having existing health insurance coverage obtained through an insurance producer, a navigator shall advise the person to consult with a licensed insurance producer regarding coverage in the private market.

376.2010. 1. The director may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate a navigator license or may levy a fine not to exceed one thousand dollars for each violation, or any combination of actions, for any one or more of the causes listed in section 375.141, 375.936 or for other good cause. In the event that the action by the director is not to renew or to deny an application for a license, the director shall notify the applicant or licensee in writing and shall advise the applicant or licensee of the reason for the denial or nonrenewal. Appeal of the nonrenewal or denial of the application for a navigator license shall be made under the provisions of chapter 621.

2. In addition to imposing the penalties authorized by subsection 1 of this section, the director may require that restitution be made to any person who has suffered financial injury because of a violation of this section.

3. The director shall have the power to examine and investigate the business affairs and records of any navigator to determine whether the individual or entity has engaged or is engaging in any violation of this section.

4. The navigator license held by an entity may be suspended or revoked, renewal or reinstatement thereof may be refused, or a fine may be levied, with or without a suspension, revocation, or refusal to renew a license, if the director finds that an individual licensee's violation was known or should have been known by the employing or supervising entity and the violation was not reported to the director and no corrective action was undertaken on a timely basis.

376.2011. 1. If the director determines that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046.

2. If the director believes that a person has engaged, is engaging, or has taken a substantial step toward engaging in an act, practice, omission, or course of business constituting a violation of sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation in sections 376.2000 to 376.2014 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048.

3. A violation of sections 376.2000 to 376.2014 is a level two violation under section 374.049.

376.2012. 1. Each licensed navigator shall report to the director within thirty calendar days of the final disposition of the matter of any administrative action taken against him or her in another jurisdiction or by another governmental agency in this state. This report shall include a copy of the order, consent to order, or other relevant legal documents.

2. Within thirty days of the initial pretrial hearing date, a navigator shall report to the director any criminal prosecution of the navigator in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents.

3. An entity that acts as a navigator that terminates the employment, engagement, affiliation, or other relationship with an individual navigator shall notify the director within twenty days following the effective date of the termination, using a format prescribed by the director if the reason for termination is one of the reasons set forth in section 375.141 or 375.936 or if the entity has knowledge that the navigator was found by a court or governmental body to have engaged in any such activities. Upon the written request of the director, the entity shall provide additional information, documents, records, or other data pertaining to the termination or activity of the individual.

376.2014. 1. The requirements of sections 379.930 to 379.952 and chapters 375, 376, 407 and any related rules shall apply to navigators. The activities and duties of a navigator shall be deemed to constitute transacting the business of insurance.

2. If any provision of sections 376.2000 to 376.2014 or its application to any person or circumstance is held invalid by a court of competent jurisdiction or by federal law, the invalidity does not affect other provisions or applications of sections 376.2000 to 376.2014 that can be given effect without the invalid provision or application. The provisions of sections 376.2000 to 376.2014 are severable, and the valid provisions or applications shall remain in full force and effect.

3. The director may promulgate rules and regulations to implement and administer the provisions of sections 376.2000 to 376.2014. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 376.2000 to 376.2014 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 376.2000 to 376.2014 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health insurance product form filings, consumer complaints, and investigations into compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state."; and

Further amend said bill and page, Section B, Line 1, by inserting after all of said section the following:

"Section C. Because of the need to ensure that navigators are adequately trained to provide essential health insurance information to the public, Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, and 376.2014 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and Sections 376.2000, 376.2002, 376.2004, 376.2006, 376.2008, 376.2010, 376.2011, 376.2012, and 376.2014 of Section A of this act shall be in full force and effect upon its passage and approval.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Dugger requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 161, Page 1, Line 4, by inserting after all of said line the following:

‘Further amend House Committee Substitute for Senate Bill No. 161, Page 1, Section A, Line 6, by inserting after all of said line the following:

"208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of two hundred fifty percent or less of the federal poverty level, excluding any earned income of the worker with a disability between two hundred fifty and three hundred percent of the federal poverty level. For purposes of this subdivision, "gross income" includes all income of the person and the person's spouse that would be considered in determining MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151. Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall pay a premium for participation in accordance with subsection 4 of this section.

2. For income to be considered earned income for purposes of this section, the department of social services shall document that Medicare and Social Security taxes are withheld from such income. Self-employed persons shall provide proof of payment of Medicare and Social Security taxes for income to be considered earned.

3. (1) For purposes of determining eligibility under this section, the available asset limit and the definition of available assets shall be the same as those used to determine MO HealthNet eligibility for permanent and totally disabled individuals under subdivision (24) of subsection 1 of section 208.151 except for:

(a) Medical savings accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year; and

(b) Independent living accounts limited to deposits of earned income and earnings on such income while a participant in the program created under this section with a value not to exceed five thousand dollars per year. For purposes of this section, an "independent living account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability.

(2) To determine net income, the following shall be disregarded:

(a) All earned income of the disabled worker;

(b) The first sixty-five dollars and one-half of the remaining earned income of a nondisabled spouse's earned income;

(c) A twenty dollar standard deduction;

(d) Health insurance premiums;

(e) A seventy-five dollar a month standard deduction for the disabled worker's dental and optical insurance when the total dental and optical insurance premiums are less than seventy-five dollars;

(f) All Supplemental Security Income payments, and the first fifty dollars of SSDI payments;

(g) A standard deduction for impairment-related employment expenses equal to one-half of the disabled worker's earned income.

4. Any person whose gross income exceeds one hundred percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. Such premium shall be:

(1) For a person whose gross income is more than one hundred percent but less than one hundred fifty percent of the federal poverty level, four percent of income at one hundred percent of the federal poverty level;

(2) For a person whose gross income equals or exceeds one hundred fifty percent but is less than two hundred percent of the federal poverty level, four percent of income at one hundred fifty percent of the federal poverty level;

(3) For a person whose gross income equals or exceeds two hundred percent but less than two hundred fifty percent of the federal poverty level, five percent of income at two hundred percent of the federal poverty level;

(4) For a person whose gross income equals or exceeds two hundred fifty percent up to and including three hundred percent of the federal poverty level, six percent of income at two hundred fifty percent of the federal poverty level.

5. Recipients of services through this program shall report any change in income or household size within ten days of the occurrence of such change. An increase in premiums resulting from a reported change in income or household size shall be effective with the next premium invoice that is mailed to a person after due process requirements have been met. A decrease in premiums shall be effective the first day of the month immediately following the month in which the change is reported.

6. If an eligible person's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, such person shall participate in the employer-sponsored insurance. The department shall pay such person's portion of the premiums, co-payments, and any other costs associated with participation in the employer-sponsored health insurance.

7. The provisions of this section shall expire [six years after] August 28, [2007] **2019**.

208.151. 1. Medical assistance on behalf of needy persons shall be known as "MO HealthNet". For the purpose of paying MO HealthNet benefits and to comply with Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.) as amended, the following needy persons shall be eligible to receive MO HealthNet benefits to the extent and in the manner hereinafter provided:

(1) All participants receiving state supplemental payments for the aged, blind and disabled;

(2) All participants receiving aid to families with dependent children benefits, including all persons under nineteen years of age who would be classified as dependent children except for the requirements of subdivision (1) of subsection 1 of section 208.040. Participants eligible under this subdivision who are participating in drug court, as defined in section 478.001, shall have their eligibility automatically extended sixty days from the time their dependent child is removed from the custody of the participant, subject to approval of the Centers for Medicare and Medicaid Services;

(3) All participants receiving blind pension benefits;

(4) All persons who would be determined to be eligible for old age assistance benefits, permanent and total disability benefits, or aid to the blind benefits under the eligibility standards in effect December 31, 1973, or less restrictive standards as established by rule of the family support division, who are sixty-five years of age or over and are patients in state institutions for mental diseases or tuberculosis;

(5) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children except for the requirements of subdivision (2) of subsection 1 of section 208.040, and who are residing in an intermediate care facility, or receiving active treatment as inpatients in psychiatric facilities or programs, as defined in 42 U.S.C. 1396d, as amended;

(6) All persons under the age of twenty-one years who would be eligible for aid to families with dependent children benefits except for the requirement of deprivation of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(7) All persons eligible to receive nursing care benefits;

(8) All participants receiving family foster home or nonprofit private child-care institution care, subsidized adoption benefits and parental school care wherein state funds are used as partial or full payment for such care;

(9) All persons who were participants receiving old age assistance benefits, aid to the permanently and totally disabled, or aid to the blind benefits on December 31, 1973, and who continue to meet the eligibility requirements, except income, for these assistance categories, but who are no longer receiving such benefits because of the implementation of Title XVI of the federal Social Security Act, as amended;

(10) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child in the home;

(11) Pregnant women who meet the requirements for aid to families with dependent children, except for the existence of a dependent child who is deprived of parental support as provided for in subdivision (2) of subsection 1 of section 208.040;

(12) Pregnant women or infants under one year of age, or both, whose family income does not exceed an income eligibility standard equal to one hundred eighty-five percent of the federal poverty level as established and amended by the federal Department of Health and Human Services, or its successor agency;

(13) Children who have attained one year of age but have not attained six years of age who are eligible for medical assistance under 6401 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989). The family support division shall use an income eligibility standard equal to one hundred thirty-three percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency;

(14) Children who have attained six years of age but have not attained nineteen years of age. For children who have attained six years of age but have not attained nineteen years of age, the family support division shall use an income assessment methodology which provides for eligibility when family income is equal to or less than equal to one hundred percent of the federal poverty level established by the Department of Health and Human Services, or its successor agency. As necessary to provide MO HealthNet coverage under this subdivision, the department of social services may revise the state MO HealthNet plan to extend coverage under 42 U.S.C. 1396a (a)(10)(A)(i)(III) to children who have attained six years of age but have not attained nineteen years of age as permitted by paragraph (2) of subsection (n) of 42 U.S.C. 1396d using a more liberal income assessment methodology as authorized by paragraph (2) of subsection (r) of 42 U.S.C. 1396a;

(15) The family support division shall not establish a resource eligibility standard in assessing eligibility for persons under subdivision (12), (13) or (14) of this subsection. The MO HealthNet division shall define the amount and scope of benefits which are available to individuals eligible under each of the subdivisions (12), (13), and (14) of this subsection, in accordance with the requirements of federal law and regulations promulgated thereunder;

(16) Notwithstanding any other provisions of law to the contrary, ambulatory prenatal care shall be made available to pregnant women during a period of presumptive eligibility pursuant to 42 U.S.C. Section 1396r-1, as amended;

(17) A child born to a woman eligible for and receiving MO HealthNet benefits under this section on the date of the child's birth shall be deemed to have applied for MO HealthNet benefits and to have been found eligible for such assistance under such plan on the date of such birth and to remain eligible for such assistance for a period of time determined in accordance with applicable federal and state law and regulations so long as the child is a member of the woman's household and either the woman remains eligible for such assistance or for children born on or after January 1, 1991, the woman would remain eligible for such assistance if she were still pregnant. Upon notification of such child's birth, the family support division shall assign a MO HealthNet eligibility identification number to the child so that claims may be submitted and paid under such child's identification number;

(18) Pregnant women and children eligible for MO HealthNet benefits pursuant to subdivision (12), (13) or (14) of this subsection shall not as a condition of eligibility for MO HealthNet benefits be required to apply for aid to families with dependent children. The family support division shall utilize an application for eligibility for such persons which eliminates information requirements other than those necessary to apply for MO HealthNet benefits. The division shall provide such application forms to applicants whose preliminary income information indicates that they are ineligible for aid to families with dependent children. Applicants for MO HealthNet benefits under subdivision (12), (13) or (14) of this subsection shall be informed of the aid to families with dependent children program and that they are entitled to apply for such benefits. Any forms utilized by the family support division for assessing eligibility under this chapter shall be as simple as practicable;

(19) Subject to appropriations necessary to recruit and train such staff, the family support division shall provide one or more full-time, permanent eligibility specialists to process applications for MO HealthNet benefits at the site of a health care provider, if the health care provider requests the placement of such eligibility specialists and reimburses the division for the expenses including but not limited to salaries, benefits, travel, training, telephone, supplies, and equipment of such eligibility specialists. The division may provide a health care provider with a part-time or temporary eligibility specialist at the site of a health care provider if the health care provider requests the placement of such an eligibility specialist and reimburses the division for the expenses, including but not limited to the salary, benefits, travel, training, telephone, supplies, and equipment, of such an eligibility specialist. The division may seek to employ such eligibility specialists who are otherwise qualified for such positions and who are current or former welfare participants. The division may consider training such current or former welfare participants as eligibility specialists for this program;

(20) Pregnant women who are eligible for, have applied for and have received MO HealthNet benefits under subdivision (2), (10), (11) or (12) of this subsection shall continue to be considered eligible for all pregnancy-related and postpartum MO HealthNet benefits provided under section 208.152 until the end of the sixty-day period beginning on the last day of their pregnancy;

(21) Case management services for pregnant women and young children at risk shall be a covered service. To the greatest extent possible, and in compliance with federal law and regulations, the department of health and senior services shall provide case management services to pregnant women by contract or agreement with the department of social services through local health departments organized under the provisions of chapter 192 or chapter 205 or a city health department operated under a city charter or a combined city-county health department or other department of

health and senior services designees. To the greatest extent possible the department of social services and the department of health and senior services shall mutually coordinate all services for pregnant women and children with the crippled children's program, the prevention of intellectual disability and developmental disability program and the prenatal care program administered by the department of health and senior services. The department of social services shall by regulation establish the methodology for reimbursement for case management services provided by the department of health and senior services. For purposes of this section, the term "case management" shall mean those activities of local public health personnel to identify prospective MO HealthNet-eligible high-risk mothers and enroll them in the state's MO HealthNet program, refer them to local physicians or local health departments who provide prenatal care under physician protocol and who participate in the MO HealthNet program for prenatal care and to ensure that said high-risk mothers receive support from all private and public programs for which they are eligible and shall not include involvement in any MO HealthNet prepaid, case-managed programs;

(22) By January 1, 1988, the department of social services and the department of health and senior services shall study all significant aspects of presumptive eligibility for pregnant women and submit a joint report on the subject, including projected costs and the time needed for implementation, to the general assembly. The department of social services, at the direction of the general assembly, may implement presumptive eligibility by regulation promulgated pursuant to chapter 207;

(23) All participants who would be eligible for aid to families with dependent children benefits except for the requirements of paragraph (d) of subdivision (1) of section 208.150;

(24) (a) All persons who would be determined to be eligible for old age assistance benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriation;

(b) All persons who would be determined to be eligible for aid to the blind benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. Section 1396a(f), or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005, except that less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), shall be used to raise the income limit to one hundred percent of the federal poverty level;

(c) All persons who would be determined to be eligible for permanent and total disability benefits under the eligibility standards in effect December 31, 1973, as authorized by 42 U.S.C. 1396a(f); or less restrictive methodologies as contained in the MO HealthNet state plan as of January 1, 2005; except that, on or after July 1, 2005, less restrictive income methodologies, as authorized in 42 U.S.C. Section 1396a(r)(2), may be used to change the income limit if authorized by annual appropriations. Eligibility standards for permanent and total disability benefits shall not be limited by age;

(25) Persons who have been diagnosed with breast or cervical cancer and who are eligible for coverage pursuant to 42 U.S.C. 1396a (a)(10)(A)(ii)(XVIII). Such persons shall be eligible during a period of presumptive eligibility in accordance with 42 U.S.C. 1396r-1;

(26) **Effective August 28, 2013**, persons who are [independent foster care adolescents, as defined in 42 U.S.C. Section 1396d, or who are within reasonable categories of such adolescents who are under twenty-one years of age as specified by the state, are eligible for coverage under 42 U.S.C. Section 1396a (a)(10)(A)(ii)(XVII) without regard to income or assets] **in foster care under the responsibility of the state of Missouri on the date such persons attain the age of eighteen years, or at any time during the thirty-day period preceding their eighteenth birthday, without regard to income or assets, if such persons:**

(a) **Are under twenty-six years of age;**

(b) **Are not eligible for coverage under another mandatory coverage group; and**

(c) **Were covered by Medicaid while they were in foster care.**

2. Rules and regulations to implement this section shall be promulgated in accordance with [section 431.064 and] chapter 536. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

3. After December 31, 1973, and before April 1, 1990, any family eligible for assistance pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the last six months immediately preceding the month in which such family became ineligible for such assistance because of increased income from employment shall, while a member of such

family is employed, remain eligible for MO HealthNet benefits for four calendar months following the month in which such family would otherwise be determined to be ineligible for such assistance because of income and resource limitation. After April 1, 1990, any family receiving aid pursuant to 42 U.S.C. 601, et seq., as amended, in at least three of the six months immediately preceding the month in which such family becomes ineligible for such aid, because of hours of employment or income from employment of the caretaker relative, shall remain eligible for MO HealthNet benefits for six calendar months following the month of such ineligibility as long as such family includes a child as provided in 42 U.S.C. 1396r-6. Each family which has received such medical assistance during the entire six-month period described in this section and which meets reporting requirements and income tests established by the division and continues to include a child as provided in 42 U.S.C. 1396r-6 shall receive MO HealthNet benefits without fee for an additional six months. The MO HealthNet division may provide by rule and as authorized by annual appropriation the scope of MO HealthNet coverage to be granted to such families.

4. When any individual has been determined to be eligible for MO HealthNet benefits, such medical assistance will be made available to him or her for care and services furnished in or after the third month before the month in which he made application for such assistance if such individual was, or upon application would have been, eligible for such assistance at the time such care and services were furnished; provided, further, that such medical expenses remain unpaid.

5. The department of social services may apply to the federal Department of Health and Human Services for a MO HealthNet waiver amendment to the Section 1115 demonstration waiver or for any additional MO HealthNet waivers necessary not to exceed one million dollars in additional costs to the state, unless subject to appropriation or directed by statute, but in no event shall such waiver applications or amendments seek to waive the services of a rural health clinic or a federally qualified health center as defined in 42 U.S.C. 1396d(l)(1) and (2) or the payment requirements for such clinics and centers as provided in 42 U.S.C. 1396a(a)(15) and 1396a(bb) unless such waiver application is approved by the oversight committee created in section 208.955. A request for such a waiver so submitted shall only become effective by executive order not sooner than ninety days after the final adjournment of the session of the general assembly to which it is submitted, unless it is disapproved within sixty days of its submission to a regular session by a senate or house resolution adopted by a majority vote of the respective elected members thereof, unless the request for such a waiver is made subject to appropriation or directed by statute.

6. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for MO HealthNet benefits under subdivisions (1) to (22) of subsection 1 of this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(i).

208.895. 1. Upon **the** receipt of a properly completed referral **for service** for MO HealthNet-funded home- and community-based care [containing a nurse assessment] **or a** physician's order, the department of health and senior services [may] **shall**:

(1) [Review the recommendations regarding services and] **Process, review and approve or deny** the referral within fifteen business days;

(2) [Issue a prior-authorization for home and community-based services when information contained in the referral is sufficient to establish eligibility for MO HealthNet-funded long-term care and determine the level of service need as required under state and federal regulations;

(3) Arrange] **For approved referrals, arrange** for the provision of services by [an in-home] **a home- and community-based** provider;

[(4) Reimburse the in-home provider for one nurse visit to conduct an assessment and recommendation for a care plan and, where necessary based on case circumstances, a second nurse visit may be authorized to gather additional information or documentation necessary to constitute a completed referral;

(5) Notify the referring entity upon the authorization of MO HealthNet eligibility and provide MO HealthNet reimbursement for personal care benefits effective the date of the assessment or physician's order, and MO HealthNet reimbursement for waiver services effective the date the state reviews and approves the care plan;

(6)] **(3)** Notify the referring entity **or individual** within five business days of receiving the referral if [additional information] **a different physical address** is required to [process the referral; and

(7) Inform the provider and contact the individual when information is insufficient or the proposed care plan requires additional evaluation by state staff that is not obtained from the referring entity to schedule an in-home assessment to be conducted by the state staff within thirty days] **schedule the assessment. The referring entity has five days to provide a current physical address if requested by the department. If a different physical address is needed, the fifteen-day limit included in subdivision (1) of this subsection is suspended until the information is received by the department;**

(4) Inform the applicant of:

(a) The full range of available MO HealthNet home- and community-based services, including, but not limited to, adult day care services, home-delivered meals, and the benefits of self-direction and agency model services;

(b) The choice of home- and community-based service providers in the applicant's area, and that some providers conduct their own assessments, but that choosing a provider who does not conduct assessments will not delay delivery of services; and

(c) The option to choose more than one home- and community-based service provider to deliver or facilitate the services the applicant is qualified to receive;

(5) Prioritize the referrals received, giving the highest priority to referrals for high-risk individuals, followed by individuals who are alleged to be victims of abuse or neglect as a result of an investigation initiated from the elder abuse and neglect hotline, and then followed by individuals who have not selected a provider or who have selected a provider that does not conduct assessments; and

(6) Notify the referring entity and the applicant within ten business days of receiving the referral if it has not scheduled the assessment.

2. If the department of health and senior services [may contract for initial home- and community-based assessments, including a care plan, through an independent third-party assessor. The contract shall include a requirement that:

(1) Within fifteen days of receipt of a referral for service, the contractor shall have made a face-to-face assessment of care need and developed a plan of care; and

(2) The contractor notify the referring entity within five days of receipt of referral if additional information is needed to process the referral.

The contract shall also include the same requirements for such assessments as of January 1, 2010, related to timeliness of assessments and the beginning of service. The contract shall be bid under chapter 34 and shall not be a risk-based contract] **has not complied with subdivision (1) of subsection 1 of this section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days, the provider's care plan shall be approved and payment shall begin to the provider based on the assessment and care plan recommendation submitted by the provider.**

3. [The two nurse visits authorized by subsection 16 of section 660.300 shall continue to be performed by home- and community-based providers for including, but not limited to, reassessment and level of care recommendations. These reassessments and care plan changes shall be reviewed and approved by the independent third-party assessor. In the event of dispute over the level of care required, the third-party assessor shall conduct a face-to-face review with the client in question.

4. The provisions of this section shall expire August 28, 2013] **At such time that the department approves or modifies the assessment and care plan, the latest approved care plan shall become effective. If the department assessment determines the client does not meet level of care, the state shall not be responsible for the cost of services claimed prior to the department's written notification to the provider of such denial.**

4. The department shall implement subsections 2 and 3 of this section unless the Centers for Medicare and Medicaid Services disapproves any necessary state plan amendments or waivers to implement the provisions in subsections 2 and 3 of this section allowing providers to perform assessments.

5. The department's auditing of home- and community-based service providers shall include a review of the client plan of care and provider assessments, and choice and communication of home- and community-based service provider service options to individuals seeking MO HealthNet services. Such auditing shall be conducted utilizing a statistically valid sample. The department shall also make publicly available a review of its process for informing participants of service options within MO HealthNet home- and community-based service provider services and information on referrals.

6. For purposes of this section:

(1) "Assessment" means a face-to-face determination that a MO HealthNet participant is eligible for home- and community-based services and:

(a) Is conducted by an assessor trained to perform home- and community-based care assessments;

(b) Uses forms provided by the department;

(c) Includes unbiased descriptions of each available service within home- and community-based services with a clear person-centered explanation of the benefits of each home- and community-based service, whether

the applicant qualifies for more than one service and ability to choose more than one provider to deliver or facilitate services; and

(d) Informs the applicant, either by the department or the provider conducting the assessment, that choosing a provider or multiple providers that do not conduct their own assessments will in no way affect the quality of service or the timeliness of the applicant's assessment and authorization process.

(2) A "properly completed referral" shall contain basic information adequate for the department to contact the client or person needing service. At a minimum, the referral shall contain:

(a) The stated need for MO HealthNet home- and community-based services;

(b) The name, date of birth, and Social Security number of the client or person needing service, or the client's or person's MO HealthNet number; and

(c) The current physical address and phone number of the client or person needing services.

Addition information which may assist the department including contact information of a responsible party shall also be submitted.

7. The department shall:

(1) Develop an automated electronic assessment care plan tool to be used by providers; and

(2) Make recommendations to the general assembly by January 1, 2014, for the implementation of the automated electronic assessment care plan tool.

8. No later than December 31, 2014, the department of health and senior services shall submit a report to the general assembly that reviews the following:

(1) How well the department is doing on meeting the fifteen-day requirement;

(2) The process the department used to approve the assessors;

(3) Financial data on the cost of the program prior to and after enactment of this section;

(4) Any audit information available on assessments performed outside the department; and

(5) The department's staffing policies implemented to meet the fifteen-day assessment requirement.

208.990. 1. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage individuals shall meet the eligibility criteria set forth in 42 CFR 435, including but not limited to the requirements that:

(1) The individual is a resident of the state of Missouri;

(2) The individual has a valid Social Security number;

(3) The individual is a citizen of the United States or a qualified alien as described in Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 U.S.C. Section 1641, who has provided satisfactory documentary evidence of qualified alien status which has been verified with the Department of Homeland Security under a declaration required by Section 1137(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that the applicant or beneficiary is an alien in a satisfactory immigration status; and

(4) An individual claiming eligibility as a pregnant woman shall verify pregnancy.

2. Notwithstanding any other provisions of law to the contrary, effective January 1, 2014, the family support division shall conduct an annual redetermination of all MO HealthNet participants' eligibility as provided in 42 CFR 435.916. The department may contract with an administrative service organization to conduct the annual redeterminations if it is cost effective.

3. The department, or family support division, shall conduct electronic searches to redetermine eligibility on the basis of income, residency, citizenship, identity and other criteria as described in 42 CFR 435.916 upon availability of federal, state, and commercially available electronic data sources. The department, or family support division, may enter into a contract with a vendor to perform the electronic search of eligibility information not disclosed during the application process and obtain an applicable case management system. The department shall retain final authority over eligibility determinations made during the redetermination process.

4. Notwithstanding any other provisions of law to the contrary, applications for MO HealthNet benefits shall be submitted in accordance with the requirements of 42 CFR 435.907 and other applicable federal law. The individual shall provide all required information and documentation necessary to make an eligibility determination, resolve discrepancies found during the redetermination process, or for a purpose directly connected to the administration of the medical assistance program.

5. Notwithstanding any other provisions of law to the contrary, to be eligible for MO HealthNet coverage under section 208.995, individuals shall meet the eligibility requirements set forth in subsection 1 of this section

and all other eligibility criteria set forth in 42 CFR 435 and 457, including, but not limited to, the requirements that:

- (1) The department of social services shall determine the individual's financial eligibility based on projected annual household income and family size for the remainder of the current calendar year;
- (2) The department of social services shall determine household income for the purpose of determining the modified adjusted gross income by including all available cash support provided by the person claiming such individual as a dependent for tax purposes;
- (3) The department of social services shall determine a pregnant woman's household size by counting the pregnant woman plus the number of children she is expected to deliver;
- (4) CHIP-eligible children shall be uninsured, shall not have access to affordable insurance, and their parent shall pay the required premium;
- (5) An individual claiming eligibility as an uninsured woman shall be uninsured.

208.995. 1. For purposes of this section and section 208.990, the following terms mean:

- (1) "Child" or "children", a person or persons who are under nineteen years of age;
- (2) "CHIP-eligible children", children who meet the eligibility standards for Missouri's children's health insurance program as provided in sections 208.631 to 208.658, including paying the premiums required under sections 208.631 to 208.658;
- (3) "Department", the Missouri department of social services, or a division or unit within the department as designated by the department's director;
- (4) "MAGI", the individual's modified adjusted gross income as defined in Section 36B(d)(2) of the Internal Revenue Code of 1986, as amended, and:
 - (a) Any foreign earned income or housing costs;
 - (b) Tax-exempt interest received or accrued by the individual; and
 - (c) Tax-exempt Social Security income;
- (5) "MAGI equivalent net income standard", an income eligibility threshold based on modified adjusted gross income that is not less than the income eligibility levels that were in effect prior to the enactment of Public Law 111-148 and Public Law 111-152.

2. (1) Effective January 1, 2014, notwithstanding any other provision of law to the contrary, the following individuals shall be eligible for MO HealthNet coverage as provided in this section:

- (a) Individuals covered by MO HealthNet for families as provided in section 208.145;
- (b) Individuals covered by transitional MO HealthNet as provided in 42 U.S.C. Section 1396r-6;
- (c) Individuals covered by extended MO HealthNet for families on child support closings as provided in 42 U.S.C. Section 1396r-6;
- (d) Pregnant women as provided in subdivisions (10), (11), and (12) of subsection 1 of section 208.151;
- (e) Children under one year of age as provided in subdivision (12) of subsection 1 of section 208.151;
- (f) Children under six years of age as provided in subdivision (13) of subsection 1 of section 208.151;
- (g) Children under nineteen years of age as provided in subdivision (14) of subsection 1 of section 208.151;
- (h) CHIP-eligible children; and
- (i) Uninsured women as provided in section 208.659.

(2) Effective January 1, 2014, the department shall determine eligibility for individuals eligible for MO HealthNet under subdivision (1) of this subsection based on the following income eligibility standards, unless and until they are changed:

- (a) For individuals listed in paragraphs (a), (b) and (c) of subdivision (1) of this subsection, the department shall apply the July 16, 1996, Aid to Families with Dependent Children (AFDC) income standard as converted to the MAGI equivalent net income standard;
- (b) For individuals listed in paragraphs (f) and (g) of subdivision (1) of this subsection, the department shall apply one hundred thirty-three percent of the federal poverty level converted to the MAGI equivalent net income standard;
- (c) For individuals listed in paragraph (h) of subdivision (1) of this subsection, the department shall convert the income eligibility standard set forth in section 208.633 to the MAGI equivalent net income standard;
- (d) For individuals listed in paragraphs (d), (e) and (i) of subdivision (1) of this subsection, the department shall apply one hundred eighty-five percent of the federal poverty level converted to the MAGI equivalent net income standard;

(3) Individuals eligible for MO HealthNet under subdivision (1) of this subsection shall receive all applicable benefits under section 208.152.

3. The department or appropriate divisions of the department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. The department shall submit such state plan amendments and waivers to the Centers for Medicare and Medicaid Services of the federal Department of Health and Human Services as the department determines are necessary to implement the provisions of this section."; and'; and

Further amend said bill, Page 5, Line 9, by inserting after all of said line the following:

'Further amend said bill, Page 39, Section 376.1900, Line 56, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197;

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list; or

(7) Is a consumer reporting agency regulated by the federal Fair Credit Reporting Act that conducts employee background checks on behalf of entities listed in subdivisions (1), (2), (5), or (6) of this subsection. Such a consumer reporting agency shall conduct the employee disqualification list check only upon the initiative or request of an entity described in subdivisions (1), (2), (5), or (6) of this subsection when the entity is fulfilling its duties required under this section. The information shall be disclosed only to the requesting entity.

The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing. No person, corporation, organization, or association who is entitled to access the employee disqualification list may disclose the information to any person, corporation, organization, or association who is not entitled to access the list. Any person, corporation, organization, or association who is entitled to access the employee disqualification list who discloses the information to any person, corporation, organization, or association who is not entitled to access the list shall be guilty of an infraction.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (7) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. Any employer [who is] **or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250** required to [discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire] **deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100[.], if the employer terminated the employee because the employee:**

(1) Has been found guilty, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(2) Was placed on the employee disqualification list under this section after the date of hire;

(3) Was placed on the employee disqualification registry maintained by the department of mental health after the date of hire;

(4) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(5) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is not germane to the bill.

Representative Dugger requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Burlison, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Stream, **HCS SB 161, as amended**, was adopted.

On motion of Representative Stream, **HCS SB 161, as amended**, was read the third time and passed by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McGaugh	McKenna	Messenger	Miller	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer

Spencer	Stream	Swan	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 038

Burns	Butler	Carpenter	Colona	Curtis
Curtman	Dunn	Ellinger	Ellington	Englund
Gardner	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McDonald
McManus	McNeil	Meredith	Mims	Mitten
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Schupp
Smith 85	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Kelly 45	McCaherty	McCann Beatty	Scharnhorst	Smith 120
Swearingen	Walton Gray			

Representative Dugger declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	Kratky

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LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 003

Kelly 45	Smith 120	Walton Gray
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BILLS IN CONFERENCE

CCR HCS SB 23, as amended, relating to political subdivisions, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **CCR HCS SB 23, as amended**, was adopted by the following vote:

AYES: 118

Allen	Anders	Austin	Bernskoetter	Black
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 50	Justus	Keeney
Kelley 127	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McGaugh
McKenna	McManus	McNeil	Messenger	Miller
Mims	Molendorp	Montecillo	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Smith 85
Solon	Sommer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wood	Zerr	Mr Speaker		

NOES: 039

Anderson	Bahr	Berry	Brattin	Conway 104
Curtis	Curtman	Dunn	Ellington	Fitzpatrick
Fowler	Frame	Gardner	Haahr	Hurst
Johnson	Kirkton	Koenig	Marshall	May
McDonald	Meredith	Mitten	Moon	Morgan

Newman	Pace	Parkinson	Peters	Pogue
Rehder	Roorda	Ross	Schieber	Schupp
Webber	Wieland	Wilson	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Kelly 45	McCann Beatty	Smith 120	Spencer
Walton Gray				

On motion of Representative Jones (50), **CCS HCS SB 23** was truly agreed to and finally passed by the following vote:

AYES: 118

Allen	Anders	Austin	Barnes	Bernskoetter
Black	Brown	Burlison	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 50	Justus
Keeney	Kelley 127	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pike
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Rowden	Rowland	Runions
Scharnhorst	Schatz	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wood	Zerr	Mr Speaker		

NOES: 038

Anderson	Bahr	Berry	Brattin	Conway 104
Curtis	Curtman	Dunn	Ellington	Fitzpatrick
Fowler	Frame	Gardner	Hurst	Johnson
Kirkton	Koenig	Marshall	May	McDonald
Meredith	Moon	Morgan	Newman	Parkinson
Peters	Pierson	Pogue	Rehder	Roorda
Ross	Schieber	Schieffer	Schupp	Webber
Wieland	Wilson	Wright		

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PRESENT: 000

ABSENT WITH LEAVE: 007

Haahr	Kelly 45	Leara	Lichtenegger	Shull
Smith 120	Walton Gray			

Representative Dugger declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Black	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wood	Zerr	Mr Speaker	

NOES: 019

Berry	Brattin	Conway 104	Ellington	Gardner
Haahr	Johnson	Marshall	May	McDonald
Montecillo	Moon	Parkinson	Peters	Pogue
Rehder	Schieber	Wilson	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Funderburk	Kelly 45	Smith 120	Walton Gray
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CCR SCS SB 106, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5, relating to educational credits for veterans, was taken up by Representative Davis.

On motion of Representative Davis, **CCR SCS SB 106, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5** was adopted by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Hodges	Jones 50	Kelly 45	Smith 120	Walton Gray
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On motion of Representative Davis, **CCS SCS SB 106** was truly agreed to and finally passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Jones 50	Kelly 45	Morris	Smith 120
Spencer	Walton Gray			

Representative Dugger declared the bill passed.

CCR HCS SCS SB 117, as amended, relating to military affairs, was taken up by Representative Davis.

On motion of Representative Davis, **CCR HCS SCS SB 117, as amended**, was adopted by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Entlicher	Flanigan	Kelly 45	McCann Beatty
Smith 120	Walton Gray			

On motion of Representative Davis, **CCS HCS SCS SB 117** was truly agreed to and finally passed by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Diehl	Flanigan	Gatschenberger	Jones 50	Kelly 45
McCann Beatty	Smith 120	Walton Gray		

Representative Dugger declared the bill passed.

CCR HCS SS SB 34, as amended, relating to a workers' compensation claim database, was taken up by Representative Fraker.

On motion of Representative Fraker, **CCR HCS SS SB 34, as amended**, was adopted by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McGaugh
Messenger	Miller	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Scharnhorst	Schatz
Shumake	Sommer	Spencer	Stream	Swan
Thomson	Walker	White	Wieland	Wood
Mr Speaker				

NOES: 064

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	English	Englund
Frame	Gardner	Harris	Higdon	Hodges
Hubbard	Hummel	Kirkton	Korman	Kratky
LaFaver	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Neth	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo
Roorda	Rowden	Runions	Schieber	Schieffer
Schupp	Smith 85	Solon	Swearingen	Torpey
Webb	Webber	Wilson	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 008

Flanigan	Kelly 45	Molendorp	Newman	Shull
Smith 120	Walton Gray	Zerr		

On motion of Representative Fraker, **CCS HCS SS SB 34** was truly agreed to and finally passed by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Shull
Shumake	Sommer	Spencer	Stream	Swan
Thomson	Walker	White	Wieland	Wood
Mr Speaker				

NOES: 067

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	English	Englund
Frame	Funderburk	Gardner	Harris	Higdon
Hodges	Hubbard	Hummel	Kirkton	Korman
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Moon	Morgan	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Pogue	Rizzo	Roorda	Rowden	Runions
Schieber	Schieffer	Schupp	Smith 85	Solon
Swearingen	Torpey	Webb	Webber	Wilson
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45	McGaugh	Molendorp	Smith 120	Walton Gray
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Representative Dugger declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HBs 256, 33 & 305, with Senate Amendment No. 2 and Senate Amendment No. 3, relating to the Safe Place for Newborns Act, was taken up by Representative Jones (50).

Representative Jones (50) moved that the House refuse to concur in **Senate Amendment No. 2** and **Senate Amendment No. 3** to **HCS HBs 256, 33 & 305** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

HB 400, with Senate Amendment No. 2, relating to abortion-inducing drugs, was taken up by Representative Riddle.

On motion of Representative Riddle, the House concurred in **Senate Amendment No. 2** by the following vote:

AYES: 119

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 039

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Hubbard	Hummel	Kirkton
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan

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Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 005

Higdon	Kelly 45	McManus	Smith 120	Walton Gray
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On motion of Representative Riddle, **HB 400, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Zerr	Mr Speaker

NOES: 039

Anders	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Hubbard	Hummel	Kirkton
LaFaver	May	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

English	Gatschenberger	Higdon	Kelly 45	Leara
McManus	Smith 120	Walton Gray	Wood	

Representative Dugger declared the bill passed.

Speaker Jones resumed the Chair.

SS HCS HB 199, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to adopt **SS HCS HB 199, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

SB 77, with House Amendment No. 1, relating to neighborhood youth development programs, was taken up by Representative Allen.

Representative Allen moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 77** and grant the Senate a conference.

Which motion was adopted.

HCS SB 57, as amended, relating to certain civil actions, was taken up by Representative Engler.

Representative Engler moved that the House refuse to recede from its position on **HCS SB 57, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 42, as amended, relating to county criminal justice, was taken up by Representative Jones (50).

Representative Jones (50) moved that the House refuse to recede from its position on **HCS SCS SB 42, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 90, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SB 90, as amended**, and grant the Senate a conference.

Which motion was adopted.

SCS SB 33, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to persons with disabilities, was taken up by Representative Grisamore.

Representative Grisamore moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5** and **House Amendment No. 6** to **SCS SB 33** and grant the Senate a conference.

Which motion was adopted.

SB 327, with House Amendment No. 1, relating to the cost of electronic monitoring, was taken up by Representative Haahr.

Representative Haahr moved that the House recede from its position on **House Amendment No. 1** to **SB 327** and truly agree to and finally pass **SB 327**.

Which motion was defeated by the following vote:

AYES: 013

Cornejo	Fowler	Gannon	Haahr	Hummel
Kolkmeyer	Lair	McKenna	Pfautsch	Riddle
Roorda	Schatz	Smith 85		

NOES: 141

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame
Franklin	Frederick	Gardner	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Korman	Kratky	LaFaver	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Engler	Funderburk	Guernsey	Kelly 45
Leara	McManus	Smith 120	Walton Gray	

SB 327, with House Amendment No. 1, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS SB 33: Representatives Grisamore, Neely and Newman
HCS SCS SB 42: Representatives Jones (50), Houghton and Colona
HCS SB 57: Representatives Engler, Keeney and Roorda
SB 77: Representatives Allen, Flanigan and Colona
HCS SB 90: Representatives Dugger, Hough and Swearingen

BILLS CARRYING REQUEST MESSAGES

SB 327, with House Amendment No. 1, relating to the cost of electronic monitoring, was again taken up by Representative Haahr.

Representative Haahr moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 327**, and request the Senate to grant the House a conference.

Representative Roorda raised a point of order that **SB 327, with House Amendment No. 1** was not eligible for consideration.

The Chair ruled the point of order not well taken.

Representative Haahr again moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 327**, and request the Senate to grant the House a conference.

Which motion was adopted.

HCS SB 41, as amended, relating to private nuisance activities, was taken up by Representative Hough.

Representative Hough moved that the House refuse to recede from its position on **HCS SB 41, as amended**, and grant the Senate a conference.

Which motion was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS SS SB 262, as amended**, are allowed to exceed the differences in sections of the bill relating to navigators, exclusive network plans and deemer language relative to the Department of Insurance.

BILLS IN CONFERENCE

HCS SS SB 262, as amended, relating to health insurance, was taken up by Representative Molendorp.

Representative Molendorp moved that the House conferees be allowed to exceed the differences on **HCS SS SB 262, as amended**.

Which motion was adopted.

THIRD READING OF SENATE BILL

SS SCS SB 129, relating to the establishment of the Volunteer Health Services Act, was taken up by Representative Burlison.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 008

Engler	Kelley 127	Kelly 45	McManus	Schatz
Smith 120	Stream	Walton Gray		

On motion of Representative Burlison, **SS SCS SB 129** was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
McKenna	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Norr	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 041

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	English	Englund	Frame
Gardner	Harris	Hodges	Hubbard	Hummel
Marshall	May	Mayfield	McCann Beatty	McDonald
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Neth	Newman	Nichols	Otto

Pace	Peters	Pierson	Roorda	Runions
Schieber	Schupp	Smith 85	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Engler	Kelley 127	Kelly 45	McManus
Smith 120	Walton Gray			

Speaker Jones declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 717, relating to children and families, was taken up by Representative Grisamore.

Representative Hough assumed the Chair.

Representative Wieland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 717, Page 11, Section 208.151, Line 220, by inserting after all of said line the following:

"208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for supplemental nutrition assistance program (SNAP) benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;

(5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(6) It has been more than four years since the conviction for a drug related felony.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wieland, **House Amendment No. 1** was adopted.

Representative Ellinger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 717, Pages 16-27, Sections 210.145, 210.152, 210.153, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"210.145. 1. The division shall develop protocols which give priority to:

- (1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;
- (2) Promoting the preservation and reunification of children and families consistent with state and federal law;
- (3) Providing due process for those accused of child abuse or neglect; and
- (4) Maintaining an information system operating at all times, capable of receiving and maintaining reports.

This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age, or other crimes under chapter 566 if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. When the child abuse and neglect hotline receives three or more calls, within a seventy-two hour period, from one or more individuals concerning the same child, the division shall conduct a review to determine whether the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. In conducting the review, the division shall contact the hotline caller or callers in order to collect information to determine whether the calls meet the criteria for harassment.

5. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

6. The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. Callers to the child abuse and neglect hotline shall be instructed by the division's hotline to call 911 in instances where the child may be in immediate danger. If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. No person responding to or investigating a child abuse and neglect report shall call prior to a home visit or leave any documentation of any attempted visit, such as business cards, pamphlets, or other similar identifying information if he or she has a reasonable basis to believe the following factors are present:

- (1) (a) No person is present in the home at the time of the home visit; and

(b) The alleged perpetrator resides in the home or the physical safety of the child may be compromised if the alleged perpetrator becomes aware of the attempted visit;

(2) The alleged perpetrator will be alerted regarding the attempted visit; or

(3) The family has a history of domestic violence or fleeing the community.

If the alleged perpetrator is present during a visit by the person responding to or investigating the report, such person shall provide written material to the alleged perpetrator informing him or her of his or her rights regarding such visit, including but not limited to the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written material or have such material read to him or her by the case worker before the visit commences, but in no event shall such time exceed five minutes; except that, such requirement to provide written material and reasonable time to read such material shall not apply in cases where the child faces an immediate threat or danger, or the person responding to investigating the report is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in a school or child care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child care facility shall have the same meaning as such term is defined in section 210.201.

7. The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 CFR, Part 99.

8. The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

9. When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

10. Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

11. Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

12. For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

13. If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification

submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

14. If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

15. Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child, and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any **changes in classification under subsection 2 of this section or subsection 1 of section 210.152, or any** subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

16. A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

17. The division shall provide to any individual who is not satisfied with the results of an investigation information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.

18. In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made.

If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

19. In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services under paragraph (d) of subdivision (1) of subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

20. The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the provisions of sections 210.109 to 210.183.

21. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

210.152. 1. All identifying information, including telephone reports reported pursuant to section 210.145, relating to reports of abuse or neglect received by the division **after July 1, 2014**, shall be **classified in one of the following tiers based on level of harm to the child:**

(1) **Tier one: severe harm to a child. Such classification shall include, but not be limited to, all cases of sexual abuse or serious physical abuse;**

(2) **Tier two: moderate harm to a child. Such classification shall include, but not be limited to, physical abuse that is not categorized into tier one, serious neglect, or multiple substantiated reports of tier three abuse or neglect over time; or**

(3) **Tier three: mild harm to a child. Such classification shall include, but not be limited to, a single substantiated report of abuse or neglect that is not classified in tier one or tier two.**

By July 1, 2014, the division shall promulgate rules to establish the standards for each classification in this subsection.

2. The identifying information described in subsection 1 of this section shall be retained by the division and removed from the records of the division as follows:

(1) For investigation reports contained in the central registry[, identifying information shall be retained by the division]:

(a) **All tier one reports shall be placed on the registry for life;**

(b) **All tier two reports shall be placed on the registry for five years, unless the individual is found to have committed another act of child abuse or neglect in such five-year period, in which case the individual shall be classified as a tier one report. Any tier two report shall be eligible for record closure at the expiration of such five-year period; and**

(c) **All tier three reports shall be placed on the registry for two years and shall automatically be closed at the end of such two-year period; except that, a person shall be placed back on the registry for any subsequent acts of abuse or neglect such person is found to have committed;**

(2) (a) For investigation reports initiated against a person required to report pursuant to section 210.115, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report by a person required to report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(b) For investigation reports, where insufficient evidence of abuse or neglect is found by the division and where the division determines the allegation of abuse or neglect was made maliciously, for purposes of harassment or in retaliation for the filing of a report, identifying information shall be expunged by the division within forty-five days from the conclusion of the investigation;

(c) For investigation reports initiated by a person required to report under section 210.115, where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for five years from the conclusion of the investigation. For all other investigation reports where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for two years from the conclusion of the investigation. Such reports shall include any exculpatory evidence known by the division, including exculpatory evidence obtained after the closing of the case. At the end of such time period, the identifying information shall **automatically** be removed from the records of the division and destroyed;

(3) For reports where the division uses the family assessment and services approach, identifying information shall be retained by the division **in accordance with the provisions of this subsection;**

(4) For reports in which the division is unable to locate the child alleged to have been abused or neglected, identifying information shall be retained for ten years from the date of the report and then shall be removed from the records of the division.

[2.] 3. Within ninety days after receipt of a report of abuse or neglect that is investigated, the alleged perpetrator named in the report and the parents of the child named in the report, if the alleged perpetrator is not a parent, shall be notified in writing of any determination made by the division based on the investigation. The notice shall advise either:

(1) That the division has determined by a probable cause finding prior to August 28, 2004, or by a preponderance of the evidence after August 28, 2004, that abuse or neglect exists, **the classification of the report under subsection 2 of section 210.145 or subsection 1 of this section**, and that the division shall retain all identifying information regarding the abuse or neglect **for the duration of time specified in subsection 1 of this section**; that such information shall remain confidential and will not be released except to law enforcement agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged perpetrator has sixty days from the date of receipt of the notice to seek reversal of the division's determination through a review by the child abuse and neglect review board as provided in subsection 4 of this section; or

(2) That the division has not made a probable cause finding or determined by a preponderance of the evidence that abuse or neglect exists.

[3.] 4. The children's division may reopen a case for review at the request of the alleged perpetrator, the alleged victim, or the office of the child advocate if new, specific, and credible evidence is obtained that the division's decision was based on fraud or misrepresentation of material facts relevant to the division's decision and there is credible evidence that absent such fraud or misrepresentation the division's decision would have been different. If the alleged victim is under the age of eighteen, the request for review may be made by the alleged victim's parent, legal custodian, or legal guardian. All requests to reopen an investigation for review shall be made within a reasonable time and not more than one year after the children's division made its decision. The division shall not reopen a case for review based on any information which the person requesting the review knew, should have known, or could by the exercise of reasonable care have known before the date of the division's final decision in the case, unless the person requesting the review shows by a preponderance of the evidence that he or she could not have provided such information to the division before the date of the division's final decision in the case. Any person, other than the office of the child advocate, who makes a request to reopen a case for review based on facts which the person knows to be false or misleading or who acts in bad faith or with the intent to harass the alleged victim or perpetrator shall not have immunity from any liability, civil or criminal, for providing the information and requesting that the division reopen the investigation. Any person who makes a request to reopen an investigation based on facts which the person knows to be false shall be guilty of a class A misdemeanor. The children's division shall not reopen an investigation under any circumstances while the case is pending before a court of this state nor when a court has entered a final judgment after de novo judicial review pursuant to this section.

[4.] 5. Any person named in an investigation as a perpetrator who is aggrieved by a determination of abuse or neglect by the division as provided in this section may seek an administrative review by the child abuse and neglect review board pursuant to the provisions of section 210.153. Such request for review shall be made within sixty days of notification of the division's decision under this section. In those cases where criminal charges arising out of facts of the investigation are pending, the request for review shall be made within sixty days from the court's final disposition or dismissal of the charges.

[5.] 6. In any such action for administrative review, the child abuse and neglect review board shall sustain the division's determination if such determination was supported by evidence of probable cause prior to August 28, 2004, or is supported by a preponderance of the evidence after August 28, 2004, and is not against the weight of such evidence. The child abuse and neglect review board hearing shall be closed to all persons except the parties, their attorneys and those persons providing testimony on behalf of the parties.

[6.] 7. If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the county in which the alleged perpetrator resides and in circuits with split venue, in the venue in which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a resident of the state, proper venue shall be in Cole County. The case may be assigned to the family court division where such a division has been established. The request for a judicial review shall be made within sixty days of notification of the decision of the child abuse and neglect review board decision. In reviewing such decisions, the circuit court shall provide the alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator may subpoena any witnesses except the alleged victim or the reporter. However, the circuit court shall have the discretion to allow the parties to submit the case upon a stipulated record.

[7.] 8. In any such action for administrative review, the child abuse and neglect review board shall notify the child or the parent, guardian or legal representative of the child that a review has been requested.

9. (1) **Individuals placed on the child abuse and neglect registry after July 1, 2014, may petition the children's division for review and record closure of all identifying information from the registry based on such individual's classification under subsection 1 of this section. Individuals placed on the child abuse and neglect registry prior to July 1, 2014, may petition the children's division for classification under subsection 1 of this section and record closure if such individual is eligible based on his or her classification under subsection 1 of this section.**

(2) A petition for record closure under this subsection shall state good cause for removal, which shall include, but not be limited to:

- (a) Proof of rehabilitation;
- (b) Acceptance of personal responsibility for placement on the registry;
- (c) A bona fide need for removal from the registry; and
- (d) At least two letters supporting the petition from individuals not related by blood or marriage.

(3) The children's division shall make a decision on a petition within ninety days of receiving such petition. The division shall grant a petition if the petitioner has satisfied the criteria in subdivision (2) of this subsection and the division determines that the petitioner poses no significant risk to children or other vulnerable populations.

(4) Any individual aggrieved by the decision of the children's division may seek review by the child abuse and neglect review board in accordance with the provisions of subsection 5 of this section. Any individual aggrieved by the decision of the child abuse and neglect review board may seek de novo judicial review of such decision in accordance with the provisions of subsection 7 of this section. Any individual whose petition for record closure is denied may refile such petition for record closure two years after the final denial of such petition.

(5) When the division grants record closure under this subsection, the division shall maintain a record of the underlying report and investigation or assessment of child abuse or neglect. Identifying information on such a record shall not be available to individuals or entities requesting an examination of the central registry from the division for employees or prospective employees, including but not limited to entities listed in subdivision (8) of subsection 2 of section 210.150.

(6) The children's division shall be a party to any action before the child abuse and neglect review board or court regarding record closure on the child abuse and neglect registry.

210.153. 1. There is hereby created in the department of social services the "Child Abuse and Neglect Review Board", which shall provide an independent review of child abuse and neglect determinations in instances in which the alleged perpetrator is aggrieved by the decision of the children's division **and review record closure petitions under subdivision (4) of subsection 9 of section 210.152**. The division may establish more than one board to assure timely review of the determination **and record closure petitions**.

2. The board shall consist of nine members, who shall be appointed by the governor with the advice and consent of the senate, and shall include:

- (1) A physician, nurse or other medical professional;
- (2) A licensed child or family psychologist, counselor or social worker;
- (3) An attorney who has acted as a guardian ad litem or other attorney who has represented a subject of a child abuse and neglect report;
- (4) A representative from law enforcement or a juvenile office.

3. Other members of the board may be selected from:

- (1) A person from another profession or field who has an interest in child abuse or neglect;
- (2) A college or university professor or elementary or secondary teacher;
- (3) A child advocate;
- (4) A parent, foster parent or grandparent.

4. The following persons may participate in a child abuse and neglect review board review:

- (1) Appropriate children's division staff and legal counsel for the department;
- (2) The alleged perpetrator, who may be represented pro se or be represented by legal counsel. The alleged perpetrator's presence is not required for the review to be conducted. The alleged perpetrator may submit a written statement for the board's consideration in lieu of personal appearance; and

(3) Witnesses providing information on behalf of the child, the alleged perpetrator or the department. Witnesses shall only be allowed to attend that portion of the review in which they are presenting information.

5. The members of the board shall serve without compensation, but shall receive reimbursement for reasonable and necessary expenses actually incurred in the performance of their duties.

6. All records and information compiled, obtained, prepared or maintained by the child abuse and neglect review board in the course of any review shall be confidential information.

7. The department shall promulgate rules and regulations governing the operation of the child abuse and neglect review board except as otherwise provided for in this section. These rules and regulations shall, at a minimum, describe the length of terms, the selection of the chairperson, confidentiality, notification of parties and time frames for the completion of the review.

8. Findings of probable cause to suspect prior to August 28, 2004, or findings by a preponderance of the evidence after August 28, 2004, of child abuse and neglect by the division which are substantiated by court adjudication shall not be heard by the child abuse and neglect review board."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellinger, **House Amendment No. 2** was adopted.

Representative Grisamore offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 717, Pages 11-14, Section 208.662, Lines 1-112, by deleting all of said section and inserting in lieu thereof the following:

"208.662. 1. There is hereby established within the department of social services the "Show-Me Healthy Babies Program" as a separate children's health insurance program (CHIP) for any low-income unborn child. The program shall be established under the authority of Title XXI of the federal Social Security Act, the State Children's Health Insurance Program, as amended, and 42 C.F.R. 457.10.

2. For an unborn child to be enrolled in the show-me healthy babies program, his or her mother shall not be eligible for coverage under Title XIX of the federal Social Security Act, the Medicaid program, as it is administered by the state, and shall not have access to affordable employer-subsidized health care insurance or other affordable health care coverage that includes coverage for the unborn child. In addition, the unborn child shall be in a family with income eligibility of no more than three hundred percent of the federal poverty level, or the equivalent modified adjusted gross income, unless the income eligibility is set lower by the general assembly through appropriations. In calculating family size as it relates to income eligibility, the family shall include, in addition to other family members, the unborn child, or in the case of a mother with a multiple pregnancy, all unborn children.

3. Coverage for an unborn child enrolled in the show-me healthy babies program shall include all prenatal care and pregnancy-related services that benefit the health of the unborn child and that promote healthy labor, delivery, and birth. Coverage need not include services that are solely for the benefit of the pregnant mother, that are unrelated to maintaining or promoting a healthy pregnancy, and that provide no benefit to the unborn child. However, the department may include pregnancy-related assistance as defined in 42 U.S.C. ?1397II.

4. There shall be no waiting period before an unborn child may be enrolled in the show-me healthy babies program. In accordance with the definition of child in 42 C.F.R. 457.10, coverage shall include the period from conception to birth. The department shall develop a presumptive eligibility procedure for enrolling an unborn child. There shall be verification of the pregnancy.

5. Coverage for the child shall continue for up to one year after birth, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations.

6. Pregnancy-related and postpartum coverage for the mother shall begin on the day the pregnancy ends and extend through the last day of the month that includes the sixtieth day after the pregnancy ends, unless otherwise prohibited by law or unless otherwise limited by the general assembly through appropriations. The department may include pregnancy-related assistance as defined in 42 U.S.C. 1397II.

7. The department may provide coverage for an unborn child enrolled in the show-me healthy babies program through:

(1) Direct coverage whereby the state pays health care providers directly or by contracting with a managed care organization or with a group or individual health insurance provider;

(2) A premium assistance program whereby the state assists in payment of the premiums, co-payments, coinsurance, or deductibles for a person who is eligible for health coverage through an employer, former employer, labor union, credit union, church, spouse, other organizations, other individuals, or through an individual health insurance policy that includes coverage for the unborn child, when such person needs assistance in paying such premiums, co-payments, coinsurance, or deductibles;

(3) A combination of direct coverage, such as when the unborn child is first enrolled, and premium assistance, such as after the child is born; or

(4) Any other similar arrangement whereby there:

(a) Are lower program costs without sacrificing health care coverage for the unborn child or the child up to one year after birth;

(b) Are greater covered services for the unborn child or the child up to one year after birth;

(c) Is also coverage for siblings or other family members, including the unborn child's mother, such as by providing pregnancy-related assistance under 42 U.S.C. §1397ll, relating to coverage of targeted low-income pregnant women through the children's health insurance program (CHIP); or

(d) Will be an ability for the child to transition more easily to non-government or less government-subsidized group or individual health insurance coverage after the child is no longer enrolled in the show-me healthy babies program.

8. The department shall provide information about the show-me healthy babies program to maternity homes as defined in section 135.600, pregnancy resource centers as defined in section 135.630, and other similar agencies and programs in the state that assist unborn children and their mothers. The department shall consider allowing such agencies and programs to assist in the enrollment of unborn children in the program, and in making determinations about presumptive eligibility and verification of the pregnancy.

9. Within sixty days after the effective date of this section, the department shall submit a state plan amendment or seek any necessary waivers from the federal Department of Health and Human Services requesting approval for the show-me healthy babies program.

10. At least annually, the department shall prepare and submit a report to the governor, the speaker of the house of representatives, and the president pro tem of the senate analyzing and projecting the cost savings and benefits, if any, to the state, counties, local communities, school districts, law enforcement agencies, correctional centers, health care providers, employers, other public and private entities, and persons by enrolling unborn children in the show-me healthy babies program. The analysis and projection of cost savings and benefits, if any, may include but need not be limited to:

(1) The higher federal matching rate for having an unborn child enrolled in the show-me healthy babies program versus the lower federal matching rate for a pregnant woman being enrolled in MO HealthNet or other federal programs;

(2) The efficacy in providing services to unborn children through managed care organizations, group or individual health insurance providers or premium assistance, or through other nontraditional arrangements of providing health care;

(3) The change in the proportion of unborn children who receive care in the first trimester of pregnancy due to a lack of waiting periods, by allowing presumptive eligibility, or by removal of other barriers, and any resulting or projected decrease in health problems and other problems for unborn children and women throughout pregnancy; at labor, delivery, and birth; and during infancy and childhood;

(4) The change in healthy behaviors by pregnant women, such as the cessation of the use of tobacco, alcohol, illicit drugs, or other harmful practices, and any resulting or projected short-term and long-term decrease in birth defects; poor motor skills; vision, speech, and hearing problems; breathing and respiratory problems; feeding and digestive problems; and other physical, mental, educational, and behavioral problems; and

(5) The change in infant and maternal mortality, pre-term births and low birth weight babies and any resulting or projected decrease in short-term and long-term medical and other interventions.

11. The show-me healthy babies program shall not be deemed an entitlement program, but instead shall be subject to a federal allotment or other federal appropriations and matching state appropriations.

12. Nothing in this section shall be construed as obligating the state to continue the show-me healthy babies program if the allotment or payments from the federal government end or are not sufficient for the program to operate, or if the general assembly does not appropriate funds for the program.

13. Nothing in this section shall be construed as expanding MO HealthNet or fulfilling a mandate imposed by the federal government on the state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 3** was adopted.

Representative Austin offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 717, Page 11, Section 210.151, Line 220, by inserting after all of said section the following:

"210.482. 1. If the emergency placement of a child in a private home is necessary due to the unexpected absence of the child's parents, legal guardian, or custodian, the juvenile court or children's division:

(1) May request that a local or state law enforcement agency or juvenile officer, subject to any required federal authorization, immediately conduct a name-based criminal history record check to include full orders of protection and outstanding warrants of each person over the age of seventeen residing in the home by using the Missouri uniform law enforcement system (MULES) and the National Crime Information Center to access the Interstate Identification Index maintained by the Federal Bureau of Investigation; and

(2) Shall determine or, in the case of the juvenile court, shall request the division to determine whether any person over the age of seventeen years residing in the home is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the home, the children's division shall inquire of the person with whom an emergency placement of a child will be made whether any children less than seventeen years of age residing in the home have ever been certified as an adult and convicted of or pled guilty or nolo contendere to any crime.

2. If a name-based search has been conducted pursuant to subsection 1 of this section, within fifteen calendar days after the emergency placement of the child in the private home, and if the private home has not previously been approved as a foster or adoptive home, all persons over the age of seventeen residing in the home and all children less than seventeen residing in the home who the division has determined have been certified as an adult for the commission of a crime shall report to a local law enforcement agency for the purpose of providing [two] **three** sets of fingerprints each and accompanying fees, pursuant to section 43.530. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division.** Results of the checks [will] **shall** be provided to the juvenile court or children's division office requesting such information. Any child placed in emergency placement in a private home shall be removed immediately if any person residing in the home fails to provide fingerprints after being requested to do so, unless the person refusing to provide fingerprints ceases to reside in the private home.

3. If the placement of a child is denied as a result of a name-based criminal history check and the denial is contested, all persons over the age of seventeen residing in the home and all children less than seventeen years of age residing in the home who the division has determined have been certified as an adult for the commission of a crime shall, within fifteen calendar days, submit to the juvenile court or the children's division [two] **three** sets of fingerprints in the same manner described in subsection 2 of this section, accompanying fees, and written permission authorizing the juvenile court or the children's division to forward the fingerprints to the state criminal record repository for submission to the Federal Bureau of Investigation. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be retained by the division.**

4. **No person who submits fingerprints under this section shall be required to submit additional fingerprints under this section or section 210.487 unless the original fingerprints retained by the division are lost or destroyed.**

5. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

[5.] 6. For the purposes of this section, "emergency placement" refers to those limited instances when the juvenile court or children's division is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.

210.487. 1. When conducting investigations of persons for the purpose of foster parent licensing, the division shall:

(1) Conduct a search for all persons over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime for evidence of full orders of protection. The office of state courts administrator shall allow access to the automated court information system by the division. The clerk of each court contacted by the division shall provide the division information within ten days of a request; and

(2) Obtain [two] **three** sets of fingerprints for any person over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime in the same manner set forth in subsection 2 of section 210.482. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division.** The highway patrol shall assist the division and provide the criminal fingerprint background information, upon request; and

(3) Determine whether any person over the age of seventeen residing in the home and any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the applicant's home, the children's division shall inquire of the applicant whether any children less than seventeen years of age residing in the home have ever been certified as an adult and been convicted of or pled guilty or nolo contendere to any crime.

2. After the initial investigation is completed under subsection 1 of this section[.];

(1) No person who submits fingerprints under subsection 1 of this section or section 210.482 shall be required to submit additional fingerprints under this section or section 210.482 unless the original fingerprints retained by the division are lost or destroyed; and

(2) The children's division and the department of health and senior services may waive the requirement for a fingerprint background check for any subsequent recertification.

3. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

4. The division may make arrangements with other executive branch agencies to obtain any investigative background information.

5. The division may promulgate rules that are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Austin, **House Amendment No. 4** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bernskoetter	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pike

Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kirkton	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 018

Bahr	Barnes	Berry	Brattin	Conway 10
Engler	Funderburk	Hinson	Hubbard	Kelly 45
Kratky	Leara	McManus	Mims	Neth
Smith 120	Walton Gray	White		

On motion of Representative Grisamore, **HCS HB 717, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 717, as amended**, was ordered perfected and printed.

HCS HB 727, relating to services for disabled individuals, was taken up by Representative Grisamore.

Representative Grisamore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 727, Page 22, Section 1, Lines 1-9, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Bernskoetter
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Berry	Brattin	Conway 10	Engler
Fraker	Hinson	Kelly 45	Lair	Leara
McManus	McNeil	Neth	Phillips	Smith 120
Walton Gray				

On motion of Representative Grisamore, **HCS HB 727, as amended**, was adopted.

On motion of Representative Grisamore, **HCS HB 727, as amended**, was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman Curtman reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SB 170**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Cookson reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SS SCS SB 210**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 749**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 118**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 717 - Fiscal Review

HCS HB 727 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 112 - Fiscal Review

SCS SB 381 - Fiscal Review

HCS SS SB 401 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 58**, entitled:

An act to repeal section 379.1510, RSMo, and to enact in lieu thereof one new section relating to portable electronics insurance, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **Senate Amendment No. 1 to HB 316** and has taken up and passed **HB 316**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 322**, entitled:

An act to repeal sections 303.024 and 303.200, RSMo, and to enact in lieu thereof five new sections relating to providing and presenting certain insurance documents through electronic means, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HB 339**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HB 451**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCR 3**, entitled:

An act relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 4**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 15**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 45, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1** and **House Amendment No. 2** to **SCS SB 248**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE JOINT RESOLUTION NOS. 11 & 7

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, with Senate Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, as amended;
2. That the House recede from its position on House Committee Substitute for House Joint Resolution Nos. 11 & 7;
3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for House Committee Substitute for House Joint Resolution Nos. 11 & 7, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bill Reiboldt
/s/ Todd Richardson
/s/ Linda Black

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Dan Brown
/s/ Jolie Justus
/s/ Scott Sifton

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 43**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 43, with House Amendment Nos. 1, 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 43, as amended;
2. That the Senate recede from its position on Senate Bill No. 43;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Kurt Schaefer
/s/ Mike Kehoe
/s/ Jason Holsman
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Glen Kolkmeier
/s/ Dave Schatz
/s/ Ed Schieffer

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 330**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 330, with House Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 330, as amended;
2. That the Senate recede from its position on Senate Bill No. 330;

- FOR THE SENATE:

FOR THE HOUSE:

ADJOURNMENT

CORRECTION TO THE HOUSE JOURNAL

I, State Representative Charlie Norr, District 132, hereby state and affirm that my vote on the motion by which Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill 3, as amended, was truly agreed to and finally passed as recorded on Page 2311 of the Journal of the House for the sixty-sixth day, Thursday, May 9, 2013 was incorrectly recorded as “No.” Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was in the chamber at the time the vote was taken, I did in fact vote, my vote was incorrectly recorded, and should have been recorded as “Yes.”

/s/ Charlie Norr
State Representative

Subscribed and sworn to before me this 13th day of May in the year 2013.

/s/ Leann M. Hager
Notary Public

COMMITTEE HEARINGS

BUDGET

Thursday, May 16, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review tax credits - DED, DHSS, DOR, DIFP, DSS, DNR, MoAg

FISCAL REVIEW

Tuesday, May 14, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Wednesday, May 15, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 16, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

RULES

Tuesday, May 14, 2013, Upon Afternoon Adjournment, House Hearing Room 7.

Public hearing will be held: HRM 1

Executive session will be held: HCS HBs 149 & 536, HRM 1, HCS SB 67, SB 170, HCS SS SB 251, SS SB 366

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-EIGHTH DAY, TUESDAY, MAY 14, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HJR 17 - Burlison
- 5 HCS HJR 23 - Hinson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington

8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
9 HB 448 - Webb
10 HCS HB 234 - Gatschenberger
11 HB 616 - Bahr
12 HB 185 - Kirkton
13 HCS HB 641 - Korman
14 HCS HB 402 - Shumake
15 HCS HB 83 - Reiboldt
16 HCS HB 132 - Stream
17 HCS HB 1041 - Swan
18 HCS HBs 309 & 73 - Solon
19 HCS HB 350 - Frederick
20 HCS HB 464 - Higdon
21 HCS HB 484 - Lauer
22 HCS HB 564 - McGaugh
23 HCS HB 604 - Phillips
24 HCS HB 608 - Frederick
25 HCS HB 685 - Burlison
26 HB 745 - Thomson
27 HCS HB 783 - Diehl
28 HCS HB 814 - Fraker
29 HCS HB 830 - Jones (50)
30 HB 863 - Allen
31 HCS HB 930 - Flanigan
32 HB 411 - Muntzel
33 HB 447 - Diehl
34 HB 467 - Lichtenegger
35 HB 827 - Redmon
36 HB 915 - Bahr
37 HCS HB 975 - Richardson
38 HCS HB 198 - Funderburk
39 HB 385 - Burlison
40 HCS HBs 77, 91 & 95 - Burlison
41 HCS HB 398 - Riddle
42 HCS#2 HB 927 - Reiboldt
43 HCS HB 749 - Cross

HOUSE BILLS FOR THIRD READING

1 HB 201 - Torpey
2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
3 HCS HB 470 - Barnes
4 HCS#2 HB 178 - Koenig
5 HB 162 - Sommer
6 HCS HB 458 - Scharnhorst
7 HCS HB 717, (Fiscal Review 5/13/13) - Grisamore
8 HCS HB 727, (Fiscal Review 5/13/13), E.C. - Grisamore

SENATE CONCURRENT RESOLUTIONS FOR SECOND READING

SCR 3

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

HCS SS#2 SCS SJR 16 - Hinson

SENATE BILLS FOR THIRD READING

- 1 SS SCS SB 125 - Barnes
- 2 HCS SCS SB 88 - Frederick
- 3 HCS SB 222 - Kelly (45)
- 4 SCS SB 224 - Rizzo
- 5 HCS SB 51, as amended - Guernsey
- 6 HCS SS SCS SB 241 - Cierpiot
- 7 SCS SB 302 - Elmer
- 8 HCS SB 18, E.C. - Cox
- 9 SCS SB 87 - Bahr
- 10 HCS SB 110 - Davis
- 11 SCS SB 178 - Kirkton
- 12 HCS SS SB 252, E.C. - Richardson
- 13 HCS SCS SB 89, E.C. - Jones (50)
- 14 HCS SB 12, E.C. - Jones (50)
- 15 HCS SB 99 - Dugger
- 16 HCS SB 100, E.C. - Cox
- 17 HCS SS SB 282 - Hough
- 18 HCS SB 75 - Burlison
- 19 HCS SS SB 245 - Mitten
- 20 HCS SCS SB 256 - Torpey
- 21 HCS SCS SBs 317 & 319 - Gosen
- 22 HCS SB 24, E.C. - Hinson
- 23 HCS SS SCS SB 83, E.C. - Crawford
- 24 SB 236 - Franklin
- 25 HCS SB 342 - Guernsey
- 26 SCS SB 381, (Fiscal Review 5/13/13) - Cross
- 27 HCS SB 73 - Cornejo
- 28 HCS SCS SB 118 - Cox
- 29 HCS SB 112, (Fiscal Review 5/13/13), E.C. - Zerr
- 30 HCS SS SB 401, (Fiscal Review 5/13/13), E.C. - Molendorp
- 31 SB 72 - Jones (50)

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 542, as amended - Love
- 2 SCS HCS HB 351, as amended, E.C. - Frederick

BILLS CARRYING REQUEST MESSAGES

- 1 SB 327, HA 1 (House refuse to recede/request Senate grant conf.) - Haahr
- 2 HCS SCS SB 45, as amended (request House recede/grant conference) - Hough
- 3 SCS SB 248, HA 1, HA 2 (request House recede/grant conference) - Fraker
- 4 HCS HBs 256, 33 & 305, SA 2, SA 3
(request Senate recede/grant conference), E.C. - Jones (50)
- 5 SS HCS HB 199, as amended (request Senate recede/grant conference), E.C. - Dugger

BILLS IN CONFERENCE

- 1 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 2 HCS SS#2 SCS SB 1, as amended, E.C. - Richardson
- 3 SS SCS HB 307, as amended - Riddle
- 4 HCS SS SB 262, as amended (exceed differences), E.C. - Molendorp
- 5 HCS SCS SB 157 and SB 102, as amended - Phillips
- 6 HCS SCS SB 17, as amended - Thomson
- 7 HCS SCS SB 9, as amended - Guernsey
- 8 CCR HCS SB 330, as amended - Burlison
- 9 CCR HCS SB 43, as amended, E.C. - Kolkmeier
- 10 CCR#2 SS HCS HJR 11 & 7, as amended - Reiboldt
- 11 SCS SB 36, HA 1 - Hicks
- 12 SCS HCS HB 1035, as amended, E.C. - Kelley (127)
- 13 SB 77, HA 1 - Allen
- 14 HCS SB 57, as amended - Engler
- 15 HCS SCS SB 42, as amended - Jones (50)
- 16 HCS SB 90, as amended - Dugger
- 17 SCS SB 33, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6 - Grisamore
- 18 HCS SB 41, as amended - Hough

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, TUESDAY, MAY 14, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Hear, O Israel, the Lord our God is one Lord; and thou shalt love the Lord thy God with all thine heart, and with all thy soul, and with all thy might. (Deuteronomy 6:4-5)

O Lord, we thank You for the way by which You have led us and we pray that as we look forward we may continue to grow in grace and in the knowledge of Your law. Lead us step by step, and from strength to strength, that we may serve You more perfectly and love one another more sincerely.

Increase our faith as You increase our years, and the longer we live on earth the better may our service be, the more willing our obedience, the more consistent our daily lives, the more loving our hearts, and the more complete our devotion to You.

We are grateful for the return to our midst of Representative Chris Kelly. Grant him and all members good health.

Be with us in a special way during this final week and receive us in Your boundless love, for You are our only hope and our truest support.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jordan Weller and Kija Zuroweste.

The Journal of the sixty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3142 through House Resolution No. 3231

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 3 was read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 717**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 112**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 381**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 401**, begs leave to report it has examined the same and recommends that it **Do Pass**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 41: Representatives Hough, Cox and Mitten

BILL IN CONFERENCE

CCR#2 SS HCS HJR 11 & 7, as amended, relating to the right to farm, was taken up by Representative Reiboldt.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh

Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Curtman	English	Otto	Riddle
Roorda	Smith 120	Sommer	Walton Gray	Zerr

On motion of Representative Reiboldt, **CCR#2 SS HCS HJR 11 & 7, as amended**, was adopted by the following vote:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Molendorp	Moon
Morgan	Morris	Muntzel	Neely	Neth
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 85	Solon	Spencer	Stream

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Swan	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 024

Burns	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Englund	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	Meredith	Mims	Montecillo	Newman
Nichols	Norr	Schupp	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Curtman	English	Frederick	Higdon
Mitten	Otto	Riddle	Smith 120	Sommer
Swearingen	Walton Gray	Zerr		

On motion of Representative Reiboldt, **CCS#2 SS HCS HJRs 11 & 7** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McGaugh	McKenna	McManus	McNeil
Messenger	Miller	Mims	Molendorp	Moon
Morgan	Morris	Muntzel	Neely	Neth
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 85	Solon	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 025

Burns	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Englund	Gardner	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	Meredith	Mitten	Montecillo	Newman
Nichols	Norr	Peters	Schupp	Webb

PRESENT: 000

ABSENT WITH LEAVE: 006

English	Otto	Riddle	Smith 120	Sommer
Walton Gray				

Speaker Jones declared the bill passed.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 350** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HB 199, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Lamping, Richard, Kehoe, Holsman and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **Senate Amendment No. 2** and **Senate Amendment No. 3** to **HCS HBs 256, 33 & 305** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Kehoe, Munzlinger, Wasson, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS SCS SB 17, as amended**, are allowed to exceed the differences on **House Amendment No. 5**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 43, as amended**, and has taken up and passed **CCS HCS SB 43**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 161, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House a conference on **SB 327, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Dixon, Romine, Wasson, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant further conference on **HCS SB 330, as amended**.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS HCS HB 199: Representatives Dugger, Diehl and Conway (10)
HCS HBs 256, 33 & 305: Representatives Jones (50), Elmer and Otto

THIRD READING OF HOUSE BILLS

HCS HB 717, relating to children and families, was taken up by Representative Grisamore.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland

Wilson Wood Zerr Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

English	Funderburk	Jones 50	Molendorp	Otto
Richardson	Smith 120	Sommer	Walton Gray	

On motion of Representative Grisamore, **HCS HB 717** was read the third time and passed by the following vote:

AYES: 121

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McGaugh	McKenna	McManus
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Peters
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Shull	Shumake
Solon	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 035

Burns	Butler	Carpenter	Colona	Curtman
Dunn	Ellinger	Ellington	Englund	Fitzpatrick

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Gardner	Hummel	Kirkton	LaFaver	Marshall
May	McCann Beatty	McDonald	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Pierson	Pogue
Rizzo	Schieber	Schupp	Smith 85	Webb

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	English	Jones 50	Otto	Smith 120
Sommer	Walton Gray			

Speaker Jones declared the bill passed.

HCS HB 727, relating to services for disabled individuals, was taken up by Representative Grisamore.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman

Nichols	Norr	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	English	Funderburk	Marshall	Otto
Rowland	Smith 120	Sommer	Walton Gray	Webber

On motion of Representative Grisamore, **HCS HB 727** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 85	Solon	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 005

Curtman	Marshall	Moon	Pogue	Schieber
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PRESENT: 000

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ABSENT WITH LEAVE: 010

Barnes	Ellington	English	Funderburk	Hummel
McCaherty	Otto	Smith 120	Sommer	Walton Gray

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Norr
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Smith 85
Solon	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 014

Butler	Carpenter	Ellington	Englund	Gardner
LaFaver	Marshall	Morgan	Newman	Nichols
Parkinson	Pogue	Schieber	Schupp	

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	English	McCaherty	Otto	Smith 120
Sommer	Walton Gray			

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 17, relating to limits on state appropriations, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 17, Page 5, Section 27(a), Line 64, by deleting the word, "budget" and inserting in lieu thereof the words, "[budget] **cash operating**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Berry
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

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PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Bernskoetter	English	Neth	Otto
Schatz	Smith 120	Sommer	Walton Gray	Zerr

On motion of Representative Burlison, **HJR 17, as amended**, was ordered perfected and printed by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 053

Berry	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Higdon	Hodges	Hough	Hubbard	Hummel
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Torpey	Webb
Webber	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Anders	Bernskoetter	English	Otto	Smith 120
Sommer	Walton Gray			

THIRD READING OF SENATE JOINT RESOLUTION

HCS SS#2 SCS SJR 16, relating to transportation funding, was taken up by Representative Hinson.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Joint Resolution No. 16, Page 6, Section B, Line 5, by striking the word “Shall” and inserting in lieu thereof the word “**Should**”; and

Further amend said line, by striking the word “amended” and inserting in lieu thereof the word “**changed**”; and

Further amend said line, by striking the words “and use”; and

Further amend said resolution and page, Section C, Line 5, by striking the words “Additional revenue is estimated to be” and inserting in lieu thereof the following:

“**This change is expected to produce**”; and

Further amend said resolution, page, section, Lines 5-6, by striking the words “transportation safety and job creation fund” and inserting in lieu thereof the following:

“**Transportation Safety and Job Creation Fund**”; and

Further amend said resolution, page, section, Line 6, by striking the word “gasoline” and inserting in lieu thereof the word “**gas**”; and

Further amend said resolution, page, section, Line 7, by striking the second use of the word “will” and inserting in lieu thereof the word “**shall**”.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Hinson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Joint Resolution No. 16, Page 2, Section 30(d), Line 10, by inserting immediately after the word, “**be**” the following words, “**used for administrative purposes or**”; and

Further amend said bill, page, section, Line 11, by inserting after the word, “**article.**” the following words, “**The oversight division of the committee on legislative research shall conduct a program evaluation of the department of transportation to ensure the additional funds under section 30(e) are used as required under this article and provide a report to the general assembly by January 1, 2017.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 2** was adopted.

Representative Berry assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

English	Grisamore	Hubbard	Otto	Smith 120
Walton Gray				

On motion of Representative Hinson, **HCS SS#2 SCS SJR 16, as amended**, was adopted.

On motion of Representative Hinson, **HCS SS#2 SCS SJR 16, as amended**, was read the third time and passed by the following vote:

AYES: 100

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Black	Burns	Colona	Conway 10
Conway 104	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Englund	Entlicher
Fitzwater	Flanigan	Fraker	Frame	Franklin
Frederick	Gannon	Gosen	Guernsey	Haefner
Hampton	Hansen	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Kelley 127	Kelly 45	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Morgan
Muntzel	Neely	Neth	Nichols	Pace
Peters	Pfautsch	Phillips	Pierson	Redmon
Reiboldt	Remole	Riddle	Rizzo	Roorda
Rowden	Runions	Scharnhorst	Schatz	Schieffer
Shull	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wood	Zerr

NOES: 057

Bahr	Berry	Brattin	Brown	Burlison
Butler	Carpenter	Cierpiot	Cookson	Cornejo
Cox	Curtis	Curtman	Ellinger	Ellington
Elmer	Engler	Fitzpatrick	Fowler	Funderburk
Gardner	Gatschenberger	Haahr	Hicks	Hodges
Johnson	Jones 50	Justus	Keeney	Kirkton
Koenig	Lynch	Marshall	May	Mayfield
McManus	McNeil	Mitten	Moon	Morris
Newman	Norr	Parkinson	Pike	Pogue
Rehder	Rhoads	Richardson	Ross	Rowland
Schieber	Schupp	Smith 85	Spencer	Wilson
Wright	Mr Speaker			

PRESENT: 001

Shumake

ABSENT WITH LEAVE: 005

English	Grisamore	Otto	Smith 120	Walton Gray
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Representative Berry declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 222, relating to domestic violence, was taken up by Representative Kelly (45).

Representative Mayfield offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 222, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

"452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) "Custody" means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;

[(2)] (3) "Joint legal custody" means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

[(3)] (4) "Joint physical custody" means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

[(4)] (5) "Third-party custody" means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child's parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child's best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child's adjustment to the child's home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child's custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

(e) A violation of section 568.080;

(f) A violation of section 568.090; or

(g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 7 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

14. If the court finds that a parent of a child, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion, the court may deny custody to the parent.

452.400. 1. (1) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical health or impair his or her emotional development. The court shall enter an order specifically detailing the visitation rights of the parent without physical custody rights to the child and any other children for whom such parent has custodial or visitation rights. In determining the granting of visitation rights, the court shall consider evidence of domestic violence. If the court finds that domestic violence has occurred, the court may find that granting visitation to the abusive party is in the best interests of the child.

(2) (a) The court shall not grant visitation to the parent not granted custody if such parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

b. A violation of section 568.020;

c. A violation of subdivision (2) of subsection 1 of section 568.060;

d. A violation of section 568.065;

e. A violation of section 568.080;

f. A violation of section 568.090; or

g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in granting visitation to a parent not granted custody if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

(c) The court may exercise its discretion in granting visitation to a parent not granted custody if such parent, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion.

(3) The court shall consider the parent's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault on other persons and shall grant visitation in a manner that best protects the child and the parent or other family or household member who is the victim of domestic violence, and any other children for whom the parent has custodial or visitation rights from any further harm.

(4) The court, if requested by a party, shall make specific findings of fact to show that the visitation arrangements made by the court best protect the child or the parent or other family or household member who is the victim of domestic violence, or any other child for whom the parent has custodial or visitation rights from any further harm.

2. (1) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child, but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical health or impair his or her emotional development.

(2) (a) In any proceeding modifying visitation rights, the court shall not grant unsupervised visitation to a parent if the parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

- a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;
- b. A violation of section 568.020;
- c. A violation of subdivision (2) of subsection 1 of section 568.060;
- d. A violation of section 568.065;
- e. A violation of section 568.080;
- f. A violation of section 568.090; or
- g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the division may exercise its discretion regarding the placement of a child taken into the custody of the state in which a parent or any person residing in the home has been found guilty of, or pled guilty to, any such offense.

(3) When a court restricts a parent's visitation rights or when a court orders supervised visitation because of allegations of abuse or domestic violence, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised visitation may be ordered. "Supervised visitation", as used in this section, is visitation which takes place in the presence of a responsible adult appointed by the court for the protection of the child.

3. The court shall mandate compliance with its order by all parties to the action, including parents, children and third parties. In the event of noncompliance, the aggrieved person may file a verified motion for contempt. If custody, visitation or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts which constitute a violation of the judgment of dissolution, [or] legal separation **or judgment of paternity**. The state courts administrator shall develop a simple form for pro se motions to the aggrieved person, which shall be provided to the person by the circuit clerk. Clerks, under the supervision of a circuit clerk, shall explain to aggrieved parties the procedures for filing the form. Notice of the fact that clerks will provide such assistance shall be conspicuously posted in the clerk's offices. The location of the office where the family access motion may be filed shall be conspicuously posted in the court building. The performance of duties described in this section shall not constitute the practice of law as defined in section 484.010. Such form for pro se motions shall not require the assistance of legal counsel to prepare and file. The cost of filing the motion shall be the standard court costs otherwise due for instituting a civil action in the circuit court.

4. Within five court days after the filing of the family access motion pursuant to subsection 3 of this section, the clerk of the court shall issue a summons pursuant to applicable state law, and applicable local or supreme court rules. A copy of the motion shall be personally served upon the respondent by personal process server as provided by law or by any sheriff. Such service shall be served at the earliest time and shall take priority over service in other civil actions, except those of an emergency nature or those filed pursuant to chapter 455. The motion shall contain the following statement in boldface type:

"PURSUANT TO SECTION 452.400, RSMO, YOU ARE REQUIRED TO RESPOND TO THE CIRCUIT CLERK WITHIN TEN DAYS OF THE DATE OF SERVICE. FAILURE TO RESPOND TO THE CIRCUIT CLERK MAY RESULT IN THE FOLLOWING:

- (1) AN ORDER FOR A COMPENSATORY PERIOD OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY AT A TIME CONVENIENT FOR THE AGGRIEVED PARTY NOT LESS THAN THE PERIOD OF TIME DENIED;
- (2) PARTICIPATION BY THE VIOLATOR IN COUNSELING TO EDUCATE THE VIOLATOR ABOUT THE IMPORTANCE OF PROVIDING THE CHILD WITH A CONTINUING AND MEANINGFUL RELATIONSHIP WITH BOTH PARENTS;
- (3) ASSESSMENT OF A FINE OF UP TO FIVE HUNDRED DOLLARS AGAINST THE VIOLATOR;
- (4) REQUIRING THE VIOLATOR TO POST BOND OR SECURITY TO ENSURE FUTURE COMPLIANCE WITH THE COURT'S ORDERS;
- (5) ORDERING THE VIOLATOR TO PAY THE COST OF COUNSELING TO REESTABLISH THE PARENT-CHILD RELATIONSHIP BETWEEN THE AGGRIEVED PARTY AND THE CHILD; AND
- (6) A JUDGMENT IN AN AMOUNT NOT LESS THAN THE REASONABLE EXPENSES, INCLUDING ATTORNEY'S FEES AND COURT COSTS ACTUALLY INCURRED BY THE AGGRIEVED PARTY AS A RESULT OF THE DENIAL OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY."

5. If an alternative dispute resolution program is available pursuant to section 452.372, the clerk shall also provide information to all parties on the availability of any such services, and within fourteen days of the date of service, the court may schedule alternative dispute resolution.

6. Upon a finding by the court pursuant to a motion for a family access order or a motion for contempt that its order for custody, visitation or third-party custody has not been complied with, without good cause, the court shall order a remedy, which may include, but not be limited to:

- (1) A compensatory period of visitation, custody or third-party custody at a time convenient for the aggrieved party not less than the period of time denied;
- (2) Participation by the violator in counseling to educate the violator about the importance of providing the child with a continuing and meaningful relationship with both parents;
- (3) Assessment of a fine of up to five hundred dollars against the violator payable to the aggrieved party;
- (4) Requiring the violator to post bond or security to ensure future compliance with the court's access orders; and
- (5) Ordering the violator to pay the cost of counseling to reestablish the parent-child relationship between the aggrieved party and the child.

7. The reasonable expenses incurred as a result of denial or interference with custody or visitation, including attorney's fees and costs of a proceeding to enforce visitation rights, custody or third-party custody, shall be assessed, if requested and for good cause, against the parent or party who unreasonably denies or interferes with visitation, custody or third-party custody. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

8. Final disposition of a motion for a family access order filed pursuant to this section shall take place not more than sixty days after the service of such motion, unless waived by the parties or determined to be in the best interest of the child. Final disposition shall not include appellate review.

9. Motions filed pursuant to this section shall not be deemed an independent civil action from the original action pursuant to which the judgment or order sought to be enforced was entered.

453.015. As used in sections 453.010 to 453.400, the following terms mean:

- (1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**
- (2) "Minor" or "child", any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;
- [(2)] (3) "Parent", a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;
- [(3)] (4) "Putative father", the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016 and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087; and
- [(4)] (5) "Stepparent", the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated.

453.040. The consent to the adoption of a child is not required of:

- (1) A parent whose rights with reference to the child have been terminated pursuant to law, including section 211.444 or section 211.447 or other similar laws in other states;
- (2) A parent of a child who has legally consented to a future adoption of the child;
- (3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition;
- (4) A man who has not been established to be the father and who is not presumed by law to be the father, and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in the child and acknowledging that this statement is irrevocable when executed and follows the consent as set forth in section 453.030;
- (5) A parent or other person who has not executed a consent and who, after proper service of process, fails to file an answer or make an appearance in a proceeding for adoption or for termination of parental rights at the time such cause is heard;
- (6) A parent who has a mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;
- (7) A parent who has for a period of at least six months, for a child one year of age or older, or at least sixty days, for a child under one year of age, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least six months immediately prior to the filing of the petition for adoption, willfully, substantially and continuously neglected to provide him with necessary care and protection;

(8) **A man who has reason to believe he is the biological father of an unborn child and who attempted to coerce the mother of the child to obtain an abortion;**

(9) A parent whose rights to the child may be terminated for any of the grounds set forth in section 211.447 and whose rights have been terminated after hearing and proof of such grounds as required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an adoption petition."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mayfield, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 222, Page 1, Section A, Line 6, by inserting after all of said section and line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) [Forcible] Rape **in the first degree** under section 566.030;
- (6) [Forcible] Sodomy **in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;

- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse **in the first degree** pursuant to section 566.100;
- (24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

- (1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;
- (2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

- (1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and
- (2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

167.115. 1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

(1) First degree murder under section 565.020;
 (2) Second degree murder under section 565.021;
 (3) Kidnapping under section 565.110;
 (4) First degree assault under section 565.050;
 (5) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**

(6) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**

(7) Burglary in the first degree under section 569.160;
 (8) Robbery in the first degree under section 569.020;
 (9) Distribution of drugs under section 195.211;
 (10) Distribution of drugs to a minor under section 195.212;
 (11) Arson in the first degree under section 569.040;
 (12) Voluntary manslaughter under section 565.023;

- (13) Involuntary manslaughter under section 565.024;
- (14) Second degree assault under section 565.060;
- (15) Sexual assault under section 566.040 **as it existed prior to August 28, 2013, or rape in the second degree under section 566.031;**
- (16) Felonious restraint under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;
- (19) Child molestation in the first degree pursuant to section 566.067;
- (20) Deviate sexual assault pursuant to section 566.070 **as it existed prior to August 28, 2013, or sodomy in the second degree under section 566.061;**
- (21) Sexual misconduct involving a child pursuant to section 566.083; or
- (22) Sexual abuse pursuant to section 566.100 **as it existed prior to August 28, 2013, or sexual abuse in the first degree under section 566.100.**

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

4. The superintendent shall notify the appropriate division of the juvenile or family court upon any pupil's suspension for more than ten days or expulsion of any pupil that the school district is aware is under the jurisdiction of the court.

5. The superintendent or the superintendent's designee may be called to serve in a consultant capacity at any dispositional proceedings pursuant to section 211.031 which may involve reference to a pupil's academic treatment plan.

6. Upon the transfer of any pupil described in this section to any other school district in this state, the superintendent or the superintendent's designee shall forward the written notification given to the superintendent pursuant to subsection 2 of this section to the superintendent of the new school district in which the pupil has enrolled. Such written notification shall be required again in the event of any subsequent transfer by the pupil.

7. As used in this section, the terms "school" and "school district" shall include any charter, private or parochial school or school district, and the term "superintendent" shall include the principal or equivalent chief school officer in the cases of charter, private or parochial schools.

8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261 shall not be civilly liable for providing such information.

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and

(4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:
 - (a) First degree murder under section 565.020;
 - (b) Second degree murder under section 565.021;
 - (c) First degree assault under section 565.050;
 - (d) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**
 - (e) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**
 - (f) Statutory rape under section 566.032;
 - (g) Statutory sodomy under section 566.062;
 - (h) Robbery in the first degree under section 569.020;
 - (i) Distribution of drugs to a minor under section 195.212;
 - (j) Arson in the first degree under section 569.040;
 - (k) Kidnapping, when classified as a class A felony under section 565.110. Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: **rape in the first degree** under section 566.030; **forcible rape under section 566.030 as it existed prior to August 28, 2013**; **rape as it existed prior to August 13, 1980**; statutory rape in the first degree under section 566.032; statutory rape in the second degree under section 566.034; **rape in the second degree under section 566.031**; sexual assault under section 566.040 **as it existed prior to August 28, 2013**; **sodomy in the first degree under section 566.060**; forcible sodomy under section 566.060 **as it existed prior to August 28, 2013**; **sodomy as it existed prior to January 1, 1995**; statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section 566.064; child molestation in the first degree under section 566.067; child molestation in the second degree under section 566.068; **sodomy in the second degree under section 566.061**; deviate sexual assault under section 566.070 **as it existed prior to August 28, 2013**; sexual misconduct involving a child under section 566.083; sexual contact with a student while on public school property under section 566.086; **sexual misconduct in the first degree under section 566.093**; sexual misconduct in the first degree under section 566.090 **as it existed prior to August 28, 2013**; **sexual misconduct in the second degree under section 566.093 as it existed prior to August 28, 2013**; sexual misconduct in the third degree under section 566.095 **as it existed prior to August 28, 2013**; **sexual abuse in the first degree under section 566.100**; sexual abuse under section 566.100 **as it existed prior to August 28, 2013**; **sexual abuse in the second degree under section 566.101**; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance under section 568.080; promoting sexual performance by a child under section 568.090; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree under section 573.020; promoting obscenity in the second degree when the penalty is enhanced to a class D felony under section 573.030; promoting child pornography in the first degree under section 573.025; promoting child pornography in the second degree under section 573.035; possession of child pornography under section 573.037; furnishing pornographic materials to minors under section 573.040; or coercing acceptance of obscene material under section 573.065.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

188.023. Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including [forcible rape, sexual assault] **rape in the first or second degree**, or incest, shall be required to report such offenses in the same manner as provided for by section 210.115.

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 **as it existed prior to August 28, 2013, rape in the first degree under section 566.030**, forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060**, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter; or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development. Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape **or rape in the first degree**. When the biological father has pled guilty to, or is convicted of, the forcible rape **or rape in the first degree** of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child.

217.010. As used in this chapter and chapter 558, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Administrative segregation unit", a cell for the segregation of offenders from the general population of a facility for relatively extensive periods of time;

(2) "Board", the board of probation and parole;

(3) "Chief administrative officer", the institutional head of any correctional facility or his designee;

(4) "Correctional center", any premises or institution where incarceration, evaluation, care, treatment, or rehabilitation is provided to persons who are under the department's authority;

(5) "Department", the department of corrections of the state of Missouri;

(6) "Director", the director of the department of corrections or his designee;

(7) "Disciplinary segregation", a cell for the segregation of offenders from the general population of a correctional center because the offender has been found to have committed a violation of a division or facility rule and other available means are inadequate to regulate the offender's behavior;

(8) "Division", a statutorily created agency within the department or an agency created by the departmental organizational plan;

(9) "Division director", the director of a division of the department or his designee;

(10) "Local volunteer community board", a board of qualified local community volunteers selected by the court for the purpose of working in partnership with the court and the department of corrections in a reparative probation program;

(11) "Nonviolent offender", any offender who is convicted of a crime other than murder in the first or second degree, involuntary manslaughter, kidnapping, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, robbery in the first degree or assault in the first degree;

(12) "Offender", a person under supervision or an inmate in the custody of the department;

(13) "Probation", a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the board;

(14) "Volunteer", any person who, of his own free will, performs any assigned duties for the department or its divisions with no monetary or material compensation.

339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee's designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties executing the same where the instruments have been prepared by the licensee or under his or her supervision or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: **rape in the first degree, forcible rape, rape**, statutory rape in the first degree, statutory rape in the second degree, **rape in the second degree**, sexual assault, **sodomy in the first degree**, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, **sodomy in the second degree**, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree **under section 566.090 as it existed prior to August 28, 2013**, sexual abuse **under section 566.100 as it existed prior to August 28, 2013**, **sexual abuse in the first or second degree**, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class D felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission."; and

Further amend said bill, Page 16, Section 527.290, Line 14, by inserting after all of said section and line the following:

"556.036. 1. A prosecution for murder, **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, **attempted sodomy in the first degree**, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

- (1) For any felony, three years, except as provided in subdivision (4) of this subsection;
- (2) For any misdemeanor, one year;
- (3) For any infraction, six months;
- (4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state;

or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, **attempted sodomy in the first degree**, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.

556.061. In this code, unless the context requires a different definition, the following shall apply:

(1) "Affirmative defense" has the meaning specified in section 556.056;

(2) "Burden of injecting the issue" has the meaning specified in section 556.051;

(3) "Commercial film and photographic print processor", any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(4) "Confinement":

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

- a. A court orders the person's release; or
- b. The person is released on bail, bond, or recognizance, personal or otherwise; or
- c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;
- (b) A person is not in confinement if:
 - a. The person is on probation or parole, temporary or otherwise; or
 - b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;
- (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
 - (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
 - (b) It is given by a person who by reason of youth, mental disease or defect, [or] intoxication, **a drug-induced state, or any other reason** is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - (c) It is induced by force, duress or deception;
- (6) "Criminal negligence" has the meaning specified in section 562.016;
- (7) "Custody", a person is in custody when the person has been arrested but has not been delivered to a place of confinement;
- (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first degree, **attempted rape in the first degree if physical injury results**, attempted forcible rape if physical injury results, **attempted sodomy in the first degree if physical injury results**, attempted forcible sodomy if physical injury results, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and, abuse of a child [pursuant to subdivision (2) of subsection 3 of] **if the child dies as a result of injuries sustained from conduct chargeable under** section 568.060, child kidnapping, and parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153;
- (9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;
- (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;
- (11) "Felony" has the meaning specified in section 556.016;
- (12) "Forcible compulsion" means either:
 - (a) Physical force that overcomes reasonable resistance; or
 - (b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;
- (13) "Incapacitated" means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person's conduct, or unable to communicate unwillingness to an act[. A person is not incapacitated with respect to an act committed upon such person if he or she became unconscious, unable to appraise the nature of such person's conduct or unable to communicate unwillingness to an act, after consenting to the act];
- (14) "Infraction" has the meaning specified in section 556.021;
- (15) "Inhabitable structure" has the meaning specified in section 569.010;
- (16) "Knowingly" has the meaning specified in section 562.016;
- (17) "Law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;
- (18) "Misdemeanor" has the meaning specified in section 556.016;
- (19) "Offense" means any felony, misdemeanor or infraction;
- (20) "Physical injury" means physical pain, illness, or any impairment of physical condition;
- (21) "Place of confinement" means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;

(22) "Possess" or "possessed" means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(23) "Public servant" means any person employed in any way by a government of this state who is compensated by the government by reason of such person's employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(24) "Purposely" has the meaning specified in section 562.016;

(25) "Recklessly" has the meaning specified in section 562.016;

(26) "Ritual" or "ceremony" means an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) "Sexual conduct" means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification;

(30) "Sexual contact" means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) "Sexual performance", any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) "Voluntary act" has the meaning specified in section 562.011.

558.018. 1. The court shall sentence a person [who has pleaded guilty to or] **to an extended term of imprisonment if it finds the defendant is a persistent sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual offender] **attempting to commit or committing the following offenses:**

(1) **Statutory rape in the first degree or statutory sodomy in the first degree;**

(2) **Rape in the first degree or sodomy in the first degree attempted or committed on or after August 28, 2013;**

(3) **Forcible rape committed or attempted any time during the period of August 13, 1980 to August 27, 2013;**

(4) **Forcible sodomy committed or attempted any time during the period of January 1, 1995 to August 27, 2013;**

(5) **Rape committed or attempted before August 13, 1980;**

(6) **Sodomy committed or attempted before January 1, 1995.**

2. A "persistent sexual offender" is one who has previously [pleaded guilty to or has been found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection] **been found guilty of attempting to commit or committing any of the offenses listed in subsection 1 of this section.**

3. The term of imprisonment for one found to be a persistent sexual offender shall be imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019 shall not apply to any person imprisoned under this subsection, and "imprisonment for life" shall mean imprisonment for the duration of the person's natural life.

4. The court shall sentence a person [who has pleaded guilty to or has] **to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender and has been found guilty of** [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section or committing** child molestation in the first degree when classified as a class B felony

or sexual abuse when classified as a class B felony to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender.

5. For purposes of this section, a "predatory sexual offender" is a person who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony; or

(2) Has previously committed an act which would constitute an offense listed in subsection 4 of this section, whether or not the act resulted in a conviction; or

(3) Has committed an act or acts against more than one victim which would constitute an offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged with an additional offense or offenses as a result of such act or acts.

6. A person found to be a predatory sexual offender shall be imprisoned for life with eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be predatory sexual offenders for the purposes of determining the minimum prison term or the length of sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no event shall a person found to be a predatory sexual offender receive a final discharge from parole.

7. Notwithstanding any other provision of law, the court shall set the minimum time required to be served before a predatory sexual offender is eligible for parole, conditional release or other early release by the department of corrections. The minimum time to be served by a person found to be a predatory sexual offender who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the preceding crimes] **committing or attempting to commit any of the offenses listed in subsection 1 of this section and is found guilty of committing or attempting to commit any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than thirty years;

(2) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony and [pleads guilty to or] is found guilty of attempting to commit or committing [forcible rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree] **any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than fifteen years;

(3) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(4) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony, and pleads guilty to or is found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of subsection 5 of this section shall be any number of years within the range to which the person could have been sentenced pursuant to the applicable law if the person was not found to be a predatory sexual offender.

8. Notwithstanding any provision of law to the contrary, the department of corrections, or any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual offender or a predatory sexual offender.

558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except [that,] in the case of multiple sentences of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy or] **any offense committed during or at the same time as, or multiple offenses of, the following felonies:**

(1) **Rape in the first degree, forcible rape, or rape;**

(2) **Statutory rape in the first degree;**

(3) **Sodomy in the first degree, forcible sodomy, or sodomy;**

(4) Statutory sodomy in the first degree; or

(5) An attempt to commit any of the [aforesaid and for other offenses committed during or at the same time as that rape, forcible rape, sodomy, forcible sodomy or an attempt to commit any of the aforesaid, the sentences of imprisonment imposed for the other offenses may run concurrently, but] **felonies listed in this subsection.**

In such case, the sentence of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy] **any felony listed in this subsection** or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. **The sentences imposed for any other offense may run concurrently.**

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the start of his conditional release term, the court shall direct the manner in which the sentence or sentences imposed by the court shall run with respect to any resulting probation, parole or conditional release revocation term or terms. If the subsequent sentence to imprisonment is in another jurisdiction, the court shall specify how any resulting probation, parole or conditional release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

3. A court may cause any sentence it imposes to run concurrently with a sentence an individual is serving or is to serve in another state or in a federal correctional center. If the Missouri sentence is served in another state or in a federal correctional center, subsection 4 of section 558.011 and section 217.690 shall apply as if the individual were serving his sentence within the department of corrections of the state of Missouri, except that a personal hearing before the board of probation and parole shall not be required for parole consideration.

559.115. 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection [5] 8 of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this [section] **subsection** or order such placement under subsection 4 of section 559.036. Upon the recommendation or order of the court, the department of corrections shall assess each offender to determine the appropriate **one hundred twenty-day** program in which to place the offender, [including] **which may include placement in the shock incarceration program** or institutional treatment **program**. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a [treatment] program **under this subsection**, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. [The court shall release the offender unless such release constitutes an abuse of discretion. If the court determined that there is an abuse of discretion, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days of the offender's sentence. If the court does not respond when an offender successfully completes the program, the offender shall be released on probation. Upon successful completion of a shock incarceration program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release.] The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days [of the offender's sentence. If the department determines that an offender is not successful in a program, then after one hundred days of incarceration the circuit court shall receive from] **from the date the offender was delivered to the department of corrections. If the department determines the offender has not successfully completed a one hundred twenty-day program under this subsection, the offender shall be removed from the program and the court shall be advised of the removal.** The department [of corrections a] **shall** report on the offender's participation in the program and [department] **may provide** recommendations for terms and conditions of an offender's probation. The court shall then [release the offender on probation or order the offender to remain in the department to serve the sentence imposed] **have the power to grant probation or order the execution of the offender's sentence.**

4. **If the court is advised that an offender is not eligible for placement in a one hundred twenty-day program under subsection 3 of this section, the court shall consider other authorized dispositions.** If the department of corrections one hundred twenty-day program **under subsection 3 of this section** is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C or class D nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 558.018, the court shall request [that the offender be placed in the sexual offender assessment unit of the department of corrections] **the department of corrections to conduct a sexual offender assessment** if the defendant has pleaded guilty to or has been found guilty of sexual abuse when classified as a class B felony. **Upon completion of the assessment, the department shall provide to the court a report on the offender and may provide recommendations for terms and conditions of an offender's probation. The assessment shall not be considered a one hundred twenty-day program as provided under subsection 3 of this section. The process for granting probation to an offender who has completed the assessment shall be as provided under subsections 2 and 6 of this section.**

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration [for one hundred twenty days for participation in a department of corrections program] **under this section** prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; forcible rape pursuant to section 566.030 **as it existed prior to August 28, 2013; rape in the first degree under section 566.030;** forcible sodomy pursuant to section 566.060 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060;** statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; an offender who has been found to be a predatory sexual offender pursuant to section 558.018; or any offense in which there exists a statutory prohibition against either probation or parole.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;
- (2) Have been found guilty of, or plead guilty to, **rape in the first degree under section 566.030 or** forcible rape under section 566.030 **as it existed prior to August 28, 2013;**
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;
- (4) Have been found guilty of, or plead guilty to, **sodomy in the first degree under section 566.060 or** forcible sodomy under section 566.060 **as it existed prior to August 28, 2013;**
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide.

566.020. 1. [Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.

2.] Whenever in this chapter the criminality of conduct depends upon a child being thirteen years of age or younger, it is no defense that the defendant believed the child to be older.

[3.] 2. Whenever in this chapter the criminality of conduct depends upon a child being under seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

[4.] 3. Consent is not an affirmative defense to any offense under chapter 566 if the alleged victim is less than twelve years of age.

566.030. 1. A person commits the [crime] **offense** of [forcible] rape **in the first degree** if [such person] **he or she** has sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of rape in the first degree** or an attempt to commit [forcible] rape **in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

(2) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] rape **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] rape **in the first degree or attempt to commit rape in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] rape **in the first degree or attempt to commit rape in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] rape **in the first degree** or an attempt to commit [forcible] rape **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.040.] **566.031.** 1. A person commits the [crime] **offense** of [sexual assault] **rape in the second degree** if he **or she** has sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Sexual assault] **The offense of rape in the second degree** is a class C felony.

566.060. 1. A person commits the [crime] **offense** of [forcible] sodomy **in the first degree** if [such person] **he or she** has deviate sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the**

capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of sodomy in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years [of age] **old**, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] sodomy **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] sodomy **in the first degree or attempt to commit sodomy in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] sodomy **in the first degree or an attempt to commit sodomy in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] sodomy **in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.070.] **566.061.** 1. A person commits the [crime of deviate sexual assault] **offense of sodomy in the second degree** if he **or she** has deviate sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Deviate sexual assault] **The offense of sodomy in the second degree** is a class C felony.

566.093. 1. A person commits the [crime] **offense** of sexual misconduct in the [second] **first degree** if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. **The offense of** sexual misconduct in the [second] **first degree** is a class B misdemeanor unless the [actor] **person** has previously been [convicted] **found guilty** of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the [crime] **offense** of sexual misconduct in the [third] **second degree** if he **or she** solicits or requests another person to engage in sexual conduct under circumstances in which he **or she** knows that [his requests] **such request** or solicitation is likely to cause affront or alarm.

2. **The offense of** sexual misconduct in the [third] **second degree** is a class C misdemeanor.

566.100. 1. A person commits the [crime] **offense** of sexual abuse **in the first degree** if he **or she** subjects another person to sexual contact **when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion.

2. **The offense of** sexual abuse **in the first degree** is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case [the crime] **it** is a class B felony.

[566.090.] **566.101.** 1. A person commits the [crime] **offense** of sexual [misconduct] **abuse** in the [first] **second** degree if [such person] **he or she** purposely subjects another person to sexual contact without that person's consent.

2. **The offense of** sexual [misconduct] **abuse** in the [first] **second** degree is a class A misdemeanor, unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony.

566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of **rape in the second degree under section 566.031**, sexual assault under section 566.040 **as it existed prior to August 28, 2013**, **rape in the first degree under section 566.030**, or forcible rape under section 566.030 **as it existed prior to August 28, 2013** to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, **rape in the first or second degree**, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a sexual assault, domestic assault, stalking, [or] forcible rape, **or rape in the first or second degree** case shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

589.015. As used in sections 589.010 to 589.040:

(1) The term "center" shall mean the state center for the prevention and control of sexual assault established pursuant to section 589.030;

(2) The term "sexual assault" shall include:

(a) The acts of rape **in the first or second degree**, forcible rape, **rape**, statutory rape in the first degree, statutory rape in the second degree, sexual assault, sodomy **in the first or second degree**, forcible sodomy, **sodomy**, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault, sexual misconduct and sexual abuse, or attempts to commit any of the aforesaid, as these acts are defined in chapter 566;

(b) The act of incest, as this act is defined in section 568.020;

(c) The act of abuse of a child, as defined in subdivision (1) of subsection 1 of section 568.060, which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;

(d) The act of use of a child in a sexual performance as defined in section 568.080; and

(e) The act of enticement of a child, as defined in section 566.151, or any attempt to commit such act.

590.700. 1. As used in this section, the following terms shall mean:

(1) "Custodial interrogation", the questioning of a person under arrest, who is no longer at the scene of the crime, by a member of a law enforcement agency along with the answers and other statements of the person questioned. "Custodial interrogation" shall not include:

(a) A situation in which a person voluntarily agrees to meet with a member of a law enforcement agency;

(b) A detention by a law enforcement agency that has not risen to the level of an arrest;

(c) Questioning that is routinely asked during the processing of the arrest of the suspect;

(d) Questioning pursuant to an alcohol influence report;

(e) Questioning during the transportation of a suspect;

(2) "Recorded" and "recording", any form of audiotape, videotape, motion picture, or digital recording.

2. All custodial interrogations of persons suspected of committing or attempting to commit murder in the first degree, murder in the second degree, assault in the first degree, assault of a law enforcement officer in the first degree,

domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, arson in the first degree, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, statutory rape in the first degree, statutory sodomy in the first degree, child abuse, or child kidnapping shall be recorded when feasible.

3. Law enforcement agencies may record an interrogation in any circumstance with or without the knowledge or consent of a suspect, but they shall not be required to record an interrogation under subsection 2 of this section:

- (1) If the suspect requests that the interrogation not be recorded;
- (2) If the interrogation occurs outside the state of Missouri;
- (3) If exigent public safety circumstances prevent recording;
- (4) To the extent the suspect makes spontaneous statements;
- (5) If the recording equipment fails; or
- (6) If recording equipment is not available at the location where the interrogation takes place.

4. Each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

5. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency if the governor finds that the agency did not act in good faith in attempting to comply with the provisions of this section.

6. Nothing in this section shall be construed as a ground to exclude evidence, and a violation of this section shall not have impact other than that provided for in subsection 5 of this section. Compliance or noncompliance with this section shall not be admitted as evidence, argued, referenced, considered or questioned during a criminal trial.

7. Nothing contained in this section shall be construed to authorize, create, or imply a private cause of action.

632.480. As used in sections 632.480 to 632.513, the following terms mean:

(1) "Agency with jurisdiction", the department of corrections or the department of mental health;

(2) "Mental abnormality", a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to commit sexually violent offenses in a degree constituting such person a menace to the health and safety of others;

(3) "Predatory", acts directed towards individuals, including family members, for the primary purpose of victimization;

(4) "Sexually violent offense", the felonies of **rape in the first degree**, forcible rape, rape, statutory rape in the first degree, **sodomy in the first degree**, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes, or child molestation in the first or second degree, sexual abuse, **sexual abuse in the first degree**, **rape in the second degree**, sexual assault, **sexual assault in the first degree**, **sodomy in the second degree**, deviate sexual assault, **deviate sexual assault in the first degree**, or the act of abuse of a child [as defined in subdivision (1) of subsection 1 of section 568.060 which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060] **involving either sexual contact, a prohibited sexual act, sexual abuse, or sexual exploitation of a minor, or any felony offense that contains elements substantially similar to the offenses listed above;**

(5) "Sexually violent predator", any person who suffers from a mental abnormality which makes the person more likely than not to engage in predatory acts of sexual violence if not confined in a secure facility and who:

(a) Has pled guilty or been found guilty, or been found not guilty by reason of mental disease or defect pursuant to section 552.030 of a sexually violent offense; or

(b) Has been committed as a criminal sexual psychopath pursuant to section 632.475 and statutes in effect before August 13, 1980.

Section B. Because immediate action is necessary to protect children the repeal and reenactment of sections 556.061 and 568.060 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 556.061 and 568.060 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Higdon
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Mr Speaker		

NOES: 046

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mitten
Montecillo	Newman	Nichols	Norr	Pace
Peters	Pierson	Rizzo	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 019

Davis	English	Flanigan	Grisamore	Hicks
Hinson	Hough	Leara	McCaherty	McManus
Mims	Molendorp	Morgan	Otto	Roorda
Scharnhorst	Smith 120	Walton Gray	Zerr	

On motion of Representative Kelly (45), **HCS SB 222, as amended**, was adopted.

On motion of Representative Kelly (45), **HCS SB 222, as amended**, was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

English	Flanigan	Funderburk	Mims	Molendorp
Otto	Walton Gray			

Representative Berry declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Curtis	English	Flanigan	Jones 50	McManus
Mims	Molendorp	Otto	Smith 120	Stream
Walton Gray	Zerr			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 16**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HBs 374 & 434**, entitled:

An act to repeal sections 32.056, 43.518, 408.040, 454.475, 476.057, 477.405, 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, 478.320, 487.010, 487.020, 488.305, 488.426, 488.2250, 488.5320, 513.430, 514.040, 525.020, 525.040, 525.070, 525.080, 525.230, 525.310, 544.455, 557.011, 559.036, 559.115, 632.498, and 632.505, RSMo, and to enact in lieu thereof twenty-eight new sections relating to judicial procedures, with an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, Page 63, Section 632.505, Line 4 of said page, by inserting immediately after said line the following:

"Section 1. It is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of "sexually violent offense" to include, but not be limited to, holdings in: Robertson v. State, 392 S.W.3d 1 (Mo. App. W.D., 2012); and State ex rel. Whitaker v. Satterfield, 386 S.W.3d 893 (Mo. App. S.D., 2012); and all cases citing, interpreting, applying, or following those cases. It is the intent of the legislature to apply these provisions retroactively."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, Page 13, Section 477.405, Line 21, by insert immediately thereafter the following:

"478.008. 1. Veterans treatment courts may be established by any circuit court, or combination of circuit courts, upon agreement of the presiding judges of such circuit courts to provide an alternative for the judicial system to dispose of cases which stem from substance abuse or mental illness of military veterans or current military personnel.

2. A veterans treatment court shall combine judicial supervision, drug testing, and substance abuse and mental health treatment to participants who have served or are currently serving the United States armed forces, including members of the reserves, national guard, or state guard.

3. (1) Each circuit court, which establishes such courts as provided in subsection 1 of this section, shall establish conditions for referral of proceedings to the veterans treatment court; and

(2) Each circuit court shall enter into a memorandum of understanding with each participating prosecuting attorney in the circuit court. The memorandum of understanding shall specify a list of felony offenses ineligible for referral to the veterans treatment court. The memorandum of understanding may include other parties considered necessary including, but not limited to, defense attorneys, treatment providers, and probation officers.

4. (1) A circuit that has adopted a veterans treatment court under this section may accept participants from any other jurisdiction in this state based upon either the residence of the participant in the receiving jurisdiction or the unavailability of a veterans treatment court in the jurisdiction where the participant is charged.

(2) The transfer can occur at any time during the proceedings, including, but not limited to, prior to adjudication. The receiving court shall have jurisdiction to impose sentence, including, but not limited to, sanctions, incentives, incarceration, and phase changes.

(3) A transfer under this subsection is not valid unless it is agreed to by all of the following:

- (a) The defendant or respondent;
- (b) The attorney representing the defendant or respondent;
- (c) The judge of the transferring court and the prosecutor of the case; and
- (d) The judge of the receiving veterans treatment court and the prosecutor of the veterans treatment court.

(4) If the defendant is terminated from the veteran's treatment court program the defendant's case shall be returned to the transferring court for disposition.

5. The defendant in any criminal proceeding accepted by a veterans treatment court for disposition shall be a nonviolent person, as determined by the prosecuting attorney. Any proceeding accepted by the veterans treatment court program for disposition shall be upon agreement of the parties.

6. Except for good cause found by the court, a veterans treatment court shall make a referral for substance abuse or mental health treatment, or a combination of substance abuse and mental health treatment, through the Department of Defense health care, the Veterans Administration, or a community-based treatment program. Community-based programs utilized shall receive state or federal funds in connection with such referral and shall only refer the individual to a program which is certified by the Missouri department of mental health, unless no appropriate certified treatment program is located within the same county as the veterans treatment court.

7. Any statement made by a participant as part of participation in the veterans treatment court program, or any report made by the staff of the program, shall not be admissible as evidence against the participant in any criminal, juvenile, or civil proceeding. Notwithstanding the foregoing, termination from the veterans treatment court program and the reasons for termination may be considered in sentencing or disposition.

8. Notwithstanding any other provision of law to the contrary, veterans treatment court staff shall be provided with access to all records of any state or local government agency relevant to the treatment of any program participant.

9. Upon general request, employees of all such agencies shall fully inform a veterans treatment court staff of all matters relevant to the treatment of the participant. All such records and reports and the contents thereof shall:

- (1) Be treated as closed records;
- (2) Not be disclosed to any person outside of the veterans treatment court;
- (3) Be maintained by the court in a confidential file not available to the public.

10. Upon successful completion of the treatment program, the charges, petition, or penalty against a veterans treatment court participant may be dismissed, reduced, or modified. Any fees received by a court from a defendant as payment for substance abuse or mental health treatment programs shall not be considered court costs, charges, or fines."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, Page 15, Section 478.073, Line 3, by striking the words "by April first".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 418**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 510**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 533**, entitled:

An act to repeal section 571.030, RSMo, and to enact in lieu thereof one new section relating to a state employee keeping a firearm in his or her vehicle, with a penalty provision.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 533, Page 1, Section Title, Line 3, by striking the words "a state employee keeping a firearm in his or her vehicle" and inserting in lieu thereof the following:

"firearms"; and

Further amend said bill, Page 6, Section 571.030, Line 186, by inserting after all of said line the following:

"571.067. No county, municipality, or other governmental body, or an agent of a county, municipality, or other governmental body, may participate in any program in which individuals are given a thing of value in exchange for surrendering a firearm to the county, municipality, or other governmental body unless:

(1) The county, municipality, or governmental body has adopted a resolution, ordinance, or rule authorizing the participation of the county, municipality, or governmental body, or participation by an agent of the county, municipality, or governmental body, in such a program; and

(2) The resolution, ordinance, or rule enacted pursuant to this section provides that any firearm received shall be offered for sale or trade to a licensed firearms dealer. The proceeds from any sale or gains from trade shall be the property of the county, municipality, or governmental body. Any proceeds collected under this subdivision shall be deposited with the municipality, county, or governmental body unless the proceeds are collected by a sheriff, in which case the proceeds shall be deposited in the county sheriff's revolving fund under section 50.535. Any firearm remaining in the possession of the county, municipality, or governmental body after the firearm has been offered for sale or trade to at least two licensed firearms dealers may be destroyed."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 533, Page 6, Section 571.030, Line 186, by inserting immediately after said line, the following:

"Section 1. The general assembly of the state of Missouri strongly promotes responsible gun ownership, including parental supervision of minors in the proper use, storage, and ownership of all firearms, the prompt reporting of stolen firearms, and the proper enforcement of all state gun laws. The general assembly of the state of Missouri hereby condemns any unlawful transfer of firearms and the use of any firearm in any criminal or unlawful activity."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 533, Page 3, Section 571.030, Line 75, by striking the word "and"; and

Further amend Line 79, by inserting immediately after the word "duties" the following:

"; and

(12) Upon the written approval of the governing body of a fire department or fire protection district, any paid fire department or fire protection district chief who is employed on a full-time basis and who has a valid concealed carry endorsement, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 33, as amended**: Senators Lamping, Sater, Schaaf, Chappelle-Nadal and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 36, as amended**, and has taken up and passed **CCS SCS SB 36**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 41, as amended**: Senators Munzlinger, Schaefer, Lager, Sifton and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 42, as amended**: Senators Munzlinger, Parson, Kraus, Chappelle-Nadal and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 57, as amended**: Senators Romine, Richard, Libla, McKenna and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1** and **House Amendment No. 2** to **SB 58** and has taken up and passed **SB 58, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 77, as amended**: Senators Lamping, Brown, Emery, Justus and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 90, as amended**: Senators McKenna, Wasson, Kraus, Silvey and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 205** and has taken up and passed **HCS SB 205**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 229** and has taken up and passed **HCS SCS SB 229**.

On motion of Representative Diehl, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF SENATE BILLS

SB 236, relating to a Highway Patrol fund, was taken up by Representative Franklin.

On motion of Representative Franklin, **SB 236** was truly agreed to and finally passed by the following vote:

AYES: 112

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Montecillo	Moon	Morris	Muntzel	Neely
Neth	Pace	Parkinson	Peters	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 042

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kirkton	Kratky
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Morgan
Newman	Nichols	Norr	Otto	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen			

PRESENT: 000

ABSENT WITH LEAVE: 009

Grisamore	Haahr	Kelly 45	Mims	Rowden
Smith 120	Walton Gray	Webb	Webber	

Speaker Jones declared the bill passed.

HCS SCS SB 256, relating to child abuse and neglect, was taken up by Representative Torpey.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Section 595.220, Page 12, Line 45, by inserting the following at the end of said line:

"The department shall provide reimbursement regardless of whether or not the findings indicate that the child was abused."; and

Further amend said section and page, Lines 53-54, by deleting **"paragraph (a) of this subdivision by the rules authorized under subsection 7 of this section"** and inserting in lieu thereof the following:

"subparagraph a under rules authorized under subsection 7 of this section"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 1** was adopted.

Representative Allen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. "Bullying" means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying is prohibited by students on school property, at any school function, or on a school bus. "Cyberbullying" is bullying as defined in this subsection through the transmission of a communication, including, but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.**

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall require, **at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusive than that in subsection 1 of this section;

(2) **A statement requiring** district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall be included in the student handbook;**

(3) **A procedure for reporting an act of bullying;**

(4) **A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation;**

(5) **The range of ways in which a school will respond once an incident of bullying is confirmed;**

(6) **A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;**

(7) **A statement of how the policy is to be publicized;**

(8) **A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:**

(a) **The school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy;**

(b) **The school district shall give annual notice of the policy to students, parents or guardians, and staff;**

(c) **The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying;**

(d) **The administration of the school district shall instruct its school counselors to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include, but not be limited to: cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section;**

(e) **The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz

Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Wright		

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 008

Franklin	Kelly 45	Otto	Smith 120	Walton Gray
Webb	Webber	Zerr		

On motion of Representative Allen, **House Amendment No. 2** was adopted.

Representative Hinson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, Page 3, Section 174.335, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 3** was adopted.

On motion of Representative Torpey, **HCS SCS SB 256, as amended**, was adopted.

On motion of Representative Torpey, **HCS SCS SB 256, as amended**, was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker

Frame	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 009

Brattin	Colona	Curtman	Marshall	Mitten
Newman	Parkinson	Pogue	Schieber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Franklin	Kelly 45	Smith 120	Walton Gray	Webber
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Speaker Jones declared the bill passed.

HCS SS SB 252, relating to the Department of Revenue, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 252, Pages 7 to 9, Section 136.055, Lines 1 to 51, by deleting all of said section from the bill; and

Further amend said bill, Pages 9 to 11, Section 301.020, Lines 1 to 99, by deleting all of said section from the bill; and

Further amend said bill, Page 12, Section 301.3033, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"301.3033. 1. Whenever a vehicle owner pursuant to this chapter makes an application for a military license plate, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of ten dollars to the World War I memorial trust fund established pursuant to this section. Whenever a vehicle owner pursuant to this chapter makes an application for a license plate, other than a military

license plate previously described, the director of revenue shall notify the applicant that the applicant may make a voluntary contribution of one dollar to the World War I memorial trust fund established pursuant to this section. The director shall transfer all contributions collected to the state treasurer for credit to and deposit in the trust fund.

2. There is established in the state treasury the "World War I Memorial Trust Fund". The state treasurer shall credit to and deposit in the World War I memorial trust fund all amounts received pursuant to subsection 1 of this section and any other"; and

Further amend said bill, page, and section, Line 6, by deleting "2." and inserting in lieu there of the following:

"3."; and

Further amend said bill, page, and section, Line 11, by deleting "3." and inserting in lieu thereof the following:

"4."; and

Further amend said bill, page, and section, Line 16, by deleting "subsection 9 of section 301.020" and inserting in lieu thereof the following:

"subsection 1 of this section"; and

Further amend said bill, Page 13, Section 302.065, Lines 18 to 26, by deleting all of said lines and inserting in lieu thereof the following:

"a concealed carry endorsement. By December 31, 2013,"; and

Further amend said bill, page, and section, Line 30, by deleting all of said line and inserting in lieu thereof the following:

"4. The provisions of this section shall not apply to:

- (1) Original application forms, which may be retained but not scanned;
- (2) Test score documents issued by state highway patrol driver examiners;
- (3) Documents demonstrating lawful presence of any applicant who is not a citizen of the United States, including documents demonstrating duration of the person's lawful presence in the United States: and
- (4) Any document required to be"; and

Further amend said bill, page, and section, Line 33, by deleting the word "permit" and inserting in lieu thereof the following:

"permit; and

(5) Any other document at the request of and for the convenience of the applicant where the applicant requests the department of revenue review alternative documents as proof required for issuance of a driver license, nondriver license, or instruction permit"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative McGaugh offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 14, Section 302.065, Line 39, by inserting after all of said line the following:

"6. Any person harmed or damaged by any violation of section 302.065 may bring a civil action for damages, including non-economic and punitive damages, as well as injunctive relief, in the circuit court where that person resided at the time of the violation or in the circuit court or the circuit court of Cole County to recover such damages from the department of revenue and any persons participating in such violation. Sovereign immunity shall not be available as a defense for the department of revenue in such an action. In the event the plaintiff prevails on any count of his or her claim, the plaintiff shall be entitled to recover reasonable attorney fees from the defendants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Webb	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Flanigan	Franklin	Kelly 45	Pike	Schatz
Smith 120	Swearingen	Walton Gray	Webber	Zerr

On motion of Representative McGaugh, **House Amendment No. 2** was adopted by the following vote:

AYES: 105

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 052

Anders	Austin	Black	Burns	Butler
Carpenter	Conway 10	Curtis	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Frame	Gardner	Harris	Higdon	Hodges
Hough	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Webb
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Jones 50	Kelly 45	Smith 120	Swearingen	Walton Gray
Webber				

Representative Ross offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 16, Section 302.189, Line 23, by inserting after all of said section and line the following:

"571.500. No state agency or department, or contractor or agent working for the state, shall construct, enable by providing or sharing records to, maintain, participate in, or develop, or cooperate or enable the federal government in developing, a database or record of the number or type of firearms, ammunition, or firearms accessories that an individual possesses."; and

Further amend said bill, Page 16, Section B, Lines 1-7, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the need to ensure that the privacy of Missouri citizens is protected and not violated by the agencies of this state, the enactment of sections 302.065, 302.189 and 571.500 and the repeal and reenactment of section 302.183 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 302.065, 302.189 and 571.500 and the repeal and reenactment of section 302.183 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Ross, **House Amendment No. 3** was adopted.

Representative Brattin offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 11, Section 301.020, Line 99, by inserting after all of said section the following:

"301.067. 1. For each trailer or semitrailer there shall be paid an annual fee of seven dollars fifty cents, and in addition thereto such permit fee authorized by law against trailers used in combination with tractors operated under the supervision of the motor carrier and railroad safety division of the department of economic development. The fees for tractors used in any combination with trailers or semitrailers or both trailers and semitrailers (other than on passenger-carrying trailers or semitrailers) shall be computed on the total gross weight of the vehicles in the combination with load.

2. Any trailer or semitrailer may at the option of the registrant be registered for a period of three years upon payment of a registration fee of twenty-two dollars and fifty cents.

3. Any trailer **as defined in section 301.010** or semitrailer which is operated coupled to a towing vehicle by a fifth wheel and kingpin assembly or by a trailer converter dolly may, at the option of the registrant, be registered permanently upon the payment of a registration fee of fifty-two dollars and fifty cents. The permanent plate and registration fee is vehicle specific. The plate and the registration fee paid is nontransferable and nonrefundable, except those covered under the provisions of section 301.442."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 4** was adopted.

Representative Brown offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 252, Page 16, Section 302.189, Line 23, by inserting after all of said line the following:

"Section 1. Notwithstanding any other state law to the contrary, no state agency shall disclose to the federal government the statewide list of persons who have obtained a concealed carry endorsement or permit. Nothing in this section shall be construed to restrict access to individual records by any criminal justice agency authorized to access the Missouri uniform law enforcement system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Anderson assumed the Chair.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman

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Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Dugger	Flanigan	Kelly 45	Smith 120
Walton Gray	Webber			

On motion of Representative Brown, **House Amendment No. 5** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Conway 104	Curtman	Justus	Kelly 45	Mims
Nichols	Redmon	Smith 120	Walton Gray	Webber

On motion of Representative Richardson, **HCS SS SB 252, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS SB 252, as amended**, was read the third time and passed by the following vote:

AYES: 118

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Ellington
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 040

Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellinger	Englund	Frame
Gardner	Hodges	Hummel	Kirkton	Kratky
LaFaver	May	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schupp	Smith 85	Swearingen	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45	Mims	Smith 120	Walton Gray	Webber
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Representative Anderson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 043

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	Engler
Englund	Gardner	Higdon	Hodges	Hummel
Kirkton	Kratky	LaFaver	May	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Wright		

PRESENT: 002

Mayfield	Roorda
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ABSENT WITH LEAVE: 006

Ellinger	Kelly 45	Mims	Smith 120	Walton Gray
Webber				

HCS SB 110, relating to child custody and visitation rights, was taken up by Representative Davis.

Representative Austin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 110, Page 1, Section A, Line 2, by inserting after all of said line the following:

"210.482. 1. If the emergency placement of a child in a private home is necessary due to the unexpected absence of the child's parents, legal guardian, or custodian, the juvenile court or children's division:

(1) May request that a local or state law enforcement agency or juvenile officer, subject to any required federal authorization, immediately conduct a name-based criminal history record check to include full orders of protection and outstanding warrants of each person over the age of seventeen residing in the home by using the Missouri uniform law enforcement system (MULES) and the National Crime Information Center to access the Interstate Identification Index maintained by the Federal Bureau of Investigation; and

(2) Shall determine or, in the case of the juvenile court, shall request the division to determine whether any person over the age of seventeen years residing in the home is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the home, the children's division shall inquire of the person with whom an emergency placement of a child will be made whether any children less than seventeen years of age residing in the home have ever been certified as an adult and convicted of or pled guilty or nolo contendere to any crime.

2. If a name-based search has been conducted pursuant to subsection 1 of this section, within fifteen calendar days after the emergency placement of the child in the private home, and if the private home has not previously been approved as a foster or adoptive home, all persons over the age of seventeen residing in the home and all children less than seventeen residing in the home who the division has determined have been certified as an adult for the commission of a crime shall report to a local law enforcement agency for the purpose of providing [two] **three** sets of fingerprints each and accompanying fees, pursuant to section 43.530. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division**. Results of the checks [will] **shall** be provided to the juvenile court or children's division office requesting such information. Any child placed in emergency placement in a private home shall be removed immediately if any person residing in the home fails to provide fingerprints after being requested to do so, unless the person refusing to provide fingerprints ceases to reside in the private home.

3. If the placement of a child is denied as a result of a name-based criminal history check and the denial is contested, all persons over the age of seventeen residing in the home and all children less than seventeen years of age residing in the home who the division has determined have been certified as an adult for the commission of a crime shall, within fifteen calendar days, submit to the juvenile court or the children's division [two] **three** sets of fingerprints in the same manner described in subsection 2 of this section, accompanying fees, and written permission authorizing the juvenile court or the children's division to forward the fingerprints to the state criminal record repository for submission to the Federal Bureau of Investigation. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be retained by the division**.

4. **No person who submits fingerprints under this section shall be required to submit additional fingerprints under this section or section 210.487 unless the original fingerprints retained by the division are lost or destroyed.**

5. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

[5.] 6. For the purposes of this section, "emergency placement" refers to those limited instances when the juvenile court or children's division is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.

210.487. 1. When conducting investigations of persons for the purpose of foster parent licensing, the division shall:

(1) Conduct a search for all persons over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime for evidence of full orders of protection. The office of state courts administrator shall allow access to the automated court information system by the division. The clerk of each court contacted by the division shall provide the division information within ten days of a request; and

(2) Obtain [two] **three** sets of fingerprints for any person over the age of seventeen in the applicant's household and for any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime in the same manner set forth in subsection 2 of section 210.482. One set of fingerprints shall be used by the highway patrol to search the criminal history repository [and the second], **one** set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files, **and one set shall be forwarded to and retained by the division.** The highway patrol shall assist the division and provide the criminal fingerprint background information, upon request; and

(3) Determine whether any person over the age of seventeen residing in the home and any child less than seventeen years of age residing in the applicant's home who the division has determined has been certified as an adult for the commission of a crime is listed on the child abuse and neglect registry. For any children less than seventeen years of age residing in the applicant's home, the children's division shall inquire of the applicant whether any children less than seventeen years of age residing in the home have ever been certified as an adult and been convicted of or pled guilty or nolo contendere to any crime.

2. After the initial investigation is completed under subsection 1 of this section[.];

(1) No person who submits fingerprints under subsection 1 of this section or section 210.482 shall be required to submit additional fingerprints under this section or section 210.482 unless the original fingerprints retained by the division are lost or destroyed; and

(2) The children's division and the department of health and senior services may waive the requirement for a fingerprint background check for any subsequent recertification.

3. Subject to appropriation, the total cost of fingerprinting required by this section may be paid by the state, including reimbursement of persons incurring fingerprinting costs under this section.

4. The division may make arrangements with other executive branch agencies to obtain any investigative background information.

5. The division may promulgate rules that are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Austin, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HCS SB 110, as amended**, was adopted.

On motion of Representative Davis, **HCS SB 110, as amended**, was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater

Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Kelly 45	Mims	Neth	Richardson	Smith 120
Walton Gray	Webb	Webber	Zerr	

Representative Anderson declared the bill passed.

SCS SB 302, relating to emergency prescription refills, was taken up by Representative Elmer.

Representative Morris offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41, by inserting after all of said line the following:

"376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services and products under a vision plan shall require that the optometrist provide optometric services and products to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services or products are not covered services or products under the vision plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "**Vision plan**", any policy or contract of insurance which provides for coverage of vision care services or products."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** is not germane and goes beyond the bill.

Representative Anderson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Morris, **House Amendment No. 1** was adopted.

Representative Fraker offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 302, Page 1, In the Title, Line 2, by deleting the words "emergency prescription refills" and inserting in lieu thereof the words "public health"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"196.056. 1. A nonprofit organization may prepare food in a private home or other area for distribution to the end consumer at a charitable fundraising event.

2. The nonprofit organization shall inform the consumer by placing a clearly visible placard at the serving location that the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

3. The nonprofit organization may notify the regulatory authority in writing or via electronic mail prior to the beginning of the event. If made, such notification shall include the following: name of the nonprofit organization; date, time, and location of the event; name and contact information of the person responsible for the event.

4. This section does not apply to a food establishment regulated by the department of health and senior services providing food for the event.

5. This section shall not apply to any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any city not within a county, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, and any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 2** is not germane and goes beyond the scope of the bill.

Representative Anderson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Fraker, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41, by inserting after all of said line the following:

"338.321. 1. The "Missouri Oral Chemotherapy Parity Interim Committee" is hereby created to study the disparity in patient co-payments between orally and intravenously administered chemotherapies, the reasons for the disparity, and the patient benefits in establishing co-payment parity between oral and infused chemotherapy agents. The committee shall consider information on the costs or actuarial analysis associated with the delivery of patient oncology treatments. The conclusions of this study shall satisfy any statutorily required actuarial analysis.

2. The Missouri oral chemotherapy parity interim committee shall consist of the following members:

- (1) Two members of the senate, appointed by the president pro tempore of the senate;**
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives;**
- (3) One member who is an oncologist or physician with expertise in the practice of oncology licensed in this state under chapter 334;**
- (4) One member who is an oncology nurse licensed in this state under chapter 335;**
- (5) One member who is a representative of a Missouri pharmacy benefit management company;**
- (6) One member from an organization representing licensed pharmacists in this state;**
- (7) One member from the business community representing businesses on health insurance issues;**
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;**
- (9) One patient advocate;**
- (10) One member from the organization representing a majority of hospitals in this state;**
- (11) One member from a health carrier as such term is defined under section 376.1350;**
- (12) One member from the organization representing a majority of health carriers in this state, as such term is defined under section 376.1350; and**
- (13) One member from the Leukemia and Lymphoma Society.**

3. All members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2013. The department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. No later than January 1, 2014, the committee shall submit a report to the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the appropriate legislative committee of the general assembly regarding the results of the study and any legislative recommendations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Molendorp offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 302, Page 2, Section 338.200, Line 41, by inserting after said line the following:

"338.202. 1. As used in this section, the following terms mean:

- (1) "AWP", average wholesale price as indicated by the National Drug Code, assigned by the federal Food and Drug Administration, as amended;**
- (2) "Compounded drugs", a prescription drug or device that has been prepared, incorporated, mixed and packaged or labeled as the result of a prescriber's prescription or prescription drug order based on the prescriber/patient/pharmacist relationship in the course of professional practice; and**

(3) "Repackaged drugs", prescription drugs that are repackaged or which the container, wrapping, or labeling is otherwise changed to further the distribution of such prescription drug; however, the term does not include such activity when performed by the pharmacist responsible for dispensing the prescription drug.

2. For purposes of determining whether a health care provider has requested an excessive charge for a repackaged drug, a charge which exceeds the original manufacturer's AWP for such repackaged drugs shall be deemed excessive. With respect to repackaged or compounded drugs, charges greater than the sum of the original manufacturer's AWP for each individual drug or ingredient shall be deemed excessive. For the purposes of this section, any ingredient which does not have a National Drug Code shall not be reimbursable.

3. If an employer or insurer determines that a health care provider's charges for compounded or repackaged drugs are excessive pursuant to this section, the provider shall not receive payment for such drugs and is liable to return to the employer or insurer any charge already tendered."; and

Further amend said bill by amending the title, enacting clause and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 4** was adopted.

On motion of Representative Elmer, **SCS SB 302, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman
Nichols	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schupp	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 008

Burlison	Gardner	Marshall	Otto	Pogue
Schieber	Schieffer	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 013

Conway 104	Curtman	Entlicher	Grisamore	Hinson
Kelly 45	Mims	Neth	Norr	Redmon
Smith 120	Walton Gray	Webber		

Representative Anderson declared the bill passed.

HCS SB 99, relating to elections, was taken up by Representative Dugger.

Speaker Jones resumed the Chair.

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 99, Page 2, Section 115.199, by removing all of said section from the bill; and

Further amend said bill, Page 13, Section 193.148, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Dugger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 99, Page 11, Section 115.493, Line 3, by enclosing in brackets the word: "twelve" on said line and inserting immediately thereafter the phrase:

"twenty-two"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted.

Representative Hough offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said section and line the following:

"32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section, **and shall be imposed on all transactions on which the Missouri state sales tax is imposed.**

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. (1) The ordinance or order imposing a local sales tax under the local sales tax law shall impose a tax upon all [sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail] **transactions upon which the Missouri state sales tax is imposed** to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

(2) **Notwithstanding any other provision of law to the contrary, local taxing jurisdictions, except those in which voters have previously approved a local use tax under section 144.757, shall have placed on the ballot on or after the general election in November 2014, but no later than the general election in November 2016, whether to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that are subject to state sales tax under section 144.020 and purchased from a source other than a licensed Missouri dealer. The ballot question presented to the local voters shall contain substantially the following language:**

Shall the (local jurisdiction's name) discontinue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Approval of this measure will result in a reduction of local revenue to provide for vital services for (local jurisdiction's name) and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) **If the ballot question set forth in subdivision (2) of this subsection receives a majority of the votes cast in favor of the proposal, or if the local taxing jurisdiction fails to place the ballot question before the voters on or before the general election in November 2016, the local taxing jurisdiction shall cease applying the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer.**

(4) **In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters, the governing body of any local taxing jurisdiction that had previously imposed a local use tax on the use of motor vehicles, trailers, boats, and outboard motors may, at any time, place a proposal on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats,**

and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(5) In addition to the requirement that the ballot question set forth in subdivision (2) of this subsection be placed before the voters on or after the general election in November 2014, and on or before the general election in November 2016, whenever the governing body of any local taxing jurisdiction imposing a local sales tax on the sale of motor vehicles, trailers, boats, and outboard motors receives a petition, signed by fifteen percent of the registered voters of such jurisdiction voting in the last gubernatorial election, calling for a proposal to be placed on the ballot at any election to repeal application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer, the governing body shall submit to the voters of such jurisdiction a proposal to repeal application of the local sales tax to such titling. If a majority of the votes cast by the registered voters voting thereon are in favor of the proposal to repeal application of the local sales tax to such titling, then the local sales tax shall no longer be applied to the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal application of the local sales tax to such titling, such application shall remain in effect.

(6) Nothing in this subsection shall be construed to authorize the voters of any jurisdiction to repeal application of any state sales or use tax.

(7) If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is repealed, such repeal shall take effect on the first day of the second calendar quarter after the election. If any local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors purchased from a source other than a licensed Missouri dealer is required to cease to be applied or collected due to failure of a local taxing jurisdiction to hold an election pursuant to subdivision (2) of this subsection, such cessation shall take effect on March 1, 2017.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors **required to be titled under the laws of the state of Missouri**, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the

order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, **the sales tax upon the titling of all [sales of] motor vehicles, trailers, boats, and outboard motors shall be [deemed to be consummated] imposed at the rate in effect at the location of the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.**

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes [imposed pursuant to the local sales tax law] **shall not be imposed on the seller [on the purchase and sale] of motor vehicles, trailers, boats, and outboard motors [shall not be collected and remitted by the seller,] required to be titled under the laws of the state of Missouri,** but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of his deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering himself and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on his management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. He shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by him under the local sales tax law or in the event a determination has been made against him for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax."; and

Further amend said bill, Section 115.601, Page 12, Line 48, by inserting after all of said section and line the following:

"144.020. 1. A tax is hereby levied and imposed **for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which**

are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, [including but not limited to] **excluding** motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors **required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection**, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.021. The purpose and intent of sections 144.010 to 144.510 is to impose a tax upon the privilege of engaging in the business, in this state, of selling tangible personal property and those services listed in section 144.020 **and for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. Except as otherwise provided**, the primary tax burden is placed upon the seller making the taxable sales of property or service and is levied at the rate provided for in section 144.020. Excluding **subdivision (9) of subsection 1 of section 144.020** and sections 144.070, 144.440 and 144.450, the extent to which a seller is required to collect the tax from the purchaser of the taxable property or service is governed by section 144.285 and in no way affects sections 144.080 and 144.100, which require all sellers to report to the director of revenue their "gross receipts", defined

herein to mean the aggregate amount of the sales price of all sales at retail, and remit tax at four percent of their gross receipts.

144.069. All sales **taxes associated with the titling** of motor vehicles, trailers, boats and outboard motors **under the laws of Missouri** shall be [deemed to be consummated] **imposed** at the **rate in effect at the location of the** address of the owner thereof, and all **sales taxes associated with the titling of vehicles under** leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors [subject to sales taxes under this chapter] shall be [deemed to be consummated] **imposed at the rate in effect**, unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the **location of the** address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales **from the purchaser or lessee** by the state department of revenue on that basis.

144.071. 1. In all cases where the purchaser of a motor vehicle, trailer, boat or outboard motor rescinds the sale of that motor vehicle, trailer, boat or outboard motor and receives a refund of the purchase price and returns the motor vehicle, trailer, boat or outboard motor to the seller within sixty calendar days from the date of the sale, **any** [the sales or use] tax paid to the department of revenue shall be refunded to the purchaser upon proper application to the director of revenue.

2. In any rescission whereby a seller reacquires title to the motor vehicle, trailer, boat or outboard motor sold by him and the reacquisition is within sixty calendar days from the date of the original sale, the person reacquiring the motor vehicle, trailer, boat or outboard motor shall be entitled to a refund of any [sales or use] tax paid as a result of the reacquisition of the motor vehicle, trailer, boat or outboard motor, upon proper application to the director of revenue.

3. Any city or county [sales or use] tax refunds shall be deducted by the director of revenue from the next remittance made to that city or county.

4. Each claim for refund must be made within one year after payment of the tax on which the refund is claimed.

5. As used in this section, the term "boat" includes all motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

144.440. 1. [In addition to all other taxes now or hereafter levied and imposed upon every person for the privilege of using the highways or waterways of this state, there is hereby levied and imposed a tax equivalent to four percent of the purchase price, as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri.

2.] At the time the owner of any [such] motor vehicle, trailer, boat, or outboard motor makes application to the director of revenue for an official certificate of title and the registration of the same as otherwise provided by law, he shall present to the director of revenue evidence satisfactory to the director showing the purchase price paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant shall pay or cause to be paid to the director of revenue the tax provided herein.

[3.] 2. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisal by the director.

[4.] 3. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard motor unless the tax for the privilege of using the highways or waters of this state has been paid or the vehicle, trailer, boat, or outboard motor is registered under the provisions of subsection 5 of this section.

[5.] 4. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020 at the time of registration or in lieu thereof may pay a [use] **sales** tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A [use] **sales** tax shall be charged and paid on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in the state. If the owner elects to pay upon each rental or lease, he shall make an affidavit to that effect in such form as the director of revenue shall require and shall remit the tax due at such times as the director of revenue shall require.

[6.] 5. In the event that any leasing company which rents or leases motor vehicles, trailers, boats, or outboard motors elects to collect a [use] **sales** tax[,], all of its lease receipts would be subject to the [use] **sales** tax[,], regardless of whether or not the leasing company previously paid a sales tax when the vehicle, trailer, boat, or outboard motor was originally purchased.

[7.] **6.** The provisions of this section, and the tax imposed by this section, shall not apply to manufactured homes.

144.450. In order to avoid double taxation under the provisions of sections 144.010 to 144.510, any person who purchases a motor vehicle, trailer, manufactured home, boat, or outboard motor in any other state and seeks to register or obtain a certificate of title for it in this state shall be credited with the amount of any sales tax or use tax shown to have been previously paid by him on the purchase price of such motor vehicle, trailer, boat, or outboard motor in such other state. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** shall not apply:

(1) [To motor vehicles, trailers, boats, or outboard motors on account of which the sales tax provided by sections 144.010 to 144.510 shall have been paid;

(2)] To motor vehicles, trailers, boats, or outboard motors brought into this state by a person moving any such vehicle, trailer, boat, or outboard motor into Missouri from another state who shall have registered and in good faith regularly operated any such motor vehicle, trailer, boat, or outboard motor in such other state at least ninety days prior to the time it is registered in this state;

[3)] (2) To motor vehicles, trailers, boats, or outboard motors acquired by registered dealers for resale;

(4)] (3) To motor vehicles, trailers, boats, or outboard motors purchased, owned or used by any religious, charitable or eleemosynary institution for use in the conduct of regular religious, charitable or eleemosynary functions and activities;

(5)] (4) To motor vehicles owned and used by religious organizations in transferring pupils to and from schools supported by such organization;

(6)] (5) Where the motor vehicle, trailer, boat, or outboard motor has been acquired by the applicant for a certificate of title therefor by gift or under a will or by inheritance, and the tax hereby imposed has been paid by the donor or decedent;

(7)] (6) To any motor vehicle, trailer, boat, or outboard motor owned or used by the state of Missouri or any other political subdivision thereof, or by an educational institution supported by public funds; or

(8)] (7) To farm tractors.

144.455. The tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers is levied for the purpose of providing revenue to be used by this state to defray in whole or in part the cost of constructing, widening, reconstructing, maintaining, resurfacing and repairing the public highways, roads and streets of this state, and the cost and expenses incurred in the administration and enforcement of **subdivision (9) of subsection 1 of section 144.020 and sections 144.440 to 144.455**, and for no other purpose whatsoever, and all revenue collected or received by the director of revenue from the tax imposed by **subdivision (9) of subsection 1 of section [144.440] 144.020** on motor vehicles and trailers shall be promptly deposited [in the state treasury to the credit of the state highway department fund] **as dictated by article IV, section 30(b) of the Constitution of Missouri.**

144.525. Notwithstanding any other provision of law, the amount of any state and local sales [or use] taxes due on the purchase of a motor vehicle, trailer, boat or outboard motor required to be registered under the provisions of sections 301.001 to 301.660 and sections 306.010 to 306.900 shall be computed on the rate of such taxes in effect on the date the purchaser submits application for a certificate of ownership to the director of revenue; except that, in the case of a sale at retail, of an outboard motor by a retail business which is not required to be registered under the provisions of section 301.251, the amount of state and local [sales and use] taxes due shall be computed on the rate of such taxes in effect as of the calendar date of the retail sale.

144.610. 1. A tax is imposed for the privilege of storing, using or consuming within this state any article of tangible personal property, **excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of subsection 1 of section 144.020**, purchased on or after the effective date of sections 144.600 to 144.745 in an amount equivalent to the percentage imposed on the sales price in the sales tax law in section 144.020. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this state or until the article has become commingled with the general mass of property of this state.

2. Every person storing, using or consuming in this state tangible personal property **subject to the tax in subsection 1 of this section** is liable for the tax imposed by this law, and the liability shall not be extinguished until the tax is paid to this state, but a receipt from a vendor authorized by the director of revenue under the rules and regulations

that he prescribes to collect the tax, given to the purchaser in accordance with the provisions of section 144.650, relieves the purchaser from further liability for the tax to which receipt refers.

3. Because this section no longer imposes a Missouri use tax on the storage, use, or consumption of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors required to be titled under the laws of the state of Missouri, in that the state sales tax is now imposed on the titling of such property, the local sales tax, rather than the local use tax, applies.

144.613. Notwithstanding the provisions of section 144.655, at the time the owner of any new or used boat or boat motor which was acquired after December 31, 1979, in a transaction subject to [use] tax under [the Missouri use tax law] **this chapter** makes application to the director of revenue for the registration of the boat or boat motor, he shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price, exclusive of any charge incident to the extension of credit, paid by or charged to the applicant in the acquisition of the boat or boat motor, or that no sales or use tax was incurred in its acquisition, and, if [sales or use] tax was incurred in its acquisition, that the same has been paid, or the applicant shall pay or cause to be paid to the director of revenue the [use] tax provided by [the Missouri use tax law] **this chapter** in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a registration for any new or used boat or boat motor subject to [use] tax [as provided in the Missouri use tax law] **in this chapter** until the tax levied for the use of the same under [sections 144.600 to 144.748] **this chapter** has been paid.

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section [144.440] **144.020;**

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

(6) Tangible personal property held by processors, retailers, importers, manufacturers, wholesalers, or jobbers solely for resale in the regular course of business;

(7) Personal and household effects and farm machinery used while an individual was a bona fide resident of another state and who thereafter became a resident of this state, or tangible personal property brought into the state by a nonresident for his own storage, use or consumption while temporarily within the state."; and

Further amend said bill, Section 473.737, Page 15, Line 28, by inserting after all of said section and line the following:

"Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act, shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of section 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, as amended by this act.

Section B. Because of the detrimental impact that lost local revenues has had on the domestic economy by placing Missouri dealers of motor vehicles, outboard motors, boats and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats and trailers, the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 32.087, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615 and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Fitzpatrick offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 99, Page 1, In the Title, Line 2, by inserting after "sections" the following:

"77.030,"; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting after "RSMo," the following:

"and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "Sections" the following:

"77.030,"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following:

"and section 77.030 as truly agreed to and finally passed by house bill no. 163, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after all of said line the following:

"77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

Shall the terms of council members which are currently set at two years in..... (city) be extended to four years for members elected after August 28, 2013?

☐ YES

☐ NO

(3) If a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after approval of the ballot question."; and

Further amend said bill, Page 15, Section 473.737, Line 28, by inserting after all of said line the following:

"[77.030. 1. Unless it elects to be governed by subsection 2 of this section, the council shall by ordinance divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this chapter; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

2. In lieu of electing councilmen as provided in subsection 1 of this section, the council may elect to establish wards and elect councilmen as provided in this subsection. If the council so elects, it shall, by ordinance, divide the city into not less than four wards, and one councilman shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen held in the city after it adopts the provisions of this subsection. At the first election held under this subsection the councilmen elected from the odd-numbered wards shall be elected for a term of one year and the councilmen elected from the even-numbered wards shall be elected for a term of two years. At each annual election held thereafter, successors for councilmen whose terms expire in such year shall be elected for a term of two years.

3. (1) Council members may serve four-year terms if the two-year terms provided under subsection 1 or 2 of this section have been extended to four years by ordinance or by approval of a majority of the voters voting on the proposal.

(2) The ballot of submission shall be in substantially the following form:

**Shall the terms of council members which are currently set at two years in.....
(city) be extended to four years for members elected after August 28, 2013?**

☐ YES

☐ NO

(3) If an ordinance is passed or a majority of the voters voting approve the proposal authorized in this subsection, the members of council who would serve two years under subsections 1 and 2 of this section shall be elected to four-year terms beginning with any election occurring after the adoption of the ordinance or approval of the ballot question.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fitzpatrick, **House Amendment No. 4** was adopted.

Representative Fraker offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said line the following:

"11.010. The official manual, commonly known as the "Blue Book", compiled and electronically published by the secretary of state on its official website is the official manual of this state, and it is unlawful for any officer or employee of this state **except the secretary of state or a designated employee of the secretary of state**, or any board, or department or any officer or employee thereof, to cause to be printed, at state expense, any duplication or rearrangement of any part of the manual. It is also unlawful for the secretary of state to publish, or permit to be published in the manual any duplication, or rearrangement of any part of any report, or other document, required to be printed at the expense of the state which has been submitted to and rejected by him or her as not suitable for publication in the manual.

11.025. Notwithstanding any other provision of law, the secretary of state may enter into an agreement directly with a nonprofit organization for such nonprofit organization to print and distribute copies of the official manual. The secretary of state shall provide to the organization the electronic version of the official manual prepared and published under this chapter. The nonprofit organization shall charge a fee for a copy of the official manual to cover the cost of production and distribution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 5** was adopted.

Representative Cornejo offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 99, Page 1, Section A, Line 7, by inserting after all of said section and line, the following:

"67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six tenths of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes.

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent up to six tenths of one percent)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Page 2, Section 79.070, Line 4, by inserting after all of said section and line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other

vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tippling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under [subsections] **subsection 1**], 2, and 3] of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 6** was adopted.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Burlison	Cierpiot	Cookson
Cornejo	Cox	Crawford	Cross	Davis

Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Brown	Conway 104	Curtman	Ellinger
Grisamore	Kelly 45	Korman	Smith 120	Swearingen
Walton Gray	Webber			

On motion of Representative Dugger, **HCS SB 99, as amended**, was adopted.

On motion of Representative Dugger, **HCS SB 99, as amended**, was read the third time and passed by the following vote:

AYES: 112

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brattin	Cierpiot	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks

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Higdon	Hinson	Hoskins	Hough	Hubbard
Hurst	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McDonald	McGaugh
Messenger	Miller	Mitten	Molendorp	Morris
Muntzel	Neely	Neth	Nichols	Pfautsch
Phillips	Pike	Reiboldt	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 042

Anderson	Bahr	Burlison	Burns	Butler
Carpenter	Dunn	Ellington	Frame	Gardner
Hodges	Houghton	Hummel	Johnson	Kirkton
LaFaver	Marshall	May	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Montecillo
Moon	Morgan	Newman	Norr	Otto
Pace	Parkinson	Peters	Pierson	Pogue
Redmon	Rehder	Remole	Roorda	Schieber
Smith 85	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Conway 104	Ellinger	Grisamore	Kelly 45
Smith 120	Swearingen	Walton Gray	Webber	

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Allen	Anders	Austin	Barnes	Bernskoetter
Black	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morris	Neely	Neth	Nichols
Pfautsch	Phillips	Pike	Pogue	Redmon

Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieffer	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
White	Wieland	Wood	Wright	Zerr
Mr Speaker				

NOES: 040

Anderson	Bahr	Berry	Brattin	Burlison
Burns	Butler	Carpenter	Curtis	Curtman
Dunn	Ellinger	Ellington	Fitzpatrick	Frame
Gardner	Guernsey	Haahr	Johnson	Kirkton
Koenig	Marshall	May	McNeil	Meredith
Moon	Morgan	Muntzel	Newman	Norr
Otto	Pace	Parkinson	Peters	Pierson
Rehder	Remole	Schieber	Schupp	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Grisamore	Kelly 45	Scharnhorst	Smith 120
Walton Gray	Webber			

SS SCS SB 125, relating to educational accountability, was taken up by Representative Barnes.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Section 161.092, Lines 64 to 71, by deleting all of said lines and inserting in lieu thereof the following:

"(14) Promulgate rules under which the board shall classify the public schools of the state; provided that the appropriate scoring guides, instruments, and procedures used in determining the accreditation status of a district shall be subject to a public meeting upon notice in a newspaper of general circulation in each of the three most populous cities in the state and also a newspaper that is a certified minority business enterprise or woman-owned business enterprise in each of the two most populous cities in the state, and notice to each district board of education, each superintendent of a school district, and to the speaker of the house of representatives, the president pro tem of the senate, and the members of the joint committee on education, at least fourteen days in advance of the meeting, which shall be conducted by the department of elementary and secondary education not less than ninety days prior to their application in accreditation, with all comments received to be reported to the state board of education;"; and

Further amend said bill, page, and section, Line 72, by inserting after all of said line the following:

"162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited [for two successive school years by the state board of education, its corporate organization shall lapse. The corporate organization of any school district that is classified as unaccredited shall lapse on June thirtieth of the second full school year of such unaccredited classification after the school year during which the unaccredited classification is initially assigned. The territory theretofore embraced within any district that lapses pursuant to this section or any portion thereof may be attached to any district for school purposes by the state board of education; but no school district, except a district classified as unaccredited pursuant to

section 163.023 and section 160.538 shall lapse where provision is lawfully made for the attendance of the pupils of the district at another school district that is classified as provisionally accredited or accredited by the state board of education], **the state board of education shall, upon a district's initial classification or reclassification as unaccredited:**

(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or

(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.

2. [Prior to or] **If at the time any school district in this state shall [lapse, but after the school district has been] be classified as unaccredited, the department of elementary and secondary education shall conduct [a] at least two public [hearing] hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited. [The purpose of the hearing shall be to:**

(1) Review any plan by the district to return to accredited status; or

(2) Offer any technical assistance that can be provided to the district.

3. Except as otherwise provided in section 162.1100, in a metropolitan school district or an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants and in any other school district if the local board of education does not anticipate a return to accredited status, the state board of education may appoint a special administrative board to supervise the financial operations, maintain and preserve the financial assets or, if warranted, continue operation of the educational programs within the district or what provisions might otherwise be made in the best interest of the education of the children of the district. The special administrative board shall consist of two persons who are residents of the school district, who shall serve without compensation, and a professional administrator, who shall chair the board and shall be compensated, as determined by the state board of education, in whole or in part with funds from the district.

4.] **3. Upon [lapse of the district] classification of a district as unaccredited, the state board of education may:**

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the unaccredited district and:

(a) Appoint a special administrative board, [if such a board has not already been appointed, and authorize the special administrative board to retain the authority granted to a board of education] for the operation of all or part of the district. The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district and to have all powers and duties of any other general superintendent of schools in a seven-director school district. Any special administrative board appointed under this section shall be responsible for the operation of the district until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

[(2)] (b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

[3.] **(d)** Establish one or more school districts within the territory of the lapsed district, with a governance structure [consistent with the laws applicable to districts of a similar size] **specified by the state board of education**, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date. [The special administrative board may retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse.

5.] 4. If the state board of education chooses, upon a district's initial classification as unaccredited, to allow the district to remain under the continued governance of the existing school district board of education under terms and conditions established by the state board of education in subsection 3 of this section, the state board of education shall annually review such decision under the terms of this section for so long as the district remains unaccredited or provisionally accredited, with consideration given to the following:

(1) If the unaccredited district earns an improved score of at least five points in academic achievement on the department's annual performance report as compared to the score it earned in the prior year or if the score is sufficient for accredited status, the state board of education may continue to allow the district to remain under the continued governance of the existing school district board of education under terms and conditions established by the state board of education;

(2) If the unaccredited district does not earn an improved score of at least five points in academic achievement on the department's annual performance report as compared to the score it earned in the prior year or has a score that is insufficient for accredited status, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section;

(3) In no case shall a district remain under the continued governance of the existing school district board of education if it suffers three consecutive years of unaccredited status. In such cases of continuous unaccredited status, the state board of education shall immediately proceed under subdivision (2) of subsection 3 of this section.

5. A special administrative board appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the special administrative board shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. Neither the special administrative board nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees, shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, the special administrative board, its members or employees. Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees shall be available to the special administrative board, its members and employees.

6. [Upon recommendation of the special administrative board, the state board of education may assign the funds, assets and liabilities of the lapsed district to another district or districts. Upon assignment, all authority of the special administrative board shall transfer to the assigned districts.

7.] Neither the special administrative board nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

[8.] 7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

[9. (1) The governing body of a school district, upon an initial declaration by the state board of education that such district is provisionally accredited, may, and, upon an initial declaration by the state board of education that such

district is unaccredited, shall develop a plan to be submitted to the voters of the school district to divide the school district if the district cannot attain accreditation within three years of the initial declaration that such district is unaccredited. In the case of such a district being declared unaccredited, such plan shall be presented to the voters of the district before the district lapses. In the case of such a district being declared provisionally accredited, such plan may be presented before the close of the current accreditation cycle.

(2) The plan may provide that the school district shall remain intact for the purposes of assessing, collecting and distributing taxes for support of the schools, and the governing body of the district shall develop a plan for the distribution of such taxes equitably on a per-pupil basis if the district selects this option.

(3) The makeup of the new districts shall be racially balanced as far as the proportions of students allow.

(4) If a majority of the district's voters approve the plan, the state board of education shall cooperate with the local board of education to implement the plan, which may include use of the provisions of this section to provide an orderly transition to new school districts and achievement of accredited status for such districts.

10.] 8. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

162.083. 1. The state board of education may appoint additional members to any special administrative board appointed under section 162.081.

2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.

(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.

(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.

(3) The election shall be conducted in a manner consistent with the election laws applicable to the school district.

3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board from standing for an elected term on the board.

4. [If the state board of education appoints a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.

5.] On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a school district as otherwise authorized by law.

162.1300. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a school district receives additional students as a result of such change, the statewide assessment scores and all other performance data for those students whom the district received shall not be used for three years when calculating the performance of the receiving district for three school years for purposes of the Missouri school improvement program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCann Beatty offered **House Amendment No. 1 to House Amendment No. 1.**

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 3, Lines 16 to 34, by deleting all of said lines and inserting in lieu thereof the following:

"5.] 4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section in the following school year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCann Beatty, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Stream offered **House Amendment No. 2 to House Amendment No. 1.**

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 125, Page 5, Line 13, by inserting after all of said line the following:

‘Further amend said bill, Page 6, Section 168.221, Line 109, by inserting after all of said line the following:

"8. Should the state mandate that professional development for teachers be provided in local school districts and any funds be utilized for such, a metropolitan school district shall be allowed to utilize a professional development plan for teachers which is known within the administration as the "St. Louis Plan," should the district and the teacher decide jointly to participate in such plan."; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stream, **House Amendment No. 2 to House Amendment No. 1** was adopted.

On motion of Representative Barnes, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Barnes, **SS SCS SB 125, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Colona	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	Entlicher	Fitzpatrick

Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hansen	Hicks	Hinson
Hough	Houghton	Hubbard	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Marshall	McCaherty
McCann Beatty	McGaugh	Miller	Montecillo	Moon
Muntzel	Neely	Neth	Parkinson	Peters
Pfautsch	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Webb	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Conway 10	Ellinger	English	Englund	Fowler
Frame	Gannon	Hampton	Harris	Hodges
Hoskins	Hummel	Hurst	Kirkton	Kratky
Lynch	May	Mayfield	McDonald	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Molendorp	Morgan	Morris	Newman
Nichols	Norr	Otto	Pace	Phillips
Pogue	Rizzo	Roorda	Rowland	Runions
Schieffer	Schupp	Smith 85	Swearingen	

PRESENT: 000

ABSENT WITH LEAVE: 007

Grisamore	Higdon	Kelly 45	Smith 120	Walton Gray
Webber	Zerr			

Speaker Jones declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **SS HCS HJR 11 & 7, as amended**, and has taken up and passed **CCS#2 SS HCS HJR 11 & 7**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees are allowed to exceed the differences on **HCS SS#2 SCS SB 1, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 127, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS IN CONFERENCE

HCS HBs 256, 33 & 305, with Senate Amendment No. 2 and Senate Amendment No. 3, relating to the open meetings and records law, was taken up by Representative Jones (50).

Representative McCaherty assumed the Chair.

Representative Jones (50) moved that the House conferees be allowed to exceed the differences on **HCS HBs 256, 33 & 305**.

Which motion was adopted.

HCS SS#2 SCS SB 1, as amended, relating to workers' compensation, was taken up by Representative Richardson.

Representative Richardson moved that the House conferees be allowed to exceed the differences on **HCS SS#2 SCS SB 1, as amended**.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SB 330, as amended, relating to professional registration, was taken up by Representative Burlison.

Representative Burlison moved that the House grant the Senate a further conference on **HCS SB 330, as amended**.

Which motion was adopted.

HCS SCS SB 45, as amended, relating to judicial procedures, was taken up by Representative Hough.

Representative Hough moved that the House refuse to recede from its position on **HCS SCS SB 45, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 161, as amended, relating to health insurance, was taken up by Representative Stream.

Representative Stream moved that the House refuse to recede from its position on **HCS SB 161, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 127, as amended, relating to MO HealthNet benefits, was taken up by Representative Lichtenegger.

Representative Lichtenegger moved that the House refuse to recede from its position on **HCS SB 127, as amended**, and grant the Senate a conference.

Which motion was adopted.

SCS SB 248, with House Amendment No. 1 and House Amendment No. 2, relating to neighborhood improvement districts, was taken up by Representative Fraker.

Representative Fraker moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2 to SCS SB 248** and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HBs 374 & 434, as amended, relating to transfer of judicial positions, was taken up by Representative Elmer.

Representative Elmer moved that the House refuse to adopt **SS SCS HCS HBs 374 & 434, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 51, as amended, relating to motor vehicles, was taken up by Representative Guernsey.

Representative Cornejo offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 51, Page 21, Section 304.022, Line 69, by inserting after said line the following:

"304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 11** was adopted.

Representative Schatz offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 51, Page 19, Section 302.755, Line 78, by inserting after said line the following:

"302.767. Notwithstanding sections 302.700, 302.720, 302.735, 302.740, 302.755 to the contrary, the department of revenue shall have until July 8, 2015, to comply with the provisions of 49 CFR 383, 384, and 385 pertaining to the commercial driver's license testing and commercial learner's permit standards rule issued by the federal motor carrier safety administration."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 12** was adopted.

Representative Burlison offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;
(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is under twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points

shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit. **An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months.**

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and persons under the age of sixteen shall be subject to the following restrictions:

(1) The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2) The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise;

(3) The operator shall not carry any passengers; and

(4) The operator shall not travel over fifty miles from the operator's home address."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, House Amendment No. 13 was adopted.

Representative Rhoads offered House Amendment No. 14.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 51, Page 2, Section 301.301, Line 8, by inserting after all of said section and line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)

(2) Speeding
In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points

(3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction. 2 points
(b) For the second conviction. 4 points
(c) For the third conviction. 6 points
(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . 12 points
(7) Obtaining a license by misrepresentation. 12 points
(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points

- (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. 8 points
- In violation of a county or municipal ordinance or federal law or regulation.. . . . 8 points
- (11) Any felony involving the use of a motor vehicle. 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points
- (14) Endangerment of a highway worker in violation of section 304.585. 4 points
- (15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points
- (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894. . 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Section 304.820, Page 29, Line 59, by inserting after all of said section and line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency,

or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

- (a) Appropriate signs or traffic control devices posted or placed by emergency responders; or
- (b) An emergency vehicle displaying active emergency lights or signals;
- (3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle shall not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

- (1) Exceeding the posted speed limit by fifteen miles per hour or more;
- (2) Passing in violation of subsection 3 of section 304.892;
- (3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;
- (4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;
- (5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;
- (6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or
- (7) Committing any of the following offenses for which points may be assessed under section 302.302:
 - (a) Leaving the scene of an accident in violation of section 577.060;
 - (b) Careless and imprudent driving in violation of subsection 4 of section 304.016;
 - (c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;
 - (d) Operating with a suspended or revoked license;
 - (e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;
 - (f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license under section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license under section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rhoads, **House Amendment No. 14** was adopted.

Representative Kelley (127) offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 51, Page 27, Section 304.180, Line 139, by inserting immediately after said line the following:

"11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (127), **House Amendment No. 15** was adopted.

Representative Korman offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 51, Page 31, Section 307.400, Line 81, by inserting after said line the following:

"Section 1. The portion of interstate highway 70 in Montgomery County between mile marker 165.0 and 166.0 shall be designated the "Graham's Picnic Rock Highway". The department of transportation shall erect and maintain appropriate signs designating such highway. The signs shall not be erected until the next lane widening or pavement replacement project within that portion of the highway."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 16** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Curtman	Ellinger	Engler	Flanigan	Higdon
Jones 50	Kelly 45	McManus	Molendorp	Phillips
Smith 120	Walton Gray	Webber		

On motion of Representative Guernsey, **HCS SB 51, as amended**, was adopted.

On motion of Representative Guernsey, **HCS SB 51, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
English	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Jones 50	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Love	Lynch	Mayfield	McCaherty
McDonald	McGaugh	McKenna	Messenger	Miller
Morris	Muntzel	Neely	Neth	Otto
Parkinson	Pfautsch	Pike	Redmon	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 046

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Entlicher
Fitzpatrick	Frame	Frederick	Gardner	Hummel
Johnson	Justus	Kirkton	LaFaver	Lichtenegger
Marshall	McCann Beatty	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Nichols	Norr	Pace	Peters
Phillips	Pierson	Pogue	Remole	Rizzo
Schieber	Schupp	Smith 85	Swearingen	Webb
White				

PRESENT: 000

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ABSENT WITH LEAVE: 010

Curtman	Engler	Higdon	Kelly 45	May
Molendorp	Scharnhorst	Smith 120	Walton Gray	Webber

Representative McCaherty declared the bill passed.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin	Funderburk	Higdon	Jones 50	Kelly 45
Molendorp	Smith 120	Walton Gray	Webber	

The emergency clause was defeated by the following vote:

AYES: 083

Allen	Austin	Barnes	Bernskoetter	Brattin
Brown	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Keeney
Kelley 127	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lynch	McCaherty	McGaugh
Messenger	Miller	Morris	Muntzel	Neth
Otto	Pfausch	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rowden	Rowland	Schatz	Shull
Shumake	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wood	Zerr	Mr Speaker		

NOES: 071

Anders	Anderson	Bahr	Berry	Black
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Curtman	Dunn	Ellinger
Ellington	English	Englund	Entlicher	Fitzpatrick
Frame	Gardner	Haahr	Hansen	Harris
Hicks	Hummel	Johnson	Justus	Kirkton
Koenig	Kratky	LaFaver	Lichtenegger	Love
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Moon	Morgan	Neely
Newman	Nichols	Norr	Pace	Parkinson
Peters	Phillips	Pierson	Rizzo	Roorda
Ross	Runions	Schieber	Schieffer	Schupp
Smith 85	Spencer	Swearingen	Webb	Wilson
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Higdon	Jones 50	Kelly 45	Molendorp
Scharnhorst	Smith 120	Walton Gray	Webber	

Speaker Jones resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 45: Representatives Hough, Elmer and Colona

HCS SB 127: Representatives Lichtenegger, Barnes and Kirkton

HCS SB 161: Representatives Stream, Richardson and McNeil

SCS SB 248: Representatives Fraker, Crawford and Kratky

SB 327: Representatives Haahr, Cornejo and Roorda

HCS SB 330: Representatives Burlison, Keeney and Kratky

Representative McCaherty resumed the Chair.

BILLS IN CONFERENCE

SS HCS HB 199, as amended, relating to obsolete elections statutes, was taken up by Representative Dugger.

Representative Dugger moved that the House conferees be allowed to exceed the differences on **SS HCS HB 199, as amended**.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Veterans, Chairman Davis reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HRM 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE REMONSTRANCE NO. 1

WHEREAS, the people of the State of Missouri cherish their right to bear arms, as protected by the Missouri Constitution and the Constitution of the United States; and

WHEREAS, the people of the State of Missouri cherish their right to privacy and protection of their personal private information; and

WHEREAS, Section 571.101, RSMo, declares that a concealed carry endorsement shall not be public information and shall be personal protected information; and

WHEREAS, Section 571.101, RSMo, declares that any person who discloses such protected information is guilty of a crime; and

WHEREAS, it is the duty of the Governor of the State of Missouri to enforce the laws of the State of Missouri; and

WHEREAS, the Governor has the duty to require all departments of the executive to enforce the laws of the State of Missouri; and

WHEREAS, officials in the Department of Revenue have publicly admitted that personal protected information has been disclosed by the department in violation of the laws of the State of Missouri; and

WHEREAS, officials in the Department of Public Safety have publicly admitted that personal protected information has been disclosed by the department in violation of the laws of the State of Missouri; and

WHEREAS, no provision of law authorized the release of such personal protected information:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, hereby:

(1) Strongly condemn the release of the protected personal information in violation of the laws of the State of Missouri;

(2) Remonstrate against the Department of Revenue and the Department of Public Safety for the release of personal protected information which has been publicly admitted by the departments; and

BE IT FURTHER RESOLVED that the House of Representatives demands that the Governor enforce the laws of this state by immediately investigating, disciplining, and removing any members of the executive departments who are responsible for this egregious breach of public trust and violation of the laws of the State of Missouri; and

BE IT FURTHER RESOLVED that the House of Representatives deems any failure of the Governor to investigate, discipline, and remove any members of the executive departments who are responsible for the release of the personal protected information to be a "willful neglect of duty" under Article VII, Section 1 of the Missouri Constitution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this remonstrance for Governor Jay Nixon, John R. Mollenkamp, Acting Director of the Department of Revenue, and Jerry Lee, Director of the Department of Public Safety.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 149 & 536**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 170**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 251**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 17 - Fiscal Review

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 512 - Downsizing State Government

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SS SCR 15 - Rules

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 14 - Fiscal Review

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SB 251 - Fiscal Review

SS SB 366 - Fiscal Review

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1035**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1035;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Kelley
/s/ Paul Curtman
/s/ Jay Swearingen

FOR THE SENATE:

/s/ Eric Schmitt
/s/ David Pearce
/s/ Bob Dixon
/s/ Ryan McKenna
/s/ Jason Holsman

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 36**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 36, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 36, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 36;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 36, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wayne Wallingford
/s/ Bob Dixon
/s/ Gary Romine
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Ron Hicks
/s/ Stanley Cox
/s/ Jeremy LaFaver

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 157
AND
SENATE BILL NO. 102**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended and House Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Will Kraus
/s/ Ryan Silvey
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Don Phillips
/s/ Tony Dugger
/s/ Mary Nichols

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Wednesday, May 15, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, May 16, 2013, 9:30 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

We will be voting on the amendments to the House Policy Book.

BUDGET

Thursday, May 16, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review tax credits - DED, DHSS, DOR, DIFP, DSS, DNR, MoAg

FISCAL REVIEW

Wednesday, May 15, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 16, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

RULES

Wednesday, May 15, 2013, Upon Afternoon Adjournment, House Hearing Room 7.

Public hearing will be held: SS SCR 15

Executive session will be held: SS SCR 15

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-NINTH DAY, WEDNESDAY, MAY 15, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HCS HJR 23 - Hinson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 9 HB 448 - Webb

- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman
- 14 HCS HB 402 - Shumake
- 15 HCS HB 83 - Reiboldt
- 16 HCS HB 132 - Stream
- 17 HCS HB 1041 - Swan
- 18 HCS HBs 309 & 73 - Solon
- 19 HCS HB 350 - Frederick
- 20 HCS HB 464 - Higdon
- 21 HCS HB 484 - Lauer
- 22 HCS HB 564 - McGaugh
- 23 HCS HB 604 - Phillips
- 24 HCS HB 608 - Frederick
- 25 HCS HB 685 - Burlison
- 26 HB 745 - Thomson
- 27 HCS HB 783 - Diehl
- 28 HCS HB 814 - Fraker
- 29 HCS HB 830 - Jones (50)
- 30 HB 863 - Allen
- 31 HCS HB 930 - Flanigan
- 32 HB 411 - Muntzel
- 33 HB 447 - Diehl
- 34 HB 467 - Lichtenegger
- 35 HB 827 - Redmon
- 36 HB 915 - Bahr
- 37 HCS HB 975 - Richardson
- 38 HCS HB 198 - Funderburk
- 39 HB 385 - Burlison
- 40 HCS HBs 77, 91 & 95 - Burlison
- 41 HCS HB 398 - Riddle
- 42 HCS#2 HB 927 - Reiboldt
- 43 HCS HB 749 - Cross

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 17, (Fiscal Review 5/14/13) - Burlison

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer
- 6 HCS HB 458 - Scharnhorst

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

SCS SJR 14, (Fiscal Review 5/14/13) - Jones (50)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 88 - Frederick
- 2 SCS SB 224 - Rizzo
- 3 HCS SS SCS SB 241 - Cierpiot
- 4 HCS SB 18, E.C. - Cox
- 5 SCS SB 87 - Bahr
- 6 SCS SB 178 - Kirkton
- 7 HCS SCS SB 89, E.C. - Jones (50)
- 8 HCS SB 12, E.C. - Jones (50)
- 9 HCS SB 100, E.C. - Cox
- 10 HCS SS SB 282 - Hough
- 11 HCS SB 75 - Burlison
- 12 HCS SS SB 245 - Mitten
- 13 HCS SCS SBs 317 & 319 - Gosen
- 14 HCS SB 24, E.C. - Hinson
- 15 HCS SS SCS SB 83, E.C. - Jones (50)
- 16 HCS SB 342 - Guernsey
- 17 SCS SB 381 - Cross
- 18 HCS SB 73 - Cornejo
- 19 HCS SCS SB 118 - Cox
- 20 HCS SB 112, E.C. - Zerr
- 21 HCS SS SB 401, E.C. - Molendorp
- 22 SB 72 - Jones (50)
- 23 SB 138 - Gatschenberger
- 24 SB 218 - McKenna
- 25 SB 170 - Smith (85)
- 26 HCS SS SB 251, (Fiscal Review 5/14/13) - Guernsey
- 27 SS SB 366, (Fiscal Review 5/14/13), E.C. - Flanigan

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SS SCS HB 542, as amended - Love
- 2 SCS HCS HB 351, as amended, E.C. - Frederick
- 3 SS HCS HB 58, E.C. - Molendorp
- 4 SCS HB 322 - Gosen
- 5 SCS HB 533, as amended - Riddle

BILLS CARRYING REQUEST MESSAGES

SS SCS HCS HBs 374 & 434, as amended (request Senate recede/grant conference) - Elmer

BILLS IN CONFERENCE

- 1 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 2 HCS SS#2 SCS SB 1, as amended (exceed differences), E.C. - Richardson
- 3 SS SCS HB 307, as amended - Riddle
- 4 HCS SS SB 262, as amended (exceed differences), E.C. - Molendorp
- 5 CCR HCS SCS SB 157 and SB 102, as amended - Phillips
- 6 HCS SCS SB 17, as amended (Senate exceed differences on HA 5) - Thomson
- 7 HCS SCS SB 9, as amended - Guernsey
- 8 CCR HCS SB 43, as amended, E.C. - Kolkmeier
- 9 CCR SCS SB 36, HA 1 - Hicks
- 10 CCR SCS HCS HB 1035, as amended, E.C. - Kelley (127)
- 11 SB 77, HA 1 - Allen
- 12 HCS SB 57, as amended - Engler
- 13 HCS SCS SB 42, as amended - Jones (50)
- 14 HCS SB 90, as amended - Dugger
- 15 SCS SB 33, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6 - Grisamore
- 16 HCS SB 41, as amended - Hough
- 17 SB 327, HA 1 - Haahr
- 18 HCS HBs 256, 33 & 305, SA 2, SA 3 (exceed differences), E.C. - Jones (50)
- 19 SS HCS HB 199, as amended, E.C. - Dugger
- 20 HCS SB 330, as amended - Burlison
- 21 HCS SCS SB 45, as amended - Hough
- 22 HCS SB 161, as amended - Stream
- 23 HCS SB 127, as amended - Lichtenegger
- 24 SCS SB 248, HA 1, HA 2 - Fraker

SENATE CONCURRENT RESOLUTIONS

SCS SCR 5 - Frederick

HOUSE RESOLUTIONS

HR 222 - Scharnhorst

HOUSE REMONSTRANCES

HRM 1 - Marshall

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SIXTY-NINTH DAY, WEDNESDAY, MAY 15, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He giveth power to the faint; and to them that have no might He increaseth strength. (Isaiah 40:29)

Almighty God, Whose saving truth never lets us down and Whose patient love never lets us go, make us conscious of Your presence as in spirit we bow before You in this morning moment of meditation and prayer. Speak Your Word to us and give us ears to hear, minds to heed, and hands and feet to do Your will - in Your way - for Your work during these final days.

Humble us in our pride, strengthen us in our weakness, and make us giants in heart when we would be little in spirit, that we may have joy in our endeavors and happiness in our minds. We need Your grace to listen, to relax, and to be at peace despite so many distractions.

Bless our state and every institution, every citizen, and every effort made which helps people to love one another and to live together. May Your kingdom come and Your will be done in us now.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Molly Daniels, Charlotte Geger, Samantha Geger, Bradley Schoenthal, Evan Schoenthal and Calen Kruger.

The Journal of the sixty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3232 through House Resolution No. 3275

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Flanigan reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SJR 14**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 251**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SB 366**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION

HR 222, relating to House employment, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HR 222** was adopted.

THIRD READING OF SENATE BILLS

SCS SB 381, relating to the creation of the Innovation Education Campus Fund, was taken up by Representative Cross.

On motion of Representative Cross, **SCS SB 381** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen

Thomson	Torpey	Walker	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 002

Marshall Pogue

PRESENT: 000

ABSENT WITH LEAVE: 010

Curtis	Ellington	Hodges	Hough	Kelly 45
Molendorp	Redmon	Smith 120	Walton Gray	Webber

Speaker Jones declared the bill passed.

HCS SB 73, relating to judicial procedures, was taken up by Representative Cornejo.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said line the following:

"478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the "Veterans Treatment Intervention Act".

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) "Servicemember", any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) "Veteran", any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a "Military Veterans and Servicemembers Court Program" under which veterans and servicemembers who suffer from a military-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant's agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court's own motion, except:

(1) If a defendant was previously offered admission to a veterans' treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant's admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;
- (2) Kidnapping or false imprisonment under chapter 565;
- (3) Aggravated assault under chapter 565;
- (4) Stalking under chapter 565;
- (5) Elder abuse under chapter 565;
- (6) Sexual offenses under chapter 566;
- (7) Offenses against the family under chapter 568;
- (8) Robbery or burglary under chapter 569;
- (9) Arson under chapter 569;
- (10) Water contamination under chapter 569;
- (11) Child pornography under chapter 573;
- (12) Treason; and

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;
- (c) Eligible participants are identified early and promptly placed in the treatment program;
- (d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;
- (e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;
- (f) A coordinated strategy governs treatment program responses to participants' compliance;
- (g) Ongoing judicial interaction with each treatment program participant is essential;
- (h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;
- (i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;
- (j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

- (1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;
- (2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;
- (3) Staffing levels;
- (4) The number of face-to-face contacts with the offender;
- (5) Procedures for handling the collection of all offender fees and restitution;
- (6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
- (7) Circumstances under which revocation of an offender's probation may be recommended;
- (8) Reporting and record-keeping requirements;
- (9) Default and contract termination procedures;
- (10) Procedures that aid offenders with job assistance; and
- (11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Cornejo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said section and line the following:

"488.2250. [For all transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of two dollars per twenty-five-line page for the original of the transcript, and the sum of thirty-five cents per twenty-five-line page for each carbon copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three transcripts in duplication of the notes of the evidence, for the original of which the court reporter shall receive two dollars per legal page and for the copies twenty cents per page. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court]

1. For all appeal transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter's fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production who shall reimburse the court reporter the sum provided in subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 2** was adopted.

Representative May offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for**

expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

- (1) In any county in which the child resided during the period of time for which the defendant is charged; or
- (2) In any county in which the defendant resided during the period of time for which the defendant is charged.";

and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips

Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Curtis	Fraker	Grisamore	Hodges
Kelly 45	Schatz	Smith 120	Walton Gray	Webber

Representative May moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative McCaherty offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said section and line the following:

"307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. **A motorcycle may be equipped with a means of varying the brightness of the vehicle's brake light for a duration of not more than five seconds upon application of the vehicle's brakes.**

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every

such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered House Amendment No. 1 to House Amendment No. 4.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 73, Page 1, Line 30, by inserting after all of said line the following:

'Further amend said bill, Page 2, Section 478.007, Line 23, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;
(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is under twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021."; and

Further amend said bill, section 304.152, Page 2, Lines 5-7, by removing all of said lines; and

Renumber remaining subsection accordingly"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 1 to House Amendment No. 4** was adopted by the following vote:

AYES: 092

Allen	Anderson	Bahr	Barnes	Bernskoetter
Brattin	Brown	Burlison	Carpenter	Cierpiot
Conway 10	Cookson	Cox	Cross	Curtman
Davis	Diehl	Dohrman	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hansen	Harris	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	Miller	Molendorp
Moon	Muntzel	Neth	Otto	Parkinson
Pfausch	Pike	Pogue	Redmon	Rehder
Remole	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Solon
Sommer	Spencer	Swearingen	Thomson	Torpey
Walker	Webb	Wieland	Wilson	Wright
Zerr	Mr Speaker			

NOES: 066

Anders	Austin	Berry	Black	Burns
Butler	Colona	Conway 104	Cornejo	Crawford
Curtis	Dugger	Dunn	Ellinger	Ellington
English	Englund	Franklin	Frederick	Gannon
Gardner	Grisamore	Haahr	Hampton	Higdon
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Lauer	May	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Montecillo	Morgan	Morris
Neely	Newman	Nichols	Norr	Pace
Peters	Phillips	Pierson	Reiboldt	Rhoads
Rizzo	Roorda	Rowden	Runions	Schupp
Shull	Shumake	Smith 85	Stream	Swan
White				

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45	Smith 120	Walton Gray	Webber	Wood
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Representative Korman assumed the Chair.

Representative Brattin offered **House Amendment No. 2 to House Amendment No. 4**.

Representative Roorda raised a point of order that **House Amendment No. 2 to House Amendment No. 4** is not germane to the underlying amendment.

Representative Korman requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative McCaherty, **House Amendment No. 4, as amended**, was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gosen	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Curtman	Ellinger	Elmer	Gatschenberger
Grisamore	Guernsey	Hampton	Jones 50	Kelly 45
May	Molendorp	Morgan	Redmon	Rehder
Scharnhorst	Smith 120	Walton Gray	Webber	Zerr

On motion of Representative Cornejo, **HCS SB 73, as amended**, was adopted.

On motion of Representative Cornejo, **HCS SB 73, as amended**, was read the third time and passed by the following vote:

AYES: 096

Allen	Anderson	Bahr	Barnes	Bernskoetter
Brattin	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hansen
Harris	Hicks	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	Messenger	Miller	Moon	Muntzel
Neely	Neth	Parkinson	Pfautsch	Pike
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shumake	Solon
Sommer	Spencer	Stream	Swearingen	Thomson
Torpey	Walker	Wieland	Wilson	Zerr
Mr Speaker				

NOES: 059

Anders	Austin	Berry	Black	Brown
Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	English	Englund
Entlicher	Franklin	Frederick	Gardner	Hampton
Higdon	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Morris	Newman	Nichols
Norr	Otto	Pace	Peters	Phillips
Pierson	Pogue	Rhoads	Rizzo	Roorda
Runions	Schupp	Shull	Smith 85	Swan
Webb	White	Wood	Wright	

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 007

Engler	Kelly 45	May	Molendorp	Smith 120
Walton Gray	Webber			

Representative Korman declared the bill passed.

HCS SCS SB 118, relating to the creation of veterans treatment courts, was taken up by Representative Cox.

On motion of Representative Cox, **HCS SCS SB 118** was adopted.

On motion of Representative Cox, **HCS SCS SB 118** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly 45	Molendorp	Smith 120	Walton Gray	Webber
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Representative Korman declared the bill passed.

SCS SB 224, relating to law enforcement agencies, was taken up by Representative Rizzo.

Representative Leara offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 1, In the Title, Line 3, by deleting the words, "the Kansas City police department" and inserting in lieu thereof the words, "police departments"; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

"86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Accumulated contributions", the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) "Average final compensation":

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;

(6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(7) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(8) "DROP", the deferred retirement option plan provided for in section 86.251;

(9) "Earnable compensation", the annual salary **established under section 84.160** which a member would earn during one year on the basis of the member's rank or position [as specified in the applicable salary matrix] plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(10) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

(11) "Mandatory contributions", the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(12) **"Medical board", the board of three physicians of different disciplines appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which board shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations, which can be based upon the opinion of a single member or that of an outside specialist if one is appointed, upon all the matters referred to such medical board;**

(13) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

[(13)] (14) "Members' interest", interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

[(14)] (15) "Membership service", service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case "membership service" means service as a policeman rendered since last becoming a member prior to entering such armed service;

[(15)] (16) "Plan year" or "limitation year", the twelve consecutive-month period beginning each October first and ending each September thirtieth;

[(16)] (17) "Policeman" or "police officer", any member of the police force of such cities who holds a rank in such police force;

[(17)] (18) "Prior service", all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

[(18)] (19) "Reserve officer", any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

[(19)] (20) "Retirement allowance", annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

[(20)] (21) "Retirement system", the police retirement system of the cities as defined in sections 86.200 to 86.366;

[(21)] (22) "Surviving spouse", the surviving spouse of a member who was the member's spouse at the time of the member's death.

86.257. 1. Upon the application of [a member in service or of] the board of police commissioners **or any successor body**, any member who has completed ten or more years of creditable service **or upon the police retirement system created by sections 86.200 to 86.366 first attaining, after the effective date of this act, a funded ratio, as defined in section 105.660 and as determined by the system's annual actuarial valuation, of at least eighty percent, a member who has completed five or more years of creditable service** and who has become permanently unable to

perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by the actual performance of his or her official duties or by his or her own negligence shall be retired by the board of [trustees of the police retirement system] **police commissioners or any successor body** upon certification by the medical [director] **board** of the police retirement system and approval by the board of trustees of the police retirement system that the member is mentally or physically unable to perform the duties of a police officer, that the inability is permanent or likely to become permanent, and that the member should be retired.

2. Once each year during the first five years following such member's retirement, and at least once in every three-year period thereafter, the board of trustees may, and upon the member's application shall, require any nonduty disability beneficiary who has not yet attained sixty years of age to undergo a medical examination at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any nonduty disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her nonduty disability pension may be discontinued until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

3. If the medical [director] **board** certifies to the board of trustees that a nonduty disability beneficiary is able to perform the duties of a police officer, and if the board of trustees concurs on the report, then such beneficiary's nonduty disability pension shall cease.

4. If upon cessation of a disability pension under subsection 3 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

86.263. 1. Any member **in active service** who is permanently unable to perform the **full and unrestricted** duties of a police officer as the natural, proximate, and exclusive result of an accident occurring within the actual performance of duty at some definite time and place, through no negligence on the member's part, shall[, upon application,] be retired **by the board of police commissioners or any successor body** upon certification by [the medical director of the police retirement system and approval by the board of trustees of the police retirement system] **one or more physicians of the medical board** that the member is mentally or physically unable to perform the **full and unrestricted** duties of a police officer [and], that the inability is permanent or [reasonably] likely to become permanent, **and that the member should be retired. The inability to perform the "full and unrestricted duties of a police officer" means the member is unable to perform all the essential job functions for the position of police officer as established by the board of police commissioners or any successor body.**

2. No member shall be approved for retirement under the provisions of subsection 1 of this section unless the application was made and submitted to the board of [trustees of the police retirement system] **police commissioners or any successor body** no later than five years following the date of accident, provided, that if the accident was reported within five years of the date of the accident and an examination made of the member within thirty days of the date of accident by a health care provider whose services were provided through the board of police commissioners with subsequent examinations made as requested, then an application made more than five years following the date of the accident shall be considered timely.

3. Once each year during the first five years following a member's retirement, and at least once in every three-year period thereafter, the board of trustees may require any disability beneficiary who has not yet attained sixty years of age to undergo a medical examination or medical examinations at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her disability pension may be discontinued **by the board of trustees of the police retirement system** until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

4. If the medical [director] **board** certifies to the board of trustees that a disability beneficiary is able to perform the duties of a police officer, [and if the board of trustees concurs with the medical director's determination,] then such beneficiary's disability pension shall cease.

5. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active service time as a member including the service time prior to receiving disability retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

6. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is not restored to active service, such former disability beneficiary shall be entitled to the retirement benefit to which such

former disability beneficiary would have been entitled if such former disability beneficiary had terminated service for any reason other than dishonesty or being convicted of a felony at the time of such cessation of such former disability beneficiary's disability pension. For purposes of such retirement benefits, such former disability beneficiary shall be credited with all of the former disability beneficiary's active service time as a member, but not including any time during which the former disability beneficiary received a disability beneficiary pension under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1** was adopted.

Representative May offered **House Amendment No. 2.**

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. **(1)** If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due **[may] shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.**

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

- (1) In any county in which the child resided during the period of time for which the defendant is charged; or
- (2) In any county in which the defendant resided during the period of time for which the defendant is charged.";

and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Black	Curtman	Engler	Jones 50	Kelly 45
McCann Beatty	Molendorp	Shumake	Smith 120	Walton Gray
Webber				

On motion of Representative May, **House Amendment No. 2** was adopted by the following vote:

AYES: 128

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cornejo	Cross	Curtis	Curtman	Dunn
Ellinger	Ellington	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rizzo	Roorda	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	White	Wieland
Wilson	Wood	Wright		

NOES: 026

Allen	Brown	Cierpiot	Cookson	Cox
Crawford	Davis	Diehl	Dohrman	Dugger
Elmer	Flanigan	Gatschenberger	Gosen	Higdon
Hoskins	Lauer	Muntzel	Pogue	Rhoads
Richardson	Riddle	Ross	Schieber	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Engler	Jones 50	Kelly 45	Molendorp
Smith 120	Spencer	Walton Gray	Webber	

SCS SB 224, as amended, was laid over.

Speaker Jones resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS HBs 256, 33 & 305 with House Amendment No. 2 and House Amendment No. 3** are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HBs 374 & 434, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Dixon, Schmitt, Emery, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS#2 SCS SB 1, as amended**, and has taken up and passed **CCS HCS SS#2 SCS SB 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 33, as amended**, and has taken up and passed **CCS SCS SB 33**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 45, as amended**: Senators Dixon, Schmitt, Schaefer, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 51, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 99, as amended**, and has taken up and passed **HCS SB 99, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 110, as amended**, and has taken up and passed **HCS SB 110, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, as amended**, to **SS SCS SB 114**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1, as amended**, to **SS SCS SB 125**, and has taken up and passed **SS SCS SB 125, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 127, as amended**: Senators Sater, Wasson, Romine, Holsman and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 161, as amended**: Senators Pearce, Rupp, Wallingford, Curls and Walsh.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 248, as amended**: Senators Wasson, Dixon, Cunningham, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 252, as amended**, and has taken up and passed **HCS SS SB 252, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 256, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **HCS SB 330, as amended**: Senators Wasson, Cunningham, Sater, Keaveny and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 330, as amended**, and has taken up and passed **CCS#2 HCS SB 330**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HBs 374 & 434: Representatives Elmer, Cox and Colona

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

BILLS CARRYING REQUEST MESSAGES

HCS SB 51, as amended, relating to motor vehicles, was taken up by Representative Guernsey.

Representative Guernsey moved that the House refuse to recede from its position on **HCS SB 51, as amended**, and grant the Senate a conference.

Which motion was adopted.

SS SCS SB 114, with House Amendment No. 1, as amended, relating to intoxicating liquor, was taken up by Representative Jones (50).

Representative Jones (50) moved that the House refuse to recede from its position on **House Amendment No. 1, as amended**, to **SS SCS SB 114** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 256, as amended, relating to child abuse and neglect, was taken up by Representative Torpey.

Representative Torpey moved that the House refuse to recede from its position on **HCS SCS SB 256, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

SCS SB 224, as amended, relating to law enforcement agencies, was again taken up by Representative Rizzo.

Representative Neth offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 1, In the Title, Line 3, by deleting the words, "the Kansas City Police Department" and inserting in lieu thereof the words, "public employees"; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

"169.270. Unless a different meaning is clearly required by the context, the following words and phrases as used in sections 169.270 to 169.400 shall have the following meanings:

(1) "Accumulated contributions", the sum of all amounts deducted from the compensation of a member or paid on behalf of the member by the employer and credited to the member's individual account together with interest thereon

in the employees' contribution fund. The board of trustees shall determine the rate of interest allowed thereon as provided for in section 169.295;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of formulas and/or tables which have been approved by the board of trustees. The formulas and tables in effect at any time shall be set forth in a written document which shall be maintained at the offices of the retirement system and treated for all purposes as part of the documents governing the retirement system established by section 169.280. The formulas and tables may be changed from time to time if recommended by the retirement system's actuary and approved by the board of trustees;

(3) "Average final compensation", the highest average annual compensation received for any four consecutive years of service. In determining whether years of service are "consecutive", only periods for which creditable service is earned shall be considered, and all other periods shall be disregarded;

(4) "Beneficiary", any person designated by a member for a retirement allowance or other benefit as provided by sections 169.270 to 169.400;

(5) "Board of education", the board of directors or corresponding board, by whatever name, having charge of the public schools of the school district in which the retirement system is established;

(6) "Board of trustees", the board provided for in section 169.291 to administer the retirement system;

(7) "Break in service", an occurrence when a regular employee ceases to be a regular employee for any reason other than retirement (including termination of employment, resignation, or furlough but not including vacation, sick leave, excused absence or leave of absence granted by an employer) and such person does not again become a regular employee until after sixty consecutive calendar days have elapsed, or after fifteen consecutive school or work days have elapsed, whichever occurs later. A break in service also occurs when a regular employee retires under the retirement system established by section 169.280 and does not again become a regular employee until after fifteen consecutive school or work days have elapsed. A "school or work day" is a day on which the employee's employer requires (or if the position no longer exists, would require, based on past practice) employees having the former employee's last job description to report to their place of employment for any reason;

(8) "Charter school", any charter school established pursuant to sections 160.400 to 160.420 and located, at the time it is established, within the school district;

(9) "Compensation", the regular compensation as shown on the salary and wage schedules of the employer, including any amounts paid by the employer on a member's behalf pursuant to subdivision (5) of subsection 1 of section 169.350, but such term is not to include extra pay, overtime pay, consideration for entering into early retirement, or any other payments not included on salary and wage schedules. For any year beginning after December 31, 1988, the annual compensation of each member taken into account under the retirement system shall not exceed the limitation set forth in Section 401(a)(17) of the Internal Revenue Code of 1986, as amended;

(10) "Creditable service", the amount of time that a regular employee is a member of the retirement system and makes contributions thereto in accordance with the provisions of sections 169.270 to 169.400;

(11) "Employee", any person who is classified by the school district, a charter school, the library district or the retirement system established by section 169.280 as an employee of such employer and is reported contemporaneously for federal and state tax purposes as an employee of such employer. A person is not considered to be an employee for purposes of such retirement system with respect to any service for which the person was not reported contemporaneously for federal and state tax purposes as an employee of such employer, regardless of whether the person is or may later be determined to be or to have been a common law employee of such employer, including but not limited to a person classified by the employer as independent contractors and persons employed by other entities which contract to provide staff and services to the employer. In no event shall a person reported for federal tax purposes as an employee of a private, for-profit entity be deemed to be an employee eligible to participate in the retirement system established by section 169.280 with respect to such employment;

(12) "Employer", the school district, any charter school, the library district, or the retirement system established by section 169.280, or any combination thereof, as required by the context to identify the employer of any member, or, for purposes only of subsection 2 of section 169.324, of any retiree;

(13) "Employer's board", the board of education, the governing board of any charter school, the board of trustees of the library district, the board of trustees, or any combination thereof, as required by the context to identify the governing body of an employer;

(14) "Library district", any urban public library district created from or within a school district under the provisions of section 182.703;

(15) "Medical board", the board of physicians provided for in section 169.291;

(16) "Member", any person who is a regular employee after the retirement system has been established hereunder ("active member"), and any person who (i) was an active member, (ii) has vested retirement benefits hereunder, and (iii) is not receiving a retirement allowance hereunder ("inactive member"). **A person shall cease to be**

a member if the person has a break in service before earning any vested retirement benefits or if the person withdraws his or her accumulated contributions from the retirement system;

(17) "Minimum normal retirement age", **for any member who retires before January 1, 2014, or who is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement, the earlier of the date the member attains the age of sixty or the date the member has a total of at least seventy-five credits, with each year of creditable service and each year of age equal to one credit[,] and with both years of creditable service and years of age prorated for fractional years; for any person who becomes a member of the retirement system on or after January 1, 2014, including any person who was previously a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, the earlier of the date the member attains the age of sixty-two or the date the member has a total of at least eighty credits, with each year of creditable service and each year of age equal to one credit and with both years of creditable service and years of age prorated for fractional years;**

(18) "Prior service", service prior to the date the system becomes operative which is creditable in accordance with the provisions of section 169.311. Prior service in excess of thirty-eight years shall be considered thirty-eight years;

(19) "Regular employee", any employee who is assigned to an established position which requires service of not less than twenty-five hours per week, and not less than nine calendar months a year. Any regular employee who is subsequently assigned without break in service to a position demanding less service than is required of a regular employee shall continue the employee's status as a regular employee. Except as stated in the preceding sentence, a temporary, part-time, or furloughed employee is not a regular employee;

(20) "Retirant", a former member receiving a retirement allowance hereunder;

(21) "Retirement allowance", annuity payments to a retirant or to such beneficiary as is entitled to same;

(22) "School district", any school district in which a retirement system shall be established under section 169.280.

169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(2) Four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three and four years from the date the retirement system becomes operative, respectively;

(3) The ninth trustee shall be the superintendent of schools of the school district;

(4) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

(5) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

(6) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district's corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so far as it devolves

upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the [employer] **employers** shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for [all] subsequent **calendar** years **through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement**

system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.301. 1. Any active member who has completed five or more years of actual (not purchased) creditable service shall be entitled to a vested retirement benefit equal to the annual service retirement allowance provided in sections 169.270 to 169.400 payable after attaining the minimum normal retirement age and calculated in accordance with the law in effect on the last date such person was a regular employee; provided, that such member does not withdraw such person's accumulated contributions pursuant to section 169.328 prior to attaining the minimum normal retirement age.

2. Any member who elected on October 13, 1961, or within thirty days thereafter, to continue to contribute and to receive benefits under sections 169.270 to 169.400 may continue to be a member of the retirement system under the terms and conditions of the plan in effect immediately prior to October 13, 1961, or may, upon written request to the board of trustees, transfer to the present plan, provided that the member pays into the system any additional contributions with interest the member would have credited to the member's account if such person had been a member of the current plan since its inception or, if the person's contributions and interest are in excess of what the person would have paid, such person will receive a refund of such excess. The board of trustees shall adopt appropriate rules and regulations governing the operation of the plan in effect immediately prior to October 13, 1961.

3. Should a retirant again become an active member, such person's retirement allowance payments shall cease during such membership and shall be recalculated upon subsequent retirement to include any creditable service earned during the person's latest period of active membership in accordance with subsection 2 of section 169.324.

4. In the event of the complete termination of the retirement system established by section 169.280 or the complete discontinuance of contributions to such retirement system, the rights of all members to benefits accrued to the date of such termination or discontinuance, to the extent then funded, shall be fully vested and nonforfeitable.

5. If a member leaves employment with an employer to perform qualified military service, as defined in Section 414(u) of the Internal Revenue Code of 1986, as amended, and dies while in such service, the member's survivors shall be entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) that would have been provided had the member resumed employment with the employer and then terminated on account of death in accordance with the requirements of Sections [407(a)(37)] **401(a)(37)** and 414(u) of the Internal Revenue Code of 1986, as amended. In such event, the member's period of qualified military [services] **service** shall be counted as creditable service for purposes of vesting but not for purposes of determining the amount of the member's retirement allowance.

169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 [in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. For any member who retires as an active member on or after June 30, 1999, the annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life shall be the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation. Any member whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993. Provided, however, that,] **shall be the retirant's number of years of creditable service multiplied by a percentage of the retirant's average final compensation, determined as follows:**

(1) **A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;**

(2) **A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in**

equal monthly installments for life equal to the retirant's number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person's average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by two percent of the person's average final compensation, subject to a maximum of sixty percent of the person's final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant's number of years of creditable service multiplied by one and three-fourths percent of the person's average final compensation, subject to a maximum of sixty percent of the person's average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any [retiree] **retirant** who retired on, before or after January 1, 1996, with at least twenty years of creditable service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326. [Provided, further, any retiree] **Any retirant** who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the [retiree] **retirant** elected any of the options available under section 169.326). Any beneficiary of a deceased [retiree] **retirant** who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331, 169.580 and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331, 169.580, or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving

retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and [the] first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the [statutory] **then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;**

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.350. 1. All of the assets of the retirement system (other than tangible real or personal property owned by the retirement system for use in carrying out its duties, such as office supplies and furniture) shall be credited, according to the purpose for which they are held, in either the employees' contribution fund or the general reserve fund.

(1) The employees' contribution fund shall be the fund in which shall be accumulated the contributions of the members. The employer shall, except as provided in subdivision (5) of this subsection, cause to be deducted from the compensation of each member on each and every payroll, for each and every payroll period, the pro rata portion of five and nine-tenths percent of his annualized compensation. Effective January 1, 1999, **through December 31, 2013**, the employer shall deduct an additional one and six-tenths percent of the member's annualized compensation. **For 2014 and for each subsequent year, the employer shall deduct from each member's annualized compensation the rate of contribution determined for such year by the actuary for the retirement system in the manner provided in subsection 4 of this section.**

(2) The employer shall pay all such deductions and any amount it may elect to pay pursuant to subdivision (5) of this subsection to the retirement system at once. The retirement system shall credit such deductions and such amounts to the individual account of each member from whose compensation the deduction was made or with respect to whose compensation the amount was paid pursuant to subdivision (5) of this subsection. In determining the deduction for a

member in any payroll period, the board of trustees may consider the rate of compensation payable to such member on the first day of the payroll period as continuing throughout such period.

(3) The deductions provided for herein are declared to be a part of the compensation of the member and the making of such deductions shall constitute payments by the member out of the person's compensation and such deductions shall be made notwithstanding that the amount actually paid to the member after such deductions is less than the minimum compensation provided by law for any member. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for the person's full compensation, and the making of the deduction and the payment of compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.270 to 169.400.

(4) The accumulated contributions with interest of a member withdrawn by the person or paid to the person's estate or designated beneficiary in the event of the person's death before retirement shall be paid from the employees' contribution fund. Upon retirement of a member the member's accumulated contributions with interest shall be transferred from the employees' contribution fund to the general reserve fund.

(5) The employer may elect to pay on behalf of all members all or part of the amount that the members would otherwise be required to contribute to the employees' contribution fund pursuant to subdivision (1) of this subsection. Such amounts paid by the employer shall be in lieu of members' contributions and shall be treated for all purposes of sections 169.270 to 169.400 as contributions made by members. Notwithstanding any other provision of this chapter to the contrary, no member shall be entitled to receive such amounts directly. The election shall be made by a duly adopted resolution of the employer's board and shall remain in effect for at least one year from the effective date thereof. The election may be thereafter terminated only by an affirmative act of the employer's board notwithstanding any limitation in the term thereof in the adopting resolution. Any such termination resolution shall be adopted at least sixty days prior to the effective date thereof, and the effective date thereof shall coincide with a fiscal year-end of the employer. In the absence of such a termination resolution, the election shall remain in effect from fiscal year to fiscal year.

2. The general reserve fund shall be the fund in which shall be accumulated all reserves for the payment of all benefit expenses and other demands whatsoever upon the retirement system except those items heretofore allocated to the employees' contribution fund.

(1) All contributions by the employer, except those the employer elects to make on behalf of the members pursuant to subdivision (5) of subsection 1 of this section, shall be credited to the general reserve fund.

(2) Should a retirant be restored to active service and again become a member of the retirement system, the excess, if any, of the person's accumulated contributions over benefits received by the retirant shall be transferred from the general reserve fund to the employees' contribution fund and credited to the person's account.

3. Gifts, devises, bequests and legacies may be accepted by the board of trustees and deposited in the general reserve fund to be held, invested and used at its discretion for the benefit of the retirement system except where specific direction for the use of a gift is made by a donor.

4. Beginning in 2013, the actuary for the retirement system shall annually calculate the rate of employer contributions and member contributions for 2014 and for each subsequent calendar year, expressed as a level percentage of the annualized compensation of the members, subject to the following:

(1) The rate of contribution for any calendar year shall be determined based on an actuarial valuation of the retirement system as of the first day of the prior calendar year. Such actuarial valuation shall be performed using the actuarial cost method and actuarial assumptions adopted by the board of trustees and in accordance with accepted actuarial standards of practice in effect at the time the valuation is performed, as promulgated by the actuarial standards board or its successor;

(2) The target combined employer and member contribution rate shall be the amount actuarially required to cover the normal cost and amortize any unfunded accrued actuarial liability over a period that shall not exceed thirty years from the date of the valuation;

(3) The target combined rate as so determined shall be allocated equally between the employer contribution rate and the member contribution rate, provided, however, that the level rate of contributions to be paid by the employers and the level rate of contributions to be deducted from the compensation of members for any calendar year shall each be limited as follows:

(a) The contribution rate shall not be less than seven and one-half percent;

(b) The contribution rate shall not exceed nine percent; and

(c) Changes in the contribution rate from year to year shall be in increments of one-half percent such that the contribution rate for any year shall not be greater than or less than the rate in effect for the prior year by more than one-half percent;

(4) The board of trustees shall certify to the employers the contribution rate for the following calendar year no later than six months prior to the date such rate is to be effective."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 3** amends previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Neth, **House Amendment No. 3** was adopted.

Representative McCaherty offered **House Amendment No. 4.**

House Amendment No. 4

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 1, In the Title, Line 3, by deleting the words, "the Kansas City police department" and inserting in lieu thereof the words, "public employees"; and

Further amend said bill, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

"105.935. 1. Any state employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by both the state employee and his or her supervisor.

2. A state employee who is a nonexempt employee pursuant to the provisions of the Fair Labor Standards Act shall be eligible for payment of overtime in accordance with subsection 4 of this section. A nonexempt state employee who works on a designated state holiday shall be granted equal compensatory time off duty or shall receive, at his or her choice, the employee's straight time hourly rate in cash payment. A nonexempt state employee shall be paid in cash for overtime unless the employee requests compensatory time off at the applicable overtime rate. As used in this section, the term "state employee" means any person who is employed by the state and earns a salary or wage in a position normally requiring the actual performance by him or her of duties on behalf of the state, but shall not include any employee who is exempt under the provisions of the Fair Labor Standards Act or any employee of the general assembly.

3. Beginning on January 1, 2006, and annually thereafter each department shall pay all nonexempt state employees in full for any overtime hours accrued during the previous calendar year which have not already been paid or used in the form of compensatory leave time. [All nonexempt state employees shall have the option of retaining up to a total of eighty compensatory time hours.] **Any nonexempt Missouri department of corrections employee who has accrued any overtime hours may choose to use those hours as compensatory leave time provided that the leave time is available and agreed upon by such employee and his or her supervisor. Compensatory time shall be considered accrued upon completion of time worked in excess of such employee's normal assigned shift and will be the employee's decision whether to take the time off or request payment for such hours. Each nonexempt state employee shall have the right to retain up to eighty hours of compensatory time at any time during the year.**

4. The provisions of subsection 2 of this section shall only apply to nonexempt state employees who are otherwise eligible for compensatory time under the Fair Labor Standards Act, excluding employees of the general assembly. Any nonexempt state employee requesting cash payment for overtime worked shall notify such employee's department in writing of such decision and state the number of hours, no less than twenty, for which payment is desired. The department shall pay the employee within the calendar month following the month in which a valid request is made. Nothing in this section shall be construed as creating a new compensatory benefit for state employees.

5. Each department shall, by November first of each year, notify the commissioner of administration, the house budget committee chair, and the senate appropriations committee chair of the amount of overtime paid in the previous fiscal year and an estimate of overtime to be paid in the current fiscal year. The fiscal year estimate for overtime pay to be paid by each department shall be designated as a separate line item in the appropriations bill for that department. The provisions of this subsection shall become effective July 1, 2005.

6. Each state department shall report quarterly to the house of representatives budget committee chair, the senate appropriations committee chair, and the commissioner of administration the cumulative number of accrued

overtime hours for department employees, the dollar equivalent of such overtime hours, the number of authorized full-time equivalent positions and vacant positions, the amount of funds for any vacant positions which will be used to pay overtime compensation for employees with full-time equivalent positions, and the current balance in the department's personal service fund.

7. This section is applicable to overtime earned under the Fair Labor Standards Act. This section is applicable to employees who are employed in nonexempt positions providing direct client care or custody in facilities operating on a twenty-four-hour seven-day-a-week basis in the department of corrections, the department of mental health, the division of youth services of the department of social services, and the veterans commission of the department of public safety."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 4** was adopted.

Representative Brattin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said section and line the following:

"590.205. 1. The POST commission shall establish minimum standards for school protection officer training instructors, training centers, and training programs.

2. The director shall develop and maintain a list of approved school protection officer training instructors, training centers, and training programs. The director shall not place any instructor, training center, or training program on its approved list unless such instructor, training center, or training program meets all of the POST commission requirements under this section and section 590.200. The director shall make this approved list available to every school district in the state. The required training to become a school protection officer shall be provided by those firearm instructors, private and public, who have successfully completed a Department of Public Safety POST certified law enforcement firearms instructor school.

3. Each person seeking entrance into a school protection officer training center or training program shall submit a fingerprint card and authorization for a criminal history background check to include the records of the Federal Bureau of Investigation to the training center or training program where such person is seeking entrance. The training center or training program shall cause a criminal history background check to be made and shall cause the resulting report to be forwarded to the school district where the elementary school teacher or administrator is seeking to be designated as a school protection officer.

4. No person shall be admitted to a school protection officer training center or training program unless such person submits proof to the training center or training program that he or she has a valid concealed carry endorsement.

5. A certificate of school protection officer training program completion may be issued to any applicant by any approved school protection officer training instructor. On the certificate of program completion the approved school protection officer training instructor shall affirm that the individual receiving instruction has taken and passed a school protection officer training program that meets the requirements of this section and section 590.200 and that the individual has a valid concealed carry endorsement. The instructor shall also provide a copy of such certificate to the director of the department of public safety."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Rehder offered **House Substitute Amendment No. 1 for House Amendment No. 5.**

*House Substitute Amendment No. 1
for
House Amendment No. 5*

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said line the following:

"Section 1. No law enforcement agency or organization representing law enforcement officers who are either members or nonmembers of a law enforcement agency shall require the payment of any dues or fees as a condition of employment or continued employment."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters

Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 005

Grisamore	McDonald	Smith 120	Walton Gray	Zerr
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On motion of Representative Rehder, House Substitute Amendment No. 1 for House Amendment No. 5 was adopted by the following vote:

AYES: 085

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzpatrick	Flanigan	Fowler
Fraker	Franklin	Frederick	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hoskins	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Scharnhorst	Schatz
Schieber	Shumake	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Mr Speaker

NOES: 071

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Engler	English
Englund	Fitzwater	Frame	Funderburk	Gannon
Gardner	Harris	Higdon	Hinson	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCaherty	McCann Beatty
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Rizzo
Roorda	Rowden	Runions	Schieffer	Schupp
Shull	Smith 85	Solon	Sommer	Swearingen
Torpey	Webb	Webber	Wieland	Wright
Zerr				

PRESENT: 001

Spencer

ABSENT WITH LEAVE: 006

Gatschenberger
Walton Gray

Hough

Korman

McDonald

Smith 120

Representative Shull offered **House Amendment No. 6.**

House Amendment No. 6

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.490, Line 66, by inserting after all of said section and line the following:

"313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shull, **House Amendment No. 6** was adopted.

Representative Cross offered **House Amendment No. 7.**

House Amendment No. 7

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after all of said section and line the following:

"512.180. 1. Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases tried before municipal court or under the provisions of chapters 482, 534, and 535, **except in actions between a landlord and a tenant under chapter 535.**

2. In all other contested civil cases tried with or without a jury before an associate circuit judge or on assignment under such procedures applicable before circuit judges or in any misdemeanor case or county ordinance violation case a record shall be kept, and any person aggrieved by a judgment rendered in any such case may have an appeal upon that record to the appropriate appellate court. At the discretion of the judge, but in compliance with the rules of the supreme court, the record may be a stenographic record or one made by the utilization of electronic, magnetic, or mechanical sound or video recording devices.

534.055. If the tenant has an unauthorized pet on the landlord's property, the landlord may contact the appropriate local animal control officer or animal shelter to have the pet removed from the property or may terminate the lease agreement. As used in this section, "unauthorized pet" means:

- (1) A pet prohibited by the lease or any local ordinance; or**
- (2) Any animal deemed aggressive.**

534.060. Forcible entries and detainers, and unlawful detainers, may be heard and determined by any associate circuit judge of the county in which they are committed. Neither the provisions of this section or any other section in this chapter shall preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular associate circuit or circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. Such cases shall be heard and determined by associate circuit judges unless a circuit judge is transferred or assigned to hear such case or cases or unless the plaintiff pursuant to subsection 2 of section 478.250 has designated the case as one to be heard under the practice and procedure applicable before circuit judges and the case is heard by a circuit judge. If the case is heard before an associate circuit judge who has not been specially assigned to hear the case on the record, to the extent practice and procedure are not provided in this chapter the practice and procedure provided in chapter 517 shall apply. If the case is heard initially before an associate circuit judge who has been specially assigned to hear the case on a record or before a circuit judge, the case shall be heard and determined under the same practice and procedure as would apply if the case was being heard upon an application for trial de novo **unless the case involves an action between a landlord and a tenant**, and in such instances, notwithstanding the specific references to chapter 517 in this chapter, the practice and procedure provided in the Missouri Rules of Civil Procedure and the extant provisions of The Civil Code of Missouri shall apply instead of those contained in chapter 517.

535.020. 1. Whenever any rent has become due and payable, and payment has been demanded by the landlord or the landlord's agent from the lessee or person occupying the premises, and payment thereof has not been made, the landlord or agent may file a statement, verified by affidavit, with any associate circuit judge in the county in which the property is situated, setting forth the terms on which such property was rented, and the amount of rent actually due to such landlord; that the rent has been demanded from the tenant, lessee or person occupying the premises, and that payment has not been made, and substantially describing the property rented or leased. Giving the notice provided in section 441.060 is not required prior to filing a statement or obtaining the relief provided in this chapter. In such case, the clerk of the court shall immediately issue a summons directed to such tenant or lessee and to all persons occupying the premises, by name, requiring them to appear before the judge upon a day to be therein named, and show cause why possession of the property should not be restored to the plaintiff. The landlord or agent may, in such an action for unpaid rent, join a claim for any other unpaid sums, other than property damages, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease; provided that such other sums shall not be considered rent for purposes of this chapter, and judgment for the landlord for recovery of such other sums shall not by itself entitle the landlord to an order for recovery of possession of the premises. The provisions of this section providing for the filing of a statement before an associate circuit judge shall not preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular circuit or associate circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. The

case shall be heard and determined under the practice and procedure provided in the Missouri rules of civil procedure, except where otherwise provided by this chapter.

2. If a judgment has been entered in favor of the plaintiff under subsection 1 of this section for recovery of the premises, the sheriff of the county in which the premises is located, within ten days of such judgment, may inspect the premises for the sole purpose of determining safety prior to the removal of any contents as required by the court.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment [or to file an application for a trial de novo] in the circuit court, as the case may be, and that unless the judgment is set aside [or an application for a trial de novo is filed] within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.110. Applications for [trials de novo and] appeals shall be allowed and conducted in the manner provided in chapter 512; but no application for [a trial de novo or] **an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within [ten] **three** days after it becomes due, pending determination of the [trial de novo or] appeal.

535.160. If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial [but before any trial de novo] the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal [or securing a trial de novo] as to any judgment rendered, and may as a result of such appeal [or trial de novo] recover any damage incurred, including damages incurred from an unlawful dispossession.

535.190. If a tenant appears before a judge in an action for nonpayment of rent, the court shall inquire, on the record, about the tenant's current residence and current place of employment.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] an appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties

casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to [a trial de novo in circuit court, or] an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of [a trial de novo or] **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cross, **House Amendment No. 7** was adopted.

Representative Scharnhorst offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Committee Substitute for Senate Bill No. 224, Page 4, Section 84.510, Line 66, by inserting after said line the following:

"Section 1. Any quasi-government entity created to provide information management products and services to criminal justice, municipal and county courts and other government agencies whose originating agency identifier was terminated by the federal bureau of investigations shall provide integration access to the contracted data for the political subdivision or its agency in a web service or file transfer protocol format on line in a timely manner upon written request at no additional charge as is required by the political subdivision or its agency."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 8** was adopted.

On motion of Representative Rizzo, **SCS SB 224, as amended**, was read the third time and passed by the following vote:

AYES: 091

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfausch	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rowland	Scharnhorst	Schatz	Shull	Shumake
Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wilson	Wood	Zerr
Mr Speaker				

NOES: 068

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	Engler	English	Englund
Frame	Funderburk	Gannon	Gardner	Harris
Higdon	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Korman	Kratky	LaFaver	May
Mayfield	McCaherty	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Phillips	Pierson	Pogue	Rizzo	Roorda
Rowden	Runions	Schieber	Schieffer	Schupp
Smith 85	Solon	Swearingen	Torpey	Webb
Webber	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 004

Gatschenberger	Ross	Smith 120	Walton Gray
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Speaker Jones declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 51: Representatives Guernsey, Fraker and Curtis

SS SCS SB 114: Representatives Jones (50), Richardson and Hummel

SCS SB 256: Representatives Torpey, Hinson and McManus

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 17, relating to limits on state appropriations, was taken up by Representative Burlison.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan

Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Pierson	Smith 120	Swearingen	Walton Gray
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On motion of Representative Burlison, **HJR 17** was read the third time and passed by the following vote:

AYES: 111

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Pace	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hough	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 002

Smith 120	Walton Gray
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Speaker Jones declared the bill passed.

Representative Lauer assumed the Chair.

HCS SS SCS SB 83, relating to political subdivisions, was taken up by Representative Jones (50).

Representative Jones (50) offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Cornejo offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 18, Section 67.469, Line 9, by inserting after all of said section and line, the following:

"67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six tenths of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes.

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent up to six tenths of one percent)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public

halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tipling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under [subsections] **subsection 1** [, 2, and 3] of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 43, Section 143.790, Line 255, by inserting after all of said line the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual

(14) The sale of the right under a contract of six months or more for the right of first refusal to purchase tickets for seating in a multi-purpose arena owned by a political subdivision and managed or operated by a private business and located in a city with a population of more than three hundred thousand inhabitants which is located in more than one county, when the contract is not for the sale of the right to enter an event at such arena without the payment of an admission charge.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Burlison	Conway 104	Cookson	Cornejo
Cox	Crawford	Davis	Diehl	Dohrman
Dugger	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Neely	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Harris	Hodges
Hubbard	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Berry	Brown	Cierpiot	Cross
Curtman	Ellington	Elmer	Engler	Gardner
Hummel	Mitten	Molendorp	Muntzel	Neth
Roorda	Schatz	Smith 120	Walton Gray	

House Amendment No. 3 was withdrawn.

Representative Jones (110) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said line the following:

"135.1670. 1. If any job that qualifies for a tax credit under sections 100.7000 to 100.850, 135.100 to 135.258, 135.950 to 135.973, 620.1023, or 620.1875 to 620.1910 relocates to a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, or a county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants from any county outside the state of Missouri which is adjacent to such counties, no tax credits shall be issued for such job under such sections if the state of Kansas prohibits any tax credit for jobs or economic incentive for job creation or does not award any job relocation incentive for any job that relocates from such counties into any county outside the state of Missouri which is adjacent to such counties.

2. Subsection 1 of this section shall become effective only upon the state of Kansas enacting legislation or the governor of Kansas issuing an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section.

3. Subsection 1 of this section shall become null and void and thereby considered repealed effective only upon the state of Kansas repealing enacted legislation or the governor of Kansas rescinding an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (110), **House Amendment No. 4** was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst

Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Rowden	Rowland	Runions	Scharnhorst	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cross	Ellington	Grisamore	Kelly 45	McNeil
Molendorp	Ross	Schatz	Smith 120	Walton Gray
Zerr				

Representative Johnson offered **House Amendment No. 5.**

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 130, Section 577.041, Line 138, by inserting after all of said section and line the following:

"620.1915. 1. There is hereby created in the state treasury the "Missouri International Business Advertising Fund", which shall consist of appropriated moneys, gifts, contributions, grants, or bequests to be used solely for the purpose of attracting international businesses to Missouri. The fund shall be used for advertising the benefits of relocating an international business to Missouri and may be used to advertise in international business magazines, international social media sites, or any search engine that receives international traffic. The fund may be used to promote the existence and purpose of the fund. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. The Missouri international advertising fund shall be administered and managed by the Missouri small business technology and development center and its coordinator, with the primary goal of encouraging any business located outside of the United States to relocate to Missouri.

3. The Missouri small business technology and development center shall establish a committee consisting of no fewer than three but no more than five persons for the purpose of reviewing which international markets are seeing an increase of business relocating to the United States and specifically use the funds that are deposited into the Missouri international advertising fund to create a marketing campaign directed toward the international companies in these markets. The coordinator shall establish its own rules of procedure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 5** was adopted.

Representative Hinson offered **House Amendment No. 6.**

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 67.2050, Line 73, by inserting after all of said section and line the following:

"72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, and any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes, shall not be subject to commission review. Such a boundary adjustment or annexation is not prohibited by the existence of an established unincorporated area.

9. Any annexation of property or defined area of properties approved by a majority of property owners residing thereon, and approved by ordinance of any municipality that is a service provider for both water and sanitary sewer service within its municipality, shall be effective as provided in such annexation ordinance and shall not be subject to commission review. Such annexation is not prohibited by the existence of an established unincorporated area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (50) offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1
to
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 2, Line 43, by inserting after all of said line the following:

'Further amend said bill, Page 7, Section 32.087, Line 144, by deleting the comma, ",", on said line; and

Further amend said bill, Page 13, Section 52.250, Lines 13-14, by deleting all of said lines and inserting in lieu thereof, the following:

"classification.] Collectors in [third and fourth class] **all** counties are entitled to collect such fees immediately upon an order of the circuit court pursuant to section 139.031. If the protest is later"; and

Further amend said bill, Page 22, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"135.960. 1. Any governing authority that desires to have any portion of a city or unincorporated area of a county under its control designated as an enhanced enterprise zone shall hold a public hearing for the purpose of obtaining the opinion and suggestions of those persons who will be affected by such designation. [The governing authority shall notify the director of such hearing at least thirty days prior thereto and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by such designation at least twenty days prior to the date of the hearing but not more than thirty days prior to such hearing. Such notice shall state the time, location, date, and purpose of the hearing. The director, or the director's designee, shall attend such hearing.]

2. After a public hearing is held as required in subsection 1 of this section, the governing authority may, **by a majority vote of the members of the governing authority**, [file a petition with the department requesting the designation of] **adopt an ordinance or resolution designating** a specific area as an enhanced enterprise zone. Such [petition] **ordinance** shall include, in addition to a description of the physical, social, and economic characteristics of the area:

(1) A plan to provide adequate police protection within the area;

(2) A specific and practical process for individual businesses to obtain waivers from burdensome local regulations, ordinances, and orders which serve to discourage economic development within the area to be designated an enhanced enterprise zone, except that such waivers shall not substantially endanger the health or safety of the employees of any such business or the residents of the area;

(3) A description of what other specific actions will be taken to support and encourage private investment within the area;

(4) A plan to ensure that resources are available to assist area residents to participate in increased development through self-help efforts and in ameliorating any negative effects of designation of the area as an enhanced enterprise zone;

(5) A statement describing the projected positive and negative effects of designation of the area as an enhanced enterprise zone;

(6) A specific plan to provide assistance to any person or business dislocated as a result of activities within the enhanced enterprise zone. Such plan shall determine the need of dislocated persons for relocation assistance; provide, prior to displacement, information about the type, location, and price of comparable housing or commercial property; provide information concerning state and federal programs for relocation assistance and provide other advisory services to displaced persons. Public agencies may choose to provide assistance under the Uniform Relocation and Real Property Acquisition Act, 42 U.S.C. Section 4601, et seq., to meet the requirements of this subdivision; and

(7) A description or plan that demonstrates the requirements of subsection 4 of section 135.953.

3. An enhanced enterprise zone designation shall [be effective upon such approval by the department and shall] expire in twenty-five years.

4. Each designated enhanced enterprise zone board shall report to the director on an annual basis regarding the status of the zone and business activity within the zone."; and

Further amend said bill, Page 34, Section 143.145, Line 48, by deleting the phrase "**(and if married the taxpayer's spouse)**" on said line and inserting in lieu thereof the phrase "**, and if married the taxpayer's spouse,**"; and

Further amend said bill, page, and section, Lines 53-54, by deleting the phrase "**(or to a former spouse if the transfer is incident to a divorce)**" on said lines and inserting in lieu thereof the phrase "**, or to a former spouse if the transfer is incident to a divorce,**"; and

Further amend said bill, Page 58, Section 144.440, Line 31, by deleting the word "receipts" and inserting in lieu thereof the phrase "[receipt] **receipts**"; and

Further amend said bill, Page 90, Section 302.304, Line 37, by inserting after the phrase "seventy-five", the word "day"; and

Further amend said bill, Page 109, Section 302.525, Line 25, by inserting after the phrase "seventy-five", the word "day"; and

Further amend said bill, Page 130, Section 577.041, Line 138, by inserting after all of said section and line, the following:

"620.2000. Sections 620.2000 to 620.2020 shall be known and may be cited as the "Missouri Works Program".

620.2005. As used in sections 620.2000 to 620.2020, the following terms mean:

(1) "Average wage", the new payroll divided by the number of new jobs, or the payroll of the retained jobs divided by the number of retained jobs;

(2) "Commencement of operations", the starting date for the qualified company's first new employee, which shall be no later than twelve months from the date of the approval;

(3) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage,

the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development;

(6) "Employee", a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a non-controlling interest in stock of a qualified company that is publically traded;

(7) "Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location in Missouri and full-time employees who routinely perform job duties within Missouri;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums. An employee that spends less than fifty percent of the employee's work time at the facility shall be considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county average wage;

(9) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but this term shall not include loans or other funds provided to the qualified company that shall be repaid by the qualified company to the political subdivision;

(10) "NAICS" or "NAICS industry classification", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(11) "New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job.;

(14) "New payroll", the amount of wages paid for all new jobs, , located at the project facility during the qualified company's tax year that exceeds the project facility base payroll;

(15) "Notice of intent", a form developed by the department and available online, completed by the qualified company, and submitted to the department stating the qualified company's intent to request benefits under this program;

(16) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(17) "Program", the Missouri works program established in sections 620.2000 to 620.2020;

(18) "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

(19) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(20) "Project facility base payroll", the annualized payroll for the project facility base employment or the total amount of wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(21) "Project period", the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(22) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(23) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term "qualified company" shall not include:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy, may be a qualified company provided that such company:
 - a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization.

Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production;
- (k) Biodiesel production; or
- (l) Healthcare and social services (NAICS sector 62).

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(24) "Related company", shall mean:

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this paragraph, "control of a qualified company" shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profits interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(26) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(27) "Related facility base payroll", the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(28) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(29) "Tax credits", tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(30) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages; and

(31) This section is subject to the provisions of section 196.1127.

620.2010. 1. In exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if:

(1) The qualified company creates ten or more new jobs, and the average wage of the new payroll equals or exceeds ninety percent of the county average wage;

(2) The qualified company creates two or more new jobs at a project facility located in a rural area, the average wage of the new payroll equals or exceeds ninety percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars of new capital investment at the project facility within two years; or

(3) The qualified company creates two or more new jobs at a project facility located within a zone designated under sections 135.950 to 135.963, the average wage of the new payroll equals or exceeds eighty percent of the county average wage, and the qualified company commits to making at least one hundred thousand dollars in new capital investment at the project facility within two years of approval;

2. In addition to any benefits available under subsection 1 of this section, the department may award a qualified company that satisfies subdivision (1) of subsection 1 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than six percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified

company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the following factors:

- (1) The significance of the qualified company's need for program benefits;
- (2) The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;
- (3) The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;
- (4) The financial stability and creditworthiness of the qualified company;
- (5) The level of economic distress in the area;
- (6) An evaluation of the competitiveness of alternative locations for the project facility, as applicable; and
- (7) The percent of local incentives committed;

3. Upon approval of a notice of intent to receive tax credits under subsections 2 and 5 of this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

- (1) The committed number of new jobs, new payroll, and new capital investment for each year during the project period;
- (2) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;
- (3) Clawback provisions, as may be required by the department; and
- (4) Any other provisions the department may require.

4. In lieu of the benefits available under sections 1 and 2 of this section, and in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may, for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, retain an amount equal to the withholding tax as calculated under subdivision (30) of section 620.2005 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 equal to:

- (1) Six percent of new payroll for a period of five years from the date the required number of new jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage of the county in which the project facility is located; or
- (2) Seven percent of new payroll for a period of five years from the date the required number of jobs were created if the qualified company creates one hundred or more new jobs and the average wage of the new payroll equals or exceeds one hundred forty percent of the county average wage of the county in which the project facility is located.

The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subsection and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subsection.

5. In addition to the benefits available under subsections 4 of this section, the department may award a qualified company that satisfies the provisions of subsection 4 of this section additional tax credits, issued each year for a period of five years from the date the new jobs are created, or for a period of six years from the date the new jobs are created if the qualified company is an existing Missouri business, in an amount equal to or less than three percent of new payroll; provided that in no event may the total amount of benefits awarded to a qualified company under this section exceed nine percent of new payroll in any calendar year. The amount of tax credits awarded to a qualified company under this subsection shall not exceed the projected net fiscal benefit to the state, as determined by the department, and shall not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In determining the amount of tax credits to award to a qualified company under this subsection, the department shall consider the factors provided under subsection 2 of this section.

6. No benefits shall be available under this section for any qualified company that has performed significant, project-specific site work at the project facility, purchased machinery or equipment related to the project, or has publicly announced its intention to make new capital investment at the project facility prior to approval of its notice of intent.

620.2015. 1. In exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and the making of new capital investment in this state, a qualified company may be eligible to receive the benefits described in this section if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this section. In no event shall the total amount of benefits available to all qualified companies under this section exceed six million dollars in any fiscal year.

2. A qualified company meeting the requirements of this section may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this section, a qualified company shall enter into written agreement with the department containing detailed performance requirements and repayment penalties in event of nonperformance. The amount of benefits awarded to a qualified company under this section shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment.

3. In order to be eligible to receive benefits under this section, the qualified company shall meet each of the following conditions:

(1) The qualified company shall agree to retain, for a period of ten years from the date of approval of the notice of intent, at least fifty retained jobs; and

(2) The qualified company shall agree to make a new capital investment at the project facility within three years of the approval in an amount equal to one-half the total benefits, available under this section, which are offered to the qualified company by the department.

4. In awarding benefits under this section, the department shall consider the factors set forth in subsection 2 of section 620.2010.

5. Upon approval of a notice of intent to request benefits under this section, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

(1) The committed number of retained jobs, payroll, and new capital investment for each year during the project period;

(2) Clawback provisions, as may be required by the department; and

(3) Any other provisions the department may require.

620.2020. 1. The department shall respond to a written request, by or on behalf of a qualified company, for a proposed benefit award under the provisions of this program within five business days of receipt of such request. Such response shall contain either a proposal of benefits for the qualified company, or a written response refusing to provide such a proposal and stating the reasons for such refusal. A qualified company that intends to seek benefits under the program shall submit to the department a notice of intent. The department shall respond within thirty days to a notice of intent with an approval or a rejection, provided that the department may withhold approval or provide a contingent approval until it is satisfied that proper documentation of eligibility has been provided. Failure to respond on behalf of the department shall result in the notice of intent being deemed approved. A qualified company receiving approval for program benefits may receive additional benefits for subsequent new jobs at the same facility after the full initial project period if the applicable minimum job requirements are met. There shall be no limit on the number of project periods a qualified company may participate in the program, and a qualified company may elect to file a notice of intent to begin a new project period concurrent with an existing project period if the applicable minimum job requirements are achieved, the qualified company provides the department with the required annual reporting, and the qualified company is in compliance with this program and any other state programs in which the qualified company is currently or has previously participated. However, the qualified company shall not receive any further program benefits under the original approval for any new jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent shall not be included as new jobs for purposes of the benefit calculation for the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (18) of section 620.2005 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, the benefits available to the qualified company under any other state programs for which the company is eligible and which utilize withholding tax from the new or retained jobs of the company shall first be credited to the other state program before the withholding retention level applicable under this program will begin to accrue. If any qualified company also participates in a job training program utilizing withholding tax, the company shall retain no withholding tax under this program, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this program. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in a job training program shall be increased by an amount equivalent to the withholding tax retained by that company under a jobs training program.

3. A qualified company receiving benefits under this program shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for program benefits available no later than 90 days prior to the end of the qualified company's tax year immediately following the tax year for which the benefits provided under the program are attributed. In such annual report, if the average wage is below the applicable percentage of the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of jobs is below the number required, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the project period. Failure to timely file the annual report required under this section shall result in the forfeiture of tax credits attributable to the year for which the reporting was required and a recapture of withholding taxes retained by the qualified company during such year.

4. The department may withhold the approval of any benefits under this program until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the required number of jobs and the average wage meets or exceeds the applicable percentage of county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the applicable percentage of county average wage and the required number of jobs.

5. Any qualified company approved for benefits under this program shall provide to the department, upon request, any and all information and records reasonably required to monitor compliance with program requirements. This program shall be considered a business recruitment tax credit under subdivision (4) of subsection 2 of section 135.800, and any qualified company approved for benefits under this program shall be subject to the provisions of section 135.800 to 135.830.

6. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

7. The maximum amount of tax credits that may be authorized under this program for any fiscal year shall be limited as follows, less the amount of any tax credits previously obligated for that fiscal year under any of the tax credit programs referenced in subsection 13 of this section:

(1) For the fiscal year beginning on July 1, 2013, but ending on or before June 30, 2014, no more than one hundred and six million dollars in tax credits may be authorized;

(2) For the fiscal year beginning on July 1, 2014, but ending on or before June 30, 2015, no more than one hundred and eleven million dollars in tax credits may be authorized; and

(3) For any fiscal year beginning on or after July 1, 2015, no more than one hundred and sixteen million dollars in tax credits may be authorized for each fiscal year.

8. For tax credits for the creation of new jobs under section 620.2010, the department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and any other applicable factors in determining the amount of benefits available to the qualified company under this program. However, the annual issuance of tax credits shall be subject to annual verification of actual payroll by the department. Any authorization of tax credits shall expire if, within two years from the date of commencement of operations, or approval if applicable, the qualified company has failed to meet the applicable minimum job requirements. The qualified company may retain authorized amounts from the withholding tax under the project once the applicable minimum job requirements have been met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the applicable minimum new job requirements. In the event the qualified company does not meet the applicable minimum new job requirements, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

9. Tax credits provided under this program may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward, but shall be claimed within one year of the close of the taxable year for which they were issued. Tax credits provided under this program may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

10. Prior to the issuance of tax credits or the qualified company beginning to retain withholding taxes, the department shall verify through the department of revenue and any other applicable state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes or other fees. Such delinquency shall not affect the approval, except that any tax credits issued shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue, the department of insurance, financial institutions and professional registration, or any other state department concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. The director of revenue shall issue a refund to the qualified company to the extent that the amount of tax credits allowed under this program exceeds the amount of the qualified company's tax liability under chapter 143 or 148.

12. An employee of a qualified company shall receive full credit for the amount of tax withheld as provided in section 143.211.

13. Notwithstanding any provision of law to the contrary, beginning August 28, 2013, no new benefits shall be authorized for any project that had not received from the department a proposal or approval for such benefits prior to August 28, 2013, under the development tax credit program created under sections 32.100 to 32.125, , the rebuilding communities tax credit program created under section 135.535, the enhanced enterprise zone tax credit program created under sections 135.950 to 135.973, and the Missouri quality jobs program created under sections 620.1875 to 620.1890. The provisions of this subsection shall not be construed to limit or impair the ability of any administering agency to authorize or issue benefits for any project that had received an approval or a proposal from the department under any of the programs referenced in this subsection prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits or to retain any withholding tax under an approval issued prior to that date. The provisions of this subsection shall not be construed to limit or in any way impair the ability of any governing authority to provide any local abatement or designate a new zone under the enhanced enterprise zone program created by sections 135.950 to 135.963. Notwithstanding any provision of law to the contrary, no qualified company that is awarded benefits under this program shall:

(1) Simultaneously receive benefits under the programs referenced in this subsection at the same capital investment; or

(2) Receive benefits under the provisions of section 620.1910 for the same jobs.

14. If any provision of sections 620.2000 to 620.2020 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.2000 to 620.2020 are hereby declared severable.

15. By no later than January 1, 2014, and the first day of each calendar quarter thereafter, the department shall present a quarterly report to the general assembly detailing the benefits authorized under this program during the immediately preceding calendar quarter to the extent such information may be disclosed under state and federal law. The report shall include, at a minimum:

(1) A list of all approved and disapproved applicants for each tax credit;

(2) A list of the aggregate amount of new or retained jobs that are directly attributable to the tax credits authorized;

(3) A statement of the aggregate amount of new capital investment directly attributable to the tax credits authorized;

(4) Documentation of the estimated net state fiscal benefit for each authorized project and, to the extent available, the actual benefit realized upon completion of such project or activity; and

(5) The department's response time for each request for a proposed benefit award under this program.

16. The department may adopt such rules, statements of policy, procedures, forms, and guidelines as may be necessary to carry out the provisions of sections 620.2000 to 620.2020. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

17. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 620.2000 to 620.2020 shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of this reauthorization of sections 620.2000 to 620.2020; and

(3) Sections 620.2000 to 620.2020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 620.2000 to 620.2020 is sunset."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Hinson, **House Amendment No. 6, as amended**, was adopted.

Representative Rowden offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 9, Section 32.087, Line 191, by inserting after all of said section and line the following:

"32.150. 1. Each taxing jurisdiction in the state shall report to the department of revenue all tax rate and revenue collection information pertaining to the jurisdiction.

2. The department of revenue shall display, in an itemized fashion, any non-confidential information regarding each jurisdiction's tax rates and revenue collections submitted by the taxing jurisdictions on its website. The information obtained from the taxing jurisdictions shall also be used by the department for oversight purposes, including verification of compliance, completeness, and accuracy in reporting with any applicable provisions of law.

3. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowden, **House Amendment No. 7** was adopted.

Representative Stream offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the Armed Forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of revenue, that the claimant received surviving spouse Social Security benefits during the calendar year for which the credit will be claimed. A claimant shall not be allowed a property tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year following the year for which the property tax credit is claimed. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

(3) ["Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(4)] "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(5)] (4) "Income", Missouri adjusted gross income as defined in section 143.121 less two thousand dollars, or in the case of a homestead owned and occupied, for the entire year, by the claimant, less four thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social Security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

- (b) The total amount of all other public and private pensions and annuities;
- (c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;
- (d) No deduction being allowed for losses not incurred in a trade or business;
- (e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;
- [(6)] **(5)** "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part[;
- (7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year].

135.025. 1. The property taxes accrued [and rent constituting property taxes accrued] on each return shall be totaled. This total, up to [seven hundred fifty dollars in rent constituting property taxes actually paid or] eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant's homestead is rented to another or used for nondwelling purposes or where a homestead is owned [or rented] or used as a dwelling for part of a year.

2. Notwithstanding any other provision of law, beginning in fiscal year 2014, the state treasurer shall annually deposit from state revenue that otherwise would have been deposited into the general revenue fund an amount equal to fifty-five million one hundred thousand dollars into the Missouri senior services protection fund established in subsection 3 of this section. Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.

3. There is hereby created in the state treasury the "Missouri Senior Services Protection Fund", which shall consist of money collected under subsection 2 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subsection 2 of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

135.030. 1. As used in this section:

- (1) The term "maximum upper limit" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand dollars;
- (2) The term "minimum base" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is
Not over the minimum base

The percent is:
0 percent with credit
not to exceed \$1,100 in actual property tax

[or rent equivalent paid up to \$750]

Over the minimum base but
not over the maximum upper
limit

1/16 percent accumulative
per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant's potential eligibility, where the department determines such potential eligibility exists."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

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NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Cox	Curtman	Ellington	Gardner	Molendorp
Neth	Ross	Smith 120	Walton Gray	

On motion of Representative Stream, **House Amendment No. 8** was adopted by the following vote:

AYES: 085

Allen	Anderson	Austin	Bahr	Barnes
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Lair
Leara	Lichtenegger	Love	Lynch	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pike	Redmon
Reiboldt	Remole	Rhoads	Riddle	Rowland
Scharnhorst	Schatz	Schieber	Shull	Sommer
Spencer	Stream	Swan	Thomson	Walker
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 066

Anders	Berry	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Davis
Dunn	Ellinger	Ellington	English	Englund
Fowler	Frame	Hampton	Harris	Hodges
Hubbard	Hummel	Kirkton	Korman	Kratky
LaFaver	Lauer	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue
Rehder	Rizzo	Roorda	Rowden	Runions

Schieffer	Schupp	Shumake	Smith 85	Solon
Swearingen	Torpey	Webb	Webber	White
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Cox	Gardner	Grisamore	Kelly 45
Lant	Molendorp	Neth	Richardson	Ross
Smith 120	Walton Gray			

Representative Burlison offered **House Amendment No. 9.**

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 33, Section 140.730, Line 28, by inserting after all of said section the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(2) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year unless such state, political subdivision of a state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of a state, or the District of Columbia.

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(1) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this subdivision. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal

adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(5) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; [and]

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under subdivision (3) of subsection 2 of this section, the amount by which addition modification made under subdivision (3) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in subdivision (7) of this subsection;

(10) For all tax years beginning on or after January 1, 2013, one-half of the amount of any capital gains to the extent such capital gains are included in federal adjusted gross income. This subdivision shall not apply to any capital gains that are subtracted under subdivision (2) or (6) of this subsection.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2009, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any

recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year or cumulatively exceed two thousand dollars per taxpayer or taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2013."; and

Further amend said bill, Page 35, Section 143.145, Line 78, by inserting after all of said section the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection**:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] a. "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

[(b)] b. "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

[(c)] c. Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state[;] .

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale[;] ; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access

to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total

mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

- (1) The income from all sources shall be determined as provided;
- (2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter."; and

Further amend said bill, Page 43, Section 143.790, Line 255, by inserting after all of said section the following:

"144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events **including dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information"

means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

- (a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;
- (b) Answering services and one-way paging services;
- (c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or
- (d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

- (1) Subject to a tax in this or any other state;
- (2) For resale;
- (3) Excluded from tax under this chapter;
- (4) Subject to tax but exempt under this chapter; or
- (5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, **dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions**, shall remit tax on the amount paid for admissions or seating accommodations, or fees paid to, or in such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter."; and

Further amend said bill, Page 43, Section 144.020, Lines 16-17, by deleting all of said lines and inserting in lieu thereof the following:

"accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, **or** games and athletic events **including dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions;**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rowden
Rowland	Scharnhorst	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

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ABSENT WITH LEAVE: 014

Barnes	Cox	Ellington	Elmer	Justus
Marshall	McDonald	Molendorp	Neth	Parkinson
Ross	Schatz	Smith 120	Walton Gray	

On motion of Representative Burlison, **House Amendment No. 9** was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 053

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Fowler	Frame	Gardner
Hampton	Harris	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McKenna	McManus	McNeil
Meredith	Messenger	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schieffer	Schupp	Smith 85	Swearingen	Webb
Webber	White	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 011

Cox	Ellington	Justus	McDonald	Molendorp
Neth	Roorda	Ross	Schatz	Smith 120
Walton Gray				

Representative Scharnhorst offered **House Amendment No. 10.**

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 111, Section 302.525, Line 60, by inserting after all of said section and line the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person's banking account on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)] (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)] (10) "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)] (11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)] (12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)] (13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)] (14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)] (15) "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)] (16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)] (17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)] (18) "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)] (19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)] (20) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill [referred to in subdivision (14) of] **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- (1) Is it in the best interest of gaming to allow the game; and
- (2) Is the gambling game a game of chance or a game of skill?

All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

- (1) The recommended number of licensed excursion gambling boats operating in such city or county;
- (2) The recommended licensee or licensees operating in such city or county;
- (3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;
- (4) The city or county proposed sharing of revenue with any other municipality;
- (5) Any other information such city or county deems necessary; and
- (6) Any other information the commission may determine is necessary.

The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817**, a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed, **other than a credit instrument**, must be deposited within twenty-four hours. **Except for any credit instrument**, the commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt

from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one

years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2013, are valid contracts creating debt that is enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at the licensee's excursion gambling boat. For the purposes of this subsection, "qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Once the licensee makes the determination that a person is a qualified person, additional credit checks are not required. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents.

313.830. 1. A person is guilty of a class D felony for any of the following:

(1) Operating a gambling excursion where wagering is used or to be used without a license issued by the commission;

(2) Operating a gambling excursion where wagering is permitted other than in the manner specified by section 313.817; or

(3) Acting, or employing a person to act, as a shill or decoy to encourage participation in a gambling game.

2. A person is guilty of a class B misdemeanor for the first offense and a class A misdemeanor for the second and subsequent offenses for any of the following:

(1) Permitting a person under the age of twenty-one to make a wager while on an excursion gambling boat;

(2) Making or attempting to make a wager while on an excursion gambling boat when such person is under the age of twenty-one years; or

(3) Aiding a person who is under the age of twenty-one in entering an excursion gambling boat or in making or attempting to make a wager while on an excursion gambling boat.

3. A person wagering or accepting a wager at any location outside the excursion gambling boat is in violation of section 572.040.

4. A person commits a class D felony and, in addition, shall be barred for life from excursion gambling boats under the jurisdiction of the commission, if the person:

(1) Offers, promises, or gives anything of value or benefit to a person who is connected with an excursion gambling boat operator including, but not limited to, an officer or employee of a licensee or holder of an occupational license pursuant to an agreement or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(2) Solicits or knowingly accepts or receives a promise of anything of value or benefit while the person is connected with an excursion gambling boat including, but not limited to, an officer or employee of a licensee, or holder of an occupational license, pursuant to an understanding or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(3) Uses a device to assist in any of the following:

(a) In projecting the outcome of the game;

(b) In keeping track of the cards played;

- (c) In analyzing the probability of the occurrence of an event relating to the gambling game; or
 - (d) In analyzing the strategy for playing or betting to be used in the game, except as permitted by the commission;
 - (4) Cheats at a gambling game;
 - (5) Manufactures, sells, or distributes any cards, chips, dice, game or device which is intended to be used to violate any provision of sections 313.800 to 313.850;
 - (6) Instructs a person in cheating or in the use of a device for that purpose with the knowledge or intent that the information or use conveyed may be employed to violate any provision of sections 313.800 to 313.850;
 - (7) Alters or misrepresents the outcome of a gambling game on which wagers have been made after the outcome is made sure but before it is revealed to the players;
 - (8) Places a bet after acquiring knowledge, not available to all players, of the outcome of the gambling game which is the subject of the bet or to aid a person in acquiring the knowledge for the purpose of placing a bet contingent on that outcome;
 - (9) Claims, collects, or takes, or attempts to claim, collect, or take, money or anything of value in or from the gambling games, with intent to defraud, without having made a wager contingent on winning a gambling game, or claims, collects, or takes an amount of money or thing of value of greater value than the amount won;
 - (10) Knowingly entices or induces a person to go to any place where a gambling game is being conducted or operated in violation of the provisions of sections 313.800 to 313.850 with the intent that the other person plays or participates in that gambling game;
 - (11) Uses counterfeit chips or tokens in a gambling game;
 - (12) Knowingly uses, other than chips, tokens, coin, of other methods of credit approved by the commission, legal tender of the United States of America, or to use coin not of the denomination as the coin intended to be used in the gambling games;
 - (13) Has in the person's possession any device intended to be used to violate a provision of sections 313.800 to 313.850;
 - (14) Has in the person's possession, except a gambling licensee or employee of a gambling licensee acting in furtherance of the employee's employment, any key or device designed for the purpose of opening, entering, or affecting the operation of a gambling game, drop box, or an electronic or mechanical device connected with the gambling game or for removing coins, tokens, chips or other contents of the gambling game; or
 - (15) Knowingly makes a false statement of any material fact to the commission, its agents or employees.
5. The possession of one or more of the devices described in subdivision (3), (5), (13) or (14) of subsection 4 of this section permits a rebuttable inference that the possessor intended to use the devices for cheating.
6. Except for wagers on gambling games or exchanges for money **or a credit instrument** as provided in section 313.817, or as payment for food or beverages on the excursion gambling boat, a licensee who exchanges tokens, chips, or other forms of credit to be used on gambling games for anything of value commits a class B misdemeanor.
7. If the commission determines that reasonable grounds to believe that a violation of sections 313.800 to 313.850 has occurred or is occurring which is a criminal offense, the commission shall refer such matter to both the state attorney general and the prosecuting attorney or circuit attorney having jurisdiction. The state attorney general and the prosecuting attorney or circuit attorney with such jurisdiction shall have concurrent jurisdiction to commence actions for violations of sections 313.800 to 313.850 where such violations have occurred.
8. Venue for all crimes committed on an excursion gambling boat shall be the jurisdiction of the home dock city or county or such county where a home dock city is located."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 10, Line 13, by inserting after all of said line the following:

‘AMEND House Committee Substitute for Senate Bill No. 24, Page 111, Section 302.525, Line 60, by inserting immediately after said line the following:

"311.055. **1.** No person at least twenty-one years of age shall be required to obtain a license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed two hundred gallons per calendar year if there are two or more persons over the age of twenty-one years in such household, or one hundred gallons per calendar year if there is only one person over the age of twenty-one years in such household. **Any intoxicating liquor manufactured under this section may not be offered for sale.**

2. Beer brewed under this section may be removed from the premises where brewed for personal or family use, including use at organized affairs, exhibitions, or competitions, such as home brewer contests, tastings, or judging. The use may occur off licensed retail premises, on any premises under a temporary retail license issued under sections 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

311.091. **1. Except as provided under subsection 2 of this section and** notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of [liquor] **alcohol and tobacco** control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry one hundred or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

3. For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year.”; and

Further amend said bill, Page 131, Section D, Line 3, by inserting after all of said section the following:

"Section E. Because of the need to clarify the laws relating to beer brewed for personal or family use, the repeal and reenactment of section 311.055 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the

repeal and reenactment of section 311.055 of this act shall be in full force and effect upon its passage and approval."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Scharnhorst, **House Amendment No. 10, as amended**, was adopted.

Representative Hinson offered **House Amendment No. 11.**

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 13, Section 52.250, Line 19, by inserting after all of said section and line the following:

"64.170. 1. For the purpose of promoting the public safety, health and general welfare, to protect life and property and to prevent the construction of fire hazardous buildings, the county commission in all counties [of the first and second classification], as provided by law, is for this purpose empowered, subject to the provisions of subsections 2 and 3 of this section, to adopt by order or ordinance regulations to control the construction, reconstruction, alteration or repair of any building or structure and any electrical wiring or electrical installation, plumbing or drain laying therein, and provide for the issuance of building permits and adopt regulations licensing persons, firms or corporations other than federal, state or local governments, public utilities and their contractors engaged in the business of electrical wiring or installations and provide for the inspection thereof and establish a schedule of permit, license and inspection fees and appoint a building commission to prepare the regulations, as herein provided.

2. Any county which has not adopted a building code prior to August 28, 2001, pursuant to sections 64.170 to 64.200, shall not have the authority to adopt a building code pursuant to such sections unless the authority is approved by voters, subject to the provisions of subsection 3 of this section.

The ballot of submission for authority pursuant to this subsection shall be in substantially the following form:

Shall (insert name of county) have authority to create, adopt and impose a county building code?

☐ YES

☐ NO

3. The proposal of the authority to adopt a building code shall be voted on only by voters in the area affected by the proposed code, such that a code affecting a county shall not be voted upon by citizens of any incorporated territory.

4. No structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising or agricultural commodities, including the raising of livestock, shall be subject to any code adopted under this section."; and

Further amend said bill, Page 130, Section 1, Line 6, by inserting after all of said section and line the following:

"[64.205. Sections 64.170 to 64.200 shall apply to all counties of the first and second class.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 11** was adopted.

Representative Gatschenberger offered **House Amendment No. 12.**

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 81, Section 184.865, Line 7, by inserting after said line the following:

"188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

- (1) A maternity home as defined in section 135.600;**
- (2) A pregnancy resource center as defined in section 135.630; or**
- (3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rowden

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Rowland	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
English	Englund	Harris	Hodges	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Cornejo	Ellington	Frame	Gardner
Jones 50	Korman	Marshall	May	Molendorp
Neth	Parkinson	Ross	Scharnhorst	Schatz
Smith 85	Smith 120	Swearingen	Torpey	Walton Gray
Webb	Zerr			

On motion of Representative Gatschenberger, **House Amendment No. 12** was adopted.

Representative Haefner offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the

purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this

subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (45) offered **House Amendment No. 1 to House Amendment No. 13.**

*House Amendment No. 1
to
House Amendment No. 13*

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 1, Line 31, by inserting after the word, "applicable" the following:

", except that if a political subdivision increases its rate of property taxation after the adoption of the redevelopment project said additional taxation revenues shall not be considered to be payment in lieu of taxes subject to capture under this section."; and

Further amend said amendment, Page 7, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"of up to fifty percent of the new state revenues.

99.848. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment **and the ambulance district board, as defined in chapter 190, or fire protection district board, as defined in chapter 321, or 911 emergency services board, as defined in chapter 190, shall set the refund amount rate prior to when the assessment is paid into the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and

Further amend said bill, Page 112, Section 321.017, Lines 1-6, by removing all of said section from the bill"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), **House Amendment No. 1 to House Amendment No. 13** was adopted.

Representative Hough offered **House Amendment No. 2 to House Amendment No. 13.**

House Amendment No. 2 to House Amendment No. 13 was withdrawn.

Representative Hough offered **House Amendment No. 3 to House Amendment No. 13.**

House Amendment No. 3
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 7, Line 9, by inserting immediately after the "." on said line the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Reposessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers

of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual

(14) The sale of the right under a contract of six months or more for the right of first refusal to purchase tickets for seating in a multi-purpose arena owned by a political subdivision and managed or operated by a private business and located in a city with a population of more than three hundred thousand inhabitants which is located in more than one county, when the contract is not for the sale of the right to enter an event at such arena without the payment of an admission charge.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3 to House Amendment No. 13** was adopted.

On motion of Representative Haefner, **House Amendment No. 13, as amended**, was adopted.

Representative Crawford offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Pages 24 and 25, Sections 139.160 and 139.170, by removing all of said sections from the bill; and

Further amend said bill, Pages 32-33, Section 140.730, Lines 1-28, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Austin offered **House Amendment No. 1 to House Amendment No. 14**.

House Amendment No. 1

to

House Amendment No. 14

AMEND House Amendment No. 14 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 1, Line 6, by inserting after said line the following:

‘Further amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 123, Section 348.274, Line 140, by inserting after said line the following:

"407.312. 1. As used in this section, the following terms shall mean:

(1) "Florist", any business that derives fifty percent or more of its gross income from the sale or arranging for the sale of flowers or floral arrangements;

(2) "Local telephone number", a specific telephone number with area code and prefix assigned for the purpose of completing local calls between a calling party or station and any other party or station within a designated exchange or all of its designated local calling areas. The term "local telephone number" shall not mean long distance telephone numbers or any toll-free telephone numbers listed in a local telephone directory;

(3) "Person", shall have the same meaning as in section 407.010.

2. A person shall not misrepresent the geographical location of a florist in a contact listing:

(1) In a telephone directory or other directory assistance database;

- (2) On an internet website; or
- (3) In a print advertisement.

3. A person is considered to misrepresent the geographical location of a florist for purposes of this section if the name of the florist indicates that the florist is located in a geographical area and:

- (1) The florist is not physically located within the geographical area indicated;
- (2) The listing fails to identify the municipality and state of the florist's actual physical geographical location; and
- (3) A telephone call to the local telephone number provided for the florist that is:
 - (a) Listed in the directory or database is routinely forwarded or transferred to a location that is outside the calling area covered by the directory or database in which the number is listed; or
 - (b) Provided on the internet website or in a print advertisement is routinely forwarded or transferred to a location that is outside the calling area of the geographical area indicated by the name of the florist.

4. A person may place a contact listing for a florist under this section when the name of the florist indicates that it is located in a geographical area that is different from the geographical area in which the florist is actually physically located if a conspicuous notice in the listing states the municipality and state in which the florist is actually physically located.

5. This section shall not apply to:

- (1) A publisher of a telephone directory or other publication, or a provider of a directory assistance service publishing or providing information about another business;
- (2) An internet website that aggregates and provides information about other businesses;
- (3) An owner or publisher of a print medium providing information about other businesses;
- (4) An internet service provider; or
- (5) An internet service that displays or distributes advertisements for other businesses.

6. A violation of this section shall be considered an unlawful practice under 407.020 and may be prosecuted in the same manner as any unlawful practice under that section."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Austin, **House Amendment No. 1 to House Amendment No. 14** was adopted.

On motion of Representative Crawford, **House Amendment No. 14, as amended**, was adopted.

Representative Lichtenegger offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 11, Section 34.040, Line 58, by inserting after all of said section and line the following:

"44.080. 1. Each political subdivision of this state shall establish a local organization for disaster planning in accordance with the state emergency operations plan and program. The executive officer of the political subdivision shall appoint a coordinator who shall have direct responsibility for the organization, administration and operation of the local emergency management operations, subject to the direction and control of the executive officer or governing body. Each local organization for emergency management shall be responsible for the performance of emergency management functions within the territorial limits of its political subdivision, and may conduct these functions outside of the territorial limits as may be required pursuant to the provisions of this law.

2. In carrying out the provisions of this law, each political subdivision may:

(1) Appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons; the safety of property; and direct and coordinate the development of disaster plans and programs in accordance with the policies and plans of the federal and state governments; [and]

(2) Appoint, provide, or remove rescue teams, auxiliary fire and police personnel and other emergency operations teams, units or personnel who may serve without compensation[.]; **and**

(3) Adopt orders or resolutions with penalties as these specifically relate to the actual or impending occurrence of a natural disaster of major proportions within the county when the safety and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. The violations of such order or resolution shall be an infraction, except that state agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.

49.266. 1. The county commission in all counties of the first, second or fourth classification may by order or ordinance promulgate reasonable regulations concerning the use of county property, the hours, conditions, methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking thereon.

2. The county commission in all counties may, by order, promulgate reasonable regulations concerning its emergency management functions and operations and conditions controls, as they specifically relate to the actual occurrence of a natural disaster within the county when the safety or welfare of the inhabitants of such county are threatened by actual or impending circumstances. The regulations may include the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 and monetary fines as established by the county commission, if the U.S. Drought Monitor has designated the county as an area of severe, extreme, or exceptional drought. The political subdivision may consult the state fire marshal regarding the necessity for a burn ban order. State agencies responsible for fire management or suppression activities and persons conducting agricultural burning using best management practices shall not be subject to the provisions of this subsection. The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a burn ban order.

3. Violation of any regulation so adopted is an infraction or may be as provided in subsection 2 of section 44.130 as specified in the adopted regulation.

[3.] 4. The regulations so adopted shall be codified, printed and made available for public use and adequate signs concerning smoking, traffic and parking regulations shall be posted."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lichtenegger, **House Amendment No. 15** was adopted.

Representative Jones (50) offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Pages 123-124, Section 407.485, Lines 1-47, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

"407.485. 1. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect [donations of] unwanted household items via a public receptacle and resell the [donated] **deposited** items for profit unless the [donation] **deposited item** receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "[DONATIONS] **DEPOSITED ITEMS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT. DEPOSITED ITEMS ARE NOT TAX DEDUCTIBLE**".

2. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not-for-profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "DONATIONS TO THE FOR-PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not-for-profit) % OF ALL PROCEEDS ARE DONATED TO (name of the nonprofit beneficiary organization's name)."

3. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for-profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and one hundred percent of the proceeds from the sale of the items are given directly to the not-for-profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS DONATION RECEPTACLE IS OPERATED BY THE FOR-PROFIT ENTITY: (name of the for-profit/individual) ON BEHALF of (name of the nonprofit beneficiary organization's name)".

4. It shall be an unfair business practice in violation of section 407.020 for a not-for-profit entity to collect donations of unwanted household items via a public receptacle and resell the donated items unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS RECEPTACLE IS OWNED AND OPERATED BY THE NOT-FOR-PROFIT ENTITY: (name of the not-for-profit/charity) AND (% of proceeds donated to the not-for-profit) % OF THE PROCEEDS FROM THE SALE OF ANY DONATIONS SHALL BE USED FOR THE CHARITABLE MISSION OF (charity name/charitable cause)".

[4.] 5. The term "bold letters" as used in subsections 1, 2, and 3 of this section shall mean a primary color on a white background so as to be clearly visible to the public.

[5.] 6. Nothing in this section shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

[6.] 7. Any entity which, on or before June 1, 2009, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsection 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after August 28, 2009, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after August 28, 2009.

8. All donation receptacles described in this section shall conspicuously display the name, address, and telephone number of the owner and operator of the receptacle. For any receptacles covered in this section, the owner or operator of the receptacle shall maintain permission to place the receptacle on the property from the property owner or agent of the owner of the property where the receptacle is located. Such permission shall be in writing and clearly identify the owner of the receptacle and property owner or his or her agent in addition to the nature of the collections and where proceeds will be accrued. Failure to secure such permission shall constitute an unfair business practice in addition to any other statutory conditions. Unless otherwise agreed to in writing, the property owner or his or her agent may remove the receptacle and any charges incurred in such removal shall be the responsibility of the owner of the receptacle. Unless the receptacle owner pays such charges within thirty calendar days of the sending of a written certified letter from the property owner stating his or her intent to remove the receptacle, the receptacle owner shall relinquish any right to the receptacle. If the receptacle does not conspicuously display the name, address, and telephone number of the owner and operator of the receptacle, the receptacle shall be considered abandoned property and may be destroyed or permanently possessed by the property owner or their agent.

9. Any owner and operator of a receptacle that does not display the address of the owner and operator, but does display the website of the owner and operator, shall make the address easily accessible on such website for the property owner to send the letter specified in subsection 8 of this section. The provisions of this subsection shall expire on September 1, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 16** was adopted.

Representative Funderburk offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 3, Section 32.029, Line 17, by inserting after all of said section the following:

"32.070. 1. This act shall be known and may be cited as the "Streamlined Sales and Use Tax Agreement Act".

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the highest rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased from six percent to five and one half percent. The director of the department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states.

4. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

5. For the purposes of representing the state as a member of the agreement and, if necessary, amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director's designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

6. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks."; and

Further amend said bill, Page 4, Section 32.087, Line 8, by deleting all of said line and inserting in lieu thereof the following:

"except as provided in subsection [18] 17 of this section, and shall be imposed on all transactions"; and

Further amend said bill, page, section, Lines 17-20, by deleting all of said lines and inserting in lieu thereof the following:

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] (1) The ordinance or order imposing a local sales tax under the local sales tax law"; and

Further amend said bill, Pages 6-9, section, Lines 91-191, by deleting all of said lines and inserting in lieu thereof the following:

“[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043.**

[13.] 12. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected **from the purchaser** by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] 13. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] **14.** The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] **15.** Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers."; and

Further amend said bill, Page 13, Section 52.250, Line 19, by inserting after all of said section the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and

"Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town

and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary

change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County AntiDrug Sales Tax Trust Fund". [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of

revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.391 to 67.395."; and

Further amend said bill, Page 18, Section 67.469, Line 9, by inserting after all of said section the following:

"67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term "funding of museums and festivals" shall mean:

(1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and

(2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this

section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county's voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term "museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism

attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? "Museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] to 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, [one] **two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO". [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] **to** 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be

distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales

tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a

proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Prosecuting Attorney's Office Sales Tax Trust Fund" or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087.** The director of revenue may order retention in the trust

fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County-Municipal Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for

the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit

of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy

thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, "qualified voters" or "voters" means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under

this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of
(insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?
☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission.

67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand

or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seven hundred or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

- (1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;
- (2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;
- (3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;
- (4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and
- (5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

- (1) Operations of economic development or community development offices, including the salaries of employees;
- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:
 Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?
☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087.** If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and
- (8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

- (1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;
- (2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;
- (3) One member shall be appointed by the largest public school district in the city or county;
- (4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] 10. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087.** The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;

- (d) Extension of streets;
 - (e) Public facilities directly related to economic development and job creation; and
 - (f) Providing matching dollars for state or federal grants relating to such long-term projects.
- (3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:
- (a) Marketing;
 - (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
 - (c) Training programs to prepare workers for advanced technologies and high skill jobs;
 - (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;
 - (e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The

governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and/or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can

be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill, Page 20, Section 67.1521, Line 59, by inserting after all of said section the following:

"67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to

repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue

fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, made **on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

(1) The name and residence of each petitioner and the location of the real property owned by the petitioner;

(2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and

(3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

(1) A description of the boundaries of the proposed district;

(2) The time and place of a hearing to be held to consider establishment of the proposed district;

(3) The proposed sales tax rate to be voted on within the proposed district; and

(4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

(1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;

(2) Hear all protests and receive evidence for or against the establishment of the proposed district; and

(3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within

the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

- (1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and
- (2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

- (1) To have and use a corporate seal;
- (2) To sue and be sued, and be a party to suits, actions, and proceedings;
- (3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition

center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the "Exhibition Center and Recreational Facility District Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] 14. Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax. The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] 15. In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087.** If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that

city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] ~~to~~ 32.087 shall apply to the tax imposed pursuant to this section."; and

Further amend said bill, Page 22, Section 67.2050, Line 73, by inserting after all of said section the following:

"67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not

registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

- (1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;
- (2) Shall be payable out of all or any portion of the revenues or other assets of the district;
- (3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;
- (4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;
- (5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and
- (6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue

issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7)] 8. Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court. Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section."; and

Further amend said bill, Page 22, Section 92.387, Line 2, by inserting after all of said section the following:

"94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation, and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of(insert rate of percent) percent for [a] capital improvements purposes in the city's center city for a period of (insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired."; and

Further amend said bill, Page 43, Section 143.790, Line 255, by inserting after all of said section the following:

"144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Advertising and promotional direct mail", **printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to**

attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word "product" means tangible personal property, a product transferred electronically or a service;

(3) "Agreement", the streamlined sales and use tax agreement, as amended from time to time;

(4) "Air-to-ground radiotelephone service", a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;

(5) "Alcoholic beverages", beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(6) "Ancillary services", services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(7) "Appliance", clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator and freezer;

(8) "Bottled water", water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

(a) Antimicrobial agents;

(b) Fluoride;

(c) Carbonation;

(d) Vitamins, minerals, and electrolytes;

(e) Oxygen;

(f) Preservatives; and

(g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) "Bundled transaction":

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term "distinct and identifiable products" shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term "one nonitemized price" shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. "De minimis" means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction includes food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller's purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. **A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person "engages in business in this state" or "maintains a place of business in this state" under section 144.605.** The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) **"Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;**

(12) **"Call-by-call basis", any method of charging for telecommunications services where the price is measured by individual calls;**

(13) **"Candy", a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;**

(14) **"Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;**

(15) **"Certified automated system" or "CAS", software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;**

(16) **"Certified service provider" or "CSP", an agent certified under the streamlined sales and use tax agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;**

(17) **"Clothing":**

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

a. Aprons, household and shop;

b. Athletic supporters;

c. Baby receiving blankets;

d. Bathing suits and caps;

e. Beach capes and coats;

f. Belts and suspenders;

g. Boots;

h. Coats and jackets;

i. Costumes;

j. Diapers, children and adult, including disposable diapers;

k. Ear muffs;

l. Footlets;

m. Formal wear;

n. Garters and garter belts;

o. Girdles;

p. Gloves and mittens for general use;

- q. Hats and caps;
- r. Hosiery;
- s. Insoles for shoes;
- t. Lab coats;
- u. Neckties;
- v. Overshoes;
- w. Pantyhose;
- x. Rainwear;
- y. Rubber pants;
- z. Sandals;
- aa. Scarves;
- bb. Shoes and shoelaces;
- cc. Slippers;
- dd. Sneakers;
- ee. Socks and stockings;
- ff. Steel toed-shoes;
- gg. Underwear;
- hh. Uniforms, athletic and nonathletic; and
- ii. Wedding apparel;
- (c) Clothing shall not include:
 - a. Belt buckles sold separately;
 - b. Costume masks sold separately;
 - c. Patches and emblems sold separately;
 - d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and
 - e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;
- (18) "Clothing accessories and equipment", incidental items worn on the person or in conjunction with clothing. Clothing accessories and equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;
- (19) "Coin-operated telephone service", a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate;
- (20) "Communications channel", a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;
- (21) "Computer", an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;
- (22) "Computer software", a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;
- (23) "Conference bridging service", an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;
- (24) "Customer", the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area;
- (25) "Customer channel termination point", the location where the customer either inputs or receives the communication;
- (26) "Delivered electronically", delivered to the purchaser by means other than tangible storage media;
- (27) "Delivery charges", charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;
- (28) "Detailed telecommunications billing service", an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement;

(29) "Dietary supplement", any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;

(30) "Digital audio works", works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;

(31) "Digital audio-visual works", a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;

(32) "Digital books", works that are generally recognized in the ordinary and usual sense as books;

(33) "Direct mail", printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items is not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;

(34) "Directory assistance", an ancillary service of providing telephone number information, or address information;

(35) "Drug":

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) "Durable medical equipment", equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and

b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) "Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) "End user", the person who utilizes the telecommunication service. In case of an entity, "end user" means the individual who utilizes the service on behalf of the entity;

(39) "Energy star qualified product", a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that is authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) "Engages in business activities within this state", includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) "Food and food ingredients", substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) "Food sold through a vending machine", food dispensed from a machine or other mechanical device that accepts payment;

(43) "Grooming and hygiene products", soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter drugs;

[(4)] (44) "Gross receipts"[,] or "sales price":

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] **applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:**

a. The seller's cost of the property sold;

b. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

c. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

d. Delivery charges; and

e. Credit for any trade-in;

(b) Shall not include:

a. Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

b. Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and

c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(c) Shall include consideration received by the seller from third parties if:

a. The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

b. The seller has an obligation to pass the price reduction or discount through to the purchaser;

c. The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

d. One of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or

(iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;

(45) "Home service provider", the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(46) "Lease or rental":

(a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;

(b) Lease or rental shall not include:

a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;

c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;

(c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;

(47) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) "Light aircraft kit", factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) "Light aircraft parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) "Load and leave", delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) "Maintains a place of business in this state", includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) "Mobile telecommunications service", the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) "Mobility enhancing equipment", equipment, including repair and replacement parts to same, which:

(a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and

(b) Is not generally used by persons with normal mobility; and

(c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) "Model 1 seller", a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(56) "Model 2 seller", a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) "Model 3 seller", a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) "Model 4 seller", a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) "Motor vehicle leasing company" [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) "Other direct mail", any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

(a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;

(b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and

(c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) "Over-the-counter drug", a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

(a) A drug facts panel; or

(b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, or any other legal entity;

[(8)] (63) "Place of primary use", the street address representative of where the customer's use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;

(64) "Post-paid calling service", the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;

(65) "Prepaid calling service", the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(66) "Prepaid wireless calling service", a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(67) "Prepared food", food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring

cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;

(68) "Prescription", an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;

(69) "Prewritten computer software", computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) "Private communication service", a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) "Product-based exemption", an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) "Product which is intended to be sold ultimately for final use or consumption", tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent to these taxes, in this state or any other state;

(73) "Prosthetic device", a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term "prosthetic device" shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) "Protective equipment", items for human wear and designed as protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use. Protective equipment is mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) "Purchase price", applies to the measure subject to use tax and has the same meaning as sales price;

(77) "Purchaser" [means], a person [who purchases tangible] to whom a sale of personal property is made or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] a service is furnished;

[(9)] (78) "Qualified light aircraft purchaser", a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;

(79) "Receive" or "receipt", taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;

(80) "Registered under the agreement", registration by a seller with the member states under the central registration system provided in Article IV of the agreement;

(81) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for

quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

[(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11)] **(82) "Sale at retail" [means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] or "retail sale" means any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:**

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(g) Sales or charges for video programming service described in Public Law No. 104-104, Title VI, Section 602, 110 Stat. 144 (1996).

(83) "School art supply":

(a) An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

a. Clay and glazes;

b. Paints, acrylic, tempora, and oil;

c. Paintbrushes for artwork;

d. Sketch and drawing pads; and

e. Watercolors;

(84) "School computer supply":

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

a. Computer storage media, diskettes, compact disks;

b. Handheld electronic schedulers, except devices that are cellular phones;

c. Personal digital assistants, except devices that are cellular phones; and

d. Computer printers and printer supplies for computers, printer paper, and printer ink;

(85) "School instructional material":

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;
- b. Reference maps and globes;
- c. Textbooks; and
- d. Workbooks;

(86) "School supply":

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;
- b. Book bags;
- c. Calculators;
- d. Cellophane tape;
- e. Blackboard chalk;
- f. Compasses;
- g. Composition books;
- h. Crayons;
- i. Erasers;
- j. Folders, expandable, pocket, plastic, and manila;
- k. Glue, paste, and paste sticks;
- l. Highlighters;
- m. Index cards;
- n. Index card boxes;
- o. Legal pads;
- p. Lunch boxes;
- q. Markers;
- r. Notebooks;
- s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
- t. Pencil boxes and other school supply boxes;
- u. Pencil sharpeners;
- v. Pencils;
- w. Pens;
- x. Protractors;
- y. Rulers;
- z. Scissors; and
- aa. Writing tablets;

[(12)] (87) "Seller" means a person [selling or furnishing tangible] **making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] services;**

(88) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(89) "Service address":

(a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;

(b) If the location in paragraph (a) of this subdivision is not known, "service address" means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(c) If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer's place of primary use;

(90) "Specified digital products", electronically transferred digital audio-visual works, digital audio works, and digital books;

(91) "Sport or recreational equipment", items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;

(92) "State", any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(93) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(94) "Tangible personal property", personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

[(13) The noun] (95) "Tax" [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(96) "Taxpayer", any person remitting the tax or who should remit the tax levied by this chapter;

(97) "Telecommunications nonrecurring charges", an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;

[(14)] (98) "Telecommunications service"[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined

in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) "Transportation equipment", any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco;

(101) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) "Use-based exemption", an exemption based on a specified use of the product by the purchaser;

(103) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through** vending [machine sales, the term "food"] **machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate

consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café."; and

Further amend said bill, Page 45, Section 144.021, Line 13, by inserting after all of said section the following:

"144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable."; and

Further amend said bill, Pages 48-49, Section 144.030, Lines 115-132, by deleting all of said lines and inserting in lieu thereof the following:

"(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, all sales of kidney dialysis equipment and enteral feeding systems, all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment, and [drugs required by the Food and Drug Administration to meet the] all sales of over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] drugs as prescribed by a health care practitioner licensed to prescribe;" and

Further amend said bill, Pages 50-51, Section 144.030, Lines 180-222, by deleting all of said lines and inserting in lieu thereof the following:

"(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] piped natural or artificial gas, or other fuels delivered by the seller for domestic use [and in any city not within a county, all sales of metered or unmetered water service for domestic use]:

(a) "Domestic use" means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071, 4081, [4091,] 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;"; and

Further amend said bill, Page 53, Section 144.030, Line 291, by deleting the word, "event." and inserting in lieu thereof the following:

"event;

(43) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(44) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship

to the vendor as a corporation that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser's business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

- (a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and
- (b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

- (a) A direct pay permit;
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or
- (c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

- (2) A purchaser of other direct mail may provide the seller with either:
- (a) A direct pay permit; or
 - (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

- (3) Nothing in this section shall limit any purchaser's:
- (a) Obligation for sales or use tax to any state to which the direct mail is delivered;
 - (b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or
 - (c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

(1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction; or

(2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. **Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunications services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.**

3. **The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:**

(1) **A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;**

(2) **A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:**

(a) **The seller's telecommunications system; or**

(b) **Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;**

(3) **A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;**

(4) **A sale of a private communication service is sourced as follows:**

(a) **Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;**

(b) **Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;**

(c) **Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and**

(d) **Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by**

dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

4. The sale of internet access service is sourced to the customer's place of primary use.

5. The sale of an ancillary service is sourced to the customer's place of primary use.

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[.]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[.]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[.]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] **2.** This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] **3.** This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] **4.** This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.”; and

Further amend said bill, Page 53, Section 144.069, Line 10, by inserting after all of said section the following:

"144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the

sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

- (1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;
- (2) Is authorized to do business in Missouri;
- (3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;
- (4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and
- (5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues."; and

Further amend said bill, Page 54, Section 144.071, Line 17, by inserting after all of said section the following:

"144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration. Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or

renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making "same day" payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

- (1) The name and address of the retailer;**
- (2) The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;**
- (3) The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;**
- (4) Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;**
- (5) Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;**
- (6) Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;**
- (7) Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and**
- (8) Such other pertinent information as the director may require.**

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state. With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] **5.** In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] **6.** If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] **7.** The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

144.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information

applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.”; and

Further amend said bill, Page 57, Section 144.190, Line 122, by inserting after all of said section the following:

"144.210. 1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this subsection may be applied to the aggregated state and local taxes.**

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] **5.** If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984."; and

Further amend said bill, Page 60, Section 144.525, Line 9, by inserting after all of said section the following:

"144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. [For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

[4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]"; and

Further amend said bill, Page 61, Section 144.615, Line 21, by inserting after all of said section the following:

"144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal

to two percent thereof.] Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law."; and

Further amend said bill, Page 81, Section 184.865, Line 7, by inserting after all of said section the following:

"221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of (insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director

of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015.

238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6) All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection

6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent

of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from

receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] **10.** The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] **11.** Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

[13.] **12.** In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] **13.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15.] The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] **14.** In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412."; and

Further amend said bill, Page 130, Section 577.041, Line 138, by inserting after all of said section the following:

"644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[,

provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.”; and

Further amend said bill, Page 130, Section 1, Line 6, by inserting after all of said section the following:

“[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the county with sufficient information to perform such duties in such form as may be agreed upon by the director and the county at no cost to the county. The county shall be bound by the provisions of section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director's powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

(1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(2) "Engages in business activities within this state" includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sales when

the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) "Tangible personal property", all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) "Taxpayer", any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.]

[144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the "Simplified Sales and Use Tax Administration Act".]

[144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

(1) "Agreement", the streamlined sales and use tax agreement;

(2) "Certified automated system", software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;

(3) "Certified service provider", an agent certified jointly by the states that are signatories to the agreement to perform all of the seller's sales tax functions;

(4) "Person", an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;

(5) "Sales tax", any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;

(6) "Seller", any person making sales, leases or rentals of personal property or services;

- (7) "State", any state of the United States and the District of Columbia;
- (8) "Use tax", the use tax levied pursuant to this chapter.]

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

- (1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;
- (2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;
- (3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;
- (4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;
- (5) Affects the sourcing of sales tax transactions; or
- (6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

- (1) The agreement should address the limitation of the number of state rates over time;
- (2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;
- (3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;
- (4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

- (a) Restricting variances between the state and local tax bases;
- (b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;
- (c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and

(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]; and

Further amend said bill, Page 131, Section D, Line 3, by inserting after all of said section the following:

"Section E. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 17** was adopted.

Representative Fraker offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 16, Section 67.457, Line 91, by striking the word "**or**" on said line and inserting in lieu thereof the word "**and**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 18** was adopted.

Representative Torpey offered **House Amendment No. 19**.

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Pages 113-123, Sections 348.273 and 348.274, by deleting all of said sections from the bill and inserting in lieu thereof, the following:

"348.273. 1. This section and section 348.274 shall be known and may be cited as the "Missouri Angel Investment Incentive Act".

2. As used in this section and section 348.274, the following terms mean:

- (1) "Cash investment", money or money equivalent contribution;**
- (2) "Coordinator", the SBTDC home office;**
- (3) "Investor":**
 - (a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 230.501(a)(6), as in effect on August 28, 2013; or**
 - (b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or**
 - (c) A natural person or permitted entity investor making an investment who qualifies under the Jumpstart Our Business Startups (JOBS) Act, Pub.L.No. 112-106, as in effect on August 23, 2013.**

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor, and such person shall not qualify for the issuance of tax credits for such investment;

(4) "Owner", any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) "Permitted entity investor", any general partnership, limited partnership, corporation that has in effect a valid election to be taxed as an S corporation under the Internal Revenue Code of 1986, as amended, revocable living trust, nonprofit corporation, or limited liability company that has elected to be taxed as a partnership under the United States Internal Revenue Code of 1986, as amended, and that was established and is operated for the purpose of making investments in other entities;

(6) "Qualified knowledge-based company", a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) "Qualified Missouri business", a Missouri business that is approved and certified as qualified knowledge-based company by the regional SBTDC that meet at least one of the following criteria:

- (a) Any business owned by an individual;**
- (b) Any partnership, association, or corporation domiciled in Missouri; or**
- (c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business's production in Missouri;**

(8) "Qualified securities", a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the coordinator. Forms of such financial assistance include:

- (a) Any form of equity, such as:**
 - a. A general or limited partnership interest;**
 - b. Common stock;**
 - c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or**
 - d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or**
- (b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requiring no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;**

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requiring no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;

(9) "SBTDC", the Missouri small business and technology development center; and

(10) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or otherwise due under chapter 147, 148, or 153.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the coordinator, with the primary goal of encouraging individuals to provide seed-capital financing for emerging

Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri business and allocating the amount of available tax credits among the qualified investors that make cash investments in such qualified Missouri businesses. The coordinator shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business. Such applications and criteria are to be not less than the minimum requirements set forth in subsection 5 of this section. The coordinator shall issue tax credits to qualified investors who make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax credit may be used in its entirety in the taxable year in which the cash investment is made, but no tax credit shall be allowed prior to the year beginning August 28, 2013. If the amount by which that portion of the credit allowed by this section exceeds the investor's tax liability in any one taxable year, beginning in the calendar year 2013, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The SBTDC shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business per investor who is a natural person or permitted entity investor or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2023. The total amount of tax credits allowed under this section shall not exceed six million dollars.

(4) The tax credits shall be administered by the regional SBTDCs. At the beginning of each calendar year, the coordinator shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the coordinator shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The coordinator shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the coordinator any unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The coordinator shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall apply to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the coordinator, but shall include at least the following:

(a) The name of the business and certified copies of the organizational documents of the business;

(b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;

(c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;

(d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;

(e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and

(f) Such other information as the regional SBTDC or the coordinator may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall undertake, that such business meets the criteria established by the coordinator. Such criteria shall include at least the following:

(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;

(b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction or construction management or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or noncontiguous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling-related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to making a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region, this state, or both;

(l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets; and

(m) The business shall satisfy all other requirements of this section and section 348.274;

(n) This section and all referenced sections herein are subject to the provisions of section 196.1127.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the coordinator.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The coordinator is authorized to issue tax credits to qualified investors in such qualified Missouri businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the region or the state, or both. The regional SBTDC may allocate, and the coordinator may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment including, but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the coordinator can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the coordinator. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities' purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated the tax credits to the qualified Missouri business and the coordinator in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The coordinator shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The coordinator shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the coordinator with respect to this section and section 348.273. The reasonable costs of the annual review shall be paid by the coordinator according to a reasonable fee schedule adopted by the coordinator.

(4) If the coordinator determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the coordinator, by written notice, may inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty days period, if the qualified Missouri business is still not in substantial compliance, the coordinator may send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue, and to all known investors in the business.

(6) A business may lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business, and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation

as a qualified Missouri business shall enter into a repayment agreement, with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the coordinator that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the coordinator, as applicable. For the purposes of this section and section 348.273, such portions of trade secrets, documents, and other materials means any customer lists; any formula, compound, production data, or compilation of information that will allow certain individuals within a commercial concern using such portions of documents and other material the means to fabricate, produce, or compound an article of trade; or any service having commercial value which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the coordinator may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the coordinator.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before February first. The regional SBTDC shall provide copies of the reports to the coordinator. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made a cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the coordinator may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the coordinator on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the regional SBTDC received;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in the previous quarter, including the percentage that was allocated to individuals and the percentage that was allocated to investment firms;

(d) The amount of tax credits issued in the previous quarter, including the percentage that was issued to individuals and the percentage that was issued to investment firms;

(e) The amount of unallocated tax credits; and

(f) Such other information as reasonably agreed upon by each regional SBTDC and the coordinator.

(3) Each regional SBTDC and the coordinator, as applicable, shall also report annually to the governor; the director of the department of economic development; the senate committee on commerce, consumer protection, energy and the environment; the house committee on economic development; and any successor committees thereto, and to the coordinator, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefitted from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding which businesses derived benefit from the tax credits remained in the region, which businesses ceased business, which businesses were purchased, and which businesses may have moved out of the region or state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and any business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Sections 348.273 and 348.274 shall expire on December 31, 2023."; and

Further amend said bill, Page 130, Section 577.041, Line 138, by inserting after all of said line the following:

"620.2700. 1. Beginning in fiscal year 2014, for four consecutive fiscal years, the state shall pay the sum of eight million dollars per year to the Missouri department of economic development (DED) for the sole purpose of paying such funds to no more than five Early Stage Business Development Corporations (ESBDCs), which are Missouri not-for-profit corporations designated by DED under this section, in amounts as follows:

(1) Two million dollars for each fiscal year to one ESBDC operating in each of the three largest metropolitan statistical areas (MSAs) in the state if designated by DED as an ESBDC.

(2) One million dollars for each fiscal year to two ESBDCs operating in either rural areas of Missouri or in MSAs other than the three largest MSAs in the state if designated by DED as an ESBDC.

2. An ESBDC is a Missouri not-for-profit corporation designated by DED as a recipient of funds under this section that provides grants to winners of a national or international competition for early stage businesses with substantial operations in Missouri or that begin operating in Missouri and have potential national or international sales, or potential development of new technologies. To be eligible for designation under this section, the Missouri not-for-profit corporation must provide grants to early stage for-profit companies without taking an equity interest in the for-profit companies. The grants shall not be in the form of loans, except in the case of Missouri not-for-profit companies operating in rural areas or in MSAs other than the three largest MSAs in the state. Grants provided by an ESBDC to for-profit early stage companies must not exceed two hundred thousand dollars per company. Notwithstanding anything else herein to the contrary, ESBDCs designated by the DED which operate in rural areas or in MSAs other than the three largest in the state may, in addition to other purposes, provide grants to early stage companies for marketing agricultural products, conducting agricultural research or providing services to improve crop or livestock production.

3. In order to be eligible for designation by DED under this section, a Missouri not-for-profit corporation operating in one of the three largest MSAs must have raised at least two million dollars to be used for grants as set forth in subsection 2 of this section from sources other than the state at any point before applying. Failure to raise this required sum makes a Missouri not-for-profit corporation ineligible for DED designation under this section. Once such sum is raised, there shall be no further requirement to raise additional funds in order to be designated or continue to be designated by DED under this section.

4. In order to be eligible for designation by DED under this section, a Missouri not-for-profit corporation operating in rural areas or in MSAs other than the three largest in the state must have raised at least the sum of one hundred fifty thousand dollars to be used for grants as set forth in subsection 2 of this section in funds at any point before applying. Failure to raise this required sum makes a Missouri not-for-profit corporation ineligible for DED designation under this section. For such a Missouri not-for-profit corporation operating in rural areas or in MSAs outside the three largest in Missouri, once such sum is raised, there shall be no further requirement to raise additional funds in order to be designated or continue to be designated by DED under this section.

5. Each Missouri not-for-profit corporation seeking to be designated by the DED under this section as an ESBDC must apply for such designation by no later than October fifteenth of the fiscal year for which funds are sought or it shall not be designated. The DED shall make a decision regarding whether or not to approve such application for designation within sixty days of the date of application and can extend the time for decision a maximum of an additional thirty days. Designation by DED shall not be unreasonably withheld or delayed.

6. Designation by DED under this section of an ESBDC shall be for a period of two consecutive years of funding.

(1) No more than one Missouri not-for-profit corporation, if any, shall be designated by DED as an ESBDC in an MSA which is one of the three largest in Missouri, and no other ESBDC shall be designated by DED for that MSA for such two-year period.

(2) No more than two Missouri not-for-profit corporations, if any, shall be designated by DED as an ESBDC in rural areas or in MSAs other than the three largest in the state and if two in such areas are designated by DED, no other ESBDC shall be designated by DED from rural areas or from MSAs other than the three largest in the state during that period.

7. If, in any year, no Missouri not-for-profit corporation is designated under this section by the DED as an ESBDC for one of the three largest MSAs in a year, the two million dollars in funds for that year, which otherwise would have gone to an ESBDC in such area, shall be paid by DED to the ESBDCs designated in the remaining two largest MSAs in equal amounts. In the event that, for any year in which there is no designation by DED of an ESBDC in two of the largest MSAs, the two million dollars in funds for that year for each such MSA shall be paid by DED to the ESBDC which has been designated by DED in the remaining MSA, which is one of the three largest in the state. In the event no Missouri not-for-profit corporation is designated for any year in any of the three largest MSAs, the funds, which otherwise would have gone to ESBDCs in such MSAs, shall be paid by DED to the ESBDCs operating in rural areas or in an MSA outside the three largest in the state.

8. In the event only one ESBDC is designated by the DED operating in rural areas or in a MSA other than the three largest MSAs, the one million dollars otherwise payable to a second ESBDC in such areas shall be paid by DED to the designated ESBDC operating in rural areas or in an MSA other than the three largest. In the event no ESBDC is designated by the DED in rural areas or in an MSA other than the three largest, the two million dollars for such ESBDCs in such areas shall be paid by DED to those ESBDCs that have been designated, in one or more of the three largest MSAs, in equal amounts.

9. Missouri not-for-profit corporations meeting the requirements of this section, including those previously designated under this section by the DED, may apply for designation for an additional two-year period following the first two-year period. The same standards for designation and requirements for ESBDCs and timing of applications and DED designations set forth in this section shall apply to the second two-year period.

10. The DED shall evaluate the following criteria in determining whether to designate a Missouri not-for-profit corporation under this section:

- (1) Potential growth of jobs in Missouri;
- (2) Development of Missouri early stage businesses which can lead to national or international sales;
- (3) Level of business support services provided to grant recipients by the community in which the applicant operates; and
- (4) Level of funds raised from sources other than the state.

11. In the event multiple applications are submitted to DED by Missouri not-for-profit corporations for designation under this section for the same area, and, if such Missouri not-for-profit corporations comply with the requirements set forth in this section, then the DED shall designate as the ESBDC for that area the Missouri not-for-profit applicant that has a history of having raised the largest total of funds, other than from the state, as of the date of the application.

12. DED shall be required to pay the sum as required by this section to those ESBDCs as set forth in this section and shall have no discretion to withhold all or any portion of the payments received by DED under this section to such ESBDCs.

13. Funds provided by this section may be used by the ESBDC for administrative expenses, grants, operations, and building a long-term endowment for grants.

14. Funding under this section shall end unless renewed, after the sum of thirty-two million dollars has been paid to DED for payment to ESBDCs under this section. In the event that eight million dollars in funding is paid to DED for payment to ESBDCs under this section in four consecutive years, then no further funding under this section shall be approved without this section being renewed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 19** was adopted.

Representative Barnes offered **House Amendment No. 20**.

House Amendment No. 20

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 13, Section 52.250, Line 19, by inserting after all of said line the following:

"Nothing in this section shall allow any county collector of a county that becomes a first class county after December 31, 2013 to collect a percentage in excess of the percentage during the year proceeding the change to first class status."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 20** was adopted.

Representative Guernsey offered **House Amendment No. 21**.

House Amendment No. 21

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 130, Section 1, Line 6, by inserting after all of said section and line, the following:

"Section 2. 1. The department of economic development through Missouri career centers shall partner with Missouri staffing agencies to accomplish their goals.

2. As used in this section, "Missouri staffing agencies" shall mean any person, firm, partnership, or corporation doing business within the state that supplies, on a temporary, temp-to hire or permanent basis, personnel to meet a client's staffing needs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 21** was adopted.

Representative Johnson offered **House Amendment No. 22**.

House Amendment No. 22

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 130, Section 577.041, Line 138, by inserting after all of said section and line the following:

"620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitles the credit holder to credit towards tuition at any approved public institution of higher education in the state as defined in section 173.1102.

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive credits, equal to the amount of the withholding taxes withheld, toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition;

and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing.

Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department shall create an employer application process, and place the withheld taxes on the new jobs created for a period of one year, up to a maximum of three million dollars, and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall be equal to the amount of the withholding tax withheld and begin on the day the new job is created. The department shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Solon offered **House Amendment No. 1 to House Amendment No. 22.**

*House Amendment No. 1
to
House Amendment No. 22*

AMEND House Amendment No. 22 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 2, Line 16, by inserting after said line the following:

‘Further amend said bill, Pages 35 through 43, Section 143.790, by removing said section from the bill.'"; and '"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1 to House Amendment No. 22** was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cox	Crawford	Davis	Diehl	Dohrman
Dugger	Ellinger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Jones 50

Justus	Keeney	Kelley 127	Kirkton	Kratky
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	McDonald	McNeil	Miller
Montecillo	Moon	Morris	Muntzel	Neely
Nichols	Norr	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wilson	Zerr	Mr Speaker		

NOES: 039

Anders	Burlison	Burns	Butler	Carpenter
Cross	Curtis	Curtman	Dunn	English
Englund	Gatschenberger	Harris	Hinson	Johnson
Koenig	Kolkmeyer	LaFaver	Lauer	Mayfield
McCann Beatty	McGaugh	McKenna	McManus	Meredith
Molendorp	Morgan	Neth	Newman	Otto
Peters	Pierson	Rehder	Rizzo	Roorda
Runions	Webber	Wieland	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 021

Cornejo	Ellington	Frame	Gardner	Guernsey
Kelly 45	Korman	May	McCaherty	Messenger
Mims	Mitten	Riddle	Ross	Shumake
Smith 85	Smith 120	Swearingen	Walton Gray	Webb
Wood				

Representative Diehl assumed the Chair.

Representative Shull offered **House Amendment No. 2 to House Amendment No. 22.**

House Amendment No. 2
to
House Amendment No. 22

AMEND House Amendment No. 22 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 2, Line 16, by inserting after said line the following:

‘Further amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said line and section the following:

"135.766. An eligible small business, as defined in Section 44 of the Internal Revenue Code, shall be allowed a credit against the tax otherwise due pursuant to chapter 143, not including sections 143.191 to 143.265, in an amount equal to any amount paid by the eligible small business to the United States Small Business Administration as a guaranty fee pursuant to obtaining Small Business Administration guaranteed financing and to programs administered by the United States Department of Agriculture for rural development or farm service agencies. [No tax credits provided under this section shall be authorized on or after the thirtieth day following the effective date of this act.] The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to the thirtieth day following the effective date of this act, or a taxpayer's ability to redeem such tax credits. **Tax**

credits issued under this section shall not be transferable. Unused tax credits may be carried forward for up to ten subsequent taxable years."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shull, **House Amendment No. 2 to House Amendment No. 22** was adopted by the following vote:

AYES: 087

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Brown	Cierpiot	Conway 104
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hansen	Hicks
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 50	Justus	Kelley 127	Kolkmeier	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Redmon	Reiboldt	Remole	Riddle
Rowland	Scharnhorst	Schatz	Schupp	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	Wieland	Wilson
Zerr	Mr Speaker			

NOES: 062

Black	Brattin	Burlison	Burns	Butler
Carpenter	Colona	Conway 10	Cookson	Curtis
Curtman	Dunn	Ellinger	English	Englund
Fowler	Gardner	Guernsey	Hampton	Harris
Hinson	Hodges	Hubbard	Hummel	Hurst
Keeney	Kirkton	Koenig	Kratky	LaFaver
Marshall	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rehder
Richardson	Rizzo	Roorda	Rowden	Runions
Schieber	Schieffer	Smith 85	Webb	Webber
White	Wright			

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 013

Cornejo	Ellington	Frame	Kelly 45	Korman
Mims	Rhoads	Ross	Smith 120	Stream
Swearingen	Walton Gray	Wood		

On motion of Representative Johnson, **House Amendment No. 22, as amended**, was adopted.

Representative Rizzo offered **House Amendment No. 23**.

House Amendment No. 23

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 48, Section 144.030, Lines 109-114, by deleting all of said lines and inserting in lieu thereof the following:

"corporation;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Grisamore offered **House Substitute Amendment No. 1 for House Amendment No. 23**.

*House Substitute Amendment No. 1
for
House Amendment No. 23*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 48, Section 144.030, Line 114, by inserting after the word "**agreement**" the following:

". This subdivision shall not apply to any county sports complex authority in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants"; and

Further amend said bill, Page 81, Section 184.847, Line 28, by inserting after all of said line the following:

"This section shall not apply to any county sports complex authority in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Substitute Amendment No. 1 for House Amendment No. 23** was adopted.

Representative Brattin offered **House Amendment No. 24**.

House Amendment No. 24

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 3, Section A, Line 36, by inserting after all of said section and line the following:

"9.015. No state or local governmental entity, public building, public park, public school, or public setting or place shall ban or otherwise restrict the practice, mention, celebration, or discussion of any federal holiday."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 24** was adopted.

Representative Lauer offered **House Amendment No. 25.**

House Amendment No. 25

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Section 184.865, Page 81, Line 7, by inserting after all of said line the following:

"190.300. As used in sections 190.300 to [190.320] **190.340**, the following terms and phrases mean:

- (1) "Emergency telephone service", a telephone system utilizing a single three digit number "911" for reporting police, fire, medical or other emergency situations;
- (2) "Emergency telephone tax", a tax to finance the operation of emergency telephone service;
- (3) "Exchange access facilities", all facilities provided by the service supplier for local telephone exchange access to a service user;
- (4) "Governing body", the legislative body for a city, county or city not within a county;
- (5) "Person", any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user;
- (6) "Public agency", any city, county, city not within a county, municipal corporation, public district or public authority located in whole or in part within this state which provides or has authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other emergency services;
- (7) "Service supplier", any person providing exchange telephone services to any service user in this state;
- (8) "Service user", any person, other than a person providing pay telephone service pursuant to the provisions of section 392.520 not otherwise exempt from taxation, who is provided exchange telephone service in this state;
- (9) "Tariff rate", the rate or rates billed by a service supplier to a service user as stated in the service supplier's tariffs, approved by the Missouri public service commission which represent the service supplier's recurring charges for exchange access facilities or their equivalent, exclusive of all taxes, fees, licenses or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone service pursuant to sections 190.300 to [190.320] **190.340**, it shall be unlawful for any person to misuse the emergency telephone service. For the purposes of this section, "emergency" means any incident involving danger to life or property that calls for an emergency response dispatch of police, fire, EMS or other public safety organization, "misuse the emergency telephone service" includes, but is not limited to, repeatedly calling the "911" for nonemergency situations causing operators or equipment to be in use when emergency situations may need such operators or equipment and "repeatedly" means three or more times within a one-month period.

2. Any violation of this section is a class B misdemeanor.

3. No political subdivision shall impose any fine or penalty on the owner of a pay telephone or on the owner of any property upon which a pay telephone is located for calls to the emergency telephone service made from the pay telephone. Any such fine or penalty is hereby void.

190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

- (1) ["911", the primary emergency telephone number within the wireless system;
- (2) "Board", the wireless service provider enhanced 911 advisory board;
- (3)] "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;
- [(4)] (2) "Public safety answering point", the location at which 911 calls are [initially] answered;
- [(5)] (3) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).

190.420. 1. There is hereby established a **special trust** fund to be known as the "[Wireless Service Provider Enhanced] **Missouri 911 Service Trust Fund**". All fees collected pursuant to sections 190.400 to 190.440 **and sections 190.450 and 190.451** by wireless service providers shall be remitted to the director of the department of revenue.

2. The director of the department of revenue shall deposit such payments into the [wireless service provider enhanced] **Missouri 911 service trust** fund. Moneys in the fund shall be used for the purpose of reimbursing

expenditures actually incurred in the implementation and operation of the [wireless service provider enhanced] **Missouri 911 [system] systems.**

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.

4. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county pursuant to sections 190.400 to 190.440 and sections 190.450 and 190.451 and the records shall be open to the inspection of officers of a participating county and the public.

190.450. 1. Except as provided under subsections 9 and 10 of this section, in lieu of the tax levy authorized under section 190.305 or the sales tax imposed under section 190.335, the governing body of any county may impose, by order or ordinance, a monthly fee on any device capable of contacting 911. The fee authorized in this section shall not exceed one dollar and fifty cents per any such device capable of contacting 911, and shall be imposed solely for the purpose of funding 911 service in such county. The fee authorized in this section shall be in addition to all other taxes and fees imposed by law, and shall be stated separately from all other charges and taxes.

2. No such order or ordinance adopted under this section shall become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body to impose a fee under this section. The question submitted shall be in substantially the following form:

"Shall (insert county name) County impose a monthly fee of (insert amount) per any such device capable of contacting 911 on each such device for the purpose of funding 911 service in the county?"

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the fee shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the fee. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the fee shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the fee imposed under this section.

4. All revenue collected under this section by the director of the department of revenue on behalf of any county, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in the Missouri 911 service trust fund created in section 190.420. The director of the department of revenue shall remit such funds to the county on a monthly basis. The county commission shall control such funds remitted to the county unless the county has established an elected board for the purpose of administering such funds. In the event that any county has established a board under any other provision of state law for the purpose of administering funds for 911 service, such existing board may continue to perform such functions after the county has adopted the monthly fee under this section.

5. Notwithstanding any other provision of law to the contrary, no proprietary information submitted under this section shall be subject to subpoena or otherwise released to any person other than to the submitting 911 communications service provider without the express permission of such 911 communications service provider. General information collected under this section shall only be released or published in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual 911 communications service provider.

6. Notwithstanding any other provision of law to the contrary, in no event shall any 911 communications service provider, its officers, employees, assigns, or agents, be liable for any form of civil damages or criminal liability that directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance, or provision of a public safety answering point, or that directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under this section unless such acts, release of subscriber information, or omissions constitute gross negligence, recklessness, or intentional misconduct. No cause of action shall lie in any court of law against any provider of telecommunications service, commercial mobile service, or other communications-related service, or its officers, employees, agents, or other persons acting on behalf of them, for providing call location information concerning the user of any such service, in an emergency situation, to a law enforcement official or agency in

order to respond to a call for emergency service by a subscriber, customer, or user of such service or for providing caller location information or doing a ping locate in an emergency situation that involves danger of death or serious physical injury to any person where disclosure of communications relating to the emergency is required without delay, whether such providing of information is required by law or voluntarily.

7. The fee imposed under this section shall not be imposed upon customers who pay for service prospectively, known as prepaid wireless telecommunications service customers.

8. The fee imposed under this section shall not be imposed in conjunction with any tax imposed under section 190.305 or 190.335. No fee imposed under this section shall be imposed on more than one hundred exchange access facilities or their equivalent per person per location.

9. No county of the third or fourth classification shall submit a proposal to the voters of the county under this section until either:

(1) All providers of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; or

(2) The county develops a plan for consolidation of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county that includes either consolidation or entering into a shared services agreement for such services, which shall be implemented upon approval of the fee by the voters. The plan shall be filed with the Missouri 911 service board pursuant to subsection 4 of section 650.330. The director of the department of revenue shall not remit any funds as provided under this section until it receives notification from the board that the county has filed a plan that is ready for implementation.

10. Each county of the third classification that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall either:

(1) Enter into a shared services agreement for providing emergency telephone services with a public agency that provides emergency telephone service if such an agreement is feasible; or

(2) Form an emergency telephone services district in conjunction with any county with a public agency that provides emergency telephone service within such adjoining county. If such a district is formed under this subdivision, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit to the voters of the county a proposal to impose the fee under this section.

11. A county of the third classification operating joint or shared emergency telephone service as defined in section 190.300 may submit to the voters of the county a proposal to impose the fee to support joint operations and further consolidation under this section.

190.451. 1. As used in this section, the following terms mean:

(1) "Board", the Missouri 911 service board established under section 650.325;

(2) "Consumer", a person who purchases prepaid wireless telecommunications service in a retail transaction;

(3) "Department", the department of revenue;

(4) "Prepaid wireless telecommunications service", a wireless telecommunications service that allows a caller to dial 911 to access the 911 system, which service shall be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount;

(5) "Provider", a person or business that provides prepaid wireless telecommunications service under a license issued by the Federal Communications Commission;

(6) "Retail transaction", the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. The purchase of more than one item that provides prepaid wireless telecommunication service, when such items are sold separately, constitutes more than one retail transaction;

(7) "Seller", a person who sells prepaid wireless telecommunications service to another person;

(8) "Wireless telecommunications service", commercial mobile radio service as defined by Section 20.3 of Title 47 of the Code of Federal Regulations, as amended.

2. (1) Beginning January 1, 2014, except as provided in subsection 6 of this section, there is hereby imposed a prepaid wireless emergency telephone service charge on each retail transaction. The amount of such charge shall be equal to three percent of each retail transaction. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single nonitemized price, then the seller may elect not to apply such service charge to such transaction. For purposes of this subdivision, an amount of service denominated as ten or fewer minutes, or five dollars or less, is minimal.

(2) The prepaid wireless emergency telephone service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless emergency telephone service charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller, or otherwise disclosed to the consumer.

(3) For purposes of this subsection, a retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state under state law.

(4) The prepaid wireless emergency telephone service charge is the liability of the consumer and not of the seller or of any provider, except that the seller shall be liable to remit all charges that the seller is deemed to collect where the amount of the charge has not been separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller.

(5) The amount of the prepaid wireless emergency telephone service charge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall be remitted to the department at the times and in the manner provided by state law with respect to the sales and use taxes. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply under state law.

(2) Beginning on January 1, 2014, and ending on January 31, 2014, when a consumer purchases prepaid wireless telecommunications service in a retail transaction from a seller under this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless emergency telephone service charges that are collected by the seller from the consumer. Beginning on February 1, 2014, a seller shall be permitted to deduct and retain two percent of prepaid wireless emergency telephone service charges that are collected by the seller from consumers.

(3) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use purposes under state law.

(4) The department shall deposit all remitted prepaid wireless emergency telephone service charges into the Missouri 911 service trust fund created in section 190.420 within thirty days of receipt, for use by the board. The department may deduct an amount, not to exceed one percent of collected charges, to be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges.

(5) Ten percent of remitted prepaid wireless emergency telephone service charges under subdivision (4) of this subsection shall be deposited in the Missouri 911 service trust fund created in section 190.420 and shall be dedicated to the Missouri regional poison information center established in section 190.353. The amount allocated under this subdivision shall not exceed one million dollars in any twelve-month period, nor shall the Missouri regional poison information center receive more than one million dollars from the Missouri 911 service trust fund in any one calendar year under this subdivision.

4. (1) A seller that is not a provider shall be entitled to the immunity and liability protections under section 190.450, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

(2) A provider shall be entitled to the immunity and liability protections under section 190.450.

(3) In addition to the protection from liability provided in subdivisions (1) and (2) of this subsection, each provider and seller shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.450.

5. The prepaid wireless emergency telephone service charge imposed by this section shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes.

6. This section shall not apply to any county with a charter form of government."; and

Further amend said bill, Page 130, Section 577.041, Line 138, by inserting after all of said line the following:

"650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) ["Committee"] **"Board"**, the [advisory committee for] **Missouri 911 service [oversight] board** established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are [initially] answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.325. There is hereby established within the department of public safety the ["Advisory Committee for 911 Service Oversight"] **"Missouri 911 Service Board"** which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for 911 service oversight] **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

650.330. 1. The [committee for 911 service oversight] **board** shall consist of [sixteen] **twelve** members, one of which shall be chosen from the department of public safety [who shall serve as chair of the committee and only vote in the instance of a tie vote among the other members], and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to [counties] **municipalities**;

(2) One member chosen to represent the Missouri [public service commission] **911 directors association**;

(3) One member chosen to represent emergency medical services **and physicians**;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

(5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

(6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

(8) [One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9)] One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

[(10)] (9) One member chosen to represent [911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in] counties [of the first classification, with and] without charter forms of government[, and cities not within a county];

[(12)] (10) One member chosen to represent telecommunications service providers [with at least one hundred thousand access lines located within Missouri];

[(13)] (11) One member chosen to represent **wireless** telecommunications service providers [with less than one hundred thousand access lines located within Missouri];

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the [committee for 911 service oversight] **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years. Members of the committee may serve multiple terms.

3. The [committee for 911 service oversight] **board** shall meet at least quarterly at a place and time specified by the chairperson of the committee and it shall keep and maintain records of such meetings, as well as the other

activities of the committee. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the committee.

4. The [committee for 911 service oversight] **board** shall:
 - (1) Organize and adopt standards governing the committee's formal and informal procedures;
 - (2) Provide recommendations for primary answering points and secondary answering points on [statewide] technical and operational standards for 911 services;
 - (3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;
 - (4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such committee shall not supersede decision-making authority of local political subdivisions in regard to 911 services;
 - (5) Provide assistance to the governor and the general assembly regarding 911 services;
 - (6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;
 - (7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;
 - (8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; [and]
 - (9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections 650.320 to 650.340;
 - (10) Elect the chair from its membership;**
 - (11) Designate a state 911 coordinator;**
 - (12) Apply for and receive private and federal grants;**
 - (13) Prepare and present a report to the governor and general assembly on the state of the state's 911 systems;**
 - (14) Administer and authorize grants and loans to counties, other than counties with a charter form of government, that demonstrate a commitment to improving 911. The purpose of grants from the 911 service trust fund shall include:**
 - (a) Implementation of 911 services in counties of the state where services do not exist;**
 - (b) Promotion of consolidation where appropriate;**
 - (c) Mapping and addressing all county locations;**
 - (d) Ensuring primary access and texting abilities to 911 services for disabled residents;**
 - (15) Report to the governor and the general assembly every five years on the status of 911 services statewide as well as specific efforts to improve efficiency, cost effectiveness, and levels of service;**
 - (16) Conduct a survey every five years of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation;**
 - (17) Make and execute contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;**
 - (18) Retain in its records proposed county plans developed pursuant to subsection 9 of section 190.450 and notify the department of revenue that the county has filed a plan that is ready for implementation.**

5. The department of public safety shall provide staff assistance to the [committee for 911 service oversight] **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections 650.320 to 650.340.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section 650.340. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void."; and

Further amend said bill, Page 130, Section 1, Line 6, by inserting after all of said line the following:

"[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 25** was adopted.

Representative Zerr offered **House Amendment No. 26**.

House Amendment No. 26

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said line the following:

"99.1205. 1. This section shall be known and may be cited as the "Distressed Areas Land Assemblage Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Acquisition costs", the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures **or any portion thereof, together with site and redevelopment area planning and engineering costs regarding one or more eligible parcels**, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of [five] **twelve** years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for [title insurance and survey], attorney's fees, relocation costs, fines, or bills from a municipality;

(2) "Applicant", any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area,

which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. the funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) "Certificate", a tax credit certificate issued under this section;

(4) "Condemnation proceedings", any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) "Department", the Missouri department of economic development;

(6) "Economic incentive laws", any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) "Eligible parcel", a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired **either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant;**

(e) Which has been acquired without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired **before August 28, 2007**, by the applicant from a municipal authority shall not constitute an eligible parcel; and

[(e)] (f) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) "Eligible project area", an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530.

c. Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants.

(c) The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels, **but shall not include any parcel acquired by the applicant from a municipal authority;**

(d) The average number of parcels per acre in an eligible project area shall be four or more;

(e) Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) "Interest costs", interest, loan fees, and closing costs, **any of which relate to or arise out of loans relating to acquisition costs, including without limitation, interest, loan fees and closing costs associated with the refinancing of loans relating to acquisition costs.** Interest costs shall not include attorney's fees;

(10) "Maintenance costs", costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) "Municipal authority", any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) "Municipality", any city, town, village, or county;

(13) "Parcel", a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) "Redeveloped", the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) "Redevelopment agreement", the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area, **including deadlines for commencement of work and for project completion, and shall provide the municipal authority the right to terminate the rights of the redeveloper under the redevelopment agreement if such deadlines are not met.** The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. **Subject to the limitations provided in subsection 7 of this section,** any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of [five] **twelve** years after the acquisition of an eligible parcel. [No tax credits shall be issued under this section until after January 1, 2008.]

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On [an annual] **a quarterly** basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed ninety-five million dollars. At no time shall the annual amount of the tax credits issued under this section exceed twenty million dollars. If the tax credits that are to be issued under this section exceed, in any year, the twenty million dollar limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of twenty million dollars, if there is only one applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year **as provided in this subdivision. The department shall determine on an ongoing basis during the course of each calendar year the amount of tax credits that have been issued to each applicant for each eligible project area during such year, and the amount of tax credits remaining available for issuance with respect to such calendar year, if any.** Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the twenty million dollar limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, [2013] **2019**. Any tax credits which have been authorized on or before August 28, [2013] **2019**, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include [the] **issued** tax credits in any **subsequent** sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. **Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement. The department shall review annually the eligibility of each applicant to receive tax credits under this section. The department shall not issue to an applicant any tax credits provided under this section after the date upon which the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, makes a finding that the applicant has failed to comply with deadlines regarding project commencement or completion or other material provisions of its redevelopment agreement with an applicant, and in furtherance of such finding the governing body validly adopts an ordinance terminating its redevelopment agreement with the applicant, with the result that such applicant no longer satisfies the requirements of paragraph (b) of subdivision (2) of subsection 2 of this section. The governing body shall notify the department of the governing body's findings and shall deliver to the department a certified copy of the ordinance terminating such redevelopment agreement as soon as practicable.**

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 36.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 26** was adopted.

Representative Dugger offered **House Amendment No. 27**.

House Amendment No. 27

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"115.121. 1. The general election day shall be the first Tuesday after the first Monday in November of even-numbered years.

2. The primary election day shall be the first Tuesday after the first Monday in August of even-numbered years.

3. The election day for the election of political subdivision and special district officers shall be the first Tuesday after the first Monday in April each year; and shall be known as the general municipal election day.

4. In addition to the primary election day provided for in subsection 2 of this section, for the year 2003, the first Tuesday after the first Monday in August, 2003, also shall be a primary election day for the purpose of permitting school districts and other political subdivisions of Missouri to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district or other political subdivision voting thereon, to provide funds for the acquisition, construction, equipping, improving, restoration, and furnishing of facilities to replace, repair, reconstruct, reequip, restore, and refurnish facilities damaged, destroyed, or lost due to severe weather, including, without limitation, windstorms, hail storms, flooding, tornadic winds, rainstorms and the like which occurred during the month of April or May, 2003.

5. Notwithstanding the provisions of subsection 1 of section 115.125, the officer or agency calling an election on the first Tuesday after the first Monday of August, 2003, shall notify the election authorities responsible for conducting the election not later than 5:00 p.m. on the sixth Tuesday prior to the election. For purposes of any such election, all references in section 115.125 to the tenth Tuesday prior to such election shall be deemed to refer to the sixth Tuesday prior to such election.

6. In addition to the general election day provided for in subsection 1 of this section, for the year 2009 the first Tuesday after the first Monday in November shall be a general election day for the purpose of permitting school districts to incur debt in accordance with the provisions of article VI, section 26(a) through 26(g) of the Missouri Constitution, with the approval of four-sevenths of the eligible voters of such school district, to provide funds for school districts to acquire, construct, equip, improve, restore, and furnish public school facilities in accordance with the provisions of Section 54F of the Internal Revenue Code of 1986, as amended, which provides for qualified school construction bonds and the provisions of Section 54AA of the Internal Revenue Code of 1986, as amended, which provides for build America bonds, as well as in accordance with the provisions of Section 103 of the Internal Revenue Code of 1986, as amended, which provides for traditional government bonds.

7. Notwithstanding the provisions of subsection 3 of this section to the contrary, if the general municipal election date falls on Passover, the general municipal election may be conducted on the Tuesday following the last day of Passover at the discretion of the election authority. For political subdivisions falling under the jurisdiction of more than one election authority, all election authorities shall agree to move the election to the Tuesday following the last day of Passover or, failing to do so, shall hold the election according to the provisions of subsection 3 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 27** was adopted.

Representative Bahr offered **House Amendment No. 28**.

House Amendment No. 28

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"99.807.1. For redevelopment projects or plans approved after December 31, 2013, which involve a retail establishment occupying at least fifteen thousand square feet of gross floor space and engaging in retail food activities, other than food or drink sold for immediate consumption, the economic activity taxes generated by said retail food establishment shall be limited to a maximum of three million dollars per redevelopment project as defined in section 99.805.

2. This section shall be limited to:

- (1) Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;**
- (2) Any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants;**
- (3) Any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants;**
- (4) Any municipality located in any county listed in subdivisions (1) to (3) of this subsection.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references by accordingly.

On motion of Representative Bahr, **House Amendment No. 28** was adopted.

Representative Leara offered **House Amendment No. 29.**

House Amendment No. 29

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 112, Section 321.017, Lines 1-6, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 29** was adopted.

Representative Riddle offered **House Amendment No. 30.**

House Amendment No. 30

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 123, Section 348.274, Line 140, by inserting after all of said section and line the following:

"393.760. 1. Each participating municipality shall, in accordance with the provisions of chapter 115, order an election to be held whereby the qualified electors in such participating municipality shall approve or disapprove the issuance of its bonds to finance its individual interest in the project. The participating municipality may not order such an election until it has received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each such participating municipality and such report shall be open to public inspection and shall be the subject of a public hearing in each participating municipality. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each such participating municipality. Interested parties may appear and fully participate in such hearings.

2. Each participating municipality shall notify the election authority or authorities responsible for conducting elections within such participating municipality in accordance with chapter 115.

3. The question shall be submitted in substantially the following form:
OFFICIAL BALLOT

Shall (name of participating municipality) issue its (type) revenue bonds in an amount not to exceed \$..... for the purpose of paying its share of the cost of participating in (describe project)?

☐ YES ☐ NO

If you are in favor of the resolution, place an "X" in the box opposite "Yes".

If you are opposed to the question, place an "X" in the box opposite "No".

4. If the issuance of the bonds is approved by at least a majority of the qualified electors voting thereon in the participating municipality, the participating municipality shall declare the result of the election and cause the bonds to be issued.

5. Each participating municipality shall bear all expenses associated with the elections in such participating municipality.

6. [In lieu of the public voting procedure set forth in subsections 1 to 5 of this section, in] **In** the case of purchasing or leasing, constructing, installing, and operating reservoirs, pipelines, wells, check dams, pumping stations, water purification plants, and other facilities for the production, wholesale distribution, and utilization of water, the commission may provide for a vote by the governing body of each contracting municipality. Such vote shall require the approval of three-quarters of all governing bodies of the contracting municipalities. The commission may not order such a vote until it has engaged and received a report from an independent consulting engineer as defined in section 327.181 for the purpose of determining the economic and engineering feasibility of any proposed project the costs of which are to be financed through the issuance of bonds. The report of the consulting engineer shall be provided to and approved by the legislative body and executive of each contracting municipality participating in the project and such report shall be open to public inspection and shall be the subject of a public hearing in each municipality participating in the project. Notice of the time and place of each such hearing shall be published in a daily newspaper of general circulation within each municipality. Interested parties may appear and fully participate in such hearings. Each contracting municipality shall vote by ordinance or resolution and such ordinance or resolution shall approve the issuance of revenue bonds by the joint municipal water commission in an amount not to exceed a specified amount."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 30** was adopted.

Representative Richardson offered **House Amendment No. 31**.

House Amendment No. 31

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 81, Section 184.865, Line 7, by inserting after all of said section and line the following:

"228.369. 1. For any private road subject to the use of more than one homeowner, in the absence of a prior order or written agreement for the maintenance of the private road, including covenants contained in deeds or state or local permits providing for the maintenance of a private road, when adjoining homeowners who are benefited by the use of an abutting private road, or homeowners who have an easement to use a private road, collectively owners or benefited owners are unable to agree in writing upon a plan of maintenance for the maintenance, repair, or improvement of the private road and including the assessment and apportionment of costs for the plan of maintenance, one or more of the owners may petition the circuit court for an order establishing a plan of maintenance.

2. The cost of a plan of maintenance for a private road shall be apportioned among the owners of residences abutting the private road and holders of easements to use the private road, with the cost apportioned commensurate with the use and benefit to residences benefited by the access, as mutually agreed by the benefited homeowners or as ordered by the court with such method of apportionment as agreed by the homeowners or ordered by the court, including, but not limited to, equal division, or proportionate to the residential assessed value, or to front footage, or to usage or benefit.

3. The court may implement the same procedures to order and subsequently determine a plan of maintenance for a private road as provided in this chapter for establishing or widening a private road, including the appointment and compensation of disinterested commissioners to determine the plan and the apportionment of costs.

4. Where the homeowners who are benefited by the private road are not able to agree upon the designation of a supervisor to complete the plan of maintenance, the commissioners appointed by the court shall designate a supervisor who shall be compensated for his or her services in the same manner as the commissioners.

5. Any agreement executed by all the homeowners, or final order approving, a plan of maintenance for a private road shall be recorded with the county recorder of deeds.

6. One or more adjoining homeowners or holders of any easement to use a private road may bring an action to enforce the plan of maintenance for a private road, whether as mutually agreed or as ordered by the court.

7. A plan of maintenance shall be a direct agreement among the homeowners who abut or have easement rights over a private road. No homeowner shall be required to join a homeowner or subdivision association, or

be subject to any use or development restrictions on the homeowner's property or the private road, as part of the plan of maintenance for the private road."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 31** was adopted.

Representative Redmon offered **House Amendment No. 32**.

House Amendment No. 32

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 53, Section 144.030, Line 291, by inserting after all of said line the following:

"144.055. 1. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in testing, installing, calibrating, maintaining, repairing, or restoring any machinery or equipment that is exempted from sales and use taxes in accordance with section 144.054.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to manufacturing, processing, preparing, furnishing, compounding or producing food. For the purposes of this subsection, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce them to a different state, thing or product, including treatment necessary to maintain or preserve such processing by the producer at the location at which the food product is produced."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 32** was adopted.

Representative Reiboldt offered **House Amendment No. 33**.

House Amendment No. 33

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 111, Section 302.525, Line 60, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000

47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9 and 10 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds [while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17]. The provisions of this subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 33** was adopted.

Representative Lauer offered **House Amendment No. 34**.

House Amendment No. 34

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 22, Section 92.387, Line 2, by inserting after all of said section and line the following:

"100.293. 1. This section, section 100.277, **and** sections 135.950 to 135.973[, and sections 178.760 to 178.764] shall be known and may be cited as the "Jobs Now Act".

2. There shall be created a "Jobs Now Recommendation Committee", comprised of representatives of the department of economic development, the department of agriculture, the department of natural resources, and the department of transportation. The committee shall establish application materials and procedures for development agencies to apply to the board for grants or low-interest or interest-free loans for the purpose of funding jobs now projects.

3. Applications shall be submitted simultaneously to the committee and the board. The committee shall review the applications and prepare and submit analyses and recommendations to the board for a determination as to approval or denial of grants or loans from the jobs now fund.

4. In reviewing applications, the board shall give preference to redevelopment projects that protect natural resources or rehabilitate existing dilapidated or inadequate infrastructure in areas defined under section 135.530.

5. After reviewing applications and such other information as the board may require, the board may grant all or a part of a grant or loan request, provided the board determines:

(1) The jobs now project:

(a) Will not happen without the grant or loan from the board; or

(b) Will have a significant local economic impact; or

(c) Demonstrates high levels of job creation;

(2) In the case of a low-interest or interest-free loan, the jobs now project will generate sufficient revenues or the borrower will otherwise have sufficient revenues available to enable the borrower to repay the loan to the jobs now fund, along with any interest to be charged; and

(3) No loan or grant may exceed two million dollars.

135.284. 1. The repeal and reenactment of sections 100.710[,] **and** 100.840, [and 178.892,] and the enactment of sections 135.276, 135.277, 135.279, 135.281, and 135.283 shall expire on January 1, 2006, if no essential industry retention projects have been approved by the department of economic development by December 31, 2005. If an essential industry retention project has been approved by the department of economic development by December 31, 2005, the repeal and reenactment of sections 100.710[,] **and** 100.840, [and 178.892,] and the enactment of sections 135.276, 135.277, 135.279, 135.281, and 135.283 shall expire on January 1, 2020.

2. Notwithstanding any other provision of law to the contrary, the time for approval of essential industry retention projects as identified in subsection 1 of this section is extended until December 31, 2007, and if an essential industry retention project has been approved by the department of economic development by December 31, 2007, the provisions of subsection 1 of this section shall expire on January 1, 2020.

135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited as the "Tax Credit Accountability Act of 2004".

2. As used in sections 135.800 to 135.830, the following terms mean:

(1) "Administering agency", the state agency or department charged with administering a particular tax credit program, as set forth by the program's enacting statute; where no department or agency is set forth, the department of revenue;

(2) "Agricultural tax credits", the agricultural product utilization contributor tax credit created pursuant to section 348.430, the new generation cooperative incentive tax credit created pursuant to section 348.432, the family farm breeding livestock loan tax credit created under section 348.505, the qualified beef tax credit created under section 135.679, and the wine and grape production tax credit created pursuant to section 135.700;

(3) "All tax credit programs", or "any tax credit program", the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, financial and insurance tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;

(4) "Business recruitment tax credits", the business facility tax credit created pursuant to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development programs created pursuant to sections 100.700 to 100.850, the development tax credits created pursuant to sections 32.100 to 32.125, the rebuilding communities tax credit created pursuant to section 135.535, the film production tax credit created pursuant to section 135.750, the enhanced enterprise zone created pursuant to sections 135.950 to 135.975, and the Missouri quality jobs program created pursuant to sections 620.1875 to 620.1900;

(5) "Community development tax credits", the neighborhood assistance tax credit created pursuant to sections 32.100 to 32.125, the family development account tax credit created pursuant to sections 208.750 to 208.775, the dry fire hydrant tax credit created pursuant to section 320.093, and the transportation development tax credit created pursuant to section 135.545;

(6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant to section 135.460 and sections 620.1100 to 620.1103, the shelter for victims of domestic violence created pursuant to section 135.550, the senior citizen or disabled person property tax credit created pursuant to sections 135.010 to 135.035, the special needs adoption tax credit and children in crisis tax credit created pursuant to sections 135.325 to 135.339, the maternity home tax credit created pursuant to section 135.600, the surviving spouse tax credit created pursuant to section 135.090, the residential treatment agency tax credit created pursuant to section 135.1150, the pregnancy resource center tax credit created pursuant to section 135.630, the food pantry tax credit created pursuant to section 135.647, the health care access fund tax credit created pursuant to section 135.575, the residential dwelling access tax credit created pursuant to section 135.562, and the shared care tax credit created pursuant to section 660.055;

(7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, the new enterprise creation tax credit created pursuant to sections 620.635 to 620.653, the research tax credit created pursuant to section 620.1039, the small business incubator tax credit created pursuant to section 620.495, the guarantee fee tax credit created pursuant to section 135.766, and the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125;

(8) "Environmental tax credits", the charcoal producer tax credit created pursuant to section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311, and the alternative fuel stations tax credit created pursuant to section 135.710;

(9) "Financial and insurance tax credits", the bank franchise tax credit created pursuant to section 148.030, the bank tax credit for S corporations created pursuant to section 143.471, the exam fee tax credit created pursuant to section 148.400, the health insurance pool tax credit created pursuant to section 376.975, the life and health insurance guaranty tax credit created pursuant to section 376.745, the property and casualty guaranty tax credit created pursuant to section 375.774, and the self-employed health insurance tax credit created pursuant to section 143.119;

(10) "Housing tax credits", the neighborhood preservation tax credit created pursuant to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125;

(11) "Recipient", the individual or entity who is the original applicant for and who receives proceeds from a tax credit program directly from the administering agency, the person or entity responsible for the reporting requirements established in section 135.805;

(12) "Redevelopment tax credits", the historic preservation tax credit created pursuant to sections 253.545 to 253.561, the brownfield redevelopment program tax credit created pursuant to sections 447.700 to 447.718, the community development corporations tax credit created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section 100.286, the bond guarantee tax credit created pursuant to section 100.297, the disabled access tax credit created pursuant to section 135.490, the new markets tax credit created pursuant to section 135.680, and the distressed areas land assemblage tax credit created pursuant to section 99.1205;

(13) "Training and educational tax credits", the [community college] **Missouri works** new jobs tax credit **and Missouri works retained jobs credit** created pursuant to sections [178.892 to 178.896] **620.800 to 620.809.**"; and

Further amend said bill, Page 130, Section 577.041, Line 138, by inserting after all of said section and line the following:

"620.800. The following additional terms used in sections 620.800 to 620.809 shall mean:

(1) **"Agreement"**, the agreement between a qualified company, a community college district, and the department concerning a training project. Any such agreement shall comply with the provisions of section 620.017;

(2) **"Board of trustees"**, the board of trustees of a community college district established under the provisions of chapter 178;

(3) **"Certificate"**, a new or retained jobs training certificate issued under section 620.809;

(4) **"Committee"**, the Missouri works job training joint legislative oversight committee, established under the provisions of section 620.803;

(5) **"Department"**, the Missouri department of economic development;

(6) **"Employee"**, a person employed by a qualified company;

(7) **"Full-time employee"**, an employee of the qualified company who is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one to whom the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(8) **"Local education agency"**, a community college, two-year state technical college, or technical career education center;

(9) **"Missouri works training program"**, the training program established under sections 620.800 to 620.809;

(10) **"New capital investment"**, costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent, whichever occurs first, for real or personal property, that may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or approval of the notice of intent;

(11) **"New job"**, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee who spends less than fifty percent of his or her work time at the facility is still considered to be located at a facility if he or she receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the applicable percentage of the county's average wage;

(12) **"New jobs credit"**, the credit from withholding remitted by a qualified company provided under subsection 6 of section 620.809;

(13) **"Notice of intent"**, a form developed by the department, completed by the qualified company, and submitted to the department that states the qualified company's intent to request benefits under this program;

(14) **"Project facility"**, the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated, provided that, if the buildings making up the project facility are not located within the same county, the average wage of the new payroll must exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period;

(15) **"Project facility base employment"**, the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(16) **"Qualified company"**, a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.800 to 620.809, the term "qualified company" shall not mean:

- (a) Gambling establishments (NAICS industry group 7132);
- (b) Retail trade establishments (NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision;
- (c) Food and drinking places (NAICS subsector 722);
- (d) Public utilities (NAICS 221 including water and sewer services);
- (e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
- (f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:
 - a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization.

Any taxpayer who is awarded benefits under sections 620.800 to 620.809 and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., as amended shall immediately notify the department, shall forfeit such benefits, and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

- (g) Educational services (NAICS sector 61);
- (h) Religious organizations (NAICS industry group 8131);
- (i) Public administration (NAICS sector 92);
- (j) Ethanol distillation or production; or
- (k) Biodiesel production.

Notwithstanding any provision of this section to the contrary, the headquarters, administrative offices, or research and development facilities of an otherwise excluded business may qualify for benefits if the offices or facilities serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the jobs and investment of such operation shall be considered eligible for benefits under this section if the other requirements are satisfied;

(17) "Related company":

- (a) A corporation, partnership, trust, or association controlled by the qualified company;
- (b) An individual, corporation, partnership, trust, or association in control of the qualified company;

or

(c) Corporations, partnerships, trusts, or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote; "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association; "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; and "ownership" shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(18) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(19) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

(20) "Retained jobs", the average number of full-time employees of a qualified company located at the project facility during each month for the calendar year preceding the year in which the notice of intent is submitted;

(21) "Retained jobs credit", the credit from withholding remitted by a qualified company provided under subsection 6 of section 620.809;

(22) "Targeted industry", an industry or one of a cluster of industries identified by the department by rule following a strategic planning process as being critical to the state's economic security and growth;

(23) "Training program", the Missouri works training program established under sections 620.800 to 620.809;

(24) "Training project", the project or projects established through the Missouri works training program for the creation or retention of jobs by providing education and training of workers;

(25) "Training project costs", all necessary and incidental costs of providing program services through the training program, including:

- (a) Training materials and supplies;
 - (b) Wages and benefits of instructors, who may or may not be employed by the eligible industry, and the cost of training such instructors;
 - (c) Subcontracted services;
 - (d) On-the-job training;
 - (e) Training facilities and equipment;
 - (f) Skill assessment;
 - (g) Training project and curriculum development;
 - (h) Travel directly to the training project, including a coordinated transportation program for training if the training can be more effectively provided outside the community where the jobs are to be located;
 - (i) Payments to third-party training providers and to the eligible industry;
 - (j) Teaching and assistance provided by educational institutions in the state of Missouri;
 - (k) In-plant training analysis, including fees for professionals and necessary travel and expenses;
 - (l) Assessment and preselection tools;
 - (m) Publicity;
 - (n) Instructional services;
 - (o) Rental of instructional facilities with necessary utilities; and
 - (p) Payment of the principal, premium, and interest on certificates, including capitalized interest, issued to finance a project, and the funding and maintenance of a debt service reserve fund to secure such certificates;
- (26) "Training project services", includes, but shall not be limited to, the following:
- (a) Job training, which may include, but not be limited to, preemployment training, analysis of the specified training needs for a qualified company, development of training plans, and provision of training through qualified training staff;
 - (b) Adult basic education and job-related instruction;
 - (c) Vocational and skill-assessment services and testing;
 - (d) Training facilities, equipment, materials, and supplies;
 - (e) On-the-job training;
 - (f) Administrative expenses equal to fifteen percent of the total training costs;
 - (g) Subcontracted services with state institutions of higher education, private colleges or universities, or other federal, state, or local agencies;
 - (h) Contracted or professional services; and
 - (i) Issuance of certificates, when applicable.

620.803. 1. The department shall establish a "Missouri Works Training Program" to assist qualified companies in the training of employees in new jobs and the retraining or upgrading of skills of full-time employees in retained jobs as provided in sections 620.800 to 620.809. The training program shall be funded through appropriations to the funds established under sections 620.806 and 620.809. The department shall, to the maximum extent practicable, prioritize funding under the training program to assist qualified companies in targeted industries.

2. There is hereby created the "Missouri Works Job Training Joint Legislative Oversight Committee". The committee shall consist of three members of the Missouri senate appointed by the president pro tem of the senate and three members of the house of representatives appointed by the speaker of the house. No more than two of the members of the senate and two of the members of the house of representatives shall be from the same political party. Members of the committee shall report to the governor, the president pro tem of the senate, and the speaker of the house of representatives on all assistance to industries under the provisions of sections 620.800 to 620.809 provided during the preceding fiscal year. The report of the committee shall be delivered no later than October first of each year. The director of the department shall report to the committee such information as the committee may deem necessary for its annual report. Members of the committee shall receive no compensation

in addition to their salary as members of the general assembly but may receive their necessary expenses while attending the meetings of the committee, to be paid out of the joint contingent fund.

3. The department shall publish guidelines and may promulgate rules and regulations governing the training program. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

4. The department shall make program applications and guidelines available online.

5. The department may contract with other entities for the purposes of carrying out the provisions of the training program established in sections 620.800 to 620.809. Any assistance through the training program shall be provided under an agreement.

6. Prior to the authorization of any application submitted through the training program, the department shall verify the applicant's tax payment status and offset any delinquencies as provided in section 135.815.

620.806. 1. The Missouri job development fund, formerly established in the state treasury by section 620.478, shall now be known as the "Missouri Works Job Development Fund" and shall be administered by the department for the training program. The fund shall consist of all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants, or bequests received from federal, private or other sources, including, but not limited to, any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure, development, and human resource investment programs which may be provided by the federal government or other sources.

2. The department may provide financial assistance through the training program to qualified companies that create new jobs which will result in the need for training, or that make new capital investment relating directly to the retention of jobs in an amount at least five times greater than the amount of any financial assistance. Financial assistance may also be provided to a consortium of qualified companies organized to provide common training to the consortium members' employees. Funds in the Missouri works job development fund shall be appropriated, for financial assistance through the training program, by the general assembly to the department and shall be administered by a local educational agency certified by the department for such purpose. Except for state-sponsored preemployment training, no qualified company shall receive more than fifty percent of its training program costs from the Missouri works job development fund. No funds shall be awarded or reimbursed to any qualified company for the training, retraining, or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage. Upon approval by the department, training project costs, except the purchase of training equipment and training facilities, shall be eligible for reimbursement with funds from the Missouri works job development fund. Notwithstanding any provision of law to the contrary, no qualified company within a service industry shall be eligible for assistance under this subsection unless such qualified company provides services in interstate commerce, which shall mean that the qualified company derives a majority of its annual revenues from out of the state.

3. The department may provide assistance, through appropriations made from the Missouri works job development fund, to business and technology centers. Such assistance shall not include the lending of the state's credit for the payment of any liability of the fund. Such centers may be established by Missouri community colleges, or state-owned postsecondary technical colleges, to provide business and training services for growth industries as determined by current labor market information.

620.809. 1. The Missouri community college job training program fund, formerly established in the state treasury by section 178.896, shall now be known as the "Missouri Works Community College New Jobs Training Fund" and shall be administered by the department for the training program. The department of revenue shall credit to the fund, as received, all new jobs credits. The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the fund. Moneys in the fund shall be disbursed to the department under regular appropriations by the general assembly. The department shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for training projects, which funds shall be used to pay training project costs. Such disbursements shall be made to the special fund for each training project in the same proportion as the new jobs credit remitted by the qualified company participating in such project bears to the total new jobs credit from withholding remitted by all qualified companies

participating in projects during the period for which the disbursement is made. All moneys remaining in the fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the fund.

2. The Missouri community college job retention training program fund, formerly established in the state treasury by section 178.764, shall now be known as the "Missouri Works Community College Job Retention Training Fund" and shall be administered by the department for the Missouri works training program. The department of revenue shall credit to the fund, as received, all retained jobs credits. The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the fund. Moneys in the fund shall be disbursed to the department under regular appropriations by the general assembly. The department shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for projects, which funds shall be used to pay training program costs, including the principal, premium, and interest on certificates issued by the district to finance or refinance, in whole or in part, a project. Such disbursements by the department shall be made to the special fund for each project in the same proportion as the retained jobs credit from withholding remitted by the qualified company participating in such project bears to the total retained jobs credit from withholding remitted by qualified companies participating in projects during the period for which the disbursement is made. All moneys remaining in the fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the fund.

3. The department of revenue shall develop such forms as are necessary to demonstrate accurately each qualified company's new jobs credit paid into the Missouri works community college new jobs training fund or retained jobs credit paid into the Missouri works community college job retention training fund. The new or retained jobs credits shall be accounted as separate from the normal withholding tax paid to the department of revenue by the qualified company. Reimbursements made by all qualified companies to the Missouri works community college new jobs training fund and the Missouri works community college job retention training fund shall be no less than all allocations made by the department to all community college districts for all projects. The qualified company shall remit the amount of the new or retained jobs credit, as applicable, to the department of revenue in the same manner as provided in sections 143.191 to 143.265.

4. A community college district, with the approval of the department in consultation with the office of administration, may enter into an agreement to establish a training project and provide training project services to a qualified company. As soon as possible after initial contact between a community college district and a potential qualified company regarding the possibility of entering into an agreement, the district shall inform the department of the potential training project. The department shall evaluate the proposed training project within the overall job training efforts of the state to ensure that the training project will not duplicate other job training programs. The department shall have fourteen days from receipt of a notice of intent to approve or disapprove a training project. If no response is received by the qualified company within fourteen days, the training project shall be deemed approved. Disapproval of any training project shall be made in writing and state the reasons for such disapproval. If an agreement is entered into, the district and the qualified company shall notify the department of revenue within fifteen calendar days. In addition to any provisions required under subsection 5 of this section for a qualified company applying to receive a retained job credit, an agreement may provide, but shall not be limited to:

(1) Payment of training project costs, which may be paid from one or a combination of the following sources:

(a) Funds appropriated by the general assembly to the Missouri works community college new jobs training program fund or Missouri works community college job retention training program fund, as applicable, and disbursed by the department for the purposes consistent with sections 620.800 to 620.809;

(b) Tuition, student fees, or special charges fixed by the board of trustees to defray training project costs in whole or in part;

(2) Payment of training project costs which shall not be deferred for a period longer than eight years;

(3) Costs of on-the-job training for employees which shall include wages or salaries of participating employees. Payments for on-the-job training shall not exceed the average of fifty percent of the total wages paid by the qualified company to each participant during the period of training. Payment for on-the-job training may continue for up to six months from the date the training begins;

(4) A provision which fixes the minimum amount of new or retained jobs credits, or tuition and fee payments which shall be paid for training project costs; and

(5) Any payment required to be made by a qualified company. This payment shall constitute a lien upon the qualified company's business property until paid, shall have equal priority with ordinary taxes and shall not

be divested by a judicial sale. Property subject to such lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchasers at tax sale shall obtain the property subject to the remaining payments.

5. Any qualified company that submits a notice of intent for retained job credits shall enter into an agreement, providing that the qualified company has:

(1) Maintained at least one hundred full-time employees per year at the project facility for the calendar year preceding the year in which the application is made;

(2) Retained, at the project facility, the same number of employees that existed in the taxable year immediately preceding the year in which application is made; and

(3) Made or agrees to make a new capital investment of greater than five times the amount of any award under this training program at the project facility over a period of two consecutive calendar years, as certified by the qualified company and:

(a) Has made substantial investment in new technology requiring the upgrading of employee skills; or

(b) Is located in a border county of the state and represents a potential risk of relocation from the state;

or

(c) Has been determined to represent a substantial risk of relocation from the state by the director of the department of economic development.

6. If an agreement provides that all or part of the training program costs are to be met by receipt of new or retained jobs credit, such new or retained jobs credit from withholding shall be determined and paid as follows:

(1) New or retained jobs credit shall be based upon the wages paid to the employees in the new or retained jobs;

(2) A portion of the total payments made by the qualified companies under sections 143.191 to 143.265 shall be designated as the new or retained jobs credit from withholding. Such portion shall be an amount equal to two and one-half percent of the gross wages paid by the qualified company for each of the first one hundred jobs included in the project and one and one-half percent of the gross wages paid by the qualified company for each of the remaining jobs included in the project. If business or employment conditions cause the amount of the new or retained jobs credit from withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the qualified company under sections 143.191 to 143.265 shall be credited to the applicable fund by the amount of such difference. The qualified company shall remit the amount of the new or retained jobs credit to the department of revenue in the manner prescribed in sections 143.191 to 143.265. When all training program costs have been paid, the new or retained jobs credits shall cease;

(3) The community college district participating in a project shall establish a special fund for and in the name of the training project. All funds appropriated by the general assembly from the funds established under subsections 1 and 2 of this section and disbursed by the department for the training project and other amounts received by the district for training project costs as required by the agreement shall be deposited in the special fund. Amounts held in the special fund shall be used and disbursed by the district only to pay training project costs for such training project. The special fund may be divided into such accounts and subaccounts as shall be provided in the agreement, and amounts held therein may be invested in the same manner as the district's other funds;

(4) Any disbursement for training project costs received from the department under sections 620.800 to 620.809 and deposited into the training project's special fund may be irrevocably pledged by a community college district for the payment of the principal, premium, and interest on the certificate issued by a community college district to finance or refinance, in whole or in part, such training project;

(5) The qualified company shall certify to the department of revenue that the new or retained jobs credit is in accordance with an agreement and shall provide other information the department of revenue may require;

(6) An employee participating in a training project shall receive full credit under section 143.211 for the amount designated as a new or retained jobs credit;

(7) If an agreement provides that all or part of training program costs are to be met by receipt of new or retained jobs credit, the provisions of this subsection shall also apply to any successor to the original qualified company until the principal and interest on the certificates have been paid.

7. To provide funds for the present payment of the training project costs of new or retained jobs training project through the training program, a community college district may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the Missouri works community college new jobs training fund or the Missouri works community college job retention training fund, to the special fund established by the district for each

project. The total amount of outstanding certificates sold by all community college districts shall not exceed the total amount authorized under law as of January 1, 2013, unless an increased amount is authorized in writing by a majority of members of the committee. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board of trustees, and may bear interest at such rate or rates as the board of trustees shall determine, notwithstanding the provisions of section 108.170 to the contrary. However, the provisions of chapter 176 shall not apply to the issuance of such certificates. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board of trustees may provide by resolution authorizing the issuance of the certificates.

8. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section, with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater, or lesser principal amount of certificates and may bear a rate of interest that is higher, lower, or equivalent to that of the certificates being renewed or refunded.

9. Before certificates are issued, the board of trustees shall publish once a notice of its intention to issue the certificates, stating the amount, the purpose, and the project or projects for which the certificates are to be issued. A person with standing may, within fifteen days after the publication of the notice, by action in the circuit court of a county in the district, appeal the decision of the board of trustees to issue the certificates. The action of the board of trustees in determining to issue the certificates shall be final and conclusive unless the circuit court finds that the board of trustees has exceeded its legal authority. An action shall not be brought which questions the legality of the certificates, the power of the board of trustees to issue the certificates, the effectiveness of any proceedings relating to the authorization of the project, or the authorization and issuance of the certificates from and after fifteen days from the publication of the notice of intention to issue.

10. The board of trustees shall make a finding based on information supplied by the qualified company that revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

11. Certificates issued under this section shall not be deemed to be an indebtedness of the state, the community college district, or any other political subdivision of the state, and the principal and interest on any certificates shall be payable only from the sources provided in subdivision (1) of subsection 4 of this section which are pledged in the agreement.

12. The provisions of the new program authorized under sections 620.800 to 620.809 shall sunset automatically on July 1, 2019, unless reauthorized by an act of the general assembly.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (19) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the [new] **Missouri works** jobs training program under sections [178.892 to 178.896] **620.800 to 620.809**, [the job retention program under sections 178.760 to 178.764,] the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the [new] **Missouri works** jobs training program in sections [178.892 to 178.896] **620.800 to 620.809**, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this subdivision. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision (33) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new

direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

(5) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not

located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance

taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.

620.1910. 1. This section shall be known and may be cited as the "Manufacturing Jobs Act".

2. As used in this section, the following terms mean:

(1) "Approval", a document submitted by the department to the qualified manufacturing company or qualified supplier that states the benefits that may be provided under this section;

(2) "Capital investment", expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(3) "County average wage", the same meaning as such term is defined in section 620.1878;

(4) "Department", the department of economic development;

(5) "Facility", a building or buildings located in Missouri at which the qualified manufacturing company manufactures a product;

(6) "Full-time job", a job for which a person is compensated for an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified manufacturing company or qualified supplier offers health insurance and pays at least fifty percent of such insurance premiums;

(7) "NAICS industry classification", the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(8) "New job", the same meaning as such term is defined in section 620.1878;

(9) "New product", a new model or line of a manufactured good that has not been manufactured in Missouri by the qualified manufacturing company at any time prior to the date of the notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned with more than seventy-five percent new exterior body parts and incorporates new powertrain options;

(10) "Notice of intent", a form developed by the department, completed by the qualified manufacturing company or qualified supplier and submitted to the department which states the qualified manufacturing company's or qualified supplier's intent to create new jobs or retain current jobs and make additional capital investment, as applicable, and request benefits under this section. The notice of intent shall specify the minimum number of such new or retained jobs and the minimum amount of such capital investment;

(11) "Qualified manufacturing company", a business with a NAICS code of 33611 that:

(a) Manufactures goods at a facility in Missouri;

(b) In the case of the manufacture of a new product, commits to make a capital investment of at least seventy-five thousand dollars per retained job within no more than two years of the date the qualified manufacturing company begins to retain withholding tax under this section, or in the case of the modification or expansion of the manufacture of an existing product, commits to make a capital investment of at least fifty thousand dollars per retained job within no more than two years of the date the qualified manufacturing company begins to retain withholding tax under this section;

(c) Manufactures a new product or has commenced making capital improvements to the facility necessary for the manufacturing of such new product, or modifies or expands the manufacture of an existing product or has

commenced making capital improvements to the facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the withholding period;

(12) "Qualified supplier", a manufacturing company that:

(a) Attests to the department that it derives more than ten percent of the total annual sales of the company from sales to a qualified manufacturing company;

(b) Adds five or more new jobs;

(c) Has an average wage, as defined in section 135.950, for such new jobs that are equal to or exceed the lower of the county average wage for Missouri as determined by the department using NAICS industry classifications, but not lower than sixty percent of the statewide average wage; and

(d) Provides health insurance for all full-time jobs and pays at least fifty percent of the premiums of such insurance;

(13) "Retained job", the number of full-time jobs of persons employed by the qualified manufacturing company located at the facility that existed as of the last working day of the month immediately preceding the month in which notice of intent is submitted;

(14) "Statewide average wage", an amount equal to the quotient of the sum of the total gross wages paid for the corresponding four calendar quarters divided by the average annual employment for such four calendar quarters, which shall be computed using the Quarterly Census of Employment and Wages Data for All Private Ownership Businesses in Missouri, as published by the Bureau of Labor Statistics of the United States Department of Labor;

(15) "Withholding period", the seven- or ten-year period in which a qualified manufacturing company may receive benefits under this section;

(16) "Withholding tax", the same meaning as such term is defined in section 620.1878.

3. The department shall respond within thirty days to a qualified manufacturing company or a qualified supplier who provides a notice of intent with either an approval or a rejection of the notice of intent. Failure to respond on behalf of the department shall result in the notice of intent being deemed an approval for the purposes of this section.

4. A qualified manufacturing company that manufactures a new product may, upon the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 9 of this section, but no earlier than January 1, 2012, retain one hundred percent of the withholding tax from full-time jobs at the facility for a period of ten years. A qualified manufacturing company that modifies or expands the manufacture of an existing product may, upon the department's approval of a notice of intent and the execution of an agreement that meets the requirements of subsection 9 of this section, but no earlier than January 1, 2012, retain fifty percent of the withholding tax from full-time jobs at the facility for a period of seven years. Except as otherwise allowed under subsection 7 of this section, the commencement of the withholding period may be delayed by no more than twenty-four months after execution of the agreement at the option of the qualified manufacturing company. Such qualified manufacturing company shall be eligible for participation in the Missouri quality jobs program in sections 620.1875 to 620.1890 for any new jobs for which it does not retain withholding tax under this section, provided all qualifications for such program are met.

5. A qualified supplier may, upon approval of a notice of intent by the department, retain all withholding tax from new jobs for a period of three years from the date of approval of the notice of intent or for a period of five years if the supplier pays wages for the new jobs equal to or greater than one hundred twenty percent of county average wage. Notwithstanding any other provision of law to the contrary, a qualified supplier that is awarded benefits under this section shall not receive any tax credit or exemption or be entitled to retain withholding under sections 100.700 to 100.850, sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, sections 135.900 to 135.906, sections 135.950 to 135.970, or section 620.1881 for the same jobs.

6. Notwithstanding any other provision of law to the contrary, the maximum amount of withholding tax that may be retained by any one qualified manufacturing company under this section shall not exceed ten million dollars per calendar year. The aggregate amount of withholding tax that may be retained by all qualified manufacturing companies under this section shall not exceed fifteen million dollars per calendar year.

7. Notwithstanding any other provision of law to the contrary, any qualified manufacturing company that is awarded benefits under this section shall not simultaneously receive tax credits or exemptions under sections 100.700 to 100.850, sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 for the jobs created or retained or capital improvement which qualified for benefits under this section. The benefits available to the qualified manufacturing company under any other state programs for which the qualified manufacturing company is eligible and which utilize withholding tax from the jobs at the facility shall first be credited to the other state program before the applicable withholding period for benefits provided under this section shall begin. These other state programs include, but are not limited to, the [new] **Missouri works** jobs training program under sections [178.892 to

178.896] **620.800 to 620.809**, [the job retention program under sections 178.760 to 178.764,] the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified manufacturing company also participates in the [new] **Missouri works** jobs training program in sections [178.892 to 178.896] **620.800 to 620.809**, such qualified manufacturing company shall not retain any withholding tax that has already been allocated for use in the new jobs training program. Any qualified manufacturing company or qualified supplier that is awarded benefits under this program and knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any withholding taxes already retained. Subsection 5 of section 285.530 shall not apply to qualified manufacturing companies or qualified suppliers which are awarded benefits under this program.

8. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

9. Within six months of completion of a notice of intent required under this section, the qualified manufacturing company shall enter into an agreement with the department that memorializes the content of the notice of intent, the requirements of this section, and the consequences for failing to meet such requirements, which shall include the following:

(1) If the amount of capital investment made by the qualified manufacturing company is not made within the two-year period provided for such investment, the qualified manufacturing company shall immediately cease retaining any withholding tax with respect to jobs at the facility and it shall forfeit all rights to retain withholding tax for the remainder of the withholding period. In addition, the qualified manufacturing company shall repay any amounts of withholding tax retained plus interest of five percent per annum. However, in the event that such capital investment shortfall is due to economic conditions beyond the control of the qualified manufacturing company, the director may, at the qualified manufacturing company's request, suspend rather than terminate its privilege to retain withholding tax under this section for up to three years. Any such suspension shall extend the withholding period by the same amount of time. No more than one such suspension shall be granted to a qualified manufacturing company;

(2) If the qualified manufacturing company discontinues the manufacturing of the new product and does not replace it with a subsequent or additional new product manufactured at the facility at any time during the withholding period, the qualified manufacturing company shall immediately cease retaining any withholding tax with respect to jobs at that facility and it shall forfeit all rights to retain withholding tax for the remainder of the withholding period.

10. Prior to March first each year, the department shall provide a report to the general assembly including the names of participating qualified manufacturing companies or qualified suppliers, location of such companies or suppliers, the annual amount of benefits provided, the estimated net state fiscal impact including direct and indirect new state taxes derived, and the number of new jobs created or jobs retained.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset October 12, 2016, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Page 130, Section 1, Line 6, by inserting after all of said section and line the following:

"[178.760. As used in sections 178.760 to 178.764, the following terms mean:

(1) "Agreement", the agreement between an employer and a community college district concerning a project. An agreement may be for a period not to exceed ten years when the program services associated with a project are not in excess of five hundred thousand dollars. For a project where the associated program costs are greater than five hundred thousand dollars, the agreement may not exceed a period of eight years;

(2) "Board of trustees", the board of trustees of a community college district;

(3) "Capital investment", an investment in research and development, working capital, and real and tangible personal business property except inventory or property intended for sale to customers. Trucks, truck trailers, truck semi-trailers, rail and barge vehicles and other rolling stock for hire, track, switches, barges, bridges, tunnels, rail yards, and spurs shall not qualify as a capital investment. The amount of such investment shall be the original cost of the property if owned, or eight times the net annual rental rate if leased;

(4) "Certificate", industrial retained jobs training certificates issued under section 178.763;

(5) "Date of commencement of the project", the date of the agreement;

(6) "Employee", the person employed in a retained job;

(7) "Employer", the person maintaining retained jobs in conjunction with a project;

(8) "Industry", a business located within this state which enters into an agreement with a community college district and which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail services;

(9) "Program costs", all necessary and incidental costs of providing program services, including payment of the principal, premium, and interest on certificates, including capitalized interest, issued to finance a project, funding and maintenance of a debt service reserve fund to secure such certificates and wages, salaries and benefits of employees participating in on-the-job training;

(10) "Program services" includes, but is not limited to, the following:

(a) Retained jobs training;

(b) Adult basic education and job-related instruction;

(c) Vocational and skill-assessment services and testing;

(d) Training facilities, equipment, materials, and supplies;

(e) On-the-job training;

(f) Administrative expenses equal to seventeen percent of the total training costs, two percent to be paid to the department of economic development for deposit into the Missouri job development fund created under section 620.478;

(g) Subcontracted services with state institutions of higher education, private colleges or universities, or other federal, state, or local agencies;

(h) Contracted or professional services; and

(i) Issuance of certificates;

(11) "Project", a training arrangement which is the subject of an agreement entered into between the community college district and an employer to provide program services that is not also the subject of an agreement entered into between a community college district and an employer to provide program services under sections 178.892 to 178.896;

(12) "Retained job", a job in a stable industry, not including jobs for recalled workers, which was in existence for at least two consecutive calendar years preceding the year in which the application for the retained jobs training program was made;

(13) "Retained jobs credit from withholding", the credit as provided in section 178.762;

(14) "Retained jobs training program", or "program", the project or projects established by a community college district for the retention of jobs, by providing education and training of workers for existing jobs for stable industry in the state;

(15) "Stable industry", a business that otherwise meets the definition of industry and retains existing jobs. To be a stable industry, the business shall have:

(a) Maintained at least one hundred employees per year at the employer's site in the state at which the jobs are based, for each of the two calendar years preceding the year in which application for the program is made;

(b) Retained at that site the level of employment that existed in the taxable year immediately preceding the year in which application for the program is made; and

(c) Made or agree to make a capital investment aggregating at least one million dollars to acquire or improve long-term assets (including leased facilities) such as property, plant, or equipment (excluding program costs) at the employer's site in the state at which jobs are based over a period of three consecutive calendar years, as certified by the employer and:

a. Have made substantial investment in new technology requiring the upgrading of worker's skills; or

b. Be located in a border county of the state and represent a potential risk of relocation from the state; or

c. Be determined to represent a substantial risk of relocation from the state by the director of the department of economic development;

(16) "Total training costs", costs of training, including supplies, wages and benefits of instructors, subcontracted services, on-the-job training, training facilities, equipment, skill assessment, and all program services excluding issuance of certificates.]

[178.761. A community college district, with the approval of the department of economic development in consultation with the office of administration, may enter into an agreement to establish a project and provide program services to an employer. As soon as possible after initial contact between a community college district and a potential employer regarding the possibility of entering into an agreement, the district shall inform the division of workforce development of the department of economic development and the office of administration about the potential project. The division of workforce development shall evaluate the proposed project within the overall job training efforts of the state to ensure that the project will not duplicate other job training programs. The department of economic development shall have fourteen days from receipt of the application to approve or disapprove projects. If no response is received by the community college within fourteen days, the projects are approved. Any project that is disapproved must be in writing stating the reasons for the disapproval. If an agreement is entered into, the district and the employer shall notify the department of revenue within fifteen calendar days. An agreement may provide, but is not limited to:

(1) Payment of program costs, including deferred costs, which may be paid from one or a combination of the following sources:

(a) Funds appropriated by the general assembly from the Missouri community college job retention program fund and disbursed by the division of workforce development in respect of retained jobs credit from withholding to be received or derived from retained employment resulting from the project;

(b) Tuition, student fees, or special charges fixed by the board of trustees to defray program costs in whole or in part;

(c) Guarantee of payments to be received under paragraph (a) or (b) of this subdivision;

(2) Payment of program costs shall not be deferred for a period longer than ten years if program costs do not exceed five hundred thousand dollars, or eight years if program costs exceed five hundred thousand dollars from the date of commencement of the project;

(3) Costs of on-the-job training for employees shall include wages or salaries of participating employees. Payments for on-the-job training shall not exceed the average of fifty percent of the total percent of the total wages paid by the employer to each participant during the period of training. Payment for on-the-job training may continue for up to six months from the date of the employer's capital investment;

(4) A provision which fixes the minimum amount of retained jobs credit from withholding, or tuition and fee payments which shall be paid for program costs;

(5) Any payment required to be made by an employer is a lien upon the employer's business property until paid and has equal precedence with ordinary taxes and shall not be divested by a judicial sale. Property subject to the lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchasers at tax sale obtain the property subject to the remaining payments.]

[178.762. If an agreement provides that all or part of program costs are to be met by receipt of retained jobs credit from withholding, such retained jobs credit from withholding shall be determined and paid as follows:

(1) Retained jobs credit from withholding shall be based upon the wages paid to the employees in the retained jobs;

(2) A portion of the total payments made by the employer under section 143.221 shall be designated as the retained jobs credit from withholding. Such portion shall be an amount equal to two and one-half percent of the gross wages paid by the employer for each of the first one hundred jobs included in the project and one and one-half percent of the gross wages paid by the employer for each of the remaining jobs included in the project. If business or employment conditions cause the amount

of the retained jobs credit from withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the employer under section 143.221 shall be credited to the Missouri community college retained job training fund by the amount of such difference. The employer shall remit the amount of the retained jobs credit to the department of revenue in the manner prescribed in section 178.764. When all program costs, including the principal, premium, and interest on the certificates have been paid, the employer credits shall cease;

(3) The community college district participating in a project shall establish a special fund for and in the name of the project. All funds appropriated by the general assembly from the Missouri community college job training retention program fund and disbursed by the division of workforce development for the project and other amounts received by the district in respect of the project and required by the agreement to be used to pay program costs for the project shall be deposited in the special fund. Amounts held in the special fund may be used and disbursed by the district only to pay program costs for the project. The special fund may be divided into such accounts and subaccounts as shall be provided in the agreement, and amounts held therein may be invested in investments which are legal for the investment of the district's other funds;

(4) Any disbursement in respect of a project received from the division of workforce development under sections 178.760 to 178.764 and the special fund into which it is paid may be irrevocably pledged by a community college district for the payment of the principal, premium, and interest on the certificate issued by a community college district to finance or refinance, in whole or in part, the project;

(5) The employer shall certify to the department of revenue that the credit from withholding is in accordance with an agreement and shall provide other information the department may require;

(6) An employee participating in a project will receive full credit for the amount designated as a retained jobs credit from withholding and withheld as provided in section 143.221;

(7) If an agreement provides that all or part of program costs are to be met by receipt of retained jobs credit from withholding, the provisions of this subsection shall also apply to any successor to the original employer until such time as the principal and interest on the certificates have been paid.]

[178.763. 1. To provide funds for the present payment of the costs of retained jobs training programs, a community college district may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the Missouri community college job retention training program to the special fund established by the district for each project. The total amount of outstanding certificates sold by all community college districts shall not exceed fifteen million dollars, unless an increased amount is authorized in writing by a majority of members of the Missouri job training joint legislative oversight committee. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board of trustees, and may bear interest at such rate or rates as the board of trustees shall determine, notwithstanding the provisions of section 108.170 to the contrary. However, chapter 176 does not apply to the issuance of these certificates. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board of trustees may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater, or lesser principal amount of certificates and may bear a higher, lower, or equivalent rate of interest than the certificates being renewed or refunded.

3. Before certificates are issued, the board of trustees shall publish once a notice of its intention to issue the certificates, stating the amount, the purpose, and the project or projects for which the certificates are to be issued. A person may, within fifteen days after the publication of the notice,

by action in the circuit court of a county in the district, appeal the decision of the board of trustees to issue the certificates. The action of the board of trustees in determining to issue the certificates is final and conclusive unless the circuit court finds that the board of trustees has exceeded its legal authority. An action shall not be brought which questions the legality of the certificates, the power of the board of trustees to issue the certificates, the effectiveness of any proceedings relating to the authorization of the project, or the authorization and issuance of the certificates from and after fifteen days from the publication of the notice of intention to issue.

4. The board of trustees shall make a finding based on information supplied by the employer that revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

5. Certificates issued under this section shall not be deemed to be an indebtedness of the state or the community college district or of any other political subdivision of the state, and the principal and interest on such certificates shall be payable only from the sources provided in subdivision (1) of section 178.761 which are pledged in the agreement.

6. The department of economic development shall coordinate the retained jobs training program, and may promulgate rules that districts will use in developing projects with industrial retained jobs training proposals which shall include rules providing for the coordination of such proposals with the service delivery areas established in the state to administer federal funds pursuant to the federal Workforce Investment Act. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.

7. No community college district may sell certificates as described in this section after July 1, 2014.]

[178.764. 1. There is hereby established within the state treasury a special fund, to be known as the "Missouri Community College Job Retention Training Program Fund", to be administered by the division of workforce development. The department of revenue shall credit to the community college job retention training program fund, as received, all retained jobs credit from withholding remitted by employers pursuant to section 178.762. The fund shall also consist of any gifts, contributions, grants, or bequests received from federal, private, or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the community college job retention training program fund. Moneys in the Missouri community college job retention training program fund shall be disbursed to the division of workforce development pursuant to regular appropriations by the general assembly. The division shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for projects, which funds shall be used to pay program costs, including the principal, premium, and interest on certificates issued by the district to finance or refinance, in whole or in part, a project. Such disbursements by the division of workforce development shall be made to the special fund for each project in the same proportion as the retained jobs credit from withholding remitted by the employer participating in such project bears to the total retained jobs credit from withholding remitted by all employers participating in projects during the period for which the disbursement is made. Moneys for retained jobs training programs established under sections 178.760 to 178.764 shall be obtained from appropriations made by the general assembly from the Missouri community college job retention training program fund. All moneys remaining in the Missouri community college job retention training program fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the Missouri community college job retention training program fund.

2. The department of revenue shall develop such forms as are necessary to demonstrate accurately each employer's retained jobs credit from withholding paid into the Missouri community college job retention training program fund. The retained jobs credit from withholding shall be accounted as separate from the normal withholding tax paid to the department of revenue by the employer. Reimbursements made by all employers to the Missouri community college job retention training program fund shall be no less than all allocations made by the division of workforce development to all community college districts for all job retention projects. The employer shall remit the amount of the retained job credit to the department of revenue in the same manner as provided in sections 143.191 to 143.265.]

[178.892. As used in sections 178.892 to 178.896, the following terms mean:

(1) "Agreement", the agreement, between an employer and a community college district, concerning a project. An agreement may be for a period not to exceed ten years when the program services associated with a project are not in excess of five hundred thousand dollars. For a project where associated program costs are greater than five hundred thousand dollars, the agreement may not exceed a period of eight years. No agreement shall be entered into between an employer and a community college district which involves the training of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage;

(2) "Board of trustees", the board of trustees of a community college district;

(3) "Certificate", industrial new jobs training certificates issued pursuant to section 178.895;

(4) "Date of commencement of the project", the date of the agreement;

(5) "Employee", the person employed in a new job;

(6) "Employer", the person providing new jobs in conjunction with a project;

(7) "Essential industry", a business that otherwise meets the definition of industry but instead of creating new jobs maintains existing jobs. To be an essential industry, the business must have maintained at least two thousand jobs each year for a period of four years preceding the year in which application for the program authorized by sections 178.892 to 178.896 is made and must be located in a home rule city with more than twenty-six thousand but less than twenty-seven thousand inhabitants located in any county with a charter form of government and with more than one million inhabitants;

(8) "Existing job", a job in an essential industry that pays wages or salary greater than the average of the county in which the project will be located;

(9) "Industry", a business located within the state of Missouri which enters into an agreement with a community college district and which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail services. "Industry" does not include a business which closes or substantially reduces its operation in one area of the state and relocates substantially the same operation in another area of the state. This does not prohibit a business from expanding its operations in another area of the state provided that existing operations of a similar nature are not closed or substantially reduced;

(10) "New job", a job in a new or expanding industry not including jobs of recalled workers, or replacement jobs or other jobs that formerly existed in the industry in the state. For an essential industry, an existing job shall be considered a new job for the purposes of the new job training programs;

(11) "New jobs credit from withholding", the credit as provided in section 178.894;

(12) "New jobs training program" or "program", the project or projects established by a community college district for the creation of jobs by providing education and training of workers for new jobs for new or expanding industry in the state;

(13) "Program costs", all necessary and incidental costs of providing program services including payment of the principal of, premium, if any, and interest on certificates, including capitalized interest, issued to finance a project, funding and maintenance of a debt service reserve fund to secure such certificates and wages, salaries and benefits of employees participating in on-the-job training;

(14) "Program services" includes, but is not limited to, the following:

(a) New jobs training;

(b) Adult basic education and job-related instruction;

(c) Vocational and skill-assessment services and testing;

(d) Training facilities, equipment, materials, and supplies;

(e) On-the-job training;

(f) Administrative expenses equal to fifteen percent of the total training costs;

(g) Subcontracted services with state institutions of higher education, private colleges or universities, or other federal, state, or local agencies;

(h) Contracted or professional services; and (i) Issuance of certificates;

(15) "Project", a training arrangement which is the subject of an agreement entered into between the community college district and an employer to provide program services;

(16) "Total training costs", costs of training, including supplies, wages and benefits of instructors, subcontracted services, on-the-job training, training facilities, equipment, skill assessment and all program services excluding issuance of certificates.]

[178.893. A community college district, with the approval of the department of economic development in consultation with the office of administration, may enter into an agreement to establish a project and provide program services to an employer. As soon as possible after initial contact between a community college district and a potential employer regarding the possibility of entering into an agreement, the district shall inform the division of job development and training of the department of economic development and the office of administration about the potential project. The division of job development and training shall evaluate the proposed project within the overall job training efforts of the state to ensure that the project will not duplicate other job training programs. The department of economic development shall have fourteen days from receipt of the application to approve or disapprove projects. If no response is received by the community college within fourteen days the projects are approved. Any project that is disapproved must be in writing stating the reasons for the disapproval. If an agreement is entered into, the district and the employer shall notify the department of revenue within fifteen calendar days. An agreement may provide, but is not limited to:

(1) Payment of program costs, including deferred costs, which may be paid from one or a combination of the following sources:

(a) Funds appropriated by the general assembly from the Missouri community college job training program fund and disbursed by the division of job development and training in respect of new jobs credit from withholding to be received or derived from new employment resulting from the project;

(b) Tuition, student fees, or special charges fixed by the board of trustees to defray program costs in whole or in part;

(c) Guarantee of payments to be received under paragraph (a) or (b) of this subdivision;

(2) Payment of program costs shall not be deferred for a period longer than ten years if program costs do not exceed five hundred thousand dollars, or eight years if program costs exceed five hundred thousand dollars from the date of commencement of the project;

(3) Costs of on-the-job training for employees, shall include wages or salaries of participating employees. Payments for on-the-job training shall not exceed the average of fifty percent of the total percent of the total wages paid by the employer to each participant during the period of training.

Payment for on-the-job training may continue for up to six months after the placement of the participant in the new job;

(4) A provision which fixes the minimum amount of new jobs credit from withholding, or tuition and fee payments which shall be paid for program costs;

(5) Any payment required to be made by an employer is a lien upon the employer's business property until paid and has equal precedence with ordinary taxes and shall not be divested by a judicial sale. Property subject to the lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchasers at tax sale obtain the property subject to the remaining payments.].

[178.894. If an agreement provides that all or part of program costs are to be met by receipt of new jobs credit from withholding, such new jobs credit from withholding shall be determined and paid as follows:

(1) New jobs credit from withholding shall be based upon the wages paid to the employees in the new jobs;

(2) A portion of the total payments made by the employer pursuant to section 143.221 shall be designated as the new jobs credit from withholding. Such portion shall be an amount equal to two and one-half percent of the gross wages paid by the employer for each of the first one hundred jobs included in the project and one and one-half percent of the gross wages paid by the employer for each of the remaining jobs included in the project. If business or employment conditions cause the amount of the new jobs credit from withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the employer pursuant to section 143.221 shall be credited to the Missouri community college job training fund by the amount of such difference. The

employer shall remit the amount of the new jobs credit to the department of revenue in the manner prescribed in section 178.896. When all program costs, including the principal of, premium, if any, and interest on the certificates have been paid, the employer credits shall cease;

(3) The community college district participating in a project shall establish a special fund for and in the name of the project. All funds appropriated by the general assembly from the Missouri community college job training program fund and disbursed by the division of job development and training for the project and other amounts received by the district in respect of the project and required by the agreement to be used to pay program costs for the project shall be deposited in the special fund. Amounts held in the special fund may be used and disbursed by the district only to pay program costs for the project. The special fund may be divided into such accounts and subaccounts as shall be provided in the agreement, and amounts held therein may be invested in investments which are legal for the investment of the district's other funds;

(4) Any disbursement in respect of a project received from the division of job development and training under the provisions of sections 178.892 to 178.896 and the special fund into which it is paid may be irrevocably pledged by a community college district for the payment of the principal of, premium, if any, and interest on the certificate issued by a community college district to finance or refinance, in whole or in part, the project;

(5) The employer shall certify to the department of revenue that the credit from withholding is in accordance with an agreement and shall provide other information the department may require;

(6) An employee participating in a project will receive full credit for the amount designated as a new jobs credit from withholding and withheld as provided in section 143.221;

(7) If an agreement provides that all or part of program costs are to be met by receipt of new jobs credit from withholding, the provisions of this subsection shall also apply to any successor to the original employer until such time as the principal and interest on the certificates have been paid.]

[178.895. 1. To provide funds for the present payment of the costs of new jobs training programs, a community college district may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the Missouri community college job training program to the special fund established by the district for each project. The total amount of outstanding certificates sold by all community college districts shall not exceed twenty million dollars, unless an increased amount is authorized in writing by a majority of members of the Missouri job training joint legislative oversight committee. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board of trustees, and may bear interest at such rate or rates as the board of trustees shall determine, notwithstanding the provisions of section 108.170 to the contrary. However, chapter 176 does not apply to the issuance of these certificates. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board of trustees may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater, or lesser principal amount of certificates and may bear a higher, lower, or equivalent rate of interest than the certificates being renewed or refunded.

3. Before certificates are issued, the board of trustees shall publish once a notice of its intention to issue the certificates, stating the amount, the purpose, and the project or projects for which the certificates are to be issued. A person may, within fifteen days after the publication of the notice, by action in the circuit court of a county in the district, appeal the decision of the board of trustees to issue the certificates. The action of the board of trustees in determining to issue the certificates is final and conclusive unless the circuit court finds that the board of trustees has exceeded its legal authority. An action shall not be brought which questions the legality of the certificates, the power of the board

of trustees to issue the certificates, the effectiveness of any proceedings relating to the authorization of the project, or the authorization and issuance of the certificates from and after fifteen days from the publication of the notice of intention to issue.

4. The board of trustees shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

5. Certificates issued under this section shall not be deemed to be an indebtedness of the state or the community college district or of any other political subdivision of the state and the principal and interest on such certificates shall be payable only from the sources provided in subdivision (1) of section 178.893 which are pledged in the agreement.

6. The department of economic development shall coordinate the new jobs training program, and may promulgate rules that districts will use in developing projects with new and expanding industrial new jobs training proposals which shall include rules providing for the coordination of such proposals with the service delivery areas established in the state to administer federal funds pursuant to the federal Job Training Partnership Act. No rule or portion of a rule promulgated under the authority of sections 178.892 to 178.896 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

7. No community college district may sell certificates as described in this section after July 1, 2018.]

[178.896. 1. There is hereby established within the state treasury a special fund, to be known as the "Missouri Community College Job Training Program Fund", to be administered by the division of job development and training. The department of revenue shall credit to the community college job training program fund, as received, all new jobs credit from withholding remitted by employers pursuant to section 178.894. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the community college job training program fund. Moneys in the Missouri community college job training program fund shall be disbursed to the division of job development and training pursuant to regular appropriations by the general assembly. The division shall disburse such appropriated funds in a timely manner into the special funds established by community college districts for projects, which funds shall be used to pay program costs, including the principal of, premium, if any, and interest on certificates issued by the district to finance or refinance, in whole or in part, a project. Such disbursements by the division of job development and training shall be made to the special fund for each project in the same proportion as the new jobs credit from withholding remitted by the employer participating in such project bears to the total new jobs credit from withholding remitted by all employers participating in projects during the period for which the disbursement is made. Moneys for new jobs training programs established under the provisions of sections 178.892 to 178.896 shall be obtained from appropriations made by the general assembly from the Missouri community college job training program fund. All moneys remaining in the Missouri community college job training program fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, but shall remain in the Missouri community college job training program fund.

2. The department of revenue shall develop such forms as are necessary to demonstrate accurately each employer's new jobs credit from withholding paid into the Missouri community college job training program fund. The new jobs credit from withholding shall be accounted as separate from the normal withholding tax paid to the department of revenue by the employer. Reimbursements made by all employers to the Missouri community college job training program fund shall be no less than all allocations made by the division of job development and training to all community college districts for all projects. The employer shall remit the amount of the new job credit to the department of revenue in the same manner as provided in sections 143.191 to 143.265.

3. Sections 178.892 to 178.896 shall expire July 1, 2028.]

[620.470. As used in sections 620.470 to 620.481, unless the context clearly requires otherwise, the following terms mean:

- (1) "Department", the Missouri department of economic development;
- (2) "Fund", the Missouri job development fund as established by section 620.478;
- (3) "Industry", an entity the objective of which is to supply a service or the objective of which is the commercial production and sale of an article of trade or commerce. The term includes a consortium of such entities organized for the purpose of providing for common training to the member entities' employees, provided that the consortium as a whole meets the requirements for participation in this program;
- (4) "Manufacturing", the making or processing of raw materials into a finished product, especially by means of large-scale machines of industry.]

[620.472. 1. The department shall establish a new or expanding industry training program, the purpose of which is to provide assistance for new or expanding industries for the training, retraining or upgrading of the skills of potential employees. Training may include preemployment training, and services may include analysis of the specified training needs for such company, development of training plans, and provision of training through qualified training staff. Such program may fund in-plant training analysis, curriculum development, assessment and preselection tools, publicity for the program, instructional services, rental of instructional facilities with necessary utilities, access to equipment and supplies, other necessary services, overall program direction, and an adequate staff to carry out an effective training program. In addition, the program may fund a coordinated transportation program for trainings if the training can be more effectively provided outside the community where the jobs are to be located. In-plant training analysis shall include fees for professionals and necessary travel and expenses. Such program may also provide assistance in the locating of skilled employees and in the locating of additional sources of job training funds. Such program shall be operated with appropriations made by the general assembly from the fund.

2. Assistance under the new or expanding industry training program may be available only for industries who certify to the department that their investments relate directly to a projected increase in employment which will result in the need for training of newly hired employees or the retraining or upgrading of the skills of existing employees for new jobs created by the new or expanding industry's investment.

3. The department shall issue rules and regulations governing the awarding of funds administered through the new or expanding industry training program. When promulgating these rules and regulations, the department shall consider such factors as the potential number of new permanent jobs to be created, the amount of private sector investment in new facilities and equipment, the significance of state funding to the industry's decision to locate or expand in Missouri, the economic need of the affected community, and the importance of the industry to the economic development of Missouri.]

[620.474. 1. The department shall establish a basic industry retraining program, the purpose of which is to provide assistance for industries in Missouri for the retraining and upgrading of employees' skills which are required to support new investment. Such program shall be operated with appropriations made by the general assembly from the fund.

2. Assistance under the basic industry retraining program may be made available for industries in Missouri which make new investments without the creation of new employment.

3. The department shall issue rules and regulations governing the awarding of funds administered through the basic industry retraining fund. When promulgating these rules and regulations, the department shall consider such factors as the number of jobs in jeopardy of being lost if retraining does not occur, the amount of private sector investment in new facilities and equipment, the ratio of jobs retained versus investment, the cost of normal, ongoing training required for the industry, the economic need of the affected community, and the importance of the industry to the economic development of Missouri.]

[620.475. 1. The department shall establish an industry quality and productivity improvement program to help industries and businesses evaluate and enhance quality and productivity, and to encourage the private sector to develop long-range goals to improve quality and productivity and improve the competitive position of private businesses. The quality and productivity improvement program shall include seminars, workshops and short courses on subjects such as long-range planning, new management techniques, automated manufacturing, innovative uses of new materials and the latest philosophies of management and quality improvement. The program shall be available to existing Missouri manufacturing, distribution and service businesses.

2. The department may develop quality and productivity improvement centers at university and community college campuses throughout the state as the demand and need is determined. The department shall have the authority to contract with individuals who possess particular knowledge, ability and expertise in the various subjects which may be essential to the program's goals. Seminars, workshops, short courses and specific not for credit classes shall be developed on and off campus for personnel engaged in manufacturing, distribution and service businesses. At the discretion of the department, the University of Missouri and Lincoln University extension services, the continuing education offices of the regional universities and community colleges may be used for the promotion and coordination of the off-campus courses that are offered.

3. Activities eligible for reimbursement in the industry quality and productivity program shall include:

- (1) The cost of seminars, workshops, short courses and specific not for credit classes;
- (2) The wages of instructors;
- (3) Productivity materials and supplies, including the purchase of packaged productivity programs when appropriate;
- (4) Travel directly related to the program;
- (5) Tuition payments to third-party productivity providers and to businesses; and
- (6) Teaching and assistance provided by educational institutions in the state.

4. No industry receiving assistance under the industry quality and productivity improvement program shall be reimbursed for more than fifty percent of the total costs of its participation in the program.]

[620.476. Activities eligible for reimbursement by funds administered through the new or expanding industry program and the basic industry retraining program shall include: the wages of instructors, who may or may not be employees of the industry; training development costs, including the cost of training of instructors; training materials and supplies, including the purchase of packaged training programs when appropriate; travel directly related to the training program; tuition payments to third-party training providers and to the industry; teaching and assistance provided by educational institutions in the state of Missouri; on-the-job training; and the leasing, but not the purchase, of training equipment and space.]

[620.478. 1. There is hereby established in the state treasury a special fund to be known as the "Missouri Job Development Fund". The fund shall consist of all moneys which may be appropriated to it by the general assembly and also any gifts, contributions, grants or bequests received from federal, private or other sources. Appropriations made from the fund shall be for the purpose of providing contractual services through the department of elementary and secondary education for vocational related training or retraining provided by public or private training institutions within Missouri; and for contracted services through the department of economic development for vocational related training or retraining provided by public or private training institutions located outside of Missouri; and for vocational related training or retraining provided on site, within Missouri, by any proprietorship, partnership or corporate entity. Except for state-sponsored preemployment training, no applicant shall receive more than fifty percent of its project training or retraining costs from the development fund. Moneys to operate the new or expanding industry training program, the basic industry retraining program, the industry quality and productivity improvement program and assistance to community college business and technology centers shall be obtained from appropriations made by the general assembly from the fund. No funds shall be awarded or reimbursed to any industry for the training, retraining or upgrading of skills of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage.

2. The Missouri job development fund shall be able to receive any block grant or other sources of funding relating to job training, school-to-work transition, welfare reform, vocational and technical training, housing, infrastructure development and human resource investment programs which may be provided by the federal government or other sources.]

[620.479. The department is authorized to contract with other entities, including businesses, industries, other state agencies and the political subdivisions of the state, for the purpose of carrying out the provisions of sections 620.470 to 620.481.]

[620.480. To efficiently carry out the responsibilities of the division of job development and training and to improve job training program coordination, the commissioner of administration shall authorize the division to directly negotiate with and contract for job training and related services with administrative entities designated pursuant to the requirements of the Job Training Partnership Act and any subsequent amendments and any other agencies or entities which may be designated to administer job training and related services pursuant to any succeeding federal or state legislative or regulatory requirements.]

[620.481. There is hereby created the "Missouri Job Training Joint Legislative Oversight Committee". The committee shall consist of three members of the Missouri senate appointed by the president pro tem of the senate; three members of the house of representatives appointed by the speaker of the house. No more than two of the members of the senate and two of the members of the house of representatives shall be from the same political party. Members of the Missouri job training joint legislative oversight committee shall report to the governor, the president pro tem of the senate and the speaker of the house of representatives on all assistance to industries under the provisions of sections 620.470 to 620.481 provided during the preceding fiscal year and the customized job training program administered by the department of elementary and secondary education. The report of the committee shall be delivered no later than October first of each year. The director of the department of economic development shall report to the committee such information as the committee may deem necessary for its annual report. Members of the committee shall receive no compensation in addition to their salary as members of the general assembly, but may receive their necessary expenses while attending the meetings of the committee, to be paid out of the joint contingent fund.]

[620.482. 1. The department may provide assistance, through appropriations made from the Missouri job development fund, to business and technology centers. Such assistance may not include the lending of the state's credit for the payment of any liability of the fund. Such centers may be established by Missouri community colleges, or a state-owned postsecondary technical college, to provide business and training services in disciplines which shall include, but not be limited to, environmental health and safety, industrial electrical technology, machine tool technology, industrial management and technology, computer consulting and computer-aided drafting, microcomputer training and telecommunications training.

2. The department of economic development shall promulgate rules and regulations as are necessary to implement the provisions of sections 620.470 to 620.482. No rule or portion of a rule promulgated under the authority of sections 620.470 to 620.482 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lauer, **House Amendment No. 34** was adopted.

Representative McManus offered **House Amendment No. 35**.

House Amendment No. 35

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 126, Section 476.385, Line 85, by inserting after all of said line the following:

"488.2230. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to seven dollars per case for each municipal ordinance violation case, except that no such additional cost shall be collected in any proceeding involving a violation of an ordinance when the proceeding or defendant has been dismissed by the court.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be calculated by the clerk and disbursed to the city at least monthly. The city shall use such additional costs exclusively to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with such specialized courts."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 35** was adopted.

Representative Kelley (127) offered **House Amendment No. 36.**

House Amendment No. 36

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Page 111, Section 302.525, Line 61, by inserting after all of said section and line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet
between the extremes
of any group of two or
more consecutive axles,
measured to the nearest
foot, except where
indicated otherwise

		Maximum load in pounds			
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			

10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the

state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9 and 10 of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 63, on U.S. Highway 65 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36, and on U.S. Highway 63 from U.S. Highway 36 to Missouri Route 17. The provisions of this subsection shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (127), **House Amendment No. 36** was adopted.

Representative Gatschenberger offered **House Amendment No. 37**.

House Amendment No. 37

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 83, Section 67.2050, Page 22, Line 73, by inserting after all of said Line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and the Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a [verified] **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly

enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.

5. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.014. 1. Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon [verified] **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed. **That a petition requesting annexation is not or was not verified or notarized shall not affect the validity of an annexation heretofore or hereafter undertaken in accordance with this section.**

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection[, etc.];

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 or 71.014. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section, or seeking in any way to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within five years of the date of the adoption of the annexation ordinance.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 37** was adopted.

On motion of Representative Jones (50), **HCS SS SCS SB 83, as amended**, was adopted.

Representative Jones (50) moved that **HCS SS SCS SB 83, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 037

Allen	Bernskoetter	Brown	Cox	Crawford
Cross	Diehl	Flanigan	Fraker	Funderburk
Gatschenberger	Grisamore	Hicks	Hinson	Hoskins
Hubbard	Kelley 127	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Neth
Pfautsch	Pike	Redmon	Reiboldt	Rhoads
Riddle	Rowland	Shull	Sommer	Stream
Walker	Zerr			

NOES: 115

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Curtis	Curtman
Davis	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund

Entlicher	Fitzpatrick	Fitzwater	Fowler	Frame
Franklin	Frederick	Gannon	Gardner	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Higdon	Hodges	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Phillips
Pogue	Rehder	Remole	Richardson	Rizzo
Rowden	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shumake	Smith 85	Solon
Spencer	Swan	Thomson	Torpey	Webb
Webber	White	Wieland	Wood	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Kelly 45	McDonald	Molendorp	Pierson	Roorda
Ross	Smith 120	Swearingen	Walton Gray	Wilson
Mr Speaker				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 142**, entitled:

An act to repeal sections 386.370, 393.190, 393.320, 393.760, and 393.1075, RSMo, and to enact in lieu thereof five new sections relating to utilities, with a penalty provision.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 142, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"137.100. The following subjects are exempt from taxation for state, county or local purposes:

- (1) Lands and other property belonging to this state;
- (2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;
- (3) Nonprofit cemeteries;
- (4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;
- (5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reversioners, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reversion of the property within the limitation period for reversioners;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Solar energy systems not held for resale."; and

Further amend said bill, Page 13, Section 393.760, Line 26 of said page, by inserting after all of said line the following:

"393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:

(1) No less than two percent for calendar years 2011 through 2013;

(2) No less than five percent for calendar years 2014 through 2017;

(3) No less than ten percent for calendar years 2018 through 2020; and

(4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance.

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. **Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding any provision to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when**

an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 **of this section**. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a [standard] solar rebate [offer of at least two dollars per installed watt] for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that [become operational after 2009] were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs, require applications for rebates to be submitted up to one hundred eighty-two days prior to the June 30 operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility shall be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff shall include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. The commission shall rule on the suspension filing within sixty days of the date it is filed. If the commission determines that the maximum average retail rate increase will be reached the commission shall approve the tariff suspension. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling; however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 196**, entitled:

An act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 288.040, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof ten new sections relating to job training programs, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 345**, entitled:

An act to repeal section 67.5103 as truly agreed to and finally passed by senate substitute for house bill no. 331, ninety-seventh general assembly, first regular session, and to enact in lieu thereof three new sections relating to telecommunications.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **SB 77, as amended**, and requests the House to recede from its position on **House Amendment No. 1** and take up and pass **SB 77**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 161, as amended**, and has taken up and passed **CCS HCS SB 161**.

On motion of Representative Cierpiot, the House recessed until 7:45 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

THIRD READING OF SENATE BILL

HCS SB 342, relating to agriculture, was taken up by Representative Guernsey.

Representative McGaugh offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 342, Page 11, Section 267.655, Line 14, by inserting after all of said section and line the following:

"273.327. **1.** No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless such person has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to two thousand five hundred dollars per year, **except for commercial breeders for which the license fee shall range from one hundred to one thousand dollars per year.** Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of twenty-five dollars to be used by the department of agriculture for the purpose of administering operation bark alert or any successor program. Pounds or dog pounds shall be exempt from payment of the fees under this section. License fees shall be levied for each license issued or renewed on or after January 1, 1993.

2. Effective January 1, 2014, an animal shelter shall be exempt from the payment of any and all fees set out in this section.

3. Prior to January 1, 2014, the director, upon promulgation of rules, may exempt any animal shelter from payment of any or all fees set out in this section.

4. In addition to other duties imposed by this section, the director may also deny any applicant of an animal shelter license or revoke the license of any animal shelter licensee, if it is determined by the director that the applicant or the licensee unreasonably profits from the charges for adoption or sales of its animals."; and

Further amend said bill, Page 19, Section 578.009, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words "substantial harm to the animal]."; and

Further amend said bill, Section 578.011, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words "**exceeding twelve hours.**"; and

Further amend said bill, Page 20, Section 578.012, Lines 6-9, by deleting all of said lines and inserting in lieu thereof the words "[or adequate control] **which results in substantial harm to the animal.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Dugger offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 342, Page 1, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

"fee shall range from one hundred to [two thousand] five hundred dollars per year. Each licensee subject to sections 273.325 to 273.357 shall pay an additional annual fee of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 040

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	English
Englund	Harris	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McKenna
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 027

Bernskoetter	Black	Brown	Curtman	Diehl
Ellington	Engler	Flanigan	Frame	Gardner
Grisamore	Higdon	Hodges	Kelly 45	May

McDonald	McManus	Miller	Mims	Parkinson
Pierson	Richardson	Scharnhorst	Smith 120	Walton Gray
Webb	Zerr			

On motion of Representative Dugger, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hicks	Hoskins
Hough	Houghton	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	English	Englund
Frame	Franklin	Gardner	Harris	Hodges
Hubbard	Hummel	Hurst	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Black	Brattin	Curtman	Ellinger	Ellington
Hansen	Higdon	Hinson	Kelly 45	Lichtenegger
Marshall	Pierson	Smith 120	Walton Gray	

On motion of Representative McGaugh, **House Amendment No. 1, as amended**, was adopted.

Representative Guernsey offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 342, Pages 4-5, Section 192.300, Lines 1-35, by deleting all of said section and lines from the bill and inserting in lieu thereof the following:

"192.300. **1.** The county commissions [and] **or** the county health center boards of the several counties **with the concurrence of their respective county commission** may make and promulgate orders, ordinances, rules or regulations, respectively as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases into such county, but any orders, ordinances, rules or regulations shall not be in conflict with any rules or regulations authorized and made by the department of health and senior services in accordance with this chapter, **or by the department of natural resources under chapters 640, 643, and 644**, or by the department of social services under chapter 198. The county commissions [and] **or** the county health center boards of the several counties **with the concurrence of their respective county commission** may establish reasonable fees to pay for any costs incurred in carrying out such orders, ordinances, rules or regulations, however, the establishment of such fees shall not deny personal health services to those individuals who are unable to pay such fees or impede the prevention or control of communicable disease. Fees generated shall be deposited in the county treasury. All fees generated under the provisions of this section shall be used to support the public health activities for which they were generated. After the promulgation and adoption of such orders, ordinances, rules or regulations by such county commission or county health board, such commission or county health board shall make and enter an order or record declaring such orders, ordinances, rules or regulations to be printed and available for distribution to the public in the office of the county clerk, and shall require a copy of such order to be published in some newspaper in the county in three successive weeks, not later than thirty days after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or association which violates any of the orders or ordinances adopted, promulgated and published by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law. The county commission or county health board of any such county has full power and authority to initiate the prosecution of any action under this section.

2. In regards to any orders, ordinances, rules, or regulations pertaining to the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, the county commissions or the county health center boards with the concurrence of their respective county commission shall:

(1) Not assess a fee greater than two hundred dollars to carry out such orders, ordinances, rules, or regulations; or

(2) Not impose requirements on land application that are more stringent than imposed by a permit issued by the department of natural resources.

3. Any orders, ordinances, rules, or regulations pertaining to the production or raising of livestock, adopted by the county commissions or the county health center boards with the concurrence of their respective county commission shall be administered by county staff who are certified as concentrated animal feeding operators by the department of natural resources."; and

Further amend said bill, Page 10, Section 262.795, Line 2, by deleting the word "**agricultural**" and inserting in lieu thereof the word "**agriculture**"; and

Further amend said bill and page, Section 267.655, Line 3, by inserting immediately after the first occurrence of the word "**the**" the word "**department**"; and

Further amend said bill, Pages 11-15, Sections 304.180 and 304.184, by deleting all of said sections from the bill; and

Further amend said bill, Page 15, Section 442.571, Line 4, by deleting the words "**one-half of**"; and

Further amend said bill, page, section, and line, by inserting after the word "**no**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 13, by inserting after the word "**All**" the word "**such**"; and

Further amend said bill and section, Page 16, Line 16, by deleting the words "**one-half of**"; and

Further amend said bill, Page 18, Section 570.030, Line 37, by placing an opening bracket "[" before the word "Any"; and

Further amend said bill, page and section, Line 38, by placing a closing bracket "]" immediately after "(k)"; and

Further amend said bill, section, and page, by renumbering the paragraphs accordingly; and

Further amend said bill, Page 20, Section 1 and Section 2, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Reiboldt offered **House Amendment No. 1 to House Amendment No. 2.**

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 342, Page 2, Lines 22-28, by deleting all of said lines from the amendment; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Hoskins assumed the Chair.

Representative Torpey moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz

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Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 048

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Black	Curtman	Funderburk	Gardner
Haefner	Higdon	Jones 50	Kelly 45	McCaherty
Pierson	Smith 120	Stream	Walton Gray	

On motion of Representative Guernsey, **House Amendment No. 2, as amended**, was adopted.

Representative Schatz offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 342, Page 20, Section 578.012, Line 13, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission."; and

Further amend said bill, Page 20, Section 2, Line 6, by inserting after all of said section and line the following:

"Section 3. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 3** was adopted.

Representative Kolkmeier offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

"64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance adopted under this section shall conflict with liquefied petroleum gas installations regulations established under section 323.020.

135.710. **1.** As used in this section, the following terms mean:

(1) "Alternative fuels", any motor fuel at least seventy percent of the volume of which consists of one or more of the following:

- (a) Ethanol;
- (b) Natural gas;
- (c) Compressed natural gas, **or CNG**;
- (d) Liquefied natural gas, **or LNG**;
- (e) Liquefied petroleum gas, **LP gas, propane, or autogas**;
- (f) Any mixture of biodiesel and diesel fuel, without regard to any use of kerosene;
- (g) Hydrogen;

(2) "Department", the department of natural resources;

(3) "Eligible applicant", a business entity that is the owner of a qualified alternative fuel vehicle refueling property **or makes more than twenty-five qualified conversions in a one-year period**;

(4) **"Motor vehicle", any automobile, truck, truck-tractor, or any motor bus or self propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:**

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds; or

(b) A vehicle solely operated on rails;

(5) "Qualified alternative fuel vehicle refueling property", property in this state owned by an eligible applicant and used for storing alternative fuels and for dispensing such alternative fuels into fuel tanks of motor vehicles owned by such eligible applicant or private citizens which, if constructed after August 28, 2008, was constructed with at least fifty-one percent of the costs being paid to qualified Missouri contractors for the:

(a) Fabrication of premanufactured equipment or process piping used in the construction of such facility;

(b) Construction of such facility; and

(c) General maintenance of such facility during the time period in which such facility receives any tax credit under this section.

If no qualified Missouri contractor is located within seventy-five miles of the property, the requirement that fifty-one percent of the costs shall be paid to qualified Missouri contractors shall not apply;

[(5)] **(6)** "Qualified Missouri contractor", a contractor whose principal place of business is located in Missouri and has been located in Missouri for a period of not less than five years.

2. For all tax years beginning on or after January 1, [2009] **2014**, but before January 1, [2012] **2017**, any eligible applicant who installs and operates a qualified alternative fuel vehicle refueling property shall be allowed a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or due under chapter 147 or chapter 148 for any tax year in which the applicant is constructing the refueling property. The credit allowed in this [section] **subsection** per eligible applicant shall not exceed the lesser of twenty thousand dollars or twenty percent of the total costs directly associated with the purchase and installation of any alternative fuel storage and dispensing equipment on any qualified alternative fuel vehicle refueling property, which shall not include the following:

(1) Costs associated with the purchase of land upon which to place a qualified alternative fuel vehicle refueling property;

- (2) Costs associated with the purchase of an existing qualified alternative fuel vehicle refueling property; or
- (3) Costs for the construction or purchase of any structure.

3. Tax credits allowed by this section shall be claimed by the eligible applicant at the time such applicant files a return for the tax year in which the storage and dispensing facilities were placed in service at a qualified alternative fuel vehicle refueling property, and shall be applied against the income tax liability imposed by chapter 143, chapter 147, or chapter 148 after all other credits provided by law have been applied. The cumulative amount of tax credits which may be claimed by eligible applicants claiming all credits authorized in this section shall not exceed [the following amounts:

- (1) In taxable year 2009, three million dollars;
- (2) In taxable year 2010, two million dollars; and
- (3) In taxable year 2011,] one million dollars **per year**.

4. If the amount of the tax credit exceeds the eligible applicant's tax liability, the difference shall not be refundable. Any amount of credit that an eligible applicant is prohibited by this section from claiming in a taxable year may be carried forward to any of such applicant's two subsequent taxable years. Tax credits allowed under this section may be assigned, transferred, sold, or otherwise conveyed.

5. An alternative fuel vehicle refueling property, for which an eligible applicant receives tax credits under this section, which ceases to sell alternative fuel shall cause the forfeiture of such eligible applicant's tax credits provided under this section for the taxable year in which the alternative fuel vehicle refueling property ceased to sell alternative fuel and for future taxable years with no recapture of tax credits obtained by an eligible applicant with respect to such applicant's tax years which ended before the sale of alternative fuel ceased.

6. The director of revenue shall establish the procedure by which the tax credits in this section may be claimed, and shall establish a procedure by which the cumulative amount of tax credits is apportioned equally among all eligible applicants claiming the credit. To the maximum extent possible, the director of revenue shall establish the procedure described in this subsection in such a manner as to ensure that eligible applicants can claim all the tax credits possible up to the cumulative amount of tax credits available for the taxable year. No eligible applicant claiming a tax credit under this section shall be liable for any interest or penalty for filing a tax return after the date fixed for filing such return as a result of the apportionment procedure under this subsection.

7. Any eligible applicant desiring to claim a tax credit under this section shall submit the appropriate application for such credit with the department. The application for a tax credit under this section shall include any information required by the department. The department shall review the applications and certify to the department of revenue each eligible applicant that qualifies for the tax credit.

8. The department and the department of revenue may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

9. Pursuant to section 23.253 of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, [2008] **2013**, unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

137.010. The following words, terms and phrases when used in laws governing taxation and revenue in the state of Missouri shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

(1) "Grain and other agricultural crops in an unmanufactured condition" shall mean grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and other elevators and on farms; but excluding such grains and other agricultural crops after being processed into products of such processing, when packaged or sacked. The term "processing" shall not include hulling, cleaning, drying, grating, or polishing;

(2) "Hydroelectric power generating equipment", very-low-head turbine generators with a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred kilowatts and machinery and equipment used

directly in the production, generation, conversion, storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in the transmission of electrical energy;

(3) "Intangible personal property", for the purpose of taxation, shall include all property other than real property and tangible personal property, as defined by this section;

(4) "Real property" includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon, hydroelectric power generating equipment, the installed poles used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes, provided the owner of such installed poles is also an owner of a fee simple interest, possessor of an easement, holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other such devices and appurtenances used in the transmission or reception of electrical energy, audio signals, video signals or similar purposes when owned by the owner of the installed poles, otherwise such items are considered personal property; and stationary property used for **generation, transportation or storage** of liquid and gaseous products, including, but not limited to, petroleum products, natural gas, **propane or LP gas, solar or wind power equipment**, water, and sewage;

(5) "Tangible personal property" includes every tangible thing being the subject of ownership or part ownership whether animate or inanimate, other than money, and not forming part or parcel of real property as herein defined, but does not include household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place;

(7) Motor vehicles leased for a period of at least one year to this state or to any city, county, or political subdivision or to any religious, educational, or charitable organization which has obtained an exemption from the payment of federal income taxes, provided the motor vehicles are used exclusively for religious, educational, or charitable purposes;

(8) Real or personal property leased or otherwise transferred by an interstate compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another for which or whom such property is not exempt when immediately after the lease or transfer, the interstate compact agency enters into a leaseback or other agreement that directly or indirectly gives such interstate compact agency a right to use, control, and possess the property; provided, however, that in the event of a conveyance of such property, the interstate compact agency must retain an option to purchase the property at a future date or, within the limitations period for reverts, the property must revert back to the interstate compact agency. Property will no longer be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

(a) The right of the interstate compact agency to use, control, and possess the property is terminated;

(b) The interstate compact agency no longer has an option to purchase or otherwise acquire the property; and

(c) There are no provisions for reverter of the property within the limitation period for reverts;

(9) All property, real and personal, belonging to veterans' organizations. As used in this section, "veterans' organization" means any organization of veterans with a congressional charter, that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as amended;

(10) Equipment or property with a retail value of fifty thousand dollars or less required for the use, transmission, generation or storage of alternative or renewable energy as used in an eligible alternative energy operation as defined under section 30.750 or alternative fuels as defined under section 135.710 and section 414.400, used either for fleet, transportation, power generation, heat or other such application. Said equipment

shall be exempt from the assessment of any state, county or local property taxes for such time as the equipment, property or installation is in working order

142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) **"Additive", a substance designed to increase engine power or performance introduced by injection or other means into a fuel system but which is not capable of propelling the vehicle without the primary fuel. Use of additives fuels does not require compliance with subsection 1 of section 142.869;**

(2) "Agricultural purposes", clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

[(2)] (3) "Alternative fuel", electricity, liquefied petroleum gas (LPG [or] , LP gas, **propane or autogas**), compressed natural gas product (**CNG, liquified natural gas or LNG**), or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

[(3)] (4) "Aviation fuel", any motor fuel specifically compounded for use in reciprocating aircraft engines;

[(4)] (5) "Blend stock", any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

[(5)] (6) "Blended fuel", a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

[(6)] (7) "Blender", any person that produces blended motor fuel outside the bulk transfer/terminal system;

[(7)] (8) "Blending", the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

[(8)] (9) "Bulk plant", a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

[(9)] (10) "Bulk transfer", any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

[(10)] (11) "Bulk transfer/terminal system", the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

[(11)] (12) "Consumer", the user of the motor fuel;

[(12)] (13) "Delivery", the placing of motor fuel or any liquid into the fuel tank of a motor vehicle or bulk storage facility;

[(13)] (14) "Department", the department of revenue;

[(14)] (15) "Destination state", the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

[(15)] (16) "Diesel fuel", any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. "Diesel fuel" does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. "Diesel fuel" does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

[(16)] (17) "Diesel-powered highway vehicle", a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

[(17)] (18) "Director", the director of revenue;

[(18)] (19) "Distributor", a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

[(19)] (20) "Dyed fuel", diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

[(20)] (21) "Eligible purchaser", a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

[(21)] (22) "Export", to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

[(22)] (23) "Exporter", any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

[(23)] (24) "Farm tractor", all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

[(24)] (25) "Fuel grade alcohol", a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

[(25)] (26) "Fuel transportation vehicle", any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

[(26)] (27) "Gasoline", all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

[(27)] (28) "Gross gallons", the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

[(28)] (29) "Heating oil", a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

[(29)] (30) "Import", to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

[(30)] (31) "Import verification number", the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

[(31)] (32) "Importer" includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

[(32)] (33) "Interstate motor fuel user", any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

[(33)] (34) "Invoiced gallons", the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

[(34)] (35) "K-1 kerosene", a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

[(35)] (36) "Kerosene", the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

[(36)] (37) "Liquid", any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

[(37)] (38) "Motor fuel", gasoline, diesel fuel, kerosene and blended fuel;

[(38)] (39) "Motor vehicle", any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

[(39)] (40) "Net gallons", the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

[(40)] (41) "Permissive supplier", an out-of-state supplier that elects, but is not required, to have a supplier's license pursuant to this chapter;

[(41)] (42) "Person", natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

[(42)] (43) "Position holder", the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

[(43)] (44) "Propel", the operation of a motor vehicle, whether it is in motion or at rest;

[(44)] (45) "Public highway", every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

[(45)] (46) "Qualified terminal", a terminal which has been assigned a terminal control number ("tcn") by the Internal Revenue Service;

[(46)] (47) "Rack", a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

[(47)] (48) "Refiner", any person that owns, operates, or otherwise controls a refinery;

[(48)] (49) "Refinery", a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

[(49)] (50) "Removal", any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

[(50)] (51) "Retailer", a person that engages in the business of selling or dispensing to the consumer within this state;

[(51)] (52) "Supplier", a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;

[(52)] (53) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;

[(53)] (54) "Terminal", a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

[(54)] (55) "Terminal bulk transfers" include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

[(55)] **(56)** "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

[(56)] **(57)** "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

[(57)] **(58)** "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;

[(58)] **(59)** "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

[(59)] **(60)** "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

[(60)] **(61)** "Ultimate vendor", a person that sells motor fuel to the consumer;

[(61)] **(62)** "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

[(62)] **(63)** "Vehicle fuel tank", any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the [LP gas or natural gas equipment] **alternative fuel system** is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any [person] **Missouri resident** to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, **electricity**, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it.

(1) Sales of [fuel] **all alternative fuels** placed in the supply receptacle of a motor vehicle [displaying such decal] shall be recorded upon an invoice, which invoice shall include the decal number, **if applicable**, the motor vehicle license number and the number of gallons placed in such supply receptacle. **Such invoices shall be kept by the seller for a period of two years.**

(2) **Sales of all vehicles propelled by alternative fuels, whether through qualified conversion or equipped by the original manufacturer shall be reported to the department annually.**

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kolkmeier, **House Amendment No. 4** was adopted.

Representative Johnson offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 342, Page 10, Section 262.795, Line 13, by inserting after all of said line the following:

"262.795. 1. The department of agriculture may contract with an internet website development company to build and maintain the "Missouri International Agricultural Exchange" website. Such website shall contain content approved by the department to promote Missouri agricultural products and services to international agricultural buyers.

2. The exchange shall allow Missouri-based agricultural sellers to post their products produced in this state on the website at no charge to assist in marketing such products to international buyers. All sellers shall be required to register through the website and show proof of Missouri residency and other information as required by the department. Except for advertising under subdivision (2) of subsection 3 of this section, only agricultural products and services produced in this state shall be allowed on the exchange website.

3. The state of Missouri shall have exclusive rights of ownership of all website content produced on the Missouri international agricultural exchange website, including but not limited to all creative materials, copyrights, photographs, or illustrations contained on the website. Subject to department approval, the website developer is authorized to:

(1) Use all informational content provided by the department of agriculture, add to such content, and apply search engine optimization to the website content to achieve a high search engine ranking;

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website;

(3) Prohibit the sale of advertising to any entity on the exchange website that is not related to agriculture or furthers the interest of hate content, obscenity and sexual material, bombs, spyware, adult content, political content, antigroup content and violence, discrimination, political campaigns or causes, public advocacy or lobbying, copyrighted works, counterfeit designer goods, drug and drug paraphernalia, fake documents, gambling, hacking and cracking sites, miracle cures, prostitution, scams, phishing for personal information, tobacco and cigarettes and traffic devices, and other types of advertising deemed not appropriate by the director; and

(4) Ensure that all website content shall be named a ".com" domain to allow for advertisement.

4. The website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department or the department of economic development;

(2) Provide evidence of prior website development projects produced by the website developer which increased search engine rankings for the client.

5. The department of agriculture, in consultation with the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the exchange website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department of agriculture shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department of agriculture may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall immediately assume ownership of all site-related domain names. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of agriculture may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 5** was adopted.

Representative Fitzwater offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed under sections 135.300 to 135.311 exceed three million dollars in any given fiscal year.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 048

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Black	Flanigan	Funderburk	Higdon
Kelly 45	Marshall	McManus	Parkinson	Pierson
Redmon	Smith 120	Walton Gray		

On motion of Representative Fitzwater, **House Amendment No. 6** was adopted by the following vote:

AYES: 094

Allen	Austin	Barnes	Berry	Brown
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Engler
Entlicher	Fitzwater	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McGaugh
McKenna	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Pfautsch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Zerr	Mr Speaker	

NOES: 059

Anders	Anderson	Bahr	Brattin	Burlison
Burns	Butler	Carpenter	Colona	Curtis
Curtman	Ellinger	Ellington	English	Englund
Fitzpatrick	Frame	Gardner	Guernsey	Hodges
Hubbard	Hummel	Keeney	Kirkton	Koenig
Kratky	LaFaver	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Rehder	Rizzo	Roorda	Runions
Schieber	Schupp	Smith 85	Swearingen	Webb
Webber	Wilson	Wood	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bernskoetter	Black	Flanigan	Funderburk	Higdon
Kelly 45	McManus	Pierson	Smith 120	Walton Gray

Representative Reiboldt offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 342, Page 1, Section A, Line 5, by inserting after all of said section and line the following:

"135.1590. 1. This section shall be known and may be cited as the "Show-Me Milk and Infrastructure Stabilization Act".

2. As used in this section, the following terms mean:

(1) "Authority", the Missouri agricultural and small business development authority established in chapter 348;

(2) "Qualified milk producer", any resident taxpayer actively engaged in business as a producer of grade A milk.

3. For all taxable years beginning on or after January 1, 2013, a qualified milk producer shall be allowed a tax credit against the state tax liability incurred under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the total aggregate allowable credit per year divided by the number of qualified grade A dairies as determined by the Missouri state milk board. The maximum credit allowed to a qualified milk producer shall not exceed twenty-five thousand dollars per year.

4. Taxpayers shall apply for the milk production tax credit by submitting an application to the authority, on a form provided by the authority. As part of the application, the taxpayer shall provide his or her producer identification number and documentation as to the amount of milk produced by his or her operation during the tax credit allowance period.

5. On or before January 1, 2016, the authority shall issue a report, and make such report available for public inspection, on the total number of pounds of milk produced by each qualified milk producer in each of the three preceding calendar years.

6. The total aggregate amount of tax credits authorized under this section shall not exceed five million dollars in a calendar year.

7. Any individual or business entity may assign, transfer, or sell tax credits allowed in this section. All tax credits allowed under this section must be used in the year in which they are issued. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.

8. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset three years after January 1, 2013, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset one year after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Page 18, Section 570.030, Lines 45-46, by deleting all of said lines and inserting in lieu thereof the following:

"4. Notwithstanding any other provision of law, stealing of any animal considered livestock, as that term is defined in section 144.010, is a class B felony if the value of the livestock exceeds ten thousand dollars."; and

Further amend said bill, Page 20, Section 1 and Section 2, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 7** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick

Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wilson
Wood	Zerr	Mr Speaker		

NOES: 049

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Black	Grisamore	Higdon	Jones 50
Kelly 45	Morris	Pierson	Smith 120	Walton Gray
Wieland				

On motion of Representative Guernsey, **HCS SB 342, as amended**, was adopted.

On motion of Representative Guernsey, **HCS SB 342, as amended**, was read the third time and passed by the following vote:

AYES: 086

Allen	Barnes	Bernskoetter	Berry	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Elmer
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hinson	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	McKenna	Messenger	Miller	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike

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Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 068

Anders	Anderson	Austin	Bahr	Brattin
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Curtman	Dunn	Ellinger
Ellington	Engler	English	Englund	Entlicher
Fitzpatrick	Frame	Gardner	Haahr	Hicks
Hodges	Hoskins	Hubbard	Hummel	Kirkton
Koenig	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pogue
Rehder	Rizzo	Roorda	Rowden	Runions
Schieber	Schupp	Smith 85	Solon	Swearingen
Webb	Webber	Wright		

PRESENT: 001

Brown

ABSENT WITH LEAVE: 008

Black	Dugger	Higdon	Kelly 45	Molendorp
Pierson	Smith 120	Walton Gray		

Representative Hoskins declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 542, as amended, relating to eggs, was taken up by Representative Love.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig

Kolkmeyer	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Black	Brattin	Engler	Frederick	Grisamore
Higdon	Kelly 45	Leara	Marshall	Molendorp
Pierson	Smith 120	Walton Gray		

On motion of Representative Love, **SS SCS HB 542, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely

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Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfausch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 014

Bahr	Brattin	Burlison	Curtis	Ellington
Fitzpatrick	Haahr	Johnson	Koenig	Marshall
Parkinson	Pogue	Schieber	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 007

Black	Higdon	Kelly 45	Molendorp	Pierson
Smith 120	Walton Gray			

On motion of Representative Love, **SS SCS HB 542, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dohrman	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pfausch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Solon	Sommer	Spencer

Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 015

Bahr	Brattin	Burlison	Curtis	Curtman
Ellington	Fitzpatrick	Haahr	Johnson	Koenig
Marshall	Parkinson	Pogue	Schieber	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Black	Conway 104	Dugger	Higdon	Kelly 45
Molendorp	Pierson	Smith 120	Walton Gray	

Representative Hoskins declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 103**, entitled:

An act to repeal sections 174.700, 174.703, 174.706, 301.301, 301.449, 302.341, 302.700, as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, merged with conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, merged with conference committee substitute for house committee substitute for senate bill no. 568, ninety-sixth general assembly, second regular session, 302.720, 302.735, 302.740, 302.755, 304.013, 304.032, 304.120, 304.180, 304.820, 307.400, and 544.157, RSMo, and to enact in lieu thereof twenty-seven new sections relating to transportation, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 103, Page 7, Section 302.341, Lines 72-89, by striking all of said lines; and

Further amend said bill and section, Page 8, Lines 90-91, by striking all of said lines and inserting in lieu thereof the following:

"3. As used in subsection 2 of this section, traffic violations shall include all ordinance violations regardless of whether the ordinance violation is prosecuted as a civil infraction or not."

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 103, Page 39, Section 307.400, Line 97, by inserting after all of said line the following:

"407.300. 1. Every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property shall keep a register containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:

- (1) Copper, brass, or bronze;
- (2) Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener; [or]
- (3) Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in section 350.010; **or**
- (4) Catalytic converter;**

whatever may be the condition or length of such metal. The record shall contain the following data: a copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained, which shall contain a current address of the person from whom the material is obtained, and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof.

2. The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement officer.

3. Anyone convicted of violating this section shall be guilty of a class A misdemeanor.

4. This section shall not apply to any of the following transactions:

(1) Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars, **unless the scrap metal is a catalytic converter;**

(2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or

(3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications."; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 4*

AMEND Senate Committee Substitute for House Bill No. 103, Page 6, Section 302.341, Line 33, by striking "twenty" and inserting in lieu thereof the following:

"thirty"; and

Further amend Line 37, by striking the word "twenty" and inserting in lieu thereof the following:

"thirty".

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Bill No. 103, Page 5, Section 301.449, Line 51, by inserting immediately after said line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

- (1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. 1 point)
- (2) Speeding In violation of a state law. 3 points
In violation of a county or municipal ordinance. 2 points
- (3) Leaving the scene of an accident in violation of section 577.060. 12 points
In violation of any county or municipal ordinance. 6 points
- (4) Careless and imprudent driving in violation of subsection 4 of section 304.016. 4 points
In violation of a county or municipal ordinance. 2 points
- (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:
(a) For the first conviction. 2 points
(b) For the second conviction. 4 points
(c) For the third conviction. 6 points
- (6) Operating with a suspended or revoked license prior to restoration of operating privileges. 12 points
- (7) Obtaining a license by misrepresentation. 12 points
- (8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. 8 points
- (9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. 12 points
- (10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight
In violation of state law. 8 points
In violation of a county or municipal ordinance or federal law or regulation. 8 points
- (11) Any felony involving the use of a motor vehicle. 12 points
- (12) Knowingly permitting unlicensed operator to operate a motor vehicle. 4 points
- (13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. 4 points
- (14) Endangerment of a highway worker in violation of section 304.585. 4 points
- (15) Aggravated endangerment of a highway worker in violation of section 304.585. 12 points
- (16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. 4 points
- (17) Endangerment of an emergency responder in violation of section 304.894. 4 points**
- (18) Aggravated endangerment of an emergency responder in violation of section 304.894. 12 points**
2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.
3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.
4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.
5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of

subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 37, Section 304.820, Line 71, by inserting immediately after all of said line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle shall not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument; or

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302 upon conviction.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302 upon conviction.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 117**, entitled:

An act to repeal sections 116.030, 116.040, 116.080, 116.090, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with penalty provisions and a delayed effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 428**, entitled:

An act to repeal sections 301.193 and 301.260, RSMo, and to enact in lieu thereof three new sections relating to the registration and licensing of motor vehicles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 650**, entitled:

An act to repeal sections 43.543, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 253.180, 253.185, 256.117, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 260.200, 260.205, 260.235, 260.249, 260.262, 260.320, 260.325, 260.330, 260.335, 260.345, 260.365, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 444.772, 621.250, 640.010, 640.012, 640.017, 640.075, 640.715, 640.725, 643.079, 644.051, 644.052, and 644.054, RSMo, and to enact in lieu thereof sixty-seven new sections relating to the department of natural resources, with penalty provisions and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, Senate Amendment No. 1 to Senate Substitute Amendment No. 1 for Senate Amendment No. 3 and Senate Substitute Amendment No. 1 for Senate Amendment No. 3, as amended.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 14, Section 60.570, Line 21 of said page, by inserting after "available." the following:

"No department shall charge any fee over or above the amount paid to the office of administration for utilization of the building."

Senate Amendment No. 1

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 1, Line 10, by inserting after all of said line the following:

‘and further amend said bill, Page 163, Section 1, Line 12, by inserting after all of said line the following:

"Section 2. 1. There is hereby established a joint committee of the general assembly, which shall be known as the "Joint Committee on Solid Waste Management District Operations", which shall be composed of five members of the senate, with no more than three members of one party, and five members of the house of representatives, with no more than three members of one party. The senate members of the committee shall be appointed by the president pro tempore of the senate and the house members by the speaker of the house of representatives. The committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the senate and one a member of the house of representatives. A majority of the members shall constitute a quorum. Meetings of the committee may be called at such time and place as the chairperson or chairpersons designate.

2. The committee shall examine solid waste management district operations, including but not limited to the efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers.

3. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research, as well as the department of natural resources and representatives of solid waste management districts.

4. The joint committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the general assembly by December 31, 2013, at which time the joint committee shall be dissolved.

5. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties."; and’.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 650, Pages 65-67, Section 260.320, by striking all of said section from the bill; and

Further amend said bill, Pages 67-71, Section 260.325, by striking all of said section from the bill; and

Further amend said bill, Pages 71-75, Section 260.330, by striking all of said section from the bill; and

Further amend said bill, Pages 75-80, Section 260.335, by striking all of said section from the bill; and

Further amend said bill, Pages 80-81, Section 260.345, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1
to
Senate Substitute Amendment No. 1
for
Senate Amendment No. 3*

AMEND Senate Substitute Amendment No. 1 for Senate Amendment No. 3 to Senate Substitute for Senate Committee Substitute for House Bill No. 650, Page 2, Section 640.236, Line 2, by striking the words "five million" and inserting in lieu thereof the following:

"two million five hundred thousand".

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 650, Pages 127-128, Section 640.236, by striking all of said section and inserting in lieu thereof the following:

"640.236. In all civil actions involving claims for exposure or contamination arising from the ownership, maintenance, management, or control of underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975, or such claims that arise from chat or tailings generated at those sites, brought against persons or entities alleged to have owned, maintained, managed, or controlled such sites, chat, or tailings at any time, such persons and entities shall be exempt from punitive or exemplary damages with respect to all such claims that relate in any way to the ownership, maintenance, management, or control of such sites, chat, or tailings, so long as such persons or entities or their employees, agents, owners, parent, subsidiary, or any related companies have made or are making good faith efforts to remediate such sites. Any evidence may be introduced to demonstrate good faith efforts to remediate including substantial compliance with an order or permit issued by or negotiated with either the state of Missouri or the United States concerning remediation or closure. The total of any awards of punitive or exemplary damages shall not exceed five million dollars in the aggregate as to all defendants in a civil action within this section. The provisions of section 537.675 shall not apply to such action, and one-half of any such awards for punitive or exemplary damages shall be paid into the Missouri lead abatement loan fund established under section 701.337. Nothing in this section shall be construed as precluding any party from pursuing compensatory damages, including claims for natural resource damages."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 986**, entitled:

An act to repeal sections 208.053 and 208.146, RSMo, and to enact in lieu thereof three new sections relating to public assistance, with an emergency clause for a certain section.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

*Senate Substitute Amendment No. 1
for
Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 7, Section 208.146, Line 87, by inserting after all of said line the following:

"208.993. 1. The president pro tempore of the senate and the speaker of the house of representatives may jointly establish a committee to be known as the "Joint Committee on Medicaid Transformation".

2. The committee may study the following:

- (1) Development of methods to prevent fraud and abuse in the MO HealthNet system;**
- (2) Advice on more efficient and cost-effective ways to provide coverage for MO HealthNet participants;**
- (3) An evaluation of how coverage for MO HealthNet participants can resemble that of commercially available health plans while complying with federal Medicaid requirements;**
- (4) Possibilities for promoting healthy behavior by encouraging patients to take ownership of their health care and seek early preventative care;**
- (5) Advice on the best manner in which to provide incentives, including a shared risk and savings to health plans and providers to encourage cost-effective delivery of care; and**
- (6) Ways that individuals who currently receive medical care coverage through the MO HealthNet program can transition to obtaining their health coverage through the private sector.**

3. If established, the joint committee shall be composed of twelve members. Six members shall be from the senate, with four members appointed by the president pro tempore of the senate, and two members of the minority party appointed by the president pro tempore of the senate with the advice of the minority leader of the senate. Six members shall be from the house of representatives, with four members appointed by the speaker of the house of representatives, and two members of the minority party appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

4. The provisions of this section shall expire on January 1, 2014."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. No health information organization may impose connection fees or recurring connection fees on another health information organization for the purpose of exchanging standards-based clinical summaries for patients or for sharing information of an agency of the state of Missouri.

3. As used in this section, the following terms shall mean:

- (1) "Fine or penalty", any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;**

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Health information organization", an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 986, Page 1, Section Title, Line 3, by striking "public assistance" and inserting in lieu thereof the following:

"health care services"; and

Further amend Line 4, by inserting immediately after "section" the following:

"and an effective date for a certain section"; and

Further amend said bill, Page 7, Section 208.1050, Line 22, by inserting immediately after said line the following:

"376.1900. 1. As used in this section, the following terms shall mean:

(1) "Electronic visit", or "e-Visit", an online electronic medical evaluation and management service completed using a secured web-based or similar electronic-based communications network for a single patient encounter. An electronic visit shall be initiated by a patient or by the guardian of a patient with the health care provider, be completed using a federal Health Insurance Portability and Accountability Act (HIPAA) compliant online connection, and include a permanent record of the electronic visit;

(2) "Health benefit plan" shall have the same meaning ascribed to it in section 376.1350;

(3) "Health care provider" shall have the same meaning ascribed to it in section 376.1350;

(4) "Health care service", a service for the diagnosis, prevention, treatment, cure or relief of a physical or mental health condition, illness, injury or disease;

(5) "Health carrier" shall have the same meaning ascribed to it in section 376.1350;

(6) "Telehealth" shall have the same meaning ascribed to it in section 208.670.

2. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, shall not deny coverage for a health care service on the basis that the health care service is provided through telehealth if the same service would be covered if provided through face-to-face diagnosis, consultation, or treatment.

3. A health carrier may not exclude an otherwise covered health care service from coverage solely because the service is provided through telehealth rather than face-to-face consultation or contact between a health care provider and a patient.

4. A health carrier shall not be required to reimburse a telehealth provider or a consulting provider for site origination fees or costs for the provision of telehealth services; however, subject to correct coding, a health carrier shall reimburse a health care provider for the diagnosis, consultation, or treatment of an insured or enrollee when the health care service is delivered through telehealth on the same basis that the health carrier covers the service when it is delivered in person.

5. A health care service provided through telehealth shall not be subject to any greater deductible, copayment, or coinsurance amount than would be applicable if the same health care service was provided through face-to-face diagnosis, consultation, or treatment.

6. A health carrier shall not impose upon any person receiving benefits under this section any copayment, coinsurance, or deductible amount, or any policy year, calendar year, lifetime, or other durational benefit limitation or maximum for benefits or services, that is not equally imposed upon all terms and services covered under the policy, contract, or health benefit plan.

7. Nothing in this section shall preclude a health carrier from undertaking utilization review to determine the appropriateness of telehealth as a means of delivering a health care service, provided that the determinations shall be made in the same manner as those regarding the same service when it is delivered in person.

8. A health carrier or health benefit plan may limit coverage for health care services that are provided through telehealth to health care providers that are in a network approved by the plan or the health carrier.

9. Nothing in this section shall be construed to require a health care provider to be physically present with a patient where the patient is located unless the health care provider who is providing health care services by means of telehealth determines that the presence of a health care provider is necessary.

10. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration."; and

Further amend said bill and page, Section B, Line 6, by inserting immediately after said line the following:

"Section C. The enactment of section 376.1900 of this act shall become effective January 1, 2014."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed Senator Brown to replace Senator Schaefer on the Conference Committee for **HCS SB 41, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 51, as amended**: Senators Munzlinger, Kehoe, Libla, McKenna and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House to grant the Senate further conference on **HCS SB 57, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 73, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8 to SCS SB 224**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 256, as amended**: Senators Silvey, Romine, Sater, Justus and Keaveny.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 650, as amended, relating to the department of natural resources, was taken up by Representative Ross.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown	Franklin	Higdon	Hodges	Kelly 45
Molendorp	Pierson	Scharnhorst	Smith 120	Stream
Walton Gray	Zerr			

On motion of Representative Ross, **SS SCS HB 650, as amended**, was adopted by the following vote:

AYES: 091

Anderson	Austin	Bahr	Bernskoetter	Black
Brattin	Brown	Burlison	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Engler	Entlicher
Fitzpatrick	Fitzwater	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Hampton	Hansen	Harris	Hicks	Hodges
Hoskins	Hough	Houghton	Hurst	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	McGaugh	McKenna	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Sommer	Spencer	Stream	Swan	Thomson
Walker	White	Wieland	Wilson	Wood
Mr Speaker				

NOES: 066

Allen	Anders	Barnes	Berry	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cornejo	Curtis	Dunn	Ellinger	Ellington
Elmer	English	Englund	Flanigan	Fowler
Frame	Gardner	Grisamore	Haahr	Haefner
Hinson	Hubbard	Hummel	Johnson	Kirkton
Kratky	LaFaver	Lichtenegger	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Rizzo	Rowden
Runions	Schieffer	Schupp	Smith 85	Solon
Swearingen	Torpey	Webb	Webber	Wright
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 006

Higdon	Kelly 45	Molendorp	Pierson	Smith 120
Walton Gray				

On motion of Representative Ross, **SS SCS HB 650, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Bernskoetter
Black	Brattin	Brown	Burlison	Cierpiot
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Hampton	Hansen
Harris	Hicks	Hodges	Hoskins	Hough
Houghton	Hurst	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Love	Lynch
McGaugh	McKenna	Messenger	Miller	Moon
Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Sommer	Spencer
Stream	Swan	Thomson	Walker	White
Wieland	Wilson	Wood	Mr Speaker	

NOES: 063

Anders	Barnes	Berry	Burns	Butler
Carpenter	Colona	Conway 10	Conway 104	Cornejo
Curtis	Dunn	Ellinger	Ellington	Elmer
Englund	Fowler	Frame	Gardner	Grisamore
Haahr	Haefner	Hinson	Hubbard	Hummel
Johnson	Kirkton	Kratky	LaFaver	Lichtenegger
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Rizzo	Rowden	Runions	Schieffer	Schupp
Smith 85	Solon	Swearingen	Torpey	Webb
Webber	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 006

Higdon	Kelly 45	Molendorp	Pierson	Smith 120
Walton Gray				

Representative Hoskins declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	McNeil	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 031

Berry	Burns	Butler	Carpenter	Curtis
Curtman	Dunn	Ellinger	Ellington	Gardner
Johnson	Koenig	May	Mayfield	McDonald
Meredith	Mims	Mitten	Montecillo	Morgan
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Schieber	Smith 85	Webb
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 006

Frederick	Higdon	Kelly 45	Pierson	Smith 120
Walton Gray				

THIRD READING OF SENATE BILLS

SB 72, relating to motorcycle awareness month, was taken up by Representative Jones (50).

Representative Kirkton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 72, Page 1, In the Title, Line 3, by deleting the words "motorcycle awareness month" and inserting in lieu thereof the words "special awareness days"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"9.149. December fourth shall be designated as "PKS Day" in Missouri. Pallister-Killian Mosaic Syndrome, commonly known as Pallister-Killian Syndrome or PKS, is a disorder usually caused by the presence of an abnormal extra chromosome and is characterized by vision and hearing impairments, seizure disorders, and early childhood, intellectual disability, distinctive facial features, sparse hair, areas of unusual skin coloring, weak muscle tone, and other birth defects. It is recommended to the people of the state that this day be appropriately observed by participating in awareness and educational activities on the symptoms and impact of Pallister-Killian Syndrome and to support programs of research, education, and community service."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Kirkton, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

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NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Frederick	Higdon	Kelly 45	Molendorp	Pierson
Pike	Smith 120	Walton Gray	Zerr	

On motion of Representative Jones (50), **SB 72, as amended**, was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen

Thomson
White
Mr Speaker

Torpey
Wieland

Walker
Wilson

Webb
Wood

Webber
Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Higdon
Walton Gray

Kelly 45
Zerr

Molendorp

Pierson

Smith 120

Representative Hoskins declared the bill passed.

Speaker Jones resumed the Chair.

HCS SB 75, relating to firearms, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 75, Page 1, The Title, by deleting the word "firearms" and inserting in lieu thereof the words "public safety"; and

Further amend said substitute, said page, The Title, by inserting immediately after the word "provisions" the following:

", and an emergency clause for certain sections"; and

Further amend said substitute, said page, Section 32.090, Lines 1-12, by removing all of said section from the substitute; and

Further amend said substitute, Page 2, Section 50.535, Line 2, by removing the phrase "10 and 11" and inserting in lieu thereof the phrase "[10 and 11] **11 and 12**"; and

Further amend said substitute, Page 3, Section 57.010, Line 22, by inserting immediately after said line the following:

"57.100. **1.** Every sheriff shall quell and suppress assaults and batteries, riots, routs, affrays and insurrections; shall apprehend and commit to jail all felons and traitors, and execute all process directed to him by legal authority, including writs of replevin, attachments and final process issued by circuit and associate circuit judges.

2. Beginning January 1, 2014, every sheriff shall maintain, house, and issue concealed carry permits as specified under chapter 571."; and

Further amend said substitute, Page 3, Section 57.104, Lines 1-2 by removing said lines and inserting in lieu thereof the following:

"57.104. 1 The sheriff of any county of the first classification not having a charter form of government, **county of the second**"; and

Further amend said substitute, Pages 3-5, Section 57.280, Lines 1-5, by removing all of said section from the substitute; and

Further amend said substitute, Pages 5-6, Section 136.055, Lines 1-51, by removing all of said section from the substitute; and

Further amend said substitute, Pages 8-9, Section 302.065, Lines 1-29, by removing all of said section from the substitute; and

Further amend said substitute, Pages 12-14, Section 571.010, Lines 1-73, by removing said section from the substitute; and

Further amend said substitute, Page 19, Section 571.101, Lines 18-19, by deleting said lines and inserting in lieu thereof the following:

"2. A [certificate of qualification for a concealed carry endorsement] **concealed carry permit** issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or"; and

Further amend said substitute, Page 20, said section, Line 53, by inserting the words "**or closed**" immediately after the word "public"; and

Further amend said substitute, Page 22, said section, Line 152, by deleting the words "**certificate of qualification**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, Page 23, said section, Line 154, by deleting the word "**certificate**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, said page, said section, Line 158, by deleting the phrase "**certificate of qualification**" and insert in lieu thereof the word "**permit**"; and

Further amend said substitute, said page, said section, Line 160, by deleting the word "**certificate**" and insert in lieu thereof the word "**permit**"; and

Further amend said substitute, said page, said section, Line 162, by deleting the phrase "**department of revenue**" and insert in lieu thereof the phrase "**Missouri uniform law enforcement system**"; and

Further amend said substitute, said page, said section, Line 163, by deleting the phrase "**certification of qualification**" and insert in lieu thereof the phrase "**permit**"; and

Further amend said substitute, Page 24, said section, Line 205, by deleting said line and inserting in lieu thereof the following:

"(4) The expiration date.

The permit shall be no larger than two inches wide by"; and

Further amend said substitute, said page, said section, Lines 210-211, by deleting the phrase "**certificate of qualification**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, said page, said section, Line 217, by inserting immediately after the word "**given**" the following:

"to the members of MoSMART, created under section 650.350, for the dissemination of the information";
and

Further amend said substitute, said page, said section, Lines 219-221, by deleting said lines and inserting in lieu thereof the following:

"of this subsection."; and

Further amend said substitute, said page, said section, Line 223, by deleting the phrase "**certificate of qualification**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, Page 25, said section, Line 227, by deleting the phrase "**certificate of qualification**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, said page, said section, Line 239, by inserting immediately after the word "**entity**" the following:

", except to MoSMART as provided under subsection 9 of this section"; and

Further amend said substitute, said page, said section, Line 245, by deleting said line and inserting in lieu thereof the following:

"in each county shall charge a nonrefundable fee not to exceed one hundred dollars which"; and

Further amend said substitute, said page, said section, Line 249, by deleting said line and inserting in lieu thereof the following:

"each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid"; and

Further amend said substitute, said page, said section, Line 254, by inserting immediately after said line the following:

"14. For the purposes of this chapter, "concealed carry permit" shall include any concealed carry endorsement issued by the department of revenue before January 1, 2014 and any concealed carry document issued by any sheriff or under the authority of any sheriff after December 31, 2013."; and

Further amend said substitute, Page 26, Section 571.104, Lines 12-15, by deleting all of said lines and inserting in lieu thereof the following:

"an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry permit or endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the"; and

Further amend said substitute, Page 28, said section, Line 104, by deleting the phrase "[may] **shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said substitute, said page, said section, Line 105, by deleting the opening bracket "[" and closing bracket "]" around the phrase "not more than"; and

Further amend said substitute, Page 29, said section, Line 122, by deleting the word "**shall**" and inserting in lieu thereof the word "**may**"; and

Further amend said substitute, said page, said section, Line 140, by deleting the opening bracket "[" and closing bracket "]" around the phrase "not more than"; and

Further amend said substitute, Page 34, Section 571.111, Line 18, by inserting an opening bracket "[" before the word "by" and a closing bracket "]" after the word "217.105"; and

Further amend said substitute, Page 36, said section, Line 77, by deleting all of said line and inserting in lieu thereof the following:

"submit a copy of a training instructor certificate, course outline bearing notarized signature of instructor,"; and

Further amend said substitute, said page, said section, Line 81, by deleting the word "to" and inserting in lieu thereof the word "by"; and

Further amend said substitute, Page 40, Section 571.117, Line 77, by deleting the phrase "**certificate of qualification**" and inserting in lieu thereof the word "**permit**"; and

Further amend said substitute, Page 41, Section 571.121, Line 5, by inserting after the word "endorsement" the phrase "**or permit**"; and

Further amend said substitute, said page, Section 571.500, Line 3, by inserting immediately after the word "**the**" the phrase "**state or**"; and

Further amend said substitute, Page 42, Section 650.350, Line 20, by deleting said line and inserting in lieu thereof the following:

"created under section 57.278 **or money deposited into the concealed carry permit fund created under subsection 5 of this section**, all moneys appropriate to or received by MoSMART shall be"; and

Further amend said substitute, said page, said section, Line 29, by deleting the word "**Conceal**" and inserting in lieu thereof the word "**Concealed**"; and

Further amend said substitute, said page, said section, Lines 31-32, by removing the phrase "**distrubute at least fifty percent but not more than one hundred percent of the fund annually**" and insert in lieu thereof the phrase "**annually distribute all monies in the fund**"; and

Further amend said substitute, said page, said section, Line 36, by deleting the phrase "**conceal carry endorsements**" and insert in lieu thereof the phrase "**concealed carry permits**"; and

Further amend said substitute, said page, said section, Line 37, by inserting immediately after the word "**services.**" the following:

"**Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**"; and

Further amend said substitute, Page 43, Section 650.350, Line 60, by inserting immediately after said line the following:

"**10. Beginning August 28, 2013, the department of revenue shall begin transferring any records related to the issuance of a concealed carry permit to MoSMART for dissemination to the sheriff of the county or city not within a county in which the applicant or permit holder resides.**"; and

Further amend said substitute, Section 571.102, Page 43, Line 9, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to permit the MoSMART board to have proper funding necessary to implement the provisions of this act, the repeal and reenactment of section 650.350 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 650.350 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Frederick offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 75, Page 14, Section 571.010, Line 73, by inserting after all of said section and line the following:

"571.011. 1. Any records of ownership of a firearm or applications for ownership, licensing, certification, permitting, or an endorsement that allows a person to own, acquire, possess, or carry a firearm shall not be open records under chapter 610 and shall not be open for inspection or their contents disclosed except by order of the court to persons having a legitimate interest therein.

2. Any person or entity who violates the provisions of this section is guilty of a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 2** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Hinson	Hoskins
Houghton	Hurst	Johnson	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfausch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty

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McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 021

Bahr	Curtman	Flanigan	Franklin	Funderburk
Higdon	Hough	Jones 50	Kelly 45	Leara
Molendorp	Neth	Pierson	Pogue	Ross
Schatz	Smith 120	Stream	Thomson	Walton Gray
Zerr				

On motion of Representative Burlison, **HCS SB 75, as amended**, was adopted.

On motion of Representative Burlison, **HCS SB 75, as amended**, was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hodges
Hoskins	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McGaugh
McKenna	McManus	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Norr
Otto	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Riddle	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wieland	Wilson
Wood	Wright	Mr Speaker		

NOES: 029

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Gardner
Hummel	Kirkton	LaFaver	McCann Beatty	McDonald

McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Pace	Peters
Rizzo	Schupp	Smith 85	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 011

Curtman	Higdon	Hough	Kelly 45	Molendorp
Pierson	Pogue	Richardson	Smith 120	Walton Gray
Zerr				

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Hinson
Hodges	Hoskins	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McGaugh	McKenna	McManus	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 032

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Ellington	Englund	Gardner
Hummel	LaFaver	McCann Beatty	McDonald	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Rizzo	Runions	Schupp	Smith 85	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Higdon
Pogue

Hough
Smith 120

Kelly 45
Walton Gray

Molendorp
Zerr

Pierson

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 117, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to adopt **SS SCS HCS HB 117** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

SCS SB 224, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8, relating to law enforcement agencies, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8** to **SCS SB 224** and grant the Senate a conference.

Which motion was adopted.

HCS SB 73, as amended, relating to veteran treatment courts, was taken up by Representative Cornejo.

Representative Cornejo moved that the House refuse to recede from its position on **HCS SB 73, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 57, as amended, relating to certain civil actions, was taken up by Representative Engler.

Representative Engler moved that the House grant the Senate further conference on **HCS SB 57, as amended**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 73: Representatives Cornejo, Haahr and Englund

SCS SB 224: Representatives Torpey, McCaherty and Rizzo

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 57: Representatives Engler, Keeney and Roorda

COMMITTEE REPORTS

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 67**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 258**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 275**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGE FROM THE GOVERNOR

May 15, 2013

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
97TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 163** entitled:

“AN ACT”

To repeal sections 77.030, 78.090, 190.335, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof seven new sections relating to elections, with an emergency clause.

On May 15, 2013, I approved said **House Bill No. 163**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 256, 33, & 305**

The Conference Committee appointed on House Committee Substitute for House Bill Nos. 256, 33, & 305, with Senate Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on House Committee Substitute for House Bill Nos. 256, 33, & 305, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 256, 33, & 305;
3. That the attached Conference Committee Substitute for House Committee Substitute for House Bill Nos. 256, 33, & 305 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Kevin Elmer
/s/ Bill Otto

FOR THE SENATE:

/s/ Mike Kehoe
/s/ Brian Munzlinger
/s/ Jay Wasson
/s/ Jolie Justus
/s/ Joseph Keaveny

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 307**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 307, with Senate Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 307, as amended;
2. That the House recede from its position on House Bill No. 307;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 307 be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Jeanie Riddle
/s/ Dave Hinson

FOR THE SENATE:

/s/ Eric Schmitt
/s/ Bob Dixon
/s/ Mike Kehoe
/s/ Ryan McKenna
/s/ Jason Holsman

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NOS. 374 & 434**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, with Senate Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill Nos. 374 & 434;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 374 & 434, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Kevin Elmer
/s/ Stanley Cox
/s/ Mike Colona

FOR THE SENATE:

/s/ Bob Dixon
/s/ Eric Schmitt
/s/ Ed Emery
/s/ Jolie Justus
/s/ Joseph Keaveny

**CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1035**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 1035;
3. That the attached Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Kelley
/s/ Paul Curtman
/s/ Jay Swearingen

FOR THE SENATE:

/s/ Eric Schmitt
/s/ David Pearce
/s/ Bob Dixon
/s/ Ryan McKenna
/s/ Jason Holsman

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1**

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, with House Amendment Nos. 1, 2, 3, 4, 5, 6, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1, as amended;
2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 1 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Scott Rupp
/s/ Mike Cunningham
/s/ Mike Parson
/s/ Scott Sifton
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Todd Richardson
/s/ Bill Lant

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 9**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, with House Amendment Nos. 1, 2, 3, and 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 9;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 9, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Brian Munzlinger
/s/ David Sater
/s/ Shalonn "Kiki" Curls
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Casey Guernsey
/s/ Todd Richardson
/s/ Gina Mitten

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 17**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, with House Amendment Nos. 1, 2, 3, 4, 5 & 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, as amended;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 17;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 17, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ John Lamping
/s/ Gary Romine
/s/ Shalonn "Kiki" Curls
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Mike Thomson
/s/ Dwight Scharnhorst
/s/ Genise Montecillo

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 33**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 33, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 33, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 33;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 33, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Lamping
/s/ David Sater
/s/ Rob Schaaf
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Jeff Grisamore
/s/ Jim Neely
/s/ Stacey Newman

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 42**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 3, and House Amendment No. 3, as amended, and House Amendment Nos. 4 & 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 42;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 42, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Mike Parson
/s/ Will Kraus
/s/ Maria Chappelle-Nadal
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Jay Houghton
/s/ Mike Colona

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 127**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 127, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 127, as amended;
2. That the Senate recede from its position on Senate Bill No. 127;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 127, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Jay Wasson
/s/ Gary Romine
/s/ Jason Holsman
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Donna Lichtenegger
/s/ Jay Barnes
/s/ Jeanne Kirkton

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 157
AND
SENATE BILL NO. 102**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended and House Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 157 and Senate Bill No. 102, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Will Kraus
/s/ Ryan Silvey
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Don Phillips
/s/ Tony Dugger
/s/ Mary Nichols

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 161**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 161, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 161, as amended;
2. That the Senate recede from its position on Senate Bill No. 161;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 161, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Scott T. Rupp
/s/ Wayne Wallingford
/s/ Shalonn "Kiki" Curls
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Rick Stream
/s/ Todd Richardson
/s/ Margo McNeil

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 248**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 248, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 248, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 248;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 248 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson
/s/ Bob Dixon
/s/ Mike Cunningham
/s/ Jolie L. Justus
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Lyndall Fraker
/s/ Sandy Crawford
/s/ Michele Kratky

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 262**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 262, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 262, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 262;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 262 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Shalonn "Kiki" Curls
/s/ Mike Parson
/s/ Wayne Wallingford
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Chris Molendorp
/s/ Dwight Scharnhorst
/s/ Margo McNeil

**CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 327**

The Conference Committee appointed on Senate Bill No. 327, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 327, as amended;
2. That the Senate recede from its position on Senate Bill No. 327;
3. That the attached Conference Committee Substitute for Senate Bill No. 327, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
/s/ Gary Romine
/s/ Jay Wasson
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Elijah Haahr
/s/ Robert Cornejo
/s/ Jeff Roorda

**CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 330**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 330, with House Amendment Nos. 2 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 330, as amended;
2. That the Senate recede from its position on Senate Bill No. 330;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 330 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jay Wasson
/s/ Mike Cunningham
/s/ David Sater
/s/ Joseph Keaveny
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Shelley Keeney
/s/ Michele Kratky

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 10:00 a.m., Thursday, May 16, 2013.

COMMITTEE HEARINGS

ADMINISTRATION AND ACCOUNTS

Thursday, May 16, 2013, 9:30 AM, House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

We will be voting on the amendments to the House Policy Book.

BUDGET

Thursday, May 16, 2013, 8:00 AM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Review tax credits - DED, DHSS, DOR, DIFP, DSS, DNR, MoAg

DOWNSIZING STATE GOVERNMENT

Friday, May 17, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: HB 512

Executive session may be held on any matter referred to the committee.

FISCAL REVIEW

Thursday, May 16, 2013, 8:30 AM, South Gallery.

Executive session may be held on any matter referred to the committee.

CANCELLED

HOUSE CALENDAR

SEVENTIETH DAY, THURSDAY, MAY 16, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HCS HJR 23 - Hinson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara
- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty

- 9 HB 448 - Webb
- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman
- 14 HCS HB 402 - Shumake
- 15 HCS HB 83 - Reiboldt
- 16 HCS HB 132 - Stream
- 17 HCS HB 1041 - Swan
- 18 HCS HBs 309 & 73 - Solon
- 19 HCS HB 350 - Frederick
- 20 HCS HB 464 - Higdon
- 21 HCS HB 484 - Lauer
- 22 HCS HB 564 - McGaugh
- 23 HCS HB 604 - Phillips
- 24 HCS HB 608 - Frederick
- 25 HCS HB 685 - Burlison
- 26 HB 745 - Thomson
- 27 HCS HB 783 - Diehl
- 28 HCS HB 814 - Fraker
- 29 HCS HB 830 - Jones (50)
- 30 HB 863 - Allen
- 31 HCS HB 930 - Flanigan
- 32 HB 411 - Muntzel
- 33 HB 447 - Diehl
- 34 HB 467 - Lichtenegger
- 35 HB 827 - Redmon
- 36 HB 915 - Bahr
- 37 HCS HB 975 - Richardson
- 38 HCS HB 198 - Funderburk
- 39 HB 385 - Burlison
- 40 HCS HBs 77, 91 & 95 - Burlison
- 41 HCS HB 398 - Riddle
- 42 HCS#2 HB 927 - Reiboldt
- 43 HCS HB 749 - Cross

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes
- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer
- 6 HCS HB 458 - Scharnhorst

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

SCS SJR 14 - Jones (50)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 88 - Frederick
- 2 HCS SS SCS SB 241 - Cierpiot
- 3 HCS SB 18, E.C. - Cox
- 4 SCS SB 87 - Bahr
- 5 SCS SB 178 - Kirkton
- 6 HCS SCS SB 89, E.C. - Jones (50)
- 7 HCS SB 12, E.C. - Jones (50)
- 8 HCS SB 100, E.C. - Cox
- 9 HCS SS SB 282 - Hough
- 10 HCS SS SB 245 - Mitten
- 11 HCS SCS SBs 317 & 319 - Gosen
- 12 HCS SB 24, E.C. - Hinson
- 13 HCS SB 112, E.C. - Zerr
- 14 HCS SS SB 401, E.C. - Molendorp
- 15 SB 138 - Gatschenberger
- 16 SB 218 - McKenna
- 17 SB 170 - Smith (85)
- 18 HCS SS SB 251 - Guernsey
- 19 SS SB 366, E.C. - Flanigan
- 20 SS SCS SB 121 - Jones (50)
- 21 HCS SS SCS SB 210, E.C. - Bahr
- 22 HCS SB 294 - Funderburk
- 23 HCS SCS SB 258 - Neth
- 24 HCS SB 275 - Funderburk

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 351, as amended, E.C. - Frederick
- 2 SS HCS HB 58, E.C. - Molendorp
- 3 SCS HB 322 - Gosen
- 4 SCS HB 533, as amended - Riddle
- 5 SS SCS HB 142, as amended - Dugger
- 6 SS SCS HCS HB 345 - Cierpiot

BILLS CARRYING REQUEST MESSAGES

- 1 SB 77, HA 1 (request House recede/take up and pass SB 77) - Allen
- 2 SS SCS HCS HB 117, (request Senate recede/grant conference) - Dugger

BILLS IN CONFERENCE

- 1 SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 2 CCR HCS SS#2 SCS SB 1, as amended (exceed differences), E.C. - Richardson
- 3 CCR SS SCS HB 307, as amended - Riddle
- 4 CCR HCS SS SB 262, as amended (exceed differences), E.C. - Molendorp
- 5 CCR HCS SCS SB 157 and SB 102, as amended - Phillips
- 6 CCR HCS SCS SB 17, as amended (Senate exceed differences on HA 5) - Thomson
- 7 CCR#2 HCS SCS SB 9, as amended - Guernsey
- 8 CCR HCS SB 43, as amended, E.C. - Kolkmeyer
- 9 CCR SCS SB 36, HA 1 - Hicks
- 10 CCR#2 SCS HCS HB 1035, as amended, E.C. - Kelley (127)
- 11 CCR HCS SCS SB 42, as amended - Jones (50)
- 12 HCS SB 90, as amended - Dugger
- 13 CCR SCS SB 33, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6 - Grisamore
- 14 HCS SB 41, as amended - Hough
- 15 CCR SB 327, HA 1 - Haahr
- 16 CCR HCS HBs 256, 33 & 305, SA 2, SA 3 (exceed differences), E.C. - Jones (50)
- 17 SS HCS HB 199, as amended (House exceed differences), E.C. - Dugger
- 18 CCR#2 HCS SB 330, as amended - Burlison
- 19 HCS SCS SB 45, as amended - Hough
- 20 CCR HCS SB 161, as amended - Stream
- 21 CCR HCS SB 127, as amended - Lichtenegger
- 22 CCR SCS SB 248, HA 1, HA 2 - Fraker
- 23 CCR SS SCS HCS HBs 374 & 434, as amended - Elmer
- 24 HCS SB 51, as amended - Guernsey
- 25 SS SCS SB 114, HA 1, as amended - Jones (50)
- 26 HCS SCS SB 256, as amended - Torpey
- 27 SCS SB 224, HA 1, 2, 3, 4, HSA 1 for HA 5, 6, 7, 8 - Rizzo
- 28 HCS SB 73, as amended - Cornejo
- 29 HCS SB 57, as amended - Engler

SENATE CONCURRENT RESOLUTIONS

- 1 SCS SCR 5 - Frederick
- 2 SS SCR 15 - Wieland

HOUSE REMONSTRANCES

- HRM 1 - Marshall

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTIETH DAY, THURSDAY, MAY 16, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will say of the Lord, He is my refuge and my fortress: my God; in Him will I trust. (Psalm 91:2)

O God of us all, at the beginning of this beautiful Missouri day, we draw near to You, humbly and reverently realizing our need of Your spirit and praying for guidance, strength, and wisdom at Your hands. The end of this session is so very near, so grant us patience. For this moment, may we enter the secret place of the Most High, and, continuing to do so, learn to dwell under the shadow of Your Almighty presence.

You are the source of all our being. You are the fountain of every noble aspiration. You are in everything that lifts and liberates our souls. Therefore we pray that You will lead us from the fantasy we find about us to the reality in our hearts. May our faith in You be real. May our love toward each other be real. May the spirit of good will forever be real within us. Grant us Your spiritual resources for this day, and may we ever be receptive to Your powerful inner voice, especially during tough moments and votes.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Trenton Bernskoetter, Julia Bernskoetter, Jackson Benbow and Owen Benbow .

The Journal of the sixty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3276 through House Resolution No. 3333.

BILLS IN CONFERENCE

CCR HCS SS#2 SCS SB 1, as amended, relating to workers' compensation, was taken up by Representative Richardson.

Representative Hough assumed the Chair.

On motion of Representative Richardson, **CCR HCS SS#2 SCS SB 1, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Nichols	Norr
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 024

Burns	Curtis	Dunn	Ellington	Frame
Gardner	Hubbard	Hummel	May	McCann Beatty
McDonald	Mims	Montecillo	Morgan	Newman
Otto	Pace	Peters	Rizzo	Schupp
Smith 85	Walton Gray	Webb	Wright	

PRESENT: 001

Ellinger

ABSENT WITH LEAVE: 004

Grisamore	Hodges	Pierson	Solon
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Representative Diehl assumed the Chair.

On motion of Representative Richardson, **CCS HCS SS#2 SCS SB 1** was truly agreed to and finally passed by the following vote:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mitten	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Nichols	Norr
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 023

Burns	Curtis	Dunn	Ellington	Frame
Gardner	Hubbard	Hummel	May	McCann Beatty
McDonald	Mims	Montecillo	Morgan	Newman
Otto	Pace	Peters	Rizzo	Schupp
Smith 85	Webb	Wright		

PRESENT: 002

Ellinger	Walton Gray
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ABSENT WITH LEAVE: 003

Grisamore	Hodges	Pierson
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Representative Diehl declared the bill passed.

THIRD READING OF SENATE BILLS

HCS SS SB 282, relating to traffic offenses, was taken up by Representative Hough.

Representative Cornejo offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 6, Section 302.341, Line 46, by inserting after all of said line the following:

"304.152. 1. Notwithstanding any provision of the law to the contrary, no law enforcement agency may establish a roadside checkpoint or road block pattern based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints.

2. Notwithstanding subsection 1 of this section, a law enforcement agency may establish a roadside checkpoint pattern that only stops and checks commercial motor vehicles, as defined in section 301.010.

3. The provisions of this section shall not be construed to restrict any other type of checkpoint or road block which is lawful and is established and operated in accordance with the provisions of the United States Constitution and the Constitution of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 1** was adopted.

Representative McCaherty offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 9, Section 304.894, Line 40, by inserting after all of said line and section the following:

"307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. A motorcycle may be equipped with a means of varying the brightness of the vehicle's brake light for a duration of not more than five seconds upon application of the vehicle's brakes.

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 2** was adopted.

Representative Rowden offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 3, Section 174.712, Line 5, by inserting after said line the following:

"302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed pursuant to chapter 190**; or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336, **or any emergency medical technician licensed pursuant to chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowden, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 282, Page 7, Section 304.892, Line 17, by deleting the word "**may**" on said line and inserting in lieu thereof the word "**shall**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 4** was adopted.

On motion of Representative Hough, **HCS SS SB 282, as amended**, was adopted.

On motion of Representative Hough, **HCS SS SB 282, as amended**, was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner

Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 006

Burlison	Ellington	Gardner	Kratky	Marshall
Pogue				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown	Grisamore	Pierson	Richardson	Spencer
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Representative Diehl declared the bill passed.

HCS SB 24, relating to political subdivisions, was taken up by Representative Hinson.

Representative Lant offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 24, Page 27, Section 137.095, Line 20, by inserting after all of said line the following:

"143.115. 1. As used in this section, the following terms mean:

(1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(3) "Storm shelter", an above-ground safe room or an in-ground shelter in this state in the taxpayer's primary residence or on the taxpayer's real property that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and that is made in America;

(4) "Taxpayer", any individual who is a resident of this state and who is subject to the income tax imposed in this chapter.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2014, a taxpayer shall be allowed a deduction for the costs incurred in constructing or installing a storm shelter. The deduction amount shall be equal to the lesser of the full amount of the costs incurred in constructing the storm shelter or two thousand five hundred dollars. No taxpayer shall claim a tax deduction more than once under this section, and no deduction shall be issued for more than one storm shelter constructed or installed by such taxpayer for the taxpayer's primary residence.

3. The aggregate amount of tax deductions which may be issued under this section in any one fiscal year shall not exceed two million dollars. If the amount of tax deductions claimed under this section exceeds two million dollars, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax deductions are equally apportioned among all taxpayers allowed a tax deduction under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax deductions possible up to the cumulative amount of tax deductions available for the fiscal year.

4. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 24, Page 26, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"96.155. 1. The board of trustees of a hospital established under this chapter, with the concurrence of the council of the city of the third class, may, by resolution, abolish the property tax authorized by section 96.150 to fund the operations of a hospital in accordance with sections 96.150 to 96.228 and impose a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the operations of a hospital under sections 96.150 to 96.228. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the board of trustees of such a hospital submits to the voters residing within the city of the third class at a state general, primary, or special election a proposal to authorize the board of trustees to impose a tax under this section. If two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If less than two-thirds of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by two-thirds of the qualified voters voting on the question. The question shall be submitted in the following form:

Shall the board of trustees of _____ (hospital, nursing home, or convalescent home, etc.) and the city council of _____ (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of _____ (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

☐ YES ☐ NO

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital operated under sections 96.150 to 96.228, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "City of the Third Class City Hospital Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the board of trustees of the city hospital for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such board of trustees. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city of the third class. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the board of trustees of a hospital operated under sections 96.150 to 96.228 that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city of the third class equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the board of trustees shall submit to the voters of the city of the third class a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the board of trustees shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city of the third class, the director shall remit the balance in the account to the district and close the account of that city hospital. The director shall notify each board of trustees of each instance of any amount refunded or any check redeemed from receipts due the hospital operated under sections 96.150 to 96.228.

7. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section."; and

Further amend said bill, Page 45, Section 144.030, Line 288, by inserting after all of said section and line, the following:

"144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570 **or sections 96.150 to 96.228**, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729 **or section 205.205, or any hospital district imposing a sales tax under the provisions of section 206.165**, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030."; and

Further amend said bill, Page 62, Section 192.310, Line 7, by inserting after all of said section and line, the following:

"205.205. 1. The governing body of any [hospital district] **county which has established a county hospital** under sections 205.160 to 205.379 [in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants or any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants] may, by resolution, abolish the property tax authorized [in such district] **by section 205.200 to fund a county hospital** under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the **county** hospital [district]. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the [hospital district] **county** submits to the voters residing within the [district] **county** at a state general, primary, or special election a proposal to authorize the governing body of the [district] **county** to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. **The question shall be submitted in the following form:**

Shall the board of trustees of (hospital, nursing home, or convalescent home, etc.) and the city council of (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

☐ **YES**

☐ **NO**

3. All revenue collected under this section by the director of the department of revenue on behalf of the **county** hospital [district], except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "**County** Hospital [District] Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this

section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any [hospital district] **county** that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the [district] **county** equal to at least ten percent of the number of registered voters of the [district] **county** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the [district] **county** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the [hospital district] **county** shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the [district] **county** and close the account of that [district] **county**. The director shall notify each [district] **county** of each instance of any amount refunded or any check redeemed from receipts due the [district] **county**.

7. The levy of a sales tax by a county under this section or section 205.202 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the county.

8. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section.

206.165. 1. The governing body of any hospital district established under sections 206.010 to 206.160 may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall not be more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. The question shall be submitted in the following form:

Shall the board of trustees of _____ (hospital, nursing home, or convalescent home, etc.) and the city council of _____ (name of city) abolish the property tax established to support such facility and replace the property tax with a city sales tax of _____ (insert rate of percent) for the purpose of equipping, operating, and maintaining such facility?

☐ YES

☐ NO

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the

special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. The levy of a sales tax by a hospital district under section 205.205 shall be deemed to comply with the requirements of this section if it was approved prior to January 1, 2012, by the voters of the hospital district.

8. All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 to 32.087, governing local sales taxes, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified by this section."; and

Further amend said bill, Page 96, Section 321.690, Line 28, by inserting after all of said section and line, the following:

"407.485. 1. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect [donations of] unwanted household items via a public receptacle and resell the [donated] **deposited** items for profit unless the [donation] **deposited item** receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "[DONATIONS] **DEPOSITED ITEMS ARE NOT FOR CHARITABLE ORGANIZATIONS AND WILL BE RESOLD FOR PROFIT. DEPOSITED ITEMS ARE NOT TAX DEDUCTIBLE**".

2. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items where some or all of the proceeds from the sale are directly given to a not-for-profit entity unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "DONATIONS TO THE FOR-PROFIT COMPANY: (name of the company) ARE SOLD FOR PROFIT AND (% of proceeds donated to the not-for-profit) % OF ALL PROCEEDS ARE DONATED TO (name of the nonprofit beneficiary organization's name)."

3. It shall be an unfair business practice in violation of section 407.020 for a for-profit entity or natural person to collect donations of unwanted household items via a public receptacle and resell the donated items, where such for-profit entity is paid a flat fee, not contingent upon the proceeds generated by the sale of the collected goods, and one hundred percent of the proceeds from the sale of the items are given directly to the not-for-profit, unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS DONATION RECEPTACLE IS OPERATED BY THE FOR-PROFIT ENTITY: (name of the for-profit/individual) ON BEHALF of (name of the nonprofit beneficiary organization's name)".

4. It shall be an unfair business practice in violation of section 407.020 for a not-for-profit entity to collect donations of unwanted household items via a public receptacle and resell the donated items unless the donation receptacle prominently displays a statement in bold letters at least two inches high and two inches wide stating: "THIS RECEPTACLE IS OWNED AND OPERATED BY THE NOT-FOR-PROFIT ENTITY: (name of the not-for-profit/charity) AND (% of proceeds donated to the not-for-profit) % OF THE PROCEEDS FROM THE SALE OF ANY DONATIONS SHALL BE USED FOR THE CHARITABLE MISSION OF (charity name/charitable cause)".

[4.] **5.** The term "bold letters" as used in subsections 1, 2, and 3 of this section shall mean a primary color on a white background so as to be clearly visible to the public.

[5.] **6.** Nothing in this section shall apply to paper, glass, or aluminum products that are donated for the purpose of being recycled in the manufacture of other products.

[6.] **7.** Any entity which, on or before June 1, 2009, has distributed one hundred or more separate public receptacles within the state of Missouri to which the provisions of subsection 2 or 3 of this section would apply shall be deemed in compliance with the signage requirements imposed by this section for the first six months after August 28, 2009, provided such entity has made or is making good faith efforts to bring all signage in compliance with the provisions of this section and all such signage is in complete compliance no later than six months after August 28, 2009.

8. All donation receptacles described in this section shall conspicuously display the name, address, and telephone number of the owner and operator of the receptacle. For any receptacles covered in this section, the owner or operator of the receptacle shall maintain permission to place the receptacle on the property from the property owner or agent of the owner of the property where the receptacle is located. Such permission shall be in writing and clearly identify the owner of the receptacle and property owner or his or her agent in addition to the nature of the collections and where proceeds will be accrued. Failure to secure such permission shall constitute an unfair business practice in addition to any other statutory conditions. Unless otherwise agreed to in writing, the property owner or his or her agent may remove the receptacle and any charges incurred in such removal shall be the responsibility of the owner of the receptacle. Unless the receptacle owner pays such charges within thirty calendar days of the sending of a written certified letter from the property owner stating his or her intent to remove the receptacle, the receptacle owner shall relinquish any right to the receptacle. If the receptacle does not conspicuously display the name, address, and telephone number of the owner and operator of the receptacle, the receptacle shall be considered abandoned property and may be destroyed or permanently possessed by the property owner or their agent.

9. Any owner and operator of a receptacle that does not display the address of the owner and operator, but does display the website of the owner and operator, shall make the address easily accessible on such website for the property owner to send the letter specified in subsection 8 of this section. The provisions of this subsection shall expire on September 1, 2014."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

Representative Haefner offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 24, Page 26, Section 92.387, Line 2, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in

subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year

prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or

bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Austin offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 24, Page 7, Line 7, by inserting after all of said line the following:

‘Further amend House Committee Substitute for Senate Bill No. 24, Page 96, Section 321.690, Line 28, by inserting after said line the following:

"407.312. 1. As used in this section, the following terms shall mean:

(1) "Florist", any business that derives fifty percent or more of its gross income from the sale or arranging for the sale of flowers or floral arrangements;

(2) "Local telephone number", a specific telephone number with area code and prefix assigned for the purpose of completing local calls between a calling party or station and any other party or station within a designated exchange or all of its designated local calling areas. The term "local telephone number" shall not mean long distance telephone numbers or any toll-free telephone numbers listed in a local telephone directory;

(3) "Person", shall have the same meaning as in section 407.010.

2. A person shall not misrepresent the geographical location of a florist in a contact listing:

(1) In a telephone directory or other directory assistance database;

(2) On an internet website; or

(3) In a print advertisement.

3. A person is considered to misrepresent the geographical location of a florist for purposes of this section if the name of the florist indicates that the florist is located in a geographical area and:

(1) The florist is not physically located within the geographical area indicated;

(2) The listing fails to identify the municipality and state of the florist's actual physical geographical location; and

(3) A telephone call to the local telephone number provided for the florist that is:

(a) Listed in the directory or database is routinely forwarded or transferred to a location that is outside the calling area covered by the directory or database in which the number is listed; or

(b) Provided on the internet website or in a print advertisement is routinely forwarded or transferred to a location that is outside the calling area of the geographical area indicated by the name of the florist.

4. A person may place a contact listing for a florist under this section when the name of the florist indicates that it is located in a geographical area that is different from the geographical area in which the florist is actually physically located if a conspicuous notice in the listing states the municipality and state in which the florist is actually physically located.

5. This section shall not apply to:

- (1) A publisher of a telephone directory or other publication, or a provider of a directory assistance service publishing or providing information about another business;
 - (2) An internet website that aggregates and provides information about other businesses;
 - (3) An owner or publisher of a print medium providing information about other businesses;
 - (4) An internet service provider; or
 - (5) An internet service that displays or distributes advertisements for other businesses.
6. A violation of this section shall be considered an unlawful practice under 407.020 and may be prosecuted in the same manner as any unlawful practice under that section."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Austin, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Haefner, **House Amendment No. 3, as amended**, was adopted.

Representative Hinson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 24, Page 62, Section 190.100, Line 168, by inserting after all of said section and line, the following:

"190.105. 1. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the business or service of the transportation of patients by ambulance in the air, upon the streets, alleys, or any public way or place of the state of Missouri unless such person holds a currently valid license from the department for an ambulance service issued pursuant to the provisions of sections 190.001 to 190.245.

2. [No ground ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit it to be operated for such purposes in the state of Missouri unless the ground ambulance is under the immediate supervision and direction of a person who is holding a currently valid Missouri license as an emergency medical technician. Nothing in this section shall be construed to mean that a duly registered nurse or a duly licensed physician be required to hold an emergency medical technician's license. Each ambulance service is responsible for assuring that any person driving its ambulance is competent in emergency vehicle operations and has a safe driving record.] Each ground ambulance shall be staffed with at least two licensed individuals when transporting a patient, except as provided in section 190.094.

3. No license shall be required for an ambulance service, or for the attendant of an ambulance, which:

(1) Is rendering assistance in the case of an emergency, major catastrophe or any other unforeseen event or series of events which jeopardizes the ability of the local ambulance service to promptly respond to emergencies; or

(2) Is operated from a location or headquarters outside of Missouri in order to transport patients who are picked up beyond the limits of Missouri to locations within or outside of Missouri, but no such outside ambulance shall be used to pick up patients within Missouri for transportation to locations within Missouri, except as provided in subdivision (1) of this subsection.

4. The issuance of a license pursuant to the provisions of sections 190.001 to 190.245 shall not be construed so as to authorize any person to provide ambulance services or to operate any ambulances without a franchise in any city not within a county or in a political subdivision in any county with a population of over nine hundred thousand inhabitants, or a franchise, contract or mutual-aid agreement in any other political subdivision which has enacted an ordinance making it unlawful to do so.

5. Sections 190.001 to 190.245 shall not preclude the adoption of any law, ordinance or regulation not in conflict with such sections by any city not within a county, or at least as strict as such sections by any county, municipality or political subdivision except that no such regulations or ordinances shall be adopted by a political subdivision in a county with a population of over nine hundred thousand inhabitants except by the county's governing body.

6. In a county with a population of over nine hundred thousand inhabitants, the governing body of the county shall set the standards for all ambulance services which shall comply with subsection 5 of this section. All such

ambulance services must be licensed by the department. The governing body of such county shall not prohibit a licensed ambulance service from operating in the county, as long as the ambulance service meets county standards.

7. An ambulance service or vehicle when operated for the purpose of transporting persons who are sick, injured, or otherwise incapacitated shall not be treated as a common or contract carrier under the jurisdiction of the Missouri division of motor carrier and railroad safety.

8. Sections 190.001 to 190.245 shall not apply to, nor be construed to include, any motor vehicle used by an employer for the transportation of such employer's employees whose illness or injury occurs on private property, and not on a public highway or property, nor to any person operating such a motor vehicle.

9. A political subdivision that is authorized to operate a licensed ambulance service may establish, operate, maintain and manage its ambulance service, and select and contract with a licensed ambulance service. Any political subdivision may contract with a licensed ambulance service.

10. Except as provided in subsections 5 and 6, nothing in section 67.300, or subsection 2 of section 190.109, shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to promulgate laws, ordinances or regulations related to the provision of ambulance services. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

11. Nothing in section 67.300 or subsection 2 of section 190.109 shall be construed to authorize any municipality or county which is located within an ambulance district or a fire protection district that is authorized to provide ambulance service to operate an ambulance service without a franchise in an ambulance district or a fire protection district that is authorized to provide ambulance service which has enacted an ordinance making it unlawful to do so. This provision shall not apply to any municipality or county which operates an ambulance service established prior to August 28, 1998.

12. No provider of ambulance service within the state of Missouri which is licensed by the department to provide such service shall discriminate regarding treatment or transportation of emergency patients on the basis of race, sex, age, color, religion, sexual preference, national origin, ancestry, handicap, medical condition or ability to pay.

13. No provision of this section, other than subsections 5, 6, 10 and 11 of this section, is intended to limit or supersede the powers given to ambulance districts pursuant to this chapter or to fire protection districts pursuant to chapter 321, or to counties, cities, towns and villages pursuant to chapter 67.

14. Upon the sale or transfer of any ground ambulance service ownership, the owner of such service shall notify the department of the change in ownership within thirty days of such sale or transfer. After receipt of such notice, the department shall conduct an inspection of the ambulance service to verify compliance with the licensure standards of sections 190.001 to 190.245."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (45) offered House Amendment No. 1 to House Amendment No. 4.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 24, Page 2, Line 42, by inserting after all of said line the following:

'Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section and line, the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in

subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable, **except that if a political subdivision increases its rate of property taxation after the adoption of the redevelopment project said additional taxation revenues shall not be considered to be payment in lieu of taxes subject to capture under this section.** The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other

taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or

bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

99.848. Notwithstanding subsection 1 of section 99.847, any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment **and the ambulance district board, as defined in chapter 190, or fire protection district board, as defined in chapter 321, or 911 emergency services board, as defined in chapter 190, shall set the refund amount rate prior to when the assessment is paid into the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Hinson, **House Amendment No. 4, as amended**, was adopted.

Representative Cornejo offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 24, Page 4, Section 67.281, Line 17, by inserting after all of said section and line, the following:

"67.1009. 1. The governing body of the following cities may impose a tax as provided in this section:

(1) Any city of the fourth classification with more than eight hundred thirty but fewer than nine hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(2) Any city of the fourth classification with more than four thousand fifty but fewer than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall be not more than six tenths of one percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body of the city to impose a tax pursuant to this section. The tax authorized by this section shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law. Such tax shall be stated separately from all other charges and taxes.

3. The ballot of submission for any tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in (name of city) at a rate of (insert rate of percent up to six tenths of one percent)?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter."; and

Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section and line the following:

"94.270. 1. The mayor and board of aldermen shall have power and authority to regulate and to license and to levy and collect a license tax on auctioneers, druggists, hawkers, peddlers, banks, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boardinghouses, billiard and pool tables and other tables, bowling alleys, lumber dealers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, concerts, photographers, bill posters, artists, agents, porters, public lecturers, public meetings, circuses and shows, for parades and exhibitions, moving picture shows, horse or cattle dealers, patent right dealers, stockyards, inspectors, gaugers, mercantile agents, gas companies, insurance companies, insurance agents, express companies, and express agents, telegraph companies, light, power and water companies, telephone companies, manufacturing and other corporations or institutions, automobile agencies, and dealers, public garages, automobile repair shops or both combined, dealers in automobile accessories, gasoline filling stations, soft drink stands, ice cream stands, ice cream and soft drink stands combined, soda fountains, street railroad cars, omnibuses, drays, transfer and all other vehicles, traveling and auction stores, plumbers, and all other business, trades and avocations whatsoever, and fix the rate of carriage of persons, drayage and cartage of property; and to license, tax, regulate and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, billiard tables, pool tables and other tables, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, tipling houses, and sales of unclaimed goods by express companies or common carriers, auto wrecking shops and junk dealers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and all others pursuing like occupations, with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city, and to license and tax auto liveries, auto drays and jitneys.

2. Notwithstanding any other law to the contrary, no city of the fourth classification with more than eight hundred but less than nine hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of twenty-seven dollars per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

3. Notwithstanding any other law to the contrary, no city of the fourth classification with more than four thousand one hundred but less than four thousand two hundred inhabitants and located in any county with a charter form of government and with more than one million inhabitants shall levy or collect a license fee on hotels or motels in an amount in excess of thirteen dollars and fifty cents per room per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitations of this subsection shall be automatically reduced to comply with this subsection.

4. Notwithstanding any other law to the contrary, on or after January 1, 2006, no city of the fourth classification with more than fifty-one thousand three hundred and eighty but less than fifty-one thousand four hundred inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand or no city of the fourth classification with more than fifty-one thousand but fewer than fifty-two thousand inhabitants and located in any county with a charter form of government and with more than two hundred eighty thousand but less than two hundred eighty-five thousand shall levy or collect a license fee on hotels or

motels in an amount in excess of one thousand dollars per year. No hotel or motel in such city shall be required to pay a license fee in excess of such amount, and any license fee in such city that exceeds the limitation of this subsection shall be automatically reduced to comply with this subsection.

5. Any city under subsection 4 of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed one-eighth of one percent of such hotels' or motels' gross revenue.

6. Any city under [subsections] **subsection 1**[, 2, and 3] of this section may increase a hotel and motel license tax by five percent per year but the total tax levied under this section shall not exceed the greater of:

- (1) One-eighth of one percent of such hotels' or motels' gross revenue; or
- (2) The business license tax rate for such hotel or motel on May 1, 2005.

7. The provisions of subsection 6 of this section shall not apply to any tax levied by a city when the revenue from such tax is restricted for use to a project from which bonds are outstanding as of May 1, 2005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered House Amendment No. 1 to House Amendment No. 5.

*House Amendment No. 1
to
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 24, Page 3, Line 14, by inserting after all of said line, the following:

'Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section and line, the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

- (1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;
- (2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;
- (3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;
- (4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;
- (5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;
- (6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;
- (7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;
- (8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;
- (9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;
- (10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;
- (11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such

items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the Armed Forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the Armed Forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the Armed Forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual

(14) The sale of the right under a contract of six months or more for the right of first refusal to purchase tickets for seating in a multi-purpose arena owned by a political subdivision and managed or operated by a private business and located in a city with a population of more than three hundred thousand inhabitants which is located in more than one county, when the contract is not for the sale of the right to enter an event at such arena without the payment of an admission charge.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Cornejo, **House Amendment No. 5, as amended**, was adopted.

Representative Solon offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 24, Pages 30-37, Section 143.790, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Richardson
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr			

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellington	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown	Curtis	Ellinger	Elmer	Grisamore
LaFaver	Molendorp	Neth	Pierson	Rhoads
Riddle	Mr Speaker			

On motion of Representative Solon, **House Amendment No. 6** was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Burns
Butler	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtman	Davis

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Diehl	Dohrman	Dugger	Elmer	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame
Franklin	Frederick	Funderburk	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Hubbard	Hummel	Johnson	Justus
Keeney	Kelley 127	Kirkton	Koenig	Korman
Kratky	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	May	McCaherty	McKenna
Messenger	Miller	Montecillo	Moon	Morris
Muntzel	Neth	Pace	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Swan	Swearingen	Torpey
Walker	White	Wilson	Wood	Wright
Zerr				

NOES: 044

Anders	Black	Carpenter	Cierpiot	Cross
Dunn	Ellington	Engler	English	Englund
Fowler	Gannon	Gardner	Gatschenberger	Houghton
Hurst	Kelly 45	Kolkmeier	LaFaver	Lair
Lauer	Mayfield	McCann Beatty	McDonald	McGaugh
McManus	McNeil	Meredith	Mims	Mitten
Morgan	Neely	Newman	Nichols	Norr
Otto	Rizzo	Schupp	Stream	Thomson
Walton Gray	Webb	Webber	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Curtis	Ellinger	Grisamore	Jones 50
Molendorp	Peters	Pierson	Rhoads	Riddle
Roorda	Schieffer	Mr Speaker		

Representative Schatz offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 24, Page 102, Section 577.041, Line 138, by inserting after all of said section and line the following:

"644.029. The department shall allow an appropriate schedule of compliance for a permittee to make upgrades or changes to its facilities that are necessary to meet new water quality requirements. For publicly owned treatment works, schedules of compliance shall be consistent with affordability findings made under section 644.145. For privately owned treatment works, schedules of compliance shall be negotiated with the facilities recognizing their financial capabilities and shall reflect statewide performance expectations. The department shall incorporate new water quality requirements into existing permits at the time of permit renewal unless there are compelling reasons to implement these requirements earlier through permit modifications. All new permit applicants may be required to meet any new water quality standards or classifications prescribed by the commission.

Section 1. The provisions of section 444.771 shall not apply to any business entity located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 7** was adopted.

Representative Cross offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 24, Page 102, Section 577.041, Line 138, by inserting after all of said section and line the following:

"577.665. 1. As used in this section, the following terms shall mean:

(1) "Tanning device", any equipment that emits electromagnetic radiation with wavelengths in the air between two hundred and four hundred nanometers used for tanning of the skin, including but not limited to a sunlamp, tanning booth or tanning bed;

(2) "Tanning facility", any location, place, area, structure, or business which provides persons access to any tanning device for a fee, membership dues, or any other form of compensation.

2. Prior to any person less than seventeen years of age using a tanning device in a tanning facility, a parent or guardian of such person shall annually appear in person at the tanning facility and sign a written statement acknowledging that the parent or guardian has read and understands the warnings given by the tanning facility and consents to the person's use of a tanning device at the tanning facility.

3. Any person who violates the provisions of this section shall be subject to a fine of fifty dollars. Any tanning facility that violates the provisions of this section shall be subject to a fine of five hundred dollars for each violation. Every use of a tanning device in a tanning facility in violation of this section is a separate offense."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cross, **House Amendment No. 8** was adopted.

HCS SB 24, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 175**, entitled:

An act to repeal sections 54.280, 67.457, 67.463, 67.469, 67.1521, 140.050, 140.150, 140.160, 140.230, 140.290, 140.405, 140.460, 140.470, and 140.665, RSMo, and to enact in lieu thereof fifteen new sections relating to procedures for the collection of local government funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 184**, entitled:

An act to repeal sections 32.087, 67.1010, 135.960, 144.020, 144.021, 144.069, 144.071, 144.440, 144.450, 144.455, 144.525, 144.610, 144.613, and 144.615, RSMo, and to enact in lieu thereof twenty new sections relating to taxation, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted Conference Committee Report No. 2 on **HCS SCS SB 9, as amended**, and has taken up and passed **CCS#2 HCS SCS SB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 17, as amended**, and has taken up and passed **CCS HCS SCS SB 17**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has re-appointed the following Conference Committee to act with a like committee from the House on **HCS SB 57, as amended**: Senators Romine, Richard, Libla, McKenna and Sifton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 73, as amended**: Senators Schaefer, Brown, Dixon, McKenna and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 127, as amended**, and has taken up and passed **CCS HCS SB 127**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS SB 224, as amended**: Senators Curls, Silvey, Wallingford, Pearce and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 248, as amended**, and has taken up and passed **CCS SCS SB 248**.

On motion of Representative Diehl, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

Representative Diehl suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 060

Allen	Bernskoetter	Black	Burlison	Conway 104
Cox	Cross	Diehl	Ellinger	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hoskins	Houghton	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Koenig	Korman	Kratky
Leara	Lichtenegger	May	McCaherty	McDonald
Miller	Montecillo	Morgan	Morris	Muntzel
Nichols	Parkinson	Redmon	Remole	Richardson
Riddle	Ross	Rowden	Rowland	Schieber
Schupp	Shumake	Smith 120	Swan	Thomson
Torpey	Walton Gray	Wright	Zerr	Mr Speaker

NOES: 001

Ellington

PRESENT: 078

Anders	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burns	Butler
Cierpiot	Colona	Cookson	Cornejo	Curtman
Davis	Dohrman	Dunn	Elmer	Engler
English	Englund	Fowler	Fraker	Frame
Funderburk	Gannon	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hough	Hubbard
Hummel	Justus	Kelly 45	Kirkton	Kolkmeyer
LaFaver	Lair	Lant	Lauer	Love
Lynch	Mayfield	McCann Beatty	McGaugh	McKenna
McManus	Meredith	Messenger	Mitten	Neely
Newman	Norr	Otto	Pace	Peters
Pfautsch	Pike	Pogue	Rizzo	Roorda
Runions	Scharnhorst	Schatz	Schieffer	Shull
Smith 85	Solon	Sommer	Swearingen	Walker
Webber	White	Wilson		

ABSENT WITH LEAVE: 024

Carpenter	Conway 10	Crawford	Curtis	Dugger
Franklin	Gardner	Hodges	Marshall	McNeil
Mims	Molendorp	Moon	Neth	Phillips
Pierson	Rehder	Reiboldt	Rhoads	Spencer
Stream	Webb	Wieland	Wood	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 117** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Wasson, Dixon, Cunningham, Keaveny and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 42, as amended**, and has taken up and passed **CCS HCS SCS SB 42**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1** to **SB 72** and has taken up and passed **SB 72, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 118** and has taken up and passed **HCS SCS SB 118**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 157 and SB 102, as amended**, and has taken up and passed **CCS HCS SCS SB 157 and SB 102**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 256, as amended**, and has taken up and passed **CCS HCS SCS SB 256**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 262, as amended**, and has taken up and passed **CCS HCS SS SCS SB 262**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 327, as amended**, and has taken up and passed **CCS SB 327**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 342, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HCS HB 117: Representatives Dugger, Crawford and Conway (10)

BILLS CARRYING REQUEST MESSAGES

HCS SB 342, as amended, relating to agriculture, was taken up by Representative Guernsey.

Representative Guernsey moved that the House refuse to recede from its position on **HCS SB 342, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HB 103, as amended, relating to use of vehicles in municipalities, was taken up by Representative Kelley (127).

Representative Kelley (127) moved that the House refuse to adopt **SCS HB 103, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 24, as amended, relating to political subdivisions, was again taken up by Representative Hinson.

Representative Hough offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 24, Page 93, Section 302.525, Line 60, by inserting immediately after said line the following:

"311.055. **1.** No person at least twenty-one years of age shall be required to obtain a license to manufacture intoxicating liquor, as defined in section 311.020, for personal or family use. The aggregate amount of intoxicating liquor manufactured per household shall not exceed two hundred gallons per calendar year if there are two or more persons over the age of twenty-one years in such household, or one hundred gallons per calendar year if there is only one person over the age of twenty-one years in such household. **Any intoxicating liquor manufactured under this section may not be offered for sale.**

2. Beer brewed under this section may be removed from the premises where brewed for personal or family use, including use at organized affairs, exhibitions, or competitions, such as home brewer contests, tastings, or judging. The use may occur off licensed retail premises, on any premises under a temporary retail license

issued under sections 311.218, 311.482, 311.485, 311.486, or 311.487, or on any tax exempt organization's licensed premises as described in section 311.090.

311.091. 1. **Except as provided under subsection 2 of this section and** notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter and who meets the requirements of and complies with the provisions of this chapter may apply for and the supervisor of [liquor] **alcohol and tobacco** control may issue a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any boat, or other vessel licensed by the United States Coast Guard to carry one hundred or more passengers for hire on navigable waters in or adjacent to this state, which has a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.

2. **Any person who possesses the qualifications required by this chapter and who meets the requirements of, and complies with the provisions of, this chapter may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor by the drink at retail for consumption on the premises of any boat or other vessel licensed by the United States Coast Guard to carry forty-five to ninety-nine passengers for hire on a lake with a shoreline that is in three counties, one of which is any county of the third classification without a township form of government and with more than thirty-three thousand but fewer than thirty-seven thousand inhabitants and with a city of the fourth classification with more than three thousand but fewer than three thousand seven hundred inhabitants as the county seat, one of which is any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than four hundred but fewer than four hundred fifty inhabitants as the county seat, and one of which is any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants. The boat must have a regular place of mooring in a location in this state or within two hundred yards of a location which would otherwise be licensable under this chapter. The license shall be valid even though the boat, or other vessel, leaves its regular place of mooring during the course of its operation.**

3. For every license for sale of liquor by the drink at retail for consumption on the premises of any boat or other vessel issued under the provisions of this section, the licensee shall pay to the director of revenue the sum of three hundred dollars per year.

Section B. Because of the need to clarify the laws relating to beer brewed for personal or family use, the repeal and reenactment of section 311.055 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 311.055 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 9** was adopted.

Representative Burlison offered **House Amendment No. 10**.

House Amendment No. 10

AND House Committee Substitute for Senate Bill No. 24, Page 29, Section 143.145, Line 78, by inserting after all of said section and line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall

be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection:**

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] **a.** "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

[(b)] **b.** "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

[(c)] **c.** Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state[;] .

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale[;] ; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of

underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which

report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fitzpatrick offered **House Amendment No. 1 to House Amendment No. 10.**

House Amendment No. 1
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Bill No. 24, Page 5, Line 19, by inserting after all of said line the following:

‘Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section and line the following:

"144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for

quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events, **which shall only include dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

- (1) Subject to a tax in this or any other state;
- (2) For resale;
- (3) Excluded from tax under this chapter;
- (4) Subject to tax but exempt under this chapter; or
- (5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, [including] **which shall only include games or athletic events, dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions**, shall remit tax on the amount paid for admissions or seating accommodations, or fees paid to, or in such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale.

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.

144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, including but not limited to motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, **or games and athletic events, which shall only include dance, theater, orchestra and other performing arts productions, commercial sports, spectator sports, gambling, racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, and other commercial tourist attractions**;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzpatrick, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Burlison, **House Amendment No. 10, as amended**, was adopted.

Representative Scharnhorst offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 24, Page 93, Section 302.525, Line 60, by inserting after all of said section and line the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a written check, negotiable instrument, automatic bank draft or other authorization from a qualified person to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission authorizing the licensee to withdraw the amount of credit extended by the licensee to such person from the qualified person's banking account on or after a date certain of not more than thirty days from the date the credit was extended, and includes any such writing taken in consolidation, redemption or payment of a previous credit instrument, but does not include any interest-bearing installment loan or other extension of credit secured by collateral;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)] (9) "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)] (10) "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)] (11) "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)] (12) "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)] (13) "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)] (14) "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)] (15) "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)] (16) "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)] (17) "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)] (18) "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)] (19) "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)] (20) "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill [referred to in subdivision (14) of] **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of

placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

- (1) Is it in the best interest of gaming to allow the game; and
- (2) Is the gambling game a game of chance or a game of skill?

All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

- (1) The recommended number of licensed excursion gambling boats operating in such city or county;
- (2) The recommended licensee or licensees operating in such city or county;
- (3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;
- (4) The city or county proposed sharing of revenue with any other municipality;
- (5) Any other information such city or county deems necessary; and
- (6) Any other information the commission may determine is necessary.

The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

- (1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;
- (2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817**, a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed, **other than a credit instrument**, must be deposited within twenty-four hours. **Except for any credit instrument**, the commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his

agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

- (1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;
- (2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;
- (3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;
- (4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;
- (5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;
- (6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;
- (7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;
- (8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;
- (9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2013, are valid contracts creating debt that is enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for chips, tokens, or electronic tokens that can be wagered on gambling games at the licensee's excursion gambling

boat. For the purposes of this subsection, “qualified person” means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Once the licensee makes the determination that a person is a qualified person, additional credit checks are not required. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents.

313.830. 1. A person is guilty of a class D felony for any of the following:

(1) Operating a gambling excursion where wagering is used or to be used without a license issued by the commission;

(2) Operating a gambling excursion where wagering is permitted other than in the manner specified by section 313.817; or

(3) Acting, or employing a person to act, as a shill or decoy to encourage participation in a gambling game.

2. A person is guilty of a class B misdemeanor for the first offense and a class A misdemeanor for the second and subsequent offenses for any of the following:

(1) Permitting a person under the age of twenty-one to make a wager while on an excursion gambling boat;

(2) Making or attempting to make a wager while on an excursion gambling boat when such person is under the age of twenty-one years; or

(3) Aiding a person who is under the age of twenty-one in entering an excursion gambling boat or in making or attempting to make a wager while on an excursion gambling boat. 3. A person wagering or accepting a wager at any location outside the excursion gambling boat is in violation of section 572.040.

4. A person commits a class D felony and, in addition, shall be barred for life from excursion gambling boats under the jurisdiction of the commission, if the person:

(1) Offers, promises, or gives anything of value or benefit to a person who is connected with an excursion gambling boat operator including, but not limited to, an officer or employee of a licensee or holder of an occupational license pursuant to an agreement or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to whom the offer, promise, or gift was made in order to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(2) Solicits or knowingly accepts or receives a promise of anything of value or benefit while the person is connected with an excursion gambling boat including, but not limited to, an officer or employee of a licensee, or holder of an occupational license, pursuant to an understanding or arrangement or with the intent that the promise or thing of value or benefit will influence the actions of the person to affect or attempt to affect the outcome of a gambling game, or to influence official action of a member of the commission;

(3) Uses a device to assist in any of the following:

(a) In projecting the outcome of the game;

(b) In keeping track of the cards played;

(c) In analyzing the probability of the occurrence of an event relating to the gambling game; or

(d) In analyzing the strategy for playing or betting to be used in the game, except as permitted by the commission;

(4) Cheats at a gambling game;

(5) Manufactures, sells, or distributes any cards, chips, dice, game or device which is intended to be used to violate any provision of sections 313.800 to 313.850;

(6) Instructs a person in cheating or in the use of a device for that purpose with the knowledge or intent that the information or use conveyed may be employed to violate any provision of sections 313.800 to 313.850;

(7) Alters or misrepresents the outcome of a gambling game on which wagers have been made after the outcome is made sure but before it is revealed to the players;

(8) Places a bet after acquiring knowledge, not available to all players, of the outcome of the gambling game which is the subject of the bet or to aid a person in acquiring the knowledge for the purpose of placing a bet contingent on that outcome;

(9) Claims, collects, or takes, or attempts to claim, collect, or take, money or anything of value in or from the gambling games, with intent to defraud, without having made a wager contingent on winning a gambling game, or claims, collects, or takes an amount of money or thing of value of greater value than the amount won;

(10) Knowingly entices or induces a person to go to any place where a gambling game is being conducted or operated in violation of the provisions of sections 313.800 to 313.850 with the intent that the other person plays or participates in that gambling game;

(11) Uses counterfeit chips or tokens in a gambling game;

(12) Knowingly uses, other than chips, tokens, coin, of other methods of credit approved by the commission, legal tender of the United States of America, or to use coin not of the denomination as the coin intended to be used in the gambling games;

(13) Has in the person's possession any device intended to be used to violate a provision of sections 313.800 to 313.850;

(14) Has in the person's possession, except a gambling licensee or employee of a gambling licensee acting in furtherance of the employee's employment, any key or device designed for the purpose of opening, entering, or affecting the operation of a gambling game, drop box, or an electronic or mechanical device connected with the gambling game or for removing coins, tokens, chips or other contents of the gambling game; or

(15) Knowingly makes a false statement of any material fact to the commission, its agents or employees.

5. The possession of one or more of the devices described in subdivision (3), (5), (13) or (14) of subsection 4 of this section permits a rebuttable inference that the possessor intended to use the devices for cheating.

6. Except for wagers on gambling games or exchanges for money **or a credit instrument** as provided in section 313.817, or as payment for food or beverages on the excursion gambling boat, a licensee who exchanges tokens, chips, or other forms of credit to be used on gambling games for anything of value commits a class B misdemeanor.

7. If the commission determines that reasonable grounds to believe that a violation of sections 313.800 to 313.850 has occurred or is occurring which is a criminal offense, the commission shall refer such matter to both the state attorney general and the prosecuting attorney or circuit attorney having jurisdiction. The state attorney general and the prosecuting attorney or circuit attorney with such jurisdiction shall have concurrent jurisdiction to commence actions for violations of sections 313.800 to 313.850 where such violations have occurred.

8. Venue for all crimes committed on an excursion gambling boat shall be the jurisdiction of the home dock city or county or such county where a home dock city is located."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 11** was adopted.

Representative Funderburk offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 24, Page 3, Section A, Line 32, by inserting after all of said section the following:

"32.070. 1. This act shall be known and may be cited as the "Streamlined Sales and Use Tax Agreement Act".

2. The director of the department of revenue shall enter into the streamlined sales and use tax agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the streamlined sales and use tax agreement, the director of the department of revenue may act jointly with other states that are members of the streamlined sales and use tax agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

3. In the first year after any federal legislation requiring vendors to collect sales and use tax uniformly on sales in all states has been adopted and in which the amount of state sales and use tax revenue collected under such federal legislation exceeds the amount of such revenues collected in the immediately preceding year by at least two hundred million dollars, the highest rate of the tax imposed on the Missouri taxable income of residents under chapter 143 shall be decreased from six percent to five and one half percent. The director of the

department of revenue shall notify the revisor of statutes when such federal legislation is adopted and becomes effective in all states.

4. The director of the department of revenue may take other action reasonably required to implement the provisions set forth in the streamlined sales and use tax administration act, including, but not limited to, the promulgation of rules and the joint procurement, with other member states, of goods and services in furtherance of the streamlined sales and use tax agreement.

5. For the purposes of representing the state as a member of the agreement and, if necessary, amending the agreement, the state shall be represented by three delegates, one of whom shall be appointed by the governor, one shall be a member of the general assembly appointed by mutual agreement of the president pro tem of the senate and the speaker of the house of representatives, with the director of the department of revenue or the director's designee as the third delegate. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the agreement.

6. The department of revenue shall promulgate rules necessary to implement the provisions of the streamlined sales and use tax agreement.

32.086. Notwithstanding any other provision of law, for all local sales and use taxes collected by the department and remitted to a political jurisdiction or taxing district, the department shall remit one percent of the amount collected to the general revenue fund to offset the cost of collection, unless a greater amount is specified in the local sales and use tax law. The department shall not commingle the remaining amounts collected with general revenues and shall remit the remaining amounts collected to the political jurisdiction or taxing district less any credits for erroneous payments, overpayments, and dishonored checks.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection [18] 17 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. [The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5.] The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

[6.] 5. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

[7.] 6. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

[8.] 7. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

[9.] 8. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

[10.] 9. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

[11.] 10. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

[12. (1)] 11. For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales[, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended] **shall be sourced as provided by sections 144.040 to 144.043.**

[13.] 12. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

[14.] 13. The director of revenue and any of [his] **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering [himself] **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

[15.] 14. The director of revenue shall annually report on [his] **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. [He] **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by [him] **the director** for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

[16.] 15. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by [him] **such person** under the local sales tax law or in the event a determination has been made against [him] **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the

event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

[17.] **16.** Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

[18.] **17.** If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

18. If the boundaries of a city in which a sales tax or use tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city within ten days of adoption of the ordinance. The ordinance shall reflect the effective date of the ordinance and shall be accompanied by a map of the city clearly showing the territory added or detached from the city boundaries. Upon receipt of the ordinance and map, the tax imposed under the local sales tax law or local use tax law shall be effective in the added territory or abolished in the detached territory on the first day of a calendar quarter after one hundred twenty days' notice to sellers.

19. Any change to any local sales tax or local use tax boundary or rate shall be effective on the first day of a calendar quarter after one hundred twenty days' notice to sellers."; and

Further amend said bill, Page 3, Section 64.196, Line 5, by inserting after all of said section the following:

"66.620. 1. All county sales taxes collected by the director of revenue under sections 66.600 to 66.630 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Sales Tax Trust Fund". [The moneys in the county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of the county and all expenditures of funds arising from the county sales tax trust fund shall be by an appropriation act to be enacted by the legislative council of the county, and to the cities, towns and villages located wholly or partly within the county which levied the tax in the manner as set forth in sections 66.600 to 66.630.

2. In any county not adopting an additional sales tax and alternate distribution system as provided in section 67.581, for the purposes of distributing the county sales tax, the county shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980, group A shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which had a city sales tax approved by the voters of such city under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax. For the purposes of determining the location of consummation of sales for distribution of funds to cities, towns and villages in group A, the boundaries of any such city, town or village shall be the boundary of that city, town or village as it existed on March 19, 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales tax ordinance, and shall also include all unincorporated areas of the county which levied the tax; except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages which are located wholly or partly within the county which levied the tax and which did not have a city sales tax approved by the voters of such city under the

provisions of sections 94.500 to 94.550 on the day prior to the effective date of the county sales tax and shall also include all unincorporated areas of the county which levied the tax.

3. Until January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by section 66.630, after deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute the remaining funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

4. From and after January 1, 1994, the director of revenue shall distribute to the cities, towns and villages in group A a portion of the taxes based on the location in which the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087 in accordance with the formula described in this subsection. After deducting the distribution to the cities, towns and villages in group A, the director of revenue shall distribute funds in the county sales tax trust fund to the cities, towns and villages and the county in group B as follows: To the county which levied the tax, ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied by the total of all sales tax revenues countywide, and a percentage of the remaining distributable revenue equal to the percentage ratio that the population of unincorporated areas of the county bears to the total population of group B; and to each city, town or village in group B located wholly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of such city, town or village bears to the total population of group B; and to each city, town or village located partly within the taxing county, a percentage of the remaining distributable revenue equal to the percentage ratio that the population of that part of the city, town or village located within the taxing county bears to the total population of group B.

5. (1) For purposes of administering the distribution formula of subsection 4 of this section, the revenues arising each year from sales occurring within each group A city, town or village shall be distributed as follows: Until such revenues reach the adjusted county average, as hereinafter defined, there shall be distributed to the city, town or village all of such revenues reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; and once revenues exceed the adjusted county average, total revenues shall be shared in accordance with the redistribution formula as defined in this subsection.

(2) For purposes of this subsection, the "adjusted county average" is the per capita countywide average of all sales tax distributions during the prior calendar year reduced by the percentage which is equal to ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993; the "redistribution formula" is as follows: During 1994, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. During 1995, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From January 1, 1996, until January 1, 2000, each group A city, town and village shall receive that portion of the revenues arising from sales occurring within the municipality that remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising from sales within the municipality multiplied by the percentage which is the sum of ten percent multiplied by the percentage of the population of unincorporated county which has been annexed or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of cumulative per capita sales taxes arising from sales within the municipality less the adjusted county average. From and after January 1, 2000, the distribution formula

covering the period from January 1, 1996, until January 1, 2000, shall continue to apply, except that the percentage computed for sales arising within the municipalities shall be not less than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the adjusted county average by at least twenty-five percent.

(3) For purposes of applying the redistribution formula to a municipality which is partly within the county levying the tax, the distribution shall be calculated alternately for the municipality as a whole, except that the factor for annexed portion of the county shall not be applied to the portion of the municipality which is not within the county levying the tax, and for the portion of the municipality within the county levying the tax. Whichever calculation results in the larger distribution to the municipality shall be used.

(4) Notwithstanding any other provision of this section, the fifty percent of additional sales taxes as described in section 99.845 arising from economic activities within the area of a redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865, while tax increment financing remains in effect shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. Further, any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of incremental sales tax revenues to the special allocation fund of a tax increment financing project while tax increment financing remains in effect shall continue to be in full force and effect and the sales taxes so appropriated shall be deducted from all calculations of countywide sales taxes, shall be distributed directly to the municipality involved, and shall be disregarded in calculating the amounts distributed or distributable to the municipality. In addition, and notwithstanding any other provision of this chapter to the contrary, economic development funds shall be distributed in full to the municipality in which the sales producing them were deemed consummated. Additionally, economic development funds shall be deducted from all calculations of countywide sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the municipality. As used in this subdivision, the term "economic development funds" means the amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations under any agreement authorized by chapter 100, entered into or adopted prior to September 1, 1993, between a municipality and another public body. The cumulative amount of economic development funds allowed under this provision shall not exceed the total amount necessary to amortize the obligations involved.

6. If the qualified voters of any city, town or village vote to change or alter its boundaries by annexing any unincorporated territory included in group B or if the qualified voters of one or more city, town or village in group A and the qualified voters of one or more city, town or village in group B vote to consolidate, the area annexed or the area consolidated which had been a part of group B shall remain a part of group B after annexation or consolidation. After the effective date of the annexation or consolidation, the annexing or consolidated city, town or village shall receive a percentage of the group B distributable revenue equal to the percentage ratio that the population of the annexed or consolidated area bears to the total population of group B and such annexed area shall not be classified as unincorporated area for determination of the percentage allocable to the county. If the qualified voters of any two or more cities, towns or villages in group A each vote to consolidate such cities, towns or villages, then such consolidated cities, towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630, population shall be as determined by the last federal decennial census or the latest census that determines the total population of the county and all political subdivisions therein. For the purpose of calculating the adjustment based on the percentage of unincorporated county population which is annexed after April 1, 1993, the accumulated percentage immediately before each census shall be used as the new percentage base after such census. After any annexation, incorporation or other municipal boundary change affecting the unincorporated area of the county, the chief elected official of the county shall certify the new population of the unincorporated area of the county and the percentage of the population which has been annexed or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its governing body cease to be a part of group A and become a part of group B. Within ten days after the adoption of the ordinance transferring the city, town or village from one group to the other, the clerk of the transferring city, town or village shall forward to the director of revenue, by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its former group shall cease and as a part of its new group shall begin on the first day of January of the year following notification to the director of revenue, provided such notification is received by the director of revenue on or before the first day of July of the year in which the transferring ordinance is adopted. If such notification is received by the director of revenue after the first day of July of the year in which the transferring ordinance is adopted, then distribution to such city as a part of its former group shall cease and as a part of its new group shall begin the first day of July of the year following such notification.

to the director of revenue. Once a group A city, town or village becomes a part of group B, such city may not transfer back to group A.

7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk of the municipality shall forward to the director of revenue, by registered mail, a certified copy of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the municipality clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in accordance with the provisions of this section on the effective date of the change of the municipal boundary so that the proper percentage of group B distributable revenue is allocated to the municipality in proportion to any annexed territory. If any area of the unincorporated county elects to incorporate subsequent to the effective date of the county sales tax as set forth in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group B. The city clerk of such newly incorporated municipality shall forward to the director of revenue, by registered mail, a certified copy of the incorporation election returns and a map of the municipality clearly showing the boundaries thereof. The certified copy of the incorporation election returns shall reflect the effective date of the incorporation. Upon receipt of the incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be distributed and allocated in accordance with the provisions of this section on the effective date of the incorporation.

8. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under sections 66.600 to 66.630."; and

Further amend said bill, Page 4, Section 67.281, Line 17, by inserting after all of said section the following:

"67.395. 1. All sales taxes collected by the director of revenue under sections 67.391 to 67.395 on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County AntiDrug Sales Tax Trust Fund". [The moneys in the county antidrug sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.391 to 67.395, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county antidrug sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.391 to 67.395, all provisions of sections 32.085 [and] ~~to~~ 32.087 shall apply to the tax imposed under sections 67.391 to 67.395.

67.525. 1. All county sales taxes collected by the director of revenue under sections 67.500 to 67.545 on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a county sales tax trust fund, which fund shall be separate and apart from the county sales tax trust fund established by section 66.620. [The moneys in such county sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a county sales tax, and the records shall be open to the inspection of officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.500 to 67.545, the sum due the county as certified by the director of revenue.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.500 to 67.545, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.500 to 67.545.

67.571. 1. The governing body of any county of the first classification with a population of more than eighty-two thousand inhabitants and less than ninety thousand inhabitants may, in addition to any tourism sales tax imposed pursuant to sections 67.671 to 67.685, by a majority vote, impose a sales tax for the funding of museums and festivals. For purposes of this section, the term "funding of museums and festivals" shall mean:

- (1) Funding of museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(C)(3) corporation and which are considered by the board to be tourism attractions; and
- (2) Funding of organizations that are registered as 501(C)(3) corporations which promote cultural heritage tourism including festivals and the arts.

2. Any question submitted to the voters of such county to establish a sales tax pursuant to this section shall be submitted in substantially the following form:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent to be used to fund (museums, cultural heritage, festivals) in certain areas of the county?

☐ YES

☐ NO

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, and the tax takes effect pursuant to this section, the museums and festivals board appointed pursuant to subsection 5 of this section shall determine in what manner the tax revenue moneys will be expended, and disbursements of these moneys shall be made strictly in accordance with directions of the board which are consistent with the provisions of sections 67.571 to 67.577. Expenditures of these tax moneys may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel. Expenditures of these tax moneys may be made directly to corporations pursuant to subsection 1 of this section. No such tax revenue moneys shall be disbursed to or on behalf of any corporation, organization or entity that is not duly registered with the Internal Revenue Service as a 501(C)(3) organization.

4. Any sales tax imposed pursuant to this section shall be imposed at a rate not to exceed two-tenths of one percent on receipts from the sale of certain tangible personal property or taxable services within the county pursuant to sections 67.571 to 67.577.

5. The governing body of any county which imposes a sales tax pursuant to this section may establish a museums and festivals board for the purpose of expending funds collected from any sales tax submitted and approved by the county's voters pursuant to this section. The board shall be comprised of six members who are appointed by the governing body of the county from a list of candidates supplied by the chair of each of the two major political parties of the county. The board shall be comprised of three members from each of the two political parties. Members shall serve for three-year terms, but of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a

resident of the county from which he or she is appointed. The members of the board shall not receive compensation for service on the board, but shall be reimbursed from the tax revenue money for any reasonable and necessary expenses incurred in service on the board.

6. In the area of each county in which a sales tax has been imposed in the manner provided by sections 67.571 to 67.577, every retailer within such area shall add the tax imposed by the provisions of sections 67.571 to 67.577 to his sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

7. In counties imposing a tax under the provisions of sections 67.571 to 67.577, in order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body may authorize the use of a bracket system similar to that authorized by the provisions of section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.

8. Except as modified in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.576. 1. The following provisions shall govern the collection of the tax imposed by the provisions of sections 67.571 to 67.577:

(1) All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by the provisions of sections 67.571 to 67.577;

(2) All exemptions granted to agencies of government, organizations, and persons under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 67.571 to 67.577.

2. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 67.571 to 67.577, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 67.571 to 67.577.

3. All discounts allowed the retailer pursuant to the provisions of the state sales tax law for the collection of and for payment of taxes pursuant to that act are hereby allowed and made applicable to any taxes collected pursuant to the provisions of sections 67.571 to 67.577.

4. The penalties provided in section 32.057 and sections 144.010 to 144.510 for a violation of those acts are hereby made applicable to violations of the provisions of sections 67.571 to 67.577.

5. [For the purposes of the sales tax imposed by an order pursuant to sections 67.571 to 67.577, all retail sales shall be deemed to be consummated at the place of business of the retailer] **Except as provided in sections 67.571 to 67.577, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 67.571 to 67.577.**

67.578. 1. The governing authority of any county of the third classification without a township form of government and with more than sixteen thousand four hundred but less than sixteen thousand five hundred inhabitants may impose a sales tax in an amount not to exceed one-fifth of one percent on all retail sales made in the county which are subject to taxation pursuant to sections 144.010 to 144.525, to be used solely for the funding of museums. For purposes of this section, the term "museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the board to be a tourism attraction. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax shall be imposed pursuant to this section unless the governing authority submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing authority to impose the tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert the name of the county) impose a sales tax of (insert rate of percent) percent for the funding of museums? "Museums" means museums operating in the county, which are registered with the United States Internal Revenue Service as a 501(c)(3) corporation and which are considered by the museum board to be a tourism attraction.

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the tax. If the proposal receives less than the required majority of votes, then the governing authority shall have no power to impose the tax unless and until the governing authority has again submitted another proposal to authorize the governing authority to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon.

3. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 [and] **to** 32.087 shall apply. The director may retain an amount not to exceed one percent for deposit in the general revenue fund to offset the costs of collection. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing authority may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

4. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons pursuant to sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer pursuant to the state sales tax law for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid pursuant to this section, or in the event a determination has been made against the person for taxes and penalty pursuant to this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

5. The governing authority may authorize any museum board already existing in the county, or may establish a museum board, to expend revenue collected pursuant to this section. In the event that no museum board already exists, the board established pursuant to this section shall consist of six members who are appointed by the governing authority from a list of candidates supplied by the chair of each of the two major political parties of the county, with three members from each of the two parties. Members shall serve for three-year terms, but of the members first appointed, [one] **two** shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Each member shall be a resident of the county. The members shall not receive compensation for service on the board, but shall be reimbursed from the revenues collected pursuant to this section for any reasonable and necessary expenses incurred in service on the board. The board shall determine in what manner the revenues will be expended, and disbursements of these moneys shall be made strictly in accordance with this section. Expenditures may be made for the employment of personnel selected by the board to assist in carrying out the duties of the board, and the board is expressly authorized to employ such personnel.

6. The governing authority may submit the question of repeal of the tax to the voters at any county or state general, primary, or special election. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (insert name of county) repeal the sales tax of (insert rate of percent) percent for the funding of museums?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES".

If you are opposed to the question, place an "X" in the box opposite "NO". [If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which the repeal was approved.]

67.581. 1. In addition to the sales tax permitted by sections 66.600 to 66.630, any county of the first class having a charter form of government and having a population of nine hundred thousand or more may impose an additional countywide sales tax upon approval by a vote of the qualified voters of the county. The proposal may be submitted to the voters by the governing body of the county and shall be submitted to the voters at the next general election upon petitions signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county in the next preceding gubernatorial election filed with the governing body of the county. The submission shall include the levying of a sales tax at a rate of not to exceed two hundred seventy-five one-thousandths of one percent on the receipts from the sale at retail of all tangible personal property or taxable services within the county which are also taxable under the provisions of sections 66.600 to 66.630, and shall provide for the distribution of the proceeds in the manner provided in either subsection 4 or subsection 5 of this section. If either of the alternative distribution systems as provided in subsection 4 or subsection 5 of this section is approved by the voters, then the alternative system of distribution may not be submitted to the voters for at least three years from the date of such voter approval.

2. The ballot of submission shall contain, but is not limited to, the following language:

Shall the County of levy an additional sales tax at the rate of (insert rate) and distribute the proceeds in the manner provided in (insert proper reference) (subsection 4)(subsection 5) of section 67.581, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, the additional sales tax shall be levied and collected and the proceeds from the additional tax shall be distributed as provided in either subsection 4 or subsection 5 of this section. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal, then the governing body of the county shall have no power to impose the additional sales tax authorized by this section unless and until a proposal for the levy of such tax is submitted to and approved by the voters of the county.

3. The provisions of sections 66.600 to 66.630 and sections 32.085 [and] to 32.087, except to the extent otherwise provided in this section, shall govern the levy, collection, distribution and other procedures related to an additional sales tax imposed pursuant to this section.

4. In any county adopting an additional sales tax pursuant to the provisions of this section, and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed first to those municipalities that did not receive during the preceding calendar year ninety-five percent of the amount the municipality would have received by multiplying the population of the municipality by the average per capita sales tax receipt for such county in an amount which will bring each municipality receipt of sales tax moneys up to ninety-five percent of the average per capita receipts from the proceeds of the sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the money received from the sales tax imposed pursuant to this section shall be distributed to all municipalities on the ratio that the population of each municipality bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the total sales tax revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by the total population of the county. Population of each municipality, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census. For the purposes of this subsection, any city, town, village or the unincorporated area of the county shall be considered a municipality.

5. In any county adopting an additional sales tax pursuant to the provisions of this section and selecting the method of distribution provided in this subsection, the proceeds from the sales tax imposed pursuant to this section, less one percent collection cost, shall be distributed to all cities, towns and villages, and the unincorporated areas of the county in group B and to such cities, towns and villages in group A as necessary so that no city, town, or village in group A receives from the combined proceeds of both the sales tax imposed pursuant to this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less than the per capita amount received by the cities, towns and villages and the unincorporated area of the county in group B receives from the total proceeds from both sales taxes.

6. The governing body of any county which is imposing a sales tax under the provisions of sections 66.600 to 66.630 may on its own motion and shall, upon petitions filed with the governing body of the county signed by a number of qualified voters residing in the county equal to at least eight percent of the votes cast in the county at the next preceding gubernatorial election, submit to the qualified voters of the county a proposal to change the method of distribution of sales tax proceeds from the manner provided in subsection 2 of section 66.620 to the method provided in this subsection. The ballot of submission shall be in substantially the following form:

Shall the proceeds from the county sales tax be distributed among the county of and the various cities, towns and villages therein in the manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581, RSMo, in lieu of the present manner of distribution?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters of the county voting thereon are in favor of the proposal, the sales tax imposed by the county under the provisions of sections 66.600 to 66.630 shall be distributed in the manner provided in this subsection and not in the manner provided in subsection 2 of section 66.620. If a majority of the votes cast by the qualified voters of the county voting thereon are opposed to the proposal, then the governing body of the county shall have no power to order the proceeds from the sales tax imposed pursuant to the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the method provided in subsection 2 of section 66.620, unless and until a proposal authorizing such method of distribution is submitted to and approved by the voters of the county. If the voters approve the change in the method of distribution of the sales tax proceeds in the manner provided in this subsection, the county clerk of the county shall notify the director of revenue of the change in the method of distribution within ten days after adoption of the proposal and shall inform the director of the effective date of the change in the method of distribution, which shall be on the first day of the third calendar quarter after the director of revenue receives notice. After the effective date of the change in the manner of distribution, the director of revenue shall distribute the proceeds of the sales tax imposed by such county under the provisions of sections 66.600 to 66.630 in the manner provided in this subsection in lieu of the manner of distribution provided in subsection 2 of section 66.620. The proceeds of the sales tax imposed under the provisions of sections 66.600 to 66.630 in any county which elects to have the proceeds distributed in the manner provided in this subsection shall be distributed in the following manner:

(1) The proceeds from the sales taxes shall be distributed to the cities, towns and villages in group A and to the cities, towns and villages, and the county in group B as defined in section 66.620 in the manner provided in subsection 2 of section 66.620, until an amount equal to the total amount distributed under section 66.620, for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section has been distributed;

(2) All moneys received in excess of the total amount distributed under section 66.620 for the twelve-month period immediately preceding the effective date of the tax levied pursuant to the provisions of this section shall be distributed to all cities, towns and villages and to the county on the basis that the population of each city, town or village, and in the case of the county the basis that the population of the unincorporated area of the county, bears to the total population of the county. The average per capita sales tax distribution shall be calculated by dividing the sum of the remaining amount of the total sales tax revenues by the total population of the county. Population of each city, town or village, of the unincorporated area of the county, and the total population of the county shall be determined on the basis of the most recent federal decennial census.

7. No municipality incorporated after the adoption of the tax authorized by this section shall be included as other than part of the unincorporated area of the county nor receive any share of either the proceeds from the tax levied pursuant to the provisions of this section or the tax levied pursuant to the provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such municipality had a population of ten thousand or more.

8. The county sales tax imposed pursuant to this section on the purchase and sale of motor vehicles shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within the county imposing the additional sales tax. [The amounts so collected, less one percent collection cost, shall be deposited in the county sales tax trust fund to be distributed in accordance with section 66.620. The purchase or sale of motor vehicles shall be deemed to be consummated at the address of the applicant for a certificate of title.]

9. No tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport, either upon, above or below the ground.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of

revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.582. 1. The governing body of any county, except a county of the first class with a charter form of government with a population of greater than four hundred thousand inhabitants, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"; or

(2) If the proposal submitted involves authorization to enter into agreements to form a regional jail district and obligates the county to make payments from the tax authorized by this section the ballot shall contain substantially the following:

Shall the county of (county's name) be authorized to enter into agreements for the purpose of forming a regional jail district and obligating the county to impose a countywide sales tax of (insert amount) to fund dollars of the costs to construct a regional jail and to fund the costs to operate a regional jail, with any funds in excess of that necessary to construct and operate such jail to be used for law enforcement purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to subdivision (1) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If the constitutionally required percentage of the voters voting thereon are in favor of the proposal submitted pursuant to subdivision (2) of this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing law enforcement services for such county for so long as the tax shall remain in effect. Revenue placed in the special trust fund may also be utilized for capital improvement projects for law enforcement facilities and for the payment of any interest and principal on bonds issued for said capital improvement projects.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for providing law enforcement services for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be

known as the "County Law Enforcement Sales Tax Trust Fund". [The moneys in the county law enforcement sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county law enforcement sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the fund for any law enforcement functions authorized in the ordinance or order adopted by the governing body submitting the law enforcement tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.583. 1. The governing body of any county of the second class with a population of more than forty thousand but less than sixty thousand and which contains institutions operated by the department of corrections and by the department of mental health is hereby authorized to impose, by ordinance or order, a sales tax in the amount of one-eighth of one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law; provided, however, that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing retirement and health care benefits for county employees and their dependents?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a county from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for providing retirement and health care benefits for county employees and their dependents.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Employee Benefit Sales Tax Trust Fund". [The moneys in the county employee benefit sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust and which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the

public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county which levied the tax. Such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from the county employee benefit sales tax trust fund shall be for the provision of retirement benefits or health care benefits for employees of the county and their dependents and for no other purpose.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.584. 1. The governing body of any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half percent on all retail sales made in such county which are subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of providing law enforcement services for such county. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) for the purpose of providing law enforcement services for the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the second quarter immediately following the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing body of the county shall have no power to impose the sales tax herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. Twenty-five percent of the revenue received by a county treasurer from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely by a prosecuting attorney's office for such county for so long as the tax shall remain in effect. The remainder of revenue shall be deposited in the county law enforcement sales tax trust fund established pursuant to section 67.582 of the county levying the tax pursuant to this section. The revenue derived from the tax imposed pursuant to this section shall be used for public law enforcement services only. No revenue derived from the tax imposed pursuant to this section shall be used for any private contractor providing law enforcement services or for any private jail.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the prosecuting attorney's trust fund shall be used solely by a prosecuting attorney's office for the county. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County Prosecuting Attorney's Office Sales Tax Trust Fund" or in the county law enforcement sales tax trust fund, pursuant to the deposit ratio in subsection 3 of this section. [The moneys in the trust funds shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trusts and which was collected in each county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the county which levied the tax; such funds shall be deposited with the county treasurer of each such county, and all expenditures of funds arising from either trust fund shall be by an appropriation act to be enacted by the governing body of each such county. Expenditures may be made from the funds for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust funds and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, **the repeal of such tax shall become effective as provided in section 32.087.** The county shall notify the director of revenue of the action at least ninety days before the effective date of the repeal and the director of revenue may order retention in the appropriate trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county established pursuant to this section. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

7. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

67.712. 1. All sales taxes collected by the director of revenue under sections 67.700 to 67.727 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Alternate Sales Tax Trust Fund". [The moneys in the county alternate sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.700 to 67.727, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.700 to 67.727, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.700 to 67.727, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided in section 32.087.** The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax authorized by sections 67.700 to 67.727 in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

3. Except as modified in sections 67.700 to 67.727, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under sections 67.700 to 67.727.

67.713. 1. Notwithstanding the provisions of section 67.712, as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, one-fifth of the sales taxes collected by the director of revenue from the tax authorized by section 67.701 on behalf of any county of the first class having a charter form of government and having a population of nine hundred thousand or more[, less one percent for cost of collection, which

shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in sections 67.700 to 67.727,] shall be deposited in a special trust fund, which is hereby created, to be known as the "County-Municipal Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county-municipal storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county and the records shall be open to the inspection of officers of the county and of the municipalities within the county and the public. Not later than the tenth day of each month, the director of the department of revenue shall distribute all moneys deposited in the county-municipal storm water and public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

2. The director of revenue may make refunds from the amounts in the county-municipal storm water and public works sales tax trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or municipality. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county-municipal storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

3. If the governing body of any municipality located wholly or partially within the county so requests by resolution, no funds shall be expended from the proceeds of any tax imposed under section 67.701 within the corporate boundaries of the requesting municipality for the construction, reconstruction or widening of any road established or to be established pursuant to section 137.558, the total cost of which exceeds one hundred thousand dollars unless: (a) a public hearing is first held at a place near such proposed action; and (b) plans and specifications of such proposed action are prepared and a cost-benefit analysis prepared in accordance with accepted accounting principles of such proposed action is presented to such public hearing. Such cost-benefit analysis and its work papers shall be a public document and subject to inspection as provided in chapter 610. The provisions of this subsection shall not apply to proposed projects in unincorporated areas of the county.

67.729. 1. Any county except any first class county having a charter form of government and having a population of nine hundred thousand or more may, in the same manner and by the same procedure and subject to the same penalties as set out in sections 67.700 to 67.727, impose a sales tax of not more than one-tenth of one percent for the purpose of funding storm water control and public works projects other than stadiums or other sports facilities. This sales tax shall be in addition to any other sales tax authorized by law.

2. Notwithstanding the provisions of section 67.712 as to the disposition of any other sales tax imposed under the provisions of sections 67.700 to 67.727, all sales taxes collected by the director of revenue from the tax authorized by this section on behalf of any county[, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Storm Water and Public Works Sales Tax Trust Fund". [The moneys in the county storm water and public works sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the county storm water and

public works sales tax trust fund during the preceding month to the county which levied the tax, and the municipalities which are located wholly or partially within such county as follows:

(1) The county which levied the sales tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of the unincorporated areas of the county bears to the total population of the county;

(2) Each municipality located wholly within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of such municipality bears to the total population of the county; and

(3) Each municipality located partially within the county which levied the tax shall receive a percentage of the distributable revenue equal to the percentage ratio that the population of that part of the municipality located within the county bears to the total population of the county.

3. The director of revenue may authorize the state treasurer to make refunds from the amounts in the county storm water and public works sales tax trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the county storm water and public works sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.737. Except as modified in sections 67.730 to 67.739, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed under sections 67.730 to 67.739.

67.738. 1. All sales taxes collected by the director of revenue under sections 67.730 to 67.739 on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Capital Improvement Bond Sales Tax Trust Fund". [The moneys in the county capital improvement bond sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under sections 67.730 to 67.739, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by sections 67.730 to 67.739, the sum, as certified by the director of revenue, due the county.

2. The director of revenue may authorize the state treasurer to make refund from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county repeals the tax authorized by sections 67.730 to 67.739, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal or expiration and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal or expiration of the tax authorized by sections 67.730 to 67.739 in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

67.745. 1. Any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may impose a sales tax throughout the county for public recreational projects and programs, but the sales tax authorized by this section shall not become effective unless the governing body of such county submits to the qualified voters of the county a proposal to authorize the county to impose the sales tax.

2. The ballot submission shall be in substantially the following form:

Shall the County of impose a sales tax of up to one percent for the purpose of funding the financing, acquisition, construction, operation, and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

3. If approved by a majority of qualified voters **voting on the issue** in the county, the governing body of the county shall appoint a board of directors consisting of nine members. Of the initial members appointed to the board, three members shall be appointed for a term of three years, three members shall be appointed for a term of two years, and three members shall be appointed for a term of one year. After the initial appointments, board members shall be appointed to three-year terms.

4. The sales tax may be imposed at a rate of up to one percent on the receipts from the retail sale of all tangible personal property or taxable service within the county, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

5. All revenue collected from the sales tax under this section by the director of revenue on behalf of a county[, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087.] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Trust Fund". [Moneys in the fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of such county and the general public. Not later than the tenth day of each calendar month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding calendar month by distributing to the county treasurer, or such officer as may be designated by county ordinance or order, of each county imposing the tax under this section the sum due the county as certified by the director of revenue.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund for a period of one year of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayments of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in a county, the director of revenue shall remit the balance in the account to the county and close the account of such county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due such county.

7. The tax authorized under this section may be imposed in accordance with this section by a county in addition to or in lieu of the tax authorized in sections 67.750 to 67.780.

8. The sales tax imposed under this section shall expire twenty years from the effective date thereof unless an extension of the tax is submitted to and approved by the qualified voters in the county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The provisions of this section shall not in any way affect or limit the powers granted to any county to establish, maintain, and conduct parks and other recreational grounds for public recreation.

10. Except as modified in this section, the provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed under this section.

67.782. 1. Any county of the third class having a population of more than ten thousand and less than fifteen thousand and any county of the second class having a population of more than fifty-eight thousand and less than seventy thousand adjacent to such third class county, both counties making up the same judicial circuit, may jointly impose a sales tax throughout each of their respective counties for public recreational purposes including the financing, acquisition, construction, operation and maintenance of recreational projects and programs, but the sales taxes authorized by this section shall not become effective unless the governing body of each such county submits to the voters of their respective counties a proposal to authorize the counties to impose the sales tax.

2. The ballot of submission shall be in substantially the following form:

Shall the County of impose a sales tax of percent in conjunction with the county of for the purpose of funding the financing, acquisition, construction, operation and maintenance of recreational projects and programs, including the acquisition of land for such purposes?

☐ YES

☐ NO

If a separate majority of the votes cast on the proposal by the qualified voters voting thereon in each county are in favor of the proposal, then the tax shall be in effect in both counties. If a majority of the votes cast by the qualified voters voting thereon in either county are opposed to the proposal, then the governing body of neither county shall have power to impose the sales tax authorized by this section unless or until the governing body of the county that has not approved the tax shall again have submitted another proposal to authorize the governing body to impose the tax, and the proposal is approved by a majority of the qualified voters voting thereon in that county.

3. The sales tax may be imposed at a rate of one percent on the receipts from the sale at retail of all tangible personal property or taxable service at retail within the county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. All sales taxes collected by the director of revenue under this section on behalf of any county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Recreation Sales Tax Trust Fund". [The moneys in the county recreation sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county imposing a sales tax under this section, and the records shall be open to the inspection of officers of each county and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month by distributing to the county treasurer, or such other officer as may be designated by the county ordinance or order, of each county imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the county.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

6. The tax authorized by this section may be imposed, in accordance with this section, by a county in addition to or in lieu of the tax authorized by sections 67.750 to 67.780.

7. Any county imposing a sales tax pursuant to the provisions of this section may contract with the authority of any other county or with any city or political subdivision for the financing, acquisition, operation, construction, maintenance, or utilization of any recreation facility or project or program funded in whole or in part from revenues derived from the tax levied pursuant to the provisions of this section.

8. The sales tax imposed pursuant to the provisions of this section shall expire twenty-five years from the effective date thereof unless an extension of the tax is submitted to and approved by the voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period of ten years.

9. The governing body of each of the counties imposing a sales tax under the provisions of this section may cooperate with the governing body of any county or other political subdivision of this state in carrying out the provisions of this section, and may establish and conduct jointly a system of public recreation. The respective governing bodies administering programs jointly may provide by agreement among themselves for all matters connected with the programs and determine what items of cost and expense shall be paid by each.

10. The provisions of this section shall not in any way repeal, affect or limit the powers granted to any county to establish, maintain and conduct parks and other recreational grounds for public recreation.

11. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

67.799. 1. A regional recreational district may, by a majority vote of its board of directors, impose an annual property tax for the establishment and maintenance of public parks and recreational facilities and grounds within the boundaries of the regional recreational district not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all property within the district, except that no such tax shall become effective unless the board of directors of the district submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax.

2. The question shall be submitted in substantially the following form:

Shall a cent tax per one hundred dollars assessed valuation be levied for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until the board of directors of the district submits another proposal to authorize the tax and such proposal is approved by a majority of the qualified voters voting thereon.

3. The property tax authorized in subsections 1 and 2 of this section shall be levied and collected in the same manner as other ad valorem property taxes are levied and collected.

4. (1) A regional recreational district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of public parks, recreational facilities and grounds within the boundaries of a regional recreational district. The tax authorized by this subsection shall be in addition to all other sales taxes allowed by law. No tax pursuant to this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

(2) In the event the district seeks to impose a sales tax pursuant to this subsection, the question shall be submitted in substantially the following form:

Shall a cent sales tax be levied on all retail sales within the district for public parks and recreational facilities?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax approved pursuant to this subsection.

5. As used in this section, "qualified voters" or "voters" means any individuals residing within the proposed district who are eligible to be registered voters and who have registered to vote under chapter 115 or, if no individuals eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

67.997. 1. The governing body of any county of the third classification without a township form of government and with more than eighteen thousand one hundred but fewer than eighteen thousand two hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding senior services and youth programs provided by the county. One-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund any service or activity deemed necessary by the senior service tax commission established in this section, and one-half of all revenue collected under this section[, less one-half the cost of collection,] shall be used solely to fund all youth programs administered by an existing county community task force. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the county submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the governing body of the county to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the county) impose a sales tax at a rate of (insert rate of percent) percent, with half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund senior services provided by the county and half of the revenue from the tax, less one-half the cost of collection, to be used solely to fund youth programs provided by the county?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following the approval of the tax or notification to the department of revenue if such tax will be administered by the department of revenue. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. [On or after the effective date of any tax authorized under this section, the county which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and] Sections 32.085 [and] to 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county[, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund,] shall be deposited in a special trust fund, which is hereby created and shall be known as the "Senior Services and Youth Programs Sales Tax Trust Fund", and shall be used solely for the designated purposes. [Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state.] The director may make refunds from the amounts in the trust fund and credited to the county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county may authorize the use of a bracket system similar to that authorized in section 144.285 and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions.] Beginning with the effective date of the tax, every retailer in the county shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax[, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525].

6. The governing body of any county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county) repeal the sales tax imposed at a rate of
(insert rate of percent) percent for the purpose of funding senior services and youth programs provided by the county?
☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to

the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county and close the account of that county. The director shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

9. Each county imposing the tax authorized in this section shall establish a senior services tax commission to administer the portion of the sales tax revenue dedicated to providing senior services. Such commission shall consist of seven members appointed by the county commission. The county commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures, and all other necessary functions of the commission."; and

Further amend said bill, Page 4, Section 67.1020, Line 4, by inserting after all of said section the following:

"67.1300. 1. The governing body of any of the contiguous counties of the third classification without a township form of government enumerated in subdivisions (1) to (5) of this subsection or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty thousand but less than forty-five thousand with a state university, and adjoining a county of the first classification with part of a city with a population of three hundred fifty thousand or more inhabitants or a county of the third classification with a township form of government and with a population of at least eight thousand but less than eight thousand four hundred inhabitants or a county of the third classification with more than fifteen townships having a population of at least twenty-one thousand inhabitants or a county of the third classification without a township form of government and with a population of at least seven thousand four hundred but less than eight thousand inhabitants or any county of the third classification with a population greater than three thousand but less than four thousand or any county of the third classification with a population greater than six thousand one hundred but less than six thousand four hundred or any county of the third classification with a population greater than six thousand eight hundred but less than seven thousand or any county of the third classification with a population greater than seven thousand eight hundred but less than seven thousand nine hundred or any county of the third classification with a population greater than eight thousand four hundred sixty but less than eight thousand five hundred or any county of the third classification with a population greater than nine thousand but less than nine thousand two hundred or any county of the third classification with a population greater than ten thousand five hundred but less than ten thousand six hundred or any county of the third classification with a population greater than twenty-three thousand five hundred but less than twenty-three thousand seven hundred or a county of the third classification with a population greater than thirty-three thousand but less than thirty-four thousand or a county of the third classification with a population greater than twenty thousand eight hundred but less than twenty-one thousand or a county of the third classification with a population greater than fourteen thousand one hundred but less than fourteen thousand five hundred or a county of the third classification with a population greater than twenty thousand eight hundred fifty but less than twenty-two thousand or a county of the third classification with a population greater than thirty-nine thousand but less than forty thousand or a county of the third classification with a township form of organization and a population greater than twenty-eight thousand but less than twenty-nine thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand five hundred or a county of the third classification with a population greater than eighteen thousand but less than nineteen thousand seventy or a county of the third classification with a population greater than thirteen thousand nine hundred but less than fourteen thousand four hundred or a county of the third classification with a population greater than twenty-seven

thousand but less than twenty-seven thousand five hundred or a county of the first classification without a charter form of government and a population of at least eighty thousand but not greater than eighty-three thousand or a county of the third classification with a population greater than fifteen thousand but less than fifteen thousand nine hundred without a township form of government which does not adjoin any county of the first, second or fourth classification or a county of the third classification with a population greater than twenty-three thousand but less than twenty-five thousand without a township form of government which does not adjoin any county of the second or fourth classification and does adjoin a county of the first classification with a population greater than one hundred twenty thousand but less than one hundred fifty thousand or in any county of the fourth classification acting as a county of the second classification, having a population of at least forty-eight thousand or any governing body of a municipality located in any of such counties may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525:

(1) A county with a population of at least four thousand two hundred inhabitants but not more than four thousand five hundred inhabitants;

(2) A county with a population of at least four thousand seven hundred inhabitants but not more than four thousand nine hundred inhabitants;

(3) A county with a population of at least seven thousand three hundred inhabitants but not more than seven thousand six hundred inhabitants;

(4) A county with a population of at least ten thousand one hundred inhabitants but not more than ten thousand three hundred inhabitants; and

(5) A county with a population of at least four thousand three hundred inhabitants but not more than four thousand five hundred inhabitants.

2. The maximum rate for a sales tax pursuant to this section shall be one percent for municipalities and one-half of one percent for counties.

3. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

4. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of impose a sales tax of (insert amount) for the purpose of economic development in the (city, town, village or county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

5. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

6. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

7. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".

8. [The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the

amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

9. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

11. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 shall apply to the tax imposed pursuant to this section.

13. For purposes of this section, the term "economic development" is limited to the following:

- (1) Operations of economic development or community development offices, including the salaries of employees;
- (2) Provision of training for job creation or retention;
- (3) Provision of infrastructure and sites for industrial development or for public infrastructure projects; and
- (4) Refurbishing of existing structures and property relating to community development.

67.1303. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants, any home rule city with more than forty-five thousand five hundred but less than forty-five thousand nine hundred inhabitants and the governing body of any city within any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants and the governing body of any county of the third classification without a township form of government and with more than forty thousand eight hundred but less than forty thousand nine hundred inhabitants or any city within such county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. In addition, the governing body of any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants or the governing body of any home rule city with more than seventy-three thousand but less than seventy-five thousand inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general or primary election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective [on the first day of the second calendar quarter following the calendar quarter in which the election was held] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters

voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

3. No revenue generated by the tax authorized in this section shall be used for any retail development project. At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (1) Acquisition of land;
- (2) Installation of infrastructure for industrial or business parks;
- (3) Improvement of water and wastewater treatment capacity;
- (4) Extension of streets;
- (5) Providing matching dollars for state or federal grants;
- (6) Marketing;
- (7) Construction and operation of job training and educational facilities; and

(8) Providing grants and low-interest loans to companies for job training, equipment acquisition, site development, and infrastructure. Not more than twenty-five percent of the revenue generated may be used annually for administrative purposes, including staff and facility costs.

4. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

5. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any city or county abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city or county shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the repeal shall be effective as provided by section 32.087. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

6. Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The board shall consist of eleven members, to be appointed as follows:

(1) Two members shall be appointed by the school boards whose districts are included within any economic development plan or area funded by the sales tax authorized in this section. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for an economic development project or area funded by the sales tax authorized in this section, excluding representatives of the governing body of the city or county;

(3) One member shall be appointed by the largest public school district in the city or county;

(4) In each city or county, five members shall be appointed by the chief elected officer of the city or county with the consent of the majority of the governing body of the city or county;

(5) In each city, two members shall be appointed by the governing body of the county in which the city is located. In each county, two members shall be appointed by the governing body of the county. At the option of the members appointed by a city or county the members who are appointed by the school boards and other taxing districts may serve on the board for a term to coincide with the length of time an economic development project, plan, or designation of an economic development area is considered for approval by the board, or for the definite terms as provided in this subsection. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time an economic development project, plan, or area is approved, such term shall terminate upon final approval of the project, plan, or designation of the area by the governing body of the city or county. If any school district or other taxing jurisdiction fails to appoint members of the board within thirty days of receipt of written notice of a proposed economic development plan, economic development project, or designation of an economic development area, the remaining members may proceed to exercise the power of the board. Of the members first

appointed by the city or county, three shall be designated to serve for terms of two years, three shall be designated to serve for a term of three years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the city or county shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

[6.] 7. The board, subject to approval of the governing body of the city or county, shall develop economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area.

[7.] 8. The board shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section.

[8.] 9. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of
(insert rate of percent) percent for economic development purposes?
☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

[9.] 10. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective [on December thirty-first of the calendar year in which such repeal was approved] **as provided by section 32.087**. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

11. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

12. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city or county) impose a sales tax at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality[, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. [The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

- (a) Acquisition of land;
- (b) Installation of infrastructure for industrial or business parks;
- (c) Improvement of water and wastewater treatment capacity;
- (d) Extension of streets;
- (e) Public facilities directly related to economic development and job creation; and
- (f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

- (a) Marketing;
- (b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;
- (c) Training programs to prepare workers for advanced technologies and high skill jobs;
- (d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of at least five members, but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are to be appointed as follows:

(a) One member of a five-member board, or two members of a nine-member board, shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member or members shall be appointed in any manner agreed upon by the affected districts;

(b) Three members of a five-member board, or five members of a nine-member board, shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member of a five-member board, or two members of a nine-member board, shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, except that when a nine-member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing

district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

- (1) A statement of its primary economic development goals;
- (2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;
- (3) A statement of total expenditures during the preceding calendar year in each of the following categories:
 - (a) Infrastructure improvements;
 - (b) Land and/or buildings;
 - (c) Machinery and equipment;
 - (d) Job training investments;
 - (e) Direct business incentives;
 - (f) Marketing;
 - (g) Administration and legal expenses; and
 - (h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city or county) repeal the sales tax imposed at a rate of (insert rate of percent) percent for economic development purposes?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable.

67.1545. 1. Any district formed as a political subdivision may impose by resolution a district sales and use tax on all retail sales made in such district which are subject to taxation pursuant to sections 144.010 to 144.525, except sales of [motor vehicles, trailers, boats or outboard motors and sales to or by public utilities and providers of communications, cable, or video services] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or sales of electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for any district purpose designated by the district in its ballot of submission to its qualified voters; except that, no resolution adopted pursuant to this section shall

become effective unless the board of directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for (insert general description of the purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. [The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. [In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

7.] The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

[8.] 7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

[9.] 8. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

[10.] 9. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax under this section shall be conducted in accordance with the provisions of this section.

10. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

67.1712. 1. The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax

shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The taxes authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing or increasing the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 [and] to 32.087 shall apply to any tax and increase in tax approved pursuant to this section and sections 67.1715 to 67.1721.

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval under this section, levy a sales tax not to exceed one-quarter of a cent in the county or city, or city not within a county, for the purpose of providing services described in section 210.861, including counseling, family support, and temporary residential services to persons nineteen years of age or less. The question shall be submitted to the qualified voters of the county or city, or city not within a county, at a county or city or state general, primary or special election upon the motion of the governing body of the county or city, or city not within a county or upon the petition of eight percent of the qualified voters of the county or city, or city not within a county, determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city, or city not within a county, shall give legal notice as provided in chapter 115. The question shall be submitted in substantially the following form:

Shall County or City, solely for the purpose of establishing a community children's services fund for the purpose of providing services to protect the well-being and safety of children and youth nineteen years of age or less and to strengthen families, be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the city or county?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second calendar quarter after the director receives notification of the local sales tax. If a question receives less than the required majority, then the governing authority of the city or county, or city not within a county, shall have no power to impose the sales tax unless and until the governing authority of the city or county, or city not within a county, has submitted another question to authorize the imposition of the sales tax authorized by this section and such question is approved by the required majority of the qualified voters voting thereon. However, in no event shall a question under this section be submitted to the voters sooner than twelve months from the date of the last question under this section.

2. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

3. All sales taxes collected by the director of revenue under this section on behalf of any city or county, or city not within a county[, less one percent for the cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087,] shall be deposited with the state treasurer in a special fund, which is hereby created, to be known as the "Community Children's Services Fund". [The moneys in the city or county, or city not within a county, community children's services fund shall not be deemed to be state funds and shall not be commingled with any funds of the state.] The director of revenue shall keep accurate records of the amount of money in the fund which was collected in each city or county, or city not within a county, imposing a sales tax under this section, and the records shall be open to the inspection of officers of each city or county, or city not within a county, and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the fund during the preceding month by distributing to the city or county treasurer, or the treasurer of a city not within a county, or such other officer as may be designated by a city or county ordinance or order, or ordinance or order of a city not within a county, of each city or county, or city not within a county, imposing the tax authorized by this section, the sum, as certified by the director of revenue, due the city or county.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the fund and credited to any city or county, or city not within a county, for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. Each city or county, or city not within a county, shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales

tax authorized by this section and **the repeal shall be effective as provided by section 32.087**. The director of revenue may order retention in the fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city not within a county or such city or county, the director of revenue shall remit the balance in the account to the city or county, or city not within a county, and close the account of that city or county, or city not within a county. The director of revenue shall notify each city or county, or city not within a county, of each instance of any amount refunded or any check redeemed from receipts due the city or county.

5. Except as modified in this section, all provisions of sections 32.085 [and] **to 32.087** shall apply to the tax imposed under this section.

6. All revenues generated by the tax prescribed in this section shall be deposited in the county treasury or, in a city not within a county, to the board established by law to administer such fund to the credit of a special community children's services fund to accomplish the purposes set out herein and in section 210.861, and shall be used for no other purpose. Such fund shall be administered by a board of directors, established under section 210.861.

67.1959. 1. The board, by a majority vote, may submit to the residents of such district a tax of not more than one percent on all retail sales, except sales of [food as defined in section 144.014, sales of] new or used motor vehicles, trailers, boats, or other outboard motors, [all utilities, telephone and wireless services,] and sales of funeral services, **made on or after January 1, 2014**, within the district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon the written request of the board to the election authority of the county in which a majority of the area of the district is situated, such election authority shall submit a proposition to the residents of such district at a municipal or statewide primary or general election, or at a special election called for that purpose. Such election authority shall give legal notice as provided in chapter 115.

2. Such proposition shall be submitted to the voters of the district in substantially the following form at such election:

Shall the Tourism Community Enhancement District impose a sales tax of (insert amount) for the purpose of promoting tourism in the district?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the proposed district voting thereon are in favor of the proposal, then the order shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If the proposal receives less than the required majority, then the board shall have no power to impose the sales tax authorized pursuant to this section unless and until the board shall again have submitted another proposal to authorize the board to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district.

67.2000. 1. This section shall be known as the "Exhibition Center and Recreational Facility District Act".

2. An exhibition center and recreational facility district may be created under this section in the following counties:

(1) Any county of the first classification with more than seventy-one thousand three hundred but less than seventy-one thousand four hundred inhabitants;

(2) Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants;

(3) Any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants;

(4) Any county of the second classification with more than fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants;

(5) Any county of the first classification with more than one hundred four thousand six hundred but less than one hundred four thousand seven hundred inhabitants;

(6) Any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but less than eighteen thousand inhabitants;

(7) Any county of the first classification with more than thirty-seven thousand but less than thirty-seven thousand one hundred inhabitants;

(8) Any county of the third classification without a township form of government and with more than twenty-three thousand five hundred but less than twenty-three thousand six hundred inhabitants;

(9) Any county of the third classification without a township form of government and with more than nineteen thousand three hundred but less than nineteen thousand four hundred inhabitants;

(10) Any county of the first classification with more than two hundred forty thousand three hundred but less than two hundred forty thousand four hundred inhabitants;

(11) Any county of the third classification with a township form of government and with more than eight thousand nine hundred but fewer than nine thousand inhabitants;

(12) Any county of the third classification without a township form of government and with more than eighteen thousand nine hundred but fewer than nineteen thousand inhabitants;

(13) Any county of the third classification with a township form of government and with more than eight thousand but fewer than eight thousand one hundred inhabitants;

(14) Any county of the third classification with a township form of government and with more than eleven thousand five hundred but fewer than eleven thousand six hundred inhabitants.

3. Whenever not less than fifty owners of real property located within any county listed in subsection 2 of this section desire to create an exhibition center and recreational facility district, the property owners shall file a petition with the governing body of each county located within the boundaries of the proposed district requesting the creation of the district. The district boundaries may include all or part of the counties described in this section. The petition shall contain the following information:

- (1) The name and residence of each petitioner and the location of the real property owned by the petitioner;
- (2) A specific description of the proposed district boundaries, including a map illustrating the boundaries; and
- (3) The name of the proposed district.

4. Upon the filing of a petition pursuant to this section, the governing body of any county described in this section may, by resolution, approve the creation of a district. Any resolution to establish such a district shall be adopted by the governing body of each county located within the proposed district, and shall contain the following information:

- (1) A description of the boundaries of the proposed district;
- (2) The time and place of a hearing to be held to consider establishment of the proposed district;
- (3) The proposed sales tax rate to be voted on within the proposed district; and
- (4) The proposed uses for the revenue generated by the new sales tax.

5. Whenever a hearing is held as provided by this section, the governing body of each county located within the proposed district shall:

- (1) Publish notice of the hearing on two separate occasions in at least one newspaper of general circulation in each county located within the proposed district, with the first publication to occur not more than thirty days before the hearing, and the second publication to occur not more than fifteen days or less than ten days before the hearing;
- (2) Hear all protests and receive evidence for or against the establishment of the proposed district; and
- (3) Rule upon all protests, which determinations shall be final.

6. Following the hearing, if the governing body of each county located within the proposed district decides to establish the proposed district, it shall adopt an order to that effect; if the governing body of any county located within the proposed district decides to not establish the proposed district, the boundaries of the proposed district shall not include that county. The order shall contain the following:

- (1) The description of the boundaries of the district;
- (2) A statement that an exhibition center and recreational facility district has been established;
- (3) The name of the district;
- (4) The uses for any revenue generated by a sales tax imposed pursuant to this section; and
- (5) A declaration that the district is a political subdivision of the state.

7. A district established pursuant to this section may, at a general, primary, or special election, submit to the qualified voters within the district boundaries a sales tax of one-fourth of one percent, for a period not to exceed twenty-five years, on all retail sales within the district, which are subject to taxation pursuant to sections 144.010 to 144.525, to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities. The ballot of submission shall be in substantially the following form:

Shall the (name of district) impose a sales tax of one-fourth of one percent to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities, for a period of (insert number of years)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast in the portion of any county that is part of the proposed district favor the proposal, then the sales tax shall become effective in that portion of the county [that is part of the proposed district on the first day of the first calendar quarter immediately following the election] **as provided by section 32.087**. If a majority of the votes cast in the portion of a county that is a part of the proposed district oppose the proposal, then that portion of such county shall not impose the sales tax authorized in this section until after the county governing body has submitted another such sales tax proposal and the proposal is approved by a majority of the qualified voters voting thereon. However, if a sales tax proposal is not approved, the governing body of the county shall not resubmit a proposal to the voters pursuant to this section sooner than twelve months from the date of the last proposal submitted pursuant to this section. If the qualified voters in two or more counties that have contiguous districts approve the sales tax proposal, the districts shall combine to become one district.

8. There is hereby created a board of trustees to administer any district created and the expenditure of revenue generated pursuant to this section consisting of four individuals to represent each county approving the district, as provided in this subsection. The governing body of each county located within the district, upon approval of that county's sales tax proposal, shall appoint four members to the board of trustees; at least one shall be an owner of a nonlodging business located within the taxing district, or their designee, at least one shall be an owner of a lodging facility located within the district, or their designee, and all members shall reside in the district except that one nonlodging business owner, or their designee, and one lodging facility owner, or their designee, may reside outside the district. Each trustee shall be at least twenty-five years of age and a resident of this state. Of the initial trustees appointed from each county, two shall hold office for two years, and two shall hold office for four years. Trustees appointed after expiration of the initial terms shall be appointed to a four-year term by the governing body of the county the trustee represents, with the initially appointed trustee to remain in office until a successor is appointed, and shall take office upon being appointed. Each trustee may be reappointed. Vacancies shall be filled in the same manner in which the trustee vacating the office was originally appointed. The trustees shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses. The board shall elect a chair and other officers necessary for its membership. Trustees may be removed if:

(1) By a two-thirds vote, the board moves for the member's removal and submits such motion to the governing body of the county from which the trustee was appointed; and

(2) The governing body of the county from which the trustee was appointed, by a majority vote, adopts the motion for removal.

9. The board of trustees shall have the following powers, authority, and privileges:

(1) To have and use a corporate seal;

(2) To sue and be sued, and be a party to suits, actions, and proceedings;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a single exhibition center and recreational facilities or to assist in such activity. "Recreational facilities" means locations explicitly designated for public use where the primary use of the facility involves participation in hobbies or athletic activities;

(4) To borrow money and incur indebtedness and evidence the same by certificates, notes, or debentures, to issue bonds and use any one or more lawful funding methods the district may obtain for its purposes at such rates of interest as the district may determine. Any bonds, notes, and other obligations issued or delivered by the district may be secured by mortgage, pledge, or deed of trust of any or all of the property and income of the district. Every issue of such bonds, notes, or other obligations shall be payable out of property and revenues of the district and may be further secured by other property of the district, which may be pledged, assigned, mortgaged, or a security interest granted for such payment, without preference or priority of the first bonds issued, subject to any agreement with the holders of any other bonds pledging any specified property or revenues. Such bonds, notes, or other obligations shall be authorized by resolution of the district board, and shall bear such date or dates, and shall mature at such time or times, but not in excess of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall be in such denomination, bear interest at such rate or rates, be in such form, either coupon or registered, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places, and be subject to redemption as such resolution may provide, notwithstanding section 108.170. The bonds, notes, or other obligations may be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine;

(5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(6) To refund any bonds, notes, or other obligations of the district without an election. The terms and conditions of refunding obligations shall be substantially the same as those of the original issue, and the board shall provide for the payment of interest at not to exceed the legal rate, and the principal of such refunding obligations in the same manner as is provided for the payment of interest and principal of obligations refunded;

(7) To have the management, control, and supervision of all the business and affairs of the district, and the construction, installation, operation, and maintenance of district improvements therein; to collect rentals, fees, and other charges in connection with its services or for the use of any of its facilities;

(8) To hire and retain agents, employees, engineers, and attorneys;

(9) To receive and accept by bequest, gift, or donation any kind of property;

(10) To adopt and amend bylaws and any other rules and regulations not in conflict with the constitution and laws of this state, necessary for the carrying on of the business, objects, and affairs of the board and of the district; and

(11) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted by this section.

10. There is hereby created the "Exhibition Center and Recreational Facility District Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to this section. The director of revenue shall be custodian of the trust fund, and moneys in the trust fund shall be used solely for the purposes authorized in this section. [Moneys in the trust fund shall be considered nonstate funds pursuant to section 15, article IV, Constitution of Missouri.] The director of revenue shall invest moneys in the trust fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the trust fund. All sales taxes collected by the director of revenue pursuant to this section on behalf of the district, less one percent for the cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in the trust fund. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which was collected in the district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of the officers of each district and the general public. Not later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district. The director of revenue may authorize refunds from the amounts in the trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district.

11. The sales tax authorized by this section is in addition to all other sales taxes allowed by law. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

12. Except as modified in this section, all provisions of sections 32.085 [and] to 32.087 apply to the sales tax imposed pursuant to this section.

[12.] 13. Any sales tax imposed pursuant to this section shall not extend past the initial term approved by the voters unless an extension of the sales tax is submitted to and approved by the qualified voters in each county in the manner provided in this section. Each extension of the sales tax shall be for a period not to exceed twenty years. The ballot of submission for the extension shall be in substantially the following form:

Shall the (name of district) extend the sales tax of one-fourth of one percent for a period of (insert number of years) years to fund the acquisition, construction, maintenance, operation, improvement, and promotion of an exhibition center and recreational facilities?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast favor the extension, then the sales tax shall remain in effect at the rate and for the time period approved by the voters. If a sales tax extension is not approved, the district may submit another sales tax proposal as authorized in this section, but the district shall not submit such a proposal to the voters sooner than twelve months from the date of the last extension submitted.

[13.] 14. Once the sales tax authorized by this section is abolished or terminated by any means, all funds remaining in the trust fund shall be used solely for the purposes approved in the ballot question authorizing the sales tax.

The sales tax shall not be abolished or terminated while the district has any financing or other obligations outstanding; provided that any new financing, debt, or other obligation or any restructuring or refinancing of an existing debt or obligation incurred more than ten years after voter approval of the sales tax provided in this section or more than ten years after any voter-approved extension thereof shall not cause the extension of the sales tax provided in this section or cause the final maturity of any financing or other obligations outstanding to be extended. Any funds in the trust fund which are not needed for current expenditures may be invested by the district in the securities described in subdivisions (1) to (12) of subsection 1 of section 30.270 or repurchase agreements secured by such securities. If the district abolishes the sales tax, the district shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the sales tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the sales tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

[14.] 15. In the event that the district is dissolved or terminated by any means, the governing bodies of the counties in the district shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing bodies of the counties, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the county treasurer of each county in the district and take receipt for all remaining moneys in amounts based on the ratio the levy of each county bears to the total levy for the district in the previous three years or since the establishment of the district, whichever time period is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of the governing body of any county in the district all books, papers, records, and deeds belonging to the dissolved district.

67.2030. 1. The governing authority of any city of the fourth classification with more than one thousand six hundred but less than one thousand seven hundred inhabitants and located in any county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants is hereby authorized to impose, by ordinance or order, a sales tax in the amount not to exceed one-half of one percent on all retail sales made in such city which are subject to taxation pursuant to sections 144.010 to 144.525 for the promotion of tourism in such city. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to this section shall be effective unless the governing authority of the city submits to the qualified voters of the city, at any municipal or state general, primary, or special election, a proposal to authorize the governing authority of the city to impose a tax.

2. The ballot of submission shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax of (insert amount) for the purpose of promoting tourism in the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect [on the first day of the first calendar quarter immediately following notification to the director of the department of revenue of the election approving the proposal] **as provided by section 32.087**. If a proposal receives less than the required majority, then the governing authority of the city shall have no power to impose the sales tax unless and until the governing authority of the city has submitted another proposal to authorize the imposition of the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. [On and after the effective date of any tax authorized in this section, the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The city may adopt rules and regulations for the internal collection of such tax by the city officers usually responsible for collection and administration of city taxes; or

(2) The city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in this section. In the event any city enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in this section, the director of revenue shall perform all

functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect the additional tax authorized in this section. The tax authorized in this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain an amount not to exceed one percent for cost of collection.

4. If a tax is imposed by a city pursuant to this section, the city may collect a penalty of one percent and interest not to exceed two percent per month on unpaid taxes which shall be considered delinquent thirty days after the last day of each quarter] **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

[5.] 4. (1) The governing authority of any city that has adopted any sales tax pursuant to this section shall, upon filing of a petition calling for the repeal of such sales tax signed by at least ten percent of the qualified voters in the city, submit the question of repeal of the sales tax to the qualified voters at any primary or general election. The ballot of submission shall be in substantially the following form:

Shall (insert name of city) repeal the sales tax of (insert rate of percent) percent for tourism purposes now in effect in (insert name of city)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

(2) Once the tax is repealed as provided in this section, all funds remaining in any trust fund or account established to receive revenues generated by the tax shall be used solely for the original stated purpose of the tax. Any funds which are not needed for current expenditures may be invested by the governing authority in accordance with applicable laws relating to the investment of other city funds.

(3) The governing authority of a city repealing a tax pursuant to this section shall notify the director of revenue of the action at least forty-five days before the effective date of the repeal and the director of revenue may order retention in any trust fund created in the state treasury associated with the tax, for a period of one year, of two percent of the amount collected after receipt of such notice to cover refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of repeal of the tax in the city, the director of revenue shall remit the balance in the trust fund to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

(4) In the event that the repeal of a sales tax pursuant to this section dissolves or terminates a taxing district, the governing authority of the city shall appoint a person to act as trustee for the district so dissolved or terminated. Before beginning the discharge of duties, the trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and shall give bond with sufficient security, approved by the governing authority of the city, to the use of the dissolved or terminated district, for the faithful discharge of duties. The trustee shall have and exercise all powers necessary to liquidate the district, and upon satisfaction of all remaining obligations of the district, shall pay over to the city treasurer or the equivalent official and take receipt for all remaining moneys. Upon payment to the city treasurer, the trustee shall deliver to the clerk of the governing authority of the city all books, papers, records, and deeds belonging to the dissolved district.

[6.] 5. Except as modified in this section, all provisions of sections 32.085 [and] **to** 32.087 shall apply to the tax imposed pursuant to this section.

67.2525. 1. Each member of the board of directors shall have the following qualifications:

(1) As to those subdistricts in which there are registered voters, a resident registered voter in the subdistrict that he or she represents, or be a property owner or, as to those subdistricts in which there are not registered voters who are residents, a property owner or representative of a property owner in the subdistrict he or she represents;

(2) Be at least twenty-one years of age and a registered voter in the district.

2. The district shall be subdivided into at least five but not more than fifteen subdistricts, which shall be represented by one representative on the district board of directors. All board members shall have terms of four years, including the initial board of directors. All members shall take office upon being appointed and shall remain in office until a successor is appointed by the mayor or chairman of the municipality in which the district is located, or elected by the property owners in those subdistricts without registered voters.

3. For those subdistricts which contain one or more registered voters, the mayor or chairman of the city, town, or village shall, with the consent of the governing body, appoint a registered voter residing in the subdistrict to the board of directors.

4. For those subdistricts which contain no registered voters, the property owners who collectively own one or more parcels of real estate comprising more than half of the land situated in each subdistrict shall meet and shall elect a representative to serve upon the board of directors. The clerk of the city, town, or village in which the petition was filed shall, unless waived in writing by all property owners in the subdistrict, give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property within the subdistrict at a day and hour specified in a public place in the city, town, or village in which the petition was filed for the purpose of electing members of the board of directors.

5. The property owners, when assembled, shall organize by the election of a temporary chairman and secretary of the meeting who shall conduct the election. An election shall be conducted for each subdistrict, with the eligible property owners voting in that subdistrict. At the election, each acre of real property within the subdistrict shall represent one share, and each owner, including corporations and other entities, may have one vote in person or for every acre of real property owned by such person within the subdistrict. Each voter which is not an individual shall determine how to cast its vote as provided for in its articles of incorporation, articles of organization, articles of partnership, bylaws, or other document which sets forth an appropriate mechanism for the determination of the entity's vote. If a voter has no such mechanism, then its vote shall be cast as determined by a majority of the persons who run the day-to-day affairs of the voter. The results of the meeting shall be certified by the temporary chairman and secretary to the municipal clerk if the district is established by a municipality described in this section, or to the circuit clerk if the district is established by a circuit court.

6. Successor boards shall be appointed or elected, depending upon the presence or absence of resident registered voters, by the mayor or chairman of a city, town, or village described in this section, or the property owners as set forth above; provided, however, that elections held by the property owners after the initial board is elected shall be certified to the municipal clerk of the city, town, or village where the district is located and the board of directors of the district.

7. Should a vacancy occur on the board of directors, the mayor or chairman of the city, town, or village if there are registered voters within the subdistrict, or a majority of the owners of real property in a subdistrict if there are not registered voters in the subdistrict, shall have the authority to appoint or elect, as set forth in this section, an interim director to complete any unexpired term of a director caused by resignation or disqualification.

8. The board shall possess and exercise all of the district's legislative and executive powers, including:

(1) The power to fund, promote and provide educational, civic, musical, theatrical, cultural, concerts, lecture series, and related or similar entertainment events or activities, and fund, promote, plan, design, construct, improve, maintain, and operate public improvements, transportation projects, and related facilities within the district;

(2) The power to accept and disburse tax or other revenue collected in the district; and

(3) The power to receive property by gift or otherwise.

9. Within thirty days after the selection of the initial directors, the board shall meet. At its first meeting and annually thereafter the board shall elect a chairman from its members.

10. The board shall appoint an executive director, district secretary, treasurer, and such other officers or employees as it deems necessary.

11. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, and shall adopt a corporate seal.

12. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

13. At the first meeting, the board, by resolution, shall receive the certification of the election regarding the sales tax, and may impose the sales tax in all subdistricts approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales tax shall become effective [on the first day of the first calendar quarter immediately following the action by the district board of directors imposing the tax] **as provided by section 32.087.**

14. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and be reimbursed for his or her actual expenditures in the performance of his or her duties on behalf of the district. Directors may be compensated, but such compensation shall not exceed one hundred dollars per month.

15. In addition to all other powers granted by sections 67.2500 to 67.2530, the district shall have the following general powers:

(1) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(2) To fix compensation of its employees and contractors;

(3) To enter into contracts, franchises, and agreements with any person or entity, public or private, affecting the affairs of the district, including contracts with any municipality, district, or state, or the United States, and any of their agencies, political subdivisions, or instrumentalities, for the funding, including without limitation, interest rate exchange or swap agreements, planning, development, construction, acquisition, maintenance, or operation of a district facility or to assist in such activity;

(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange, mortgage, and encumber real and personal property in furtherance of district purposes;

(5) To collect and disburse funds for its activities;

(6) To collect taxes and other revenues;

(7) To borrow money and incur indebtedness and evidence the same by certificates, notes, bonds, debentures, or refunding of any such obligations for the purpose of paying all or any part of the cost of land, construction, development, or equipping of any facilities or operations of the district;

(8) To own or lease real or personal property for use in connection with the exercise of powers pursuant to this subsection;

(9) To provide for the election or appointment of officers, including a chairman, treasurer, and secretary. Officers shall not be required to be residents of the district, and one officer may hold more than one office;

(10) To hire and retain agents, employees, engineers, and attorneys;

(11) To enter into entertainment contracts binding the district and artists, agencies, or performers, management contracts, contracts relating to the booking of entertainment and the sale of tickets, and all other contracts which relate to the purposes of the district;

(12) To contract with a local government, a corporation, partnership, or individual regarding funding, promotion, planning, designing, constructing, improving, maintaining, or operating a project or to assist in such activity;

(13) To contract for transfer to a city, town, or village such district facilities and improvements free of cost or encumbrance on such terms set forth by contract;

(14) To exercise such other powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

16. A district may at any time authorize or issue notes, bonds, or other obligations for any of its powers or purposes. Such notes, bonds, or other obligations:

(1) Shall be in such amounts as deemed necessary by the district, including costs of issuance thereof;

(2) Shall be payable out of all or any portion of the revenues or other assets of the district;

(3) May be secured by any property of the district which may be pledged, assigned, mortgaged, or otherwise encumbered for payment;

(4) Shall be authorized by resolution of the district, and if issued by the district, shall bear such date or dates, and shall mature at such time or times, but not in excess of forty years, as the resolution shall specify;

(5) Shall be in such denomination, bear interest at such rates, be in such form, be issued as current interest bonds, compound interest bonds, variable rate bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places and subject to redemption as such resolution may provide; and

(6) May be sold at either public or private sale, at such interest rates, and at such price or prices as the district shall determine.

The provisions of this subsection are applicable to the district notwithstanding the provisions of section 108.170.

67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded at any time by the district by issuing refunding bonds in such amount as the district may deem necessary. Such bonds shall be subject to and shall have the benefit of the foregoing provisions regarding notes, bonds, and other obligations. Without limiting the generality of the foregoing, refunding bonds may include amounts necessary to finance any premium, unpaid interest, and costs of issuance in connection with the refunding bonds. Any such refunding may be effected whether the bonds to be refunded then shall have matured or thereafter shall mature, either by sale of the refunding bonds and the

application of the proceeds thereof to the payment of the obligations being refunded or the exchange of the refunding bonds for the obligations being refunded with the consent of the holders of the obligations being refunded.

2. Notes, bonds, or other indebtedness of the district shall be exclusively the responsibility of the district payable solely out of the district funds and property and shall not constitute a debt or liability of the state of Missouri or any agency or political subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state on their face that they are not obligations of the state of Missouri or any agency or political subdivision thereof other than the district.

3. Any district may by resolution impose a district sales tax of up to one-half of one percent on all retail sales made in such district that are subject to taxation pursuant to the provisions of sections 144.010 to 144.525. Upon voter approval, and receiving the necessary certifications from the governing body of the municipality in which the district is located, or from the circuit court if the district was formed by the circuit court, the board of directors shall have the power to impose a sales tax at its first meeting, or any meeting thereafter. Voter approval of the question of the imposing sales tax shall be in accordance with section 67.2520. [The sales tax shall become effective in those subdistricts that approve the sales tax on the first day of the first calendar quarter immediately following the passage of a resolution by the board of directors imposing the sales tax.

4. In each district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the district pursuant to this section to the retailer's sale price, and when so added, such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

5. In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

6.] 4. All revenue received by a district from the sales tax authorized by this section shall be deposited in a special trust fund and shall be used solely for the purposes of the district. Any funds in such special trust fund which are not needed for the district's current expenditures may be invested by the district board of directors in accordance with applicable laws relating to the investment of other district funds.

[7.] 5. The sales tax may be imposed at a rate of up to one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525. Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the subdistricts approving the sales tax.

[8. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the district.

9. (1) On and after the effective date of any sales tax imposed pursuant to this section, the district shall perform all functions incident to the administration, collection, enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the district.

(2)] 6. **After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.**

7. All [such] sales taxes [collected by the district] shall be deposited by the district in a special fund to be expended for the purposes authorized in this section. The district shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each district and the general public.

[(3) The district may contract with the municipality that the district is within for the municipality to collect any revenue received by the district and, after deducting the cost of such collection, but not to exceed one percent of the total amount collected, deposit such revenue in a special trust account. Such revenue and interest may be applied by the municipality to expenses, costs, or debt service of the district at the direction of the district as set forth in a contract between the municipality and the district.

10. (1) All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax, sections 32.085 and 32.087, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons, and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment, or billing.

A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

(7) **8.** Subsequent to the initial approval by the voters and implementation of a sales tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-half of one percent on retail sales as provided in this subsection. The election shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the increase of the sales tax before the voters of the district by resolution, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections, the election judges shall certify the election results to the district board of directors. The ballot of submission shall be in substantially the following form:

Shall (name of district) increase the (insert amount) percent district sales tax now in effect to..... (insert amount) in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the increase, the increase shall become effective [December thirty-first of the calendar year in which such increase was approved] **as provided by section 32.087.**

[11.] **9.** (1) There shall not be any election as provided for in this section while the district has any financing or other obligations outstanding.

(2) The board, when presented with a petition signed by at least one-third of the registered voters in a district that voted in the last gubernatorial election, or signed by at least two-thirds of property owners of the district, calling for an election to dissolve and repeal the tax shall submit the question to the voters using the same procedure by which the imposing tax was voted. The ballot of submission shall be in substantially the following form:

Shall (name of district) dissolve and repeal the (insert amount) percent district sales tax now in effect in the (name of district)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

Such subsequent elections for the repeal of the sales tax shall be conducted in accordance with section 67.2520; provided, however, that the district board of directors may place the question of the repeal of the sales tax before the voters of the district, and the municipal clerk of the city, town, or village which originally conducted the incorporation of the district, or the circuit clerk of the court which originally conducted the incorporation of the district, shall conduct the subsequent election. In subsequent elections the election judges shall certify the election results to the district board of directors.

(3) If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of repeal, that repeal shall become effective December thirty-first of the calendar year in which such repeal was approved or after the repayment of the district's indebtedness, whichever occurs later. **If the district abolishes the tax, the district shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

[12.] **10.** (1) At such time as the board of directors of the district determines that further operation of the district is not in the best interests of the inhabitants of the district, and that the district should dissolve, the board shall submit for a vote in an election held throughout the district the question of whether the district should be abolished. The question shall be submitted in substantially the following form:

Shall the theater, cultural arts, and entertainment district be abolished?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) The district board shall not propose the question to abolish the district while there are outstanding claims or causes of action pending against the district, while the district liabilities exceed its assets, while indebtedness of the district is outstanding, or while the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court.

Prior to submitting the question to abolish the district to a vote of the entire district, the state auditor shall audit the district to determine the financial status of the district, and whether the district may be abolished pursuant to law. The vote on the abolition of the district shall be conducted by the municipal clerk of the city, town, or village in which the district is located. The procedure shall be the same as in section 67.2520, except that the question shall be determined by the qualified voters of the entire district. No individual subdistrict may be abolished, except at such time as the district is abolished.

(3) While the district still exists, it shall continue to accrue all revenues to which it is entitled at law.

(4) Upon receipt by the board of directors of the district of the certification by the city, town, or village in which the district is located that the majority of those voting within the entire district have voted to abolish the district, and if the state auditor has determined that the district's financial condition is such that it may be abolished pursuant to law, then the board of directors of the district shall:

(a) Sell any remaining district real or personal property it wishes, and then transfer the proceeds and any other real or personal property owned by the district to the city, town, or village in which the district is located, including revenues due and owing the district, for its further use and disposition;

(b) Terminate the employment of any remaining district employees, and otherwise conclude its affairs;

(c) At a public meeting of the district, declare by a resolution of the board of directors passed by a majority vote that the district has been abolished effective that date;

(d) Cause copies of that resolution under seal to be filed with the secretary of state and the city, town, or village in which the district is located. Upon the completion of the final act specified in this subsection, the legal existence of the district shall cease.

(5) The legal existence of the district shall not cease for a period of two years after voter approval of the abolition.

11. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section."; and

Further amend said bill, Page 26, Section 92.387, Line 2, by inserting after all of said section the following:

"94.578. 1. In addition to the sales tax authorized in section 94.577, the governing body of any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section may be imposed at a rate of one-eighth, one-fourth, three-eighths, or one-half of one percent, but shall not exceed one-half of one percent, shall not be imposed for longer than three years, and shall be imposed solely for the purpose of funding the construction, operation,

and maintenance of capital improvements in the city's center city. The governing body may issue bonds for the funding of such capital improvements, which will be retired by the revenues received from the sales tax authorized by this section. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state or municipal general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. The ballot submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of (insert rate of percent) percent for [a] capital improvements purposes in the city's center city for a period of (insert number of years, not to exceed three) years?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. In no case shall a tax be resubmitted to the qualified voters of the city sooner than twelve months from the date of the proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in [section] **sections 32.085 to 32.087**. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of revenue of the action at least ninety days before the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for capital improvements purposes in the city's center city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question. **If the city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least one hundred twenty days prior to the effective date of the repeal.**

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 apply to the sales tax imposed under this section.

94.605. 1. Any city as defined in section 94.600 may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.600 to 94.655.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

3. With respect to any tax increment financing plan originally approved by ordinance of the city council after March 31, 2009, in any home rule city with more than four hundred thousand inhabitants and located in more than one county, any three-eighths of one cent sales tax imposed under sections 94.600 to 94.655 shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such taxes shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957. Any one-eighth of one cent sales tax imposed in such city under sections 94.600 to 94.655 for constructing and operating a light-rail transit system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918, and tax revenues derived from such tax shall not be subject to allocation under the provisions of subsection 3 of section 99.845 or subsection 4 of section 99.957.

[4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city or county clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.600 to 94.655 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.]

94.660. 1. The governing body of any city not within a county and any county of the first classification having a charter form of government with a population of over nine hundred thousand inhabitants may propose, by ordinance or order, a transportation sales tax of up to one percent for submission to the voters of that city or county at an authorized election date selected by the governing body.

2. Any sales tax approved under this section shall be imposed on the receipts from the sale at retail of all tangible personal property or taxable services within the city or county adopting the tax, if such property and services are subject to taxation by the state of Missouri under sections 144.010 to 144.525.

3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county/city of (county's or city's name) impose a county/citywide sales tax of percent for the purpose of providing a source of funds for public transportation purposes?

☐ YES

☐ NO

Except as provided in subsection 4 of this section, if a majority of the votes cast in that county or city not within a county on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall go into effect [on the first day of the next calendar quarter beginning after its adoption and notice to the director of revenue, but no sooner than thirty days after such adoption and notice] **as provided by section 32.087**. If a majority of the votes cast in that county or city not within a county by the qualified voters voting are opposed to the proposal, then the additional sales tax shall not be imposed in that county or city not within a county unless and until the governing body of that county or city not within a county shall have submitted another proposal to authorize the local option transportation sales tax authorized in this section, and such proposal is approved by a majority of the qualified voters voting on it. In no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal.

4. No tax shall go into effect under this section in any city not within a county or any county of the first classification having a charter form of government with a population over nine hundred thousand inhabitants unless and until both such city and such county approve the tax.

5. The provisions of subsection 4 of this section requiring both the city and county to approve a transportation sales tax before a transportation sales tax may go into effect in either jurisdiction shall not apply to any transportation sales tax submitted to and approved by the voters in such city or such county on or after August 28, 2007.

6. All sales taxes collected by the director of revenue under this section on behalf of any city or county, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, shall be deposited with the state treasurer in a special trust fund, which is hereby created, to be known as the "County Public Transit Sales Tax Trust Fund". The sales taxes shall be collected as provided in section 32.087.

The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each city or county approving a sales tax under this section, and the records shall be open to inspection by officers of the city or county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax, and such funds shall be deposited with the treasurer of each such city or county and all expenditures of funds arising from the county public transit sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or city not within a county.

7. The revenues derived from any transportation sales tax under this section shall be used only for the planning, development, acquisition, construction, maintenance and operation of public transit facilities and systems other than highways.

8. The director of revenue may authorize the state treasurer to make refunds from the amount in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities or counties. If any city or county abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall authorize the state treasurer to remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No ordinance imposing a sales tax pursuant to the provisions of this section shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of (city's name) impose a sales tax of (insert amount) for transportation purposes?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No";

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of (city's name) issue bonds in the amount of (insert amount) for transportation purposes and impose a sales tax of (insert amount) to repay such bonds?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal, provided in subdivision (1) of this subsection, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast on the proposal, as provided in subdivision (1) of this subsection, by the qualified voters voting thereon are opposed to the proposal, then the council or other governing body of the city shall have no power to

impose the tax authorized in subdivision (1) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. If more than three-sevenths of the votes cast by the qualified voters voting thereon are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

4. [If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5.] No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired."; and

Further amend said bill, Page 37, Section 143.790, Line 255, by inserting after all of said section the following:

"144.010. 1. The following words, terms, and phrases when used in [sections 144.010 to 144.525] **this chapter shall** have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Advertising and promotional direct mail", **printed material that meets the definition of direct mail, the primary purpose of which is to attract public attention to a product, person, business, or organization, or to attempt to sell, popularize, or secure financial support for a product, person, business, or organization. As used in this subdivision, the word "product" means tangible personal property, a product transferred electronically or a service;**

(3) "Agreement", the streamlined sales and use tax agreement, as amended from time to time;

(4) "Air-to-ground radiotelephone service", a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft;

(5) "Alcoholic beverages", beverages that are suitable for human consumption and contain one-half of one percent or more of alcohol by volume;

(6) "Ancillary services", services that are associated with or incidental to the provisions of telecommunications services, including but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services. Ancillary services shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;

(7) "Appliance", clothes washer and dryer, water heater, trash compactor, dishwasher, conventional oven, range, stove, air conditioner, furnace, refrigerator and freezer;

(8) "Bottled water", water that is placed in a safety sealed container or package for human consumption. Bottled water is calorie free and does not contain sweeteners or other additives except that it may contain:

- (a) Antimicrobial agents;
- (b) Fluoride;
- (c) Carbonation;
- (d) Vitamins, minerals, and electrolytes;
- (e) Oxygen;

- (f) Preservatives; and
- (g) Only those flavors, extracts, or essences derived from a spice or fruit.

Bottled water includes water that is delivered to the buyer in a reusable container that is not sold with the water;

(9) "Bundled transaction":

(a) The retail sale of two or more products, except real property and services to real property, where the products are otherwise distinct and identifiable, and the products are sold for one nonitemized price. A bundled transaction shall not include the sale of any products in which the sales price varies, or is negotiable, based on the selection by the purchaser of the products included in the transaction;

(b) As used in this paragraph, the term "distinct and identifiable products" shall not include:

a. Packaging, such as containers, boxes, sacks, bags, and bottles, or other materials, such as wrapping, labels, tags, and instruction guides, that accompany the retail sale of the products and are incidental or immaterial to the retail sale thereof;

b. A product provided free of charge with the required purchase of another product. A product is provided free of charge if the sales price of the product purchased does not vary depending on the inclusion of the product provided free of charge;

c. Items included in the definition of the term sales price;

(c) As used in this paragraph, the term "one nonitemized price" shall not include a price that is separately identified by product on binding sales or other supporting sales-related documentation made available to the customer in paper or electronic form, including but not limited to an invoice, bill of sale, receipt, contract, service agreement, lease agreement, periodic notice of rates and services, rate card, or price list;

(d) a. A transaction that otherwise meets the definition of a bundled transaction as defined in this subdivision shall not constitute a bundled transaction if it is:

(i) A retail sale of tangible personal property and a service where the tangible personal property is essential to the use of the service, and is provided exclusively in connection with the service, and the true object of the transaction is the service; or

(ii) A retail sale of services where one service is provided that is essential to the use or receipt of a second service and the first service is provided exclusively in connection with the second service and the true object of the transaction is the second service; or

(iii) A transaction that includes taxable products and nontaxable products and the sales price of the taxable products is de minimis.

b. "De minimis" means the sales price of the taxable product is ten percent or less of the total sales price of the bundled products.

c. Sellers shall use the sales price of the products to determine if the taxable products are de minimis.

d. (i) Sellers shall use the full term of a service contract to determine if the taxable products are de minimis; or

(ii) A retail sale of exempt tangible personal property and taxable tangible personal property where:

i. The transaction includes food and food ingredients, drugs, durable medical equipment, mobility enhancing equipment, over-the-counter drugs, prosthetic devices, or medical supplies; and

ii. The seller's purchase price or sales price of the taxable tangible personal property is fifty percent or less of the total sales price of the bundled tangible personal property. Sellers shall not use a combination of the purchase price and sales price of the tangible personal property when making the fifty percent determination for a transaction;

(10) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is "engaging in business" in this state for purposes of sections 144.010 to 144.525 if such person "engages in business in this state" or "maintains a place of business in this state" under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

[(3)] (11) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(12) "Call-by-call basis", any method of charging for telecommunications services where the price is measured by individual calls;

(13) "Candy", a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. Candy shall not include any preparation containing flour and shall require no refrigeration;

(14) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(15) "Certified automated system" or "CAS", software certified under the streamlined sales and use tax agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction;

(16) "Certified service provider" or "CSP", an agent certified under the streamlined sales and use tax agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(17) "Clothing":

(a) All human wearing apparel suitable for general use;

(b) Clothing shall include:

a. Aprons, household and shop;

b. Athletic supporters;

c. Baby receiving blankets;

d. Bathing suits and caps;

e. Beach capes and coats;

f. Belts and suspenders;

g. Boots;

h. Coats and jackets;

i. Costumes;

j. Diapers, children and adult, including disposable diapers;

k. Ear muffs;

l. Footlets;

m. Formal wear;

n. Garters and garter belts;

o. Girdles;

p. Gloves and mittens for general use;

q. Hats and caps;

r. Hosiery;

s. Insoles for shoes;

t. Lab coats;

u. Neckties;

v. Overshoes;

w. Pantyhose;

x. Rainwear;

y. Rubber pants;

z. Sandals;

aa. Scarves;

bb. Shoes and shoelaces;

cc. Slippers;

dd. Sneakers;

ee. Socks and stockings;

ff. Steel toed-shoes;

gg. Underwear;

hh. Uniforms, athletic and nonathletic; and

ii. Wedding apparel;

(c) Clothing shall not include:

a. Belt buckles sold separately;

b. Costume masks sold separately;

- c. Patches and emblems sold separately;
 - d. Sewing equipment and supplies, including but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; and
 - e. Sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers;
- (18) "Clothing accessories and equipment", incidental items worn on the person or in conjunction with clothing. Clothing accessories and equipment are mutually exclusive of clothing, sport or recreational equipment, and protective equipment;
- (19) "Coin-operated telephone service", a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate;
- (20) "Communications channel", a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points;
- (21) "Computer", an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions;
- (22) "Computer software", a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task. Computer software shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;
- (23) "Conference bridging service", an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge;
- (24) "Customer", the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunication service, but this definition only applies to the purpose of sourcing sales of telecommunications services under section 144.043. Customer shall not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area;
- (25) "Customer channel termination point", the location where the customer either inputs or receives the communication;
- (26) "Delivered electronically", delivered to the purchaser by means other than tangible storage media;
- (27) "Delivery charges", charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services, including but not limited to transportation, shipping, postage, handling, crating, and packing;
- (28) "Detailed telecommunications billing service", an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement;
- (29) "Dietary supplement", any product, other than tobacco, intended to supplement the diet that contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance for use by humans to supplement the diet by increasing the total dietary intake; or a concentrate, metabolite, constituent, extract, or combination of any ingredient described above; and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or if not intended for ingestion in such a form, is not represented as a conventional food and is not represented for use as a sole item of a meal or of the diet; and that is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required under 21 CFR Section 101.36;
- (30) "Digital audio works", works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones;
- (31) "Digital audio-visual works", a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;
- (32) "Digital books", works that are generally recognized in the ordinary and usual sense as books;
- (33) "Direct mail", printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items is not billed directly to the recipients. Direct mail shall include tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail shall not include multiple items of printed material delivered to a single address;
- (34) "Directory assistance", an ancillary service of providing telephone number information, or address information;
- (35) "Drug":

(a) A compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food and food ingredients, dietary supplements, alcoholic beverages, or grooming and hygiene products:

a. Recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or supplement to any of them;

b. Intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or

c. Intended to affect the structure or any function of the body;

(b) Drug shall include insulin and medical oxygen;

(36) "Durable medical equipment", equipment including repair and replacement parts for same, excluding mobility enhancing equipment. Durable medical equipment:

(a) Can withstand repeated use;

(b) Is primarily and customarily used to serve a medical purpose;

(c) Generally is not useful to a person in the absence of illness or injury;

(d) Is not worn in or on the body;

(e) Is for home use;

(f) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(g) Shall not include:

a. Kidney dialysis equipment not worn in or on the body, including repair and replacement parts; and

b. Enteral feeding systems not worn in or on the body, including repair and replacement parts.

As used in this subdivision, repair and replacement parts shall include all components or attachments used in conjunction with the durable medical equipment;

(37) "Electronic", relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

(38) "End user", the person who utilizes the telecommunication service. In case of an entity, "end user" means the individual who utilizes the service on behalf of the entity;

(39) "Energy star qualified product", a product that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy that is authorized to carry the Energy Star label. Covered products are those listed at www.energystar.gov or successor address;

(40) "Engages in business activities within this state", includes:

(a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including but not limited to direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or

(b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or

(c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax under sections 144.010 to 144.525; or

(d) Soliciting sales or taking orders by sales agents or traveling representatives;

(41) "Food and food ingredients", substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. Food and food ingredients shall not include alcoholic beverages, tobacco, or dietary supplements;

(42) "Food sold through a vending machine", food dispensed from a machine or other mechanical device that accepts payment;

(43) "Grooming and hygiene products", soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions and screens, regardless of whether the items meet the definition of over-the-counter drugs;

[(4)] (44) "Gross receipts"[,], or "sales price":

(a) Except as provided in section 144.012, [means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible

personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;] **applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property, and services, for which personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for the following:**

- a. The seller's cost of the property sold;
- b. The cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;
- c. Charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- d. Delivery charges; and
- e. Credit for any trade-in;
- (b) Shall not include:
 - a. Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
 - b. Interest, financing, and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser; and
 - c. Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;
- (c) Shall include consideration received by the seller from third parties if:
 - a. The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
 - b. The seller has an obligation to pass the price reduction or discount through to the purchaser;
 - c. The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
 - d. One of the following criteria is met:
 - (i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;
 - (ii) The purchaser identifies himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a preferred customer card that is available to any patron does not constitute membership in such a group); or
 - (iii) The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser;
- (45) "Home service provider", the same as such term is defined in Section 124(5) of Public Law 106-252, Mobile Telecommunications Sourcing Act;
- (46) "Lease or rental":
 - (a) Any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend;
 - (b) Lease or rental shall not include:
 - a. A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;
 - b. A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and where any payment of an option price does not exceed the greater of one hundred dollars or one percent of the total required payments;
 - c. Providing tangible personal property along with an operator for a fixed or indeterminate period of time provided that the operator is necessary for the equipment to perform as designed and the operator does more than maintain, inspect, or set up the tangible personal property;
 - (c) Lease or rental includes agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. Section 7701(h)(1), as amended;
- (47) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(48) "Light aircraft kit", factory manufactured light aircraft parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified light aircraft purchaser for recreational and educational purposes;

(49) "Light aircraft parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified light aircraft purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

[(5)] (50) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

[(6)] (51) "Load and leave", delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser;

(52) "Maintains a place of business in this state", includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;

(53) "Mobile telecommunications service", the same as such term is defined in Section 124(7) of Public Law 106-252, Mobile Telecommunications Sourcing Act;

(54) "Mobility enhancing equipment", equipment, including repair and replacement parts to same, which:

(a) Is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; and

(b) Is not generally used by persons with normal mobility; and

(c) Is within the classification of devices eligible for MO HealthNet and Medicare reimbursement.

Mobility enhancement equipment shall not include durable medical equipment or any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer;

(55) "Model 1 seller", a seller registered under the agreement that has selected a certified service provider as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases;

(56) "Model 2 seller", a seller that has selected a certified automated system (CAS) to perform part of its sales and use tax functions, but retains responsibility for remitting the tax;

(57) "Model 3 seller", a seller registered under the agreement that has sales in at least five member states, has total annual sales revenue of at least five hundred million dollars, has a proprietary system that calculates the amount of tax due each jurisdiction, and has entered into a performance agreement with the member states that establishes a tax performance standard for the seller. As used in this subdivision, a seller shall include an affiliated group of sellers using the same proprietary system;

(58) "Model 4 seller", a seller that is registered under the agreement and is not a Model 1 Seller, a Model 2 Seller or a Model 3 Seller;

(59) "Motor vehicle leasing company" [shall be], a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

[(7)] (60) "Other direct mail", any direct mail that is not advertising and promotional direct mail regardless of whether advertising and promotional direct mail is included in the same mailing. Other direct mail includes, but is not limited to:

(a) Transactional direct mail that contains personal information specific to the one addressee including, but not limited to, invoices, bills, statements of account, and payroll advices;

(b) Any legally required mailings including, but not limited to, privacy notices, tax reports, and stockholder reports; and

(c) Other nonpromotional direct mail delivered to existing or former shareholders, customers, employees, or agents including, but not limited to, newsletters and informational pieces.

Other direct mail shall not include the development of billing information or the provision of any data processing service that is more than incidental;

(61) "Over-the-counter drug", a drug, excluding grooming and hygiene products, that contains a label that identifies the product as a drug as required by 21 CFR Section 201.66 and includes:

(a) A drug facts panel; or
(b) A statement of the active ingredients with a list of those ingredients contained in the compound, substance, or preparation;

(62) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, [except the state transportation department,] estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number, or any other legal entity;

[(8)] (63) "Place of primary use", the street address representative of where the customer's use of the telecommunications service primarily occurs, which shall be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, place of primary use shall be within the licensed service area of the home service provider;

(64) "Post-paid calling service", the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service, that would be a prepaid calling service except it is not exclusively a telecommunications service;

(65) "Prepaid calling service", the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(66) "Prepaid wireless calling service", a telecommunications service that provides the right to utilize mobile wireless services as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary services, which must be paid for in advance and that is sold in predetermined units or dollars of which the number declines with use in a known amount;

(67) "Prepared food", food sold in a heated state or heated by the seller; two or more food ingredients mixed or combined by the seller for sale as a single item; or food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate shall not include a container or packaging used to transport the food. Prepared food shall not include food that is only cut, repackaged, or pasteurized by the seller and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, Part 401.11 of the Food Code so as to prevent food borne illnesses;

(68) "Prescription", an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of the state;

(69) "Prewritten computer software", computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof shall not cause the combination to be other than prewritten computer software. Prewritten computer software shall include software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software;

(70) "Private communication service", a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels;

(71) "Product-based exemption", an exemption based on the description of the product and not based on who purchases the product or how the purchaser intends to use the product;

(72) "Product which is intended to be sold ultimately for final use or consumption", tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent to these taxes, in this state or any other state;

(73) "Prosthetic device", a replacement, corrective, or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. The term "prosthetic device" shall not include corrective eyeglasses or contact lenses and shall be limited to the classification of devices eligible for MO HealthNet and Medicare reimbursement;

(74) "Protective equipment", items for human wear and designed as protection of the wearer against injury or disease or as protection against damage or injury of other persons or property but not suitable for general use. Protective equipment is mutually exclusive of clothing, clothing accessories or equipment, and sport or recreational equipment;

(75) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(76) "Purchase price", applies to the measure subject to use tax and has the same meaning as sales price;

(77) "Purchaser" [means], a person [who purchases tangible] to whom a sale of personal property is made or to whom [are rendered services, receipts from which are taxable under sections 144.010 to 144.525] a service is furnished;

[(9)] (78) "Qualified light aircraft purchaser", a purchaser of a light aircraft, light aircraft kit, light aircraft parts or components who is a nonresident of this state, who will transport the light aircraft, light aircraft kit, light aircraft parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state;

(79) "Receive" or "receipt", taking possession of tangible personal property; making first use of services; or taking possession or making first use of digital goods, whichever comes first. Receive and receipt shall not include possession by a shipping company on behalf of the purchaser;

(80) "Registered under the agreement", registration by a seller with the member states under the central registration system provided in Article IV of the agreement;

(81) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

[(10)] "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

[(11)] (82) "Sale at retail" [means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property] or "retail sale" means any sale, lease, or rental for any purpose other than for resale, sublease, or subrent. Purchases of tangible personal property made by duly licensed physicians, dentists, optometrists, and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(g) Sales or charges for video programming service described in Public Law No. 104-104, Title VI, Section 602, 110 Stat. 144 (1996).

(83) "School art supply":

(a) An item commonly used by a student in a course of study for artwork. The term is mutually exclusive of the terms school supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Clay and glazes;**
- b. Paints, acrylic, tempora, and oil;**
- c. Paintbrushes for artwork;**
- d. Sketch and drawing pads; and**
- e. Watercolors;**

(84) "School computer supply":

(a) An item commonly used by a student in a course of study in which a computer is used. The term is mutually exclusive of the terms school supply, school art supply, and school instructional material.

(b) The following is an all-inclusive list:

- a. Computer storage media, diskettes, compact disks;**
- b. Handheld electronic schedulers, except devices that are cellular phones;**
- c. Personal digital assistants, except devices that are cellular phones; and**
- d. Computer printers and printer supplies for computers, printer paper, and printer ink;**

(85) "School instructional material":

(a) Written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The term is mutually exclusive of the terms school supply, school art supply, and school computer supply;

(b) The following is an all-inclusive list:

- a. Reference books;**
- b. Reference maps and globes;**
- c. Textbooks; and**
- d. Workbooks;**

(86) "School supply":

(a) An item commonly used by a student in a course of study. The term is mutually exclusive of the terms school art supply, school instructional material, and school computer supply;

(b) The following is an all-inclusive list:

- a. Binders;**
- b. Book bags;**
- c. Calculators;**
- d. Cellophane tape;**
- e. Blackboard chalk;**
- f. Compasses;**
- g. Composition books;**
- h. Crayons;**
- i. Erasers;**
- j. Folders, expandable, pocket, plastic, and manila;**
- k. Glue, paste, and paste sticks;**
- l. Highlighters;**

- m. Index cards;
 - n. Index card boxes;
 - o. Legal pads;
 - p. Lunch boxes;
 - q. Markers;
 - r. Notebooks;
 - s. Paper, loose leaf notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
 - t. Pencil boxes and other school supply boxes;
 - u. Pencil sharpeners;
 - v. Pencils;
 - w. Pens;
 - x. Protractors;
 - y. Rulers;
 - z. Scissors; and
 - aa. Writing tablets;
- [(12)] (87) "Seller" means a person [selling or furnishing tangible] **making sales, leases, or rentals of personal property or [rendering services, on the receipts from which a tax is imposed pursuant to section 144.020] services;**
- (88) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed under this chapter and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;
- (89) "Service address":
- (a) The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid;
 - (b) If the location in paragraph (a) of this subdivision is not known, "service address" means the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;
 - (c) If the location in paragraphs (a) and (b) of this subdivision are not known, the service address shall be the location of the customer's place of primary use;
- (90) "Specified digital products", electronically transferred digital audio-visual works, digital audio works, and digital books;
- (91) "Sport or recreational equipment", items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. Sport or recreational equipment are mutually exclusive of clothing, clothing accessories or equipment, and protective equipment;
- (92) "State", any state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;
- (93) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;
- (94) "Tangible personal property", personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. Tangible personal property shall include electricity, water, gas, steam, and prewritten computer software. Tangible personal property shall not include specified digital products, digital audio-visual works, digital audio works, or digital books;
- [(13)] The noun [(95) "Tax" [means], either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;
- (96) "Taxpayer", any person remitting the tax or who should remit the tax levied by this chapter;
- (97) "Telecommunications nonrecurring charges", an amount billed for the installation, connection, change or initiation of telecommunications service received by the customer;
- [(14)] (98) "Telecommunications service"[, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.];

(a) The electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(b) Telecommunications service shall include such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the Federal Communications Commission as enhanced or value added;

(c) Telecommunications service shall include air-to-ground radiotelephone service, mobile telecommunications service, post-paid calling service, prepaid calling service, prepaid wireless calling service, and private communication service;

(d) Telecommunications service shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including but not limited to directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services shall include but not be limited to cable service, as defined in 47 U.S.C. Section 522(6), as amended, and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials, or ring tones;

(99) "Transportation equipment", any of the following:

(a) Locomotives and railcars that are utilized for the carriage of persons or property in interstate commerce;

(b) Trucks and truck-tractors with a gross vehicle weight rating (GVWR) of ten thousand one pounds or greater, trailers, semitrailers, or passenger buses that are:

a. Registered through the International Registration Plan; and

b. Operated under authority of a carrier authorized and certificated by the United States Department of Transportation or another federal authority to engage in the carriage of persons or property in interstate commerce;

(c) Aircraft that are operated by air carriers authorized and certificated by the United States Department of Transportation or another federal or a foreign authority to engage in the carriage of persons or property in interstate or foreign commerce;

(d) Containers designed for use on and component parts attached or secured on the items set forth in paragraphs (a) to (c) of this subdivision;

(100) "Tobacco", cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco;

(101) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(102) "Use-based exemption", an exemption based on a specified use of the product by the purchaser;

(103) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they shall be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers shall be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746 on all retail sales of food **and food ingredients** shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. [For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section,] Except for **food sold through** vending [machine sales, the term "food"] **machines, subsection 1 of this section** shall not [include] **apply to** food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.022. 1. In the case of a bundled transaction that includes any of the following: telecommunication service, ancillary service, internet access, or audio or video programming service:

(1) If the price is attributable to products that are taxable and products that are nontaxable, the portion of the price attributable to the nontaxable products may be subject to tax unless the provider can identify by reasonable and verifiable standards such portion from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(2) If the price is attributable to products that are subject to tax at different tax rates, the total price shall be treated as attributable to the products subject to tax at the highest tax rate unless the provider can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to tax at the lower rate from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, nontax purposes;

(3) The provisions of this section shall apply unless otherwise provided by federal law.

2. In the case of a transaction that includes an optional computer software maintenance contract for prewritten computer software, the following provisions apply:

(1) If an optional computer software maintenance contract only obligates the vendor to provide upgrades and updates, it shall be characterized as a sale of prewritten computer software;

(2) If an optional computer software maintenance contract only obligates the vendor to provide support services, it shall be characterized as a sale of services and not a sale of tangible personal property;

(3) If an optional computer software maintenance contract is a bundled transaction in which both taxable and nontaxable or exempt products that are not separately itemized on the invoice or similar billing document, the purchase price under the contract shall be taxable."; and

Further amend said bill, Pages 40-41, Section 144.030, Lines 110-127, by deleting all of said lines and inserting in lieu thereof the following:

"(19) All sales of [insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of] over-the-counter [or nonprescription] drugs to individuals with disabilities, **all sales of kidney dialysis equipment and enteral feeding systems, all sales of durable medical equipment, prosthetic devices, and mobility enhancing equipment,** and [drugs required by the Food and Drug Administration to meet the] **all sales of over-the-counter [drug product labeling requirements in 21 CFR 201.66, or its successor,] drugs** as prescribed by a health care practitioner licensed to prescribe;" and

Further amend said bill, Pages 42-43, Section 144.030, Lines 175-210, by deleting all of said lines and inserting in lieu thereof the following:

"(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use [and in any city not within a county, all sales of metered or unmetered water service for domestic use]:

(a) "Domestic use" means that portion of metered water service, electricity, [electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service,] **pipd natural or artificial gas, or other fuels delivered by the seller** which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** and who uses any portion of the [services or property] **electricity, pipd natural or artificial gas, or other fuels delivered by the seller** so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit

or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;"; and

Further amend said bill, Page 43, Section 144.030, Line 214, by deleting all of said line and inserting in lieu thereof the following:

"(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, [4061,] 4071,"; and

Further amend said bill, Page 45, Section 144.030, Line 288, by deleting the word, "service." and inserting in lieu thereof the following:

"service;

(44) All sales of new light aircraft, light aircraft kits, light aircraft parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, light aircraft parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section;

(45) All sales of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same "controlled group of corporations" as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to 94.570, or any county imposing a sales tax under the provisions of sections 66.600 to 66.635, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any hospital district imposing a sales tax under the provisions of section 205.205 may by ordinance impose a sales tax upon all sales of [metered water services,] electricity, [electrical current and natural, artificial or propane gas, wood, coal, or home heating oil] **pipd natural or artificial gas, or other fuels delivered by the seller** for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030.

144.040. 1. (1) All retail sales in Missouri, excluding leases and rentals, of tangible personal property or digital goods shall be sourced to the location where the order is received by the seller.

(2) This subsection shall apply only if:

(a) The location where receipt of the product by the purchaser occurs is determined in accordance with subsection 2 of this section; and

(b) At the time the order is received, the record keeping system of the seller used to calculate the proper amount of sales or use tax to be imposed captures the location where the order is received.

(3) When the sale is sourced under this section to the location where the order is received by the seller, only the sales tax for the location where the order is received by the seller may be levied. No additional sales or use tax based on the location where the product is delivered to the purchaser may be levied on that sale. The purchaser shall not be entitled to any refund if the combined state and local rate or rates at the location where the product is received by the purchaser is lower than the rate where the order is received by the seller.

(4) A purchaser shall have no additional liability to the state for tax, penalty or interest on a sale for which the purchaser remits tax to the seller in the amount invoiced by the seller if such invoice amount is calculated at either the rate applicable to the location where receipt by the purchaser occurs or at the rate applicable to the location where the order is received by the seller. A purchaser may rely on a written representation by the seller as to the location where the order for such sale was received by the seller. When the purchaser does not have a written representation by the seller as to the location where the order for such sale was received by the seller, the purchaser may use a location indicated by a business address for the seller that is available from the business records of the purchaser that are maintained in the ordinary course of the purchaser's business to determine the rate applicable to the location where the order was received.

(5) The location where the order is received by or on behalf of the seller means the physical location of a seller or third party such as an established outlet, office location or automated order receipt system operated by or on behalf of the seller where an order is initially received by or on behalf of the seller and not where the order may be subsequently accepted, completed or fulfilled. An order is received when all of the information from the purchaser necessary to the determination whether the order can be accepted has been received by or on behalf of the seller. The location from which a product is shipped shall not be used in determining the location where the order is received by the seller.

(6) When taxable services are sold with tangible personal property or digital products pursuant to a single contract or in the same transaction, are billed on the same billing statement or statements, and, because of the application of this section, would be sourced to different jurisdictions, this subsection shall apply to determine the source for tax.

2. Except as provided in subsection 7 of this section, when the location where the order is received by the seller and the location where the receipt of the product by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs are in different states, the retail sale, excluding lease or rental, of a product shall be sourced as follows:

(1) When the product is received by the purchaser at a business location of the seller, the sale shall be sourced to such business location;

(2) When the product is not received by the purchaser at a business location of the seller, the sale shall be sourced to the location where receipt by the purchaser (or the purchaser's donee, designated as such by the purchaser) occurs, including the location indicated by instructions for delivery to the purchaser or donee, known to the seller;

(3) When subdivisions (1) and (2) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser that is available from the business records of the seller that are maintained in the ordinary course of the seller's business when use of this address does not constitute bad faith;

(4) When subdivisions (1), (2), and (3) of this subsection do not apply, the sale shall be sourced to the location indicated by an address for the purchaser obtained during the consummation of the sale, including the address of a purchaser's payment instrument, if no other address is available, when use of this address does not constitute bad faith;

(5) When none of the previous rules of subdivisions (1), (2), (3), and (4) of this subsection do not apply, including the circumstances in which the seller is without sufficient information to apply the previous rules, then the location will be determined by the address from which tangible personal property was shipped, from which the digital good or computer software delivered electronically was first available for transmission from the seller, or from which the service was provided (disregarding for these purposes any location that merely provided the digital transfer of the product sold).

3. Notwithstanding subsections 1 and 2 of this section, all sales of motor vehicles, trailers, semitrailers, watercraft and aircraft that do not qualify as transportation equipment shall be sourced to the address of the owner thereof.

4. The lease or rental of tangible personal property, other than property identified in subsection 2 or 3 of this section or transactions regulated under sections 407.660 to 407.665, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, the first periodic payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section. Periodic payments made subsequent to the first payment are sourced to the primary property location for each period covered by the payment. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of this address does not constitute bad faith. The property location shall not be altered by intermittent use at different locations, such as use of business property that accompanies employees on business trips and service calls;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

5. The lease or rental of motor vehicles, trailers, semitrailers, or aircraft that do not qualify as transportation equipment, as defined in section 144.010, shall be sourced as follows:

(1) For a lease or rental that requires recurring periodic payments, each periodic payment is sourced to the primary property location. The primary property location shall be as indicated by an address for the property provided by the lessee that is available to the lessor from its records maintained in the ordinary course of business, when use of such address does not constitute bad faith. Such location shall not be altered by intermittent use at different locations;

(2) For a lease or rental that does not require recurring periodic payments, the payment is sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section;

(3) This subsection does not affect the imposition or computation of sales or use tax on leases or rentals based on a lump sum or accelerated basis, or on the acquisition of property for lease.

6. The retail sale, including lease or rental, of transportation equipment shall be sourced the same as a retail sale in accordance with the provisions of subsection 1 of this section, notwithstanding the exclusion of lease or rental in subsection 1 of this section.

7. (1) The retail sale of a product shall be sourced in accordance with this section. The provisions of this section shall apply regardless of the characterization of a product as tangible personal property, a digital good, or a service. The provisions of this section shall only apply to determine a seller's obligation to pay or collect and remit sales or use tax with respect to the seller's retail sale of a product. The provisions of this subsection shall not affect the obligation of a purchaser or lessee to remit tax on the use of the product to the taxing jurisdictions of that use.

(2) This section shall not apply to sales or use taxes levied on the following:

- (a) Retail sales or transfers of watercraft, modular homes, manufactured homes, or mobile homes; and
- (b) Telecommunications services and ancillary services.

144.042. 1. (1) A purchaser of advertising and promotional direct mail may provide the seller with either:

- (a) A direct pay permit;
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state); or
- (c) Information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients.

(2) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (1) of subsection 1 of this section, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay, or remit any tax on any transaction involving advertising and promotional direct mail to which the permit, certificate or statement applies. The purchaser shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered to the recipients and shall report and pay any applicable tax due.

(3) If the purchaser provides the seller information showing the jurisdictions to which the advertising and promotional direct mail is to be delivered to recipients, the seller shall source the sale to the jurisdictions to which the advertising and promotional direct mail is to be delivered and shall collect and remit the applicable tax. In the absence of bad faith, the seller is relieved of any further obligation to collect any additional tax on the sale of advertising and promotional direct mail where the seller has sourced the sale according to the delivery information provided by the purchaser.

(4) If the purchaser does not provide the seller with any of the items listed in paragraph (a), (b) or (c) of subdivision (1) of subsection 1 of this section, the sale shall be sourced according to subdivision (5) of subsection 2 of section 144.040. The state to which the advertising and promotional direct mail is delivered may disallow credit for tax paid on sales sourced under this subdivision.

(5) Notwithstanding section 144.040, this subsection shall apply to sales of advertising and promotional direct mail.

2. (1) Except as otherwise provided in this subsection, sales of other direct mail are sourced in accordance with subdivision (3) of subsection 2 of section 144.040.

(2) A purchaser of other direct mail may provide the seller with either:

- (a) A direct pay permit; or
- (b) An agreement certificate of exemption claiming direct mail (or other written statement approved, authorized or accepted by the state).

(3) If the purchaser provides the permit, certificate or statement referred to in paragraph (a) or (b) of subdivision (2) of this subsection, the seller, in the absence of bad faith, is relieved of all obligations to collect, pay or remit any tax on any transaction involving other direct mail to which the permit, certificate or statement apply. Notwithstanding subdivision (1) of this subsection, the sale shall be sourced to the jurisdictions to which the other direct mail is to be delivered to the recipients and the purchaser shall report and pay applicable tax due.

(4) Notwithstanding section 144.040, this subsection shall apply to sales of other direct mail.

3. (1) (a) This section applies to a transaction characterized under state law as the sale of services only if the service is an integral part of the production and distribution of printed material that meets the definition of direct mail.

(b) This section does not apply to any transaction that includes the development of billing information or the provision of any data processing service that is more than incidental regardless of whether advertising and promotional direct mail is included in the same mailing.

(2) If a transaction is a bundled transaction that includes advertising and promotion direct mail, this section applies only if the primary purpose of the transaction is the sale of products or services that meet the definition of advertising and promotional direct mail.

(3) Nothing in this section shall limit any purchaser's:

- (a) Obligation for sales or use tax to any state to which the direct mail is delivered;
- (b) Right under local, state, federal or constitutional law, to a credit for sales or use taxes legally due and paid to other jurisdictions; or

(c) Right to a refund of sales or use taxes overpaid to any jurisdiction.

(4) This section applies for purposes of uniformly sourcing direct mail transactions and does not impose requirements on states regarding the taxation of products that meet the definition of direct mail or to the application of sales for resale or other exemptions.

144.043. 1. [As used in this section, the following terms mean:

(1) "Light aircraft", a light airplane that seats no more than four persons, with a gross weight of three thousand pounds or less, which is primarily used for recreational flying or flight training;

(2) "Light aircraft kit", factory manufactured parts and components, including engine, propeller, instruments, wheels, brakes, and air frame parts which make up a complete aircraft kit or partial kit designed to be assembled into a light aircraft and then operated by a qualified purchaser for recreational and educational purposes;

(3) "Parts and components", manufactured light aircraft parts, including air frame and engine parts, that are required by the qualified purchaser to complete a light aircraft kit, or spare or replacement parts for an already completed light aircraft;

(4) "Qualified purchaser", a purchaser of a light aircraft, light aircraft kit, parts or components who is nonresident of this state, who will transport the light aircraft, light aircraft kit, parts or components outside this state within ten days after the date of purchase, and who will register any light aircraft so purchased in another state or country. Such purchaser shall not base such aircraft in this state and such purchaser shall not be a resident of the state unless such purchaser has paid sales or use tax on such aircraft in another state.

2. In addition to the exemptions granted under the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and from the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable under sections 144.010 to 144.525, sections 144.600 to 144.748, section 238.235, and under any local sales tax law, as defined in section 32.085, all sales of new light aircraft, light aircraft kits, parts or components manufactured or substantially completed within this state, when such new light aircraft, light aircraft kits, parts or components are sold by the manufacturer to a qualified purchaser. The director of revenue shall prescribe the manner for a purchaser of a light aircraft, light aircraft kit, parts or components to establish that such person is a qualified purchaser and is eligible for the exemption established in this section] **Except for the defined telecommunication services in subsection 3 of this section, the sale of telecommunication service sold on a call-by-call basis shall be sourced to:**

- (1) Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction; or
- (2) Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunication services in subsection 3 of this section, a sale of telecommunications services sold on a basis other than a call-by-call basis is sourced to the customer's place of primary use.

3. The sale of the following telecommunication services shall be sourced to each level of taxing jurisdiction as follows:

(1) A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunications Sourcing Act;

(2) A sale of post-paid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

(a) The seller's telecommunications system; or

(b) Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller;

(3) A sale of prepaid calling service or a sale of a prepaid wireless calling service is sourced in accordance with section 144.040, provided however, in the case of a sale of prepaid wireless calling service, the rule provided in subdivision (5) of subsection 2 of section 144.040 shall include as an option the location associated with the mobile telephone number;

(4) A sale of a private communication service is sourced as follows:

(a) Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located;

(b) Service where all customer termination points are located entirely within one jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located;

(c) Service for segments of a channel between two customer channel termination points located in different jurisdictions and which segment of channel are separately charged is sourced fifty percent in each level of jurisdiction in which the customer channel termination points are located; and

(d) Service for segments of a channel located in more than one jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

4. The sale of internet access service is sourced to the customer's place of primary use.

5. The sale of an ancillary service is sourced to the customer's place of primary use.

144.049. 1. [For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall include but not be limited to cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer software having a taxable value of three hundred fifty dollars or less.

2.] In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less[.]; all retail sales of school supplies, **school art supplies, and school instructional materials** not to exceed fifty dollars per purchase[.]; all **prewritten** computer software with a taxable value of three hundred fifty dollars or less[.]; and all retail sales of [personal] computers [or computer peripheral devices] **and school computer supplies** not to exceed three thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following.

[3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political

subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

4.] 2. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

[5.] 3. This section applies to sales of items bought for personal use only.

[6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7.] 4. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the motor vehicle, trailer, boat, or outboard motor as otherwise provided by law, the owner shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as provided in this section or is registered under the provisions of subsection 5 of this section.

2. [As used in subsection 1 of this section, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3.] In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisalment by the director.

[4.] 3. The director of the department of revenue shall endorse upon the official certificate of title issued by the director upon such application an entry showing that such sales tax has been paid or that the motor vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

[5.] 4. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, trailer, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

[6.] 5. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

- (1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;
- (2) Is authorized to do business in Missouri;
- (3) Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail;
- (4) Has registered under the fictitious name provisions of sections 417.200 to 417.230 each of its divisions doing business in Missouri as a leasing company; and
- (5) Operates each of its divisions on a basis separate from each of its other divisions. However, when the transfer of a motor vehicle, trailer, boat or outboard motor occurs within a corporation which holds a license to operate as a motor vehicle or boat dealer pursuant to sections 301.550 to 301.573 the provisions in subdivision (3) of this subsection shall not apply.

[7.] 6. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided in this section, the owner shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all motor vehicles, trailers, boats, and outboard motors held for renting and leasing are included.

[8.] 7. Beginning July 1, 2010, any motor vehicle dealer licensed under section 301.560 engaged in the business of selling motor vehicles or trailers may apply to the director of revenue for authority to collect and remit the sales tax required under this section on all motor vehicles sold by the motor vehicle dealer. A motor vehicle dealer receiving authority to collect and remit the tax is subject to all provisions under sections 144.010 to 144.525. Any motor vehicle dealer authorized to collect and remit sales taxes on motor vehicles under this subsection shall be entitled to deduct and retain an amount equal to two percent of the motor vehicle sales tax pursuant to section 144.140. Any amount of the tax collected under this subsection that is retained by a motor vehicle dealer pursuant to section 144.140 shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers for their role in collecting and remitting sales taxes on motor vehicles. In the event this subsection or any portion thereof is held to violate article IV, section 30(b) of the Missouri Constitution, no motor vehicle dealer shall be authorized to collect and remit sales taxes on motor vehicles under this section. No motor vehicle dealer shall seek compensation from the state of Missouri or its agencies if a court of competent jurisdiction declares that the retention of two percent of the motor vehicle sales tax is unconstitutional and orders the return of such revenues.

144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or service to the extent possible under the provisions of section 144.285, but shall, on or before the last day of the month following each calendar quarterly period of three months, file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. [Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month.

3.] Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

[4.] 3. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

[5.] 4. It shall be unlawful for any person to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, or that it will not be separately stated and added to the selling price of the property sold or service rendered, or if added, that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

144.082. 1. The director shall participate in an online registration system that will allow sellers to register in this state and other member states.

2. By registering, the seller agrees to collect and remit sales and use taxes for all taxable sales into this state as well as the other member states, including member states joining after the seller's registration.

Withdrawal or revocation of this state from the agreement shall not relieve a seller of its responsibility to remit taxes previously or subsequently collected on behalf of this state.

3. If the seller has a requirement to register prior to registering under the agreement, such seller shall obtain a retail sales license under section 144.083 and register under section 144.650.

4. Registration with the central registration system and the collection of sales and use taxes in this state shall not be used as a factor in determining whether the seller has nexus with this state for any tax at any time.

144.083. 1. The director of revenue shall require all persons who are responsible for the collection of taxes under the provisions of section 144.080 to procure a retail sales license at no cost to the licensee which shall be prominently displayed at the licensee's place of business, and the license is valid until revoked by the director or surrendered by the person to whom issued when sales are discontinued. The director shall issue the retail sales license within ten working days following the receipt of a properly completed application. Any person applying for a retail sales license or reinstatement of a revoked sales tax license who owes any tax under sections 144.010 to 144.510 or sections 143.191 to 143.261 must pay the amount due plus interest and penalties before the department may issue the applicant a license or reinstate the revoked license. All persons beginning business subsequent to August 13, 1986, and who are required to collect the sales tax shall secure a retail sales license prior to making sales at retail. Such license may, after ten days' notice, be revoked by the director of revenue only in the event the licensee shall be in default for a period of sixty days in the payment of any taxes levied under section 144.020 or sections 143.191 to 143.261. Notwithstanding the provisions of section 32.057 in the event of revocation, the director of revenue may publish the status of the business account including the date of revocation in a manner as determined by the director.

2. The possession of a retail sales license and a statement from the department of revenue that the licensee owes no tax due under sections 144.010 to 144.510 or sections 143.191 to 143.261 shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license which is required for conducting any business where goods are sold at retail. The date of issuance on the statement that the licensee owes no tax due shall be no more than ninety days before the date of submission for application or renewal of the local license. The revocation of a retailer's license by the director shall render the occupational license or the state license null and void.

3. No person responsible for the collection of taxes under section 144.080 shall make sales at retail unless such person is the holder of a valid retail sales license. After all appeals have been exhausted, the director of revenue may notify the county or city law enforcement agency representing the area in which the former licensee's business is located that the retail sales license of such person has been revoked, and that any county or city occupation license of such person is also revoked. The county or city may enforce the provisions of this section, and may prohibit further sales at retail by such person.

4. In addition to the provisions of subsection 2 of this section, beginning January 1, 2009, the possession of a statement from the department of revenue stating no tax is due under sections 143.191 to 143.265 or sections 144.010 to 144.510 shall also be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business where goods are sold at retail. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

[5. Notwithstanding any law or rule to the contrary, sales tax shall only apply to the sale price paid by the final purchaser and not to any off-invoice discounts or other pricing discounts or mechanisms negotiated between manufacturers, wholesalers, and retailers.]

144.084. 1. The director shall promulgate rules and regulations for remittance of returns. Such rules shall:

- (1) Allow for electronic payments by all remitters by both ACH credit and ACH debit;**
- (2) Provide an alternative method for making "same day" payments if an electronic funds transfer fails;**
- (3) Provide that if a due date falls on a legal banking holiday in the state, the taxes shall be due on the next succeeding business day; and**
- (4) Require that any data that accompanies a remittance be formatted using uniform tax type and payment type codes approved by the streamlined sales and use tax governing board.**

2. All model 1, model 2, and model 3 sellers shall file returns electronically. Any model 1, model 2, or model 3 seller shall submit its sales and use tax returns in a simplified format approved by the director at such times as may be prescribed by the director.

144.100. 1. Every person making any taxable sales of property or service, except transactions provided for in sections 144.070 and 144.440, individually or by duly authorized officer or agent, shall make and file a written return with the director of revenue in such manner as he may prescribe.

2. The returns shall be on blanks designed and furnished by the director of the department of revenue and shall be filed at the times provided in sections 144.080 and 144.090. The returns shall [show the amount of gross receipts from sales of taxable property and services by the person and the amount of tax due thereon by that person during and for the period covered by the return] **state:**

- (1) The name and address of the retailer;**
- (2) The total amount of gross sales of all tangible personal property and taxable services rendered by the retailer during the period for which the return is made;**
- (3) The total amount received during the period for which the return is made on charge and time sales of tangible personal property made and taxable services rendered prior to the period for which the return is made;**
- (4) Deductions allowed by law from such total amount of gross sales and from total amount received during the period for which the return is made on such charge and time sales;**
- (5) Receipts during the period for which the return is made from the total amount of sales of tangible personal property and taxable services rendered during such period in the course of such business, after deductions allowed by law have been made;**
- (6) Receipts during the period for which the return is made from charge and time sales of tangible personal property made and taxable services rendered prior to such period in the course of such business, after deductions allowed by law have been made;**
- (7) Gross receipts during the period for which the return is made from sales of tangible personal property and taxable services rendered in the course of such business upon the basis of which the tax is imposed; and**
- (8) Such other pertinent information as the director may require.**

3. In making such return, the retailer shall determine the market value of any consideration, other than money, received in connection with the sale of any tangible personal property in the course of the business and shall include such value in the return. Such value shall be subject to review and revision by the director as hereinafter provided. Refunds made by a retailer during the period for which the return is made on account of tangible personal property returned to the retailer shall be allowed as a deduction under subdivision (4) of subsection 2 of this section in case the retailer has included the receipts from such sale in a return made by such retailer and paid taxes on such sale. The retailer shall, at the time of making such return, pay to the director the amount of tax owed, except as otherwise provided in this section. The director may extend the time for making returns and paying the tax required by this section for any period not to exceed sixty days under such rules and regulations as the director of revenue may prescribe.

4. The director shall only require a single tax return for each taxing period and such return shall include only the taxing jurisdictions in which the seller makes sales within the state. With each return, the person shall remit to the director of revenue the full amount of the tax due.

[3.] 5. In case of charge and time sales the gross receipts thereof shall be included as sales in the returns as and when payments are received by the person, without any deduction therefrom whatsoever.

[4.] 6. If an error or omission is discovered in a return or a change be necessary to show the true facts, the error may be corrected, the omission supplied, or the change made in the return next filed with the director for the filing period immediately following the filing period in which the error was made or the omission occurred, as prescribed by law, except that no refund under this chapter shall be allowed for any amount of tax paid by a seller which is based upon charges incident to credit card discounts. Any other omission or error must be corrected by filing an amended return for the erroneously reported period if the amount of tax is less than that originally reported, or an additional return if the amount of tax is greater than that originally reported. An additional return shall be deemed filed on the date the envelope in which it is mailed is postmarked or the date it is received by the director, whichever is earlier. Any payment of tax, interest, penalty or additions to tax shall be deemed filed on the date the envelope containing the payment is postmarked or the date the payment is received by the director, whichever is earlier. If a refund or credit results from the filing of an amended return, no refund or credit shall be allowed unless an application for refund or credit is properly completed and submitted to the director pursuant to section 144.190.

[5.] 7. The amount of gross receipts from sales and the amount of tax due returned by the person, as well as all matters contained in the return, is subject to review and revision in the manner herein provided for the correction of the returns.

44.104. 1. A seller shall be allowed a deduction from taxable sales for bad debts attributable to taxable sales of such seller that have become uncollectable. Any deduction taken that is attributed to bad debts shall not include interest.

2. The amount of the bad debt deduction shall be calculated pursuant to 26 U.S.C. Section 166(b), as amended, except that such amount shall be adjusted to exclude financing charges or interest, sales, or use taxes charged on the purchase price, uncollectable amounts on property that remain in the possession of the seller until the full purchase price is paid, and expenses incurred in attempting to collect any debt or repossessed property.

3. Bad debts may be deducted on the return for the period during which the bad debt is written off as uncollectable in the seller's books and records and is eligible to be deducted for federal income tax purposes. For purposes of this subsection, a seller who is not required to file federal income tax returns may deduct a bad debt on a return filed for the period in which the bad debt is written off as uncollectable in the seller's books and records and would be eligible for a bad debt deduction for federal income tax purposes if the seller was required to file a federal income tax return.

4. If a deduction is taken for a bad debt and the debt is subsequently collected in whole or in part, the tax on the amount so collected shall be paid and reported on the return filed for the period in which the collection is made.

5. When the amount of bad debt exceeds the amount of taxable sales for the period during which the bad debt is written off, a refund claim may be filed by the seller within the applicable statute of limitations for refund claim; however, the statute of limitations shall be measured from the due date of the return on which the bad debt could first be claimed.

6. Where filing responsibilities have been assumed by a certified service provider, such service provider may claim, on behalf of the seller, any bad debt allowance provided by this section. The certified service provider shall credit or refund the full amount of any bad debt allowance or refund received to the seller.

7. For the purposes of reporting a payment received on a previously claimed bad debt, any payments made on a debt or account shall first be applied proportionally to the taxable price of the property or service and the sales tax thereon, and secondly to interest, service charges, and any other charges.

8. In situations where the books and records of the seller, or certified service provider on behalf of the seller, claiming the bad debt allowance support an allocation of the bad debts among the member states, such an allocation shall be permitted.

144.105. 1. The state shall review software submitted to the streamlined sales and use tax governing board for certification as a certified automated system (CAS) under Section 501 of the streamlined sales and use tax agreement. Such review shall include a review to determine that the program adequately classifies the state's product-based exemptions. Upon completion of the review, the state shall certify to the governing board its acceptance of the classifications made by the system. The state shall relieve a certified service provider (CSP) or model 2 seller from liability to this state and its local jurisdictions for failure to collect sales or use taxes resulting from the CSP or model 2 seller's reliance on the certification provided by the state.

2. The streamlined sales and use tax governing board and this state shall not be responsible for classification of an item or transaction with the product-based exemptions. The relief from liability provided in this section shall not be available for a CSP or model 2 seller that has incorrectly classified an item or transaction into a product-based exemption certified by this state. This subsection shall apply to the individual listing of items or transactions within a product definition approved by the governing board or the state.

3. If the state determines that an item or transaction is incorrectly classified as to its taxability, it shall notify the CSP or model 2 seller of the incorrect classification. The CSP or model 2 seller shall have ten days to revise the classification after receipt of notice from the state of the determination. Upon expiration of the ten days, such CSP or model 2 seller shall be liable for failure to collect the correct amount of sales or use taxes due and owing to the state.

144.123. 1. The director shall provide and maintain a database that describes boundary changes for all taxing jurisdictions and the effective dates of such changes for sales and use tax purposes.

2. The director shall provide and maintain a database of all sales and use tax rates for all taxing jurisdictions. For the identification of counties and cities, codes corresponding to the rates shall be provided according to Federal Information Processing Standards (FIPS) as developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain a database that assigns each five- and nine-digit zip code to the proper rates and taxing jurisdictions. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. If a nine-digit zip code designation is not available for a street address, or if a seller or a certified service provider (CSP) is unable to determine the

nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller has attempted to determine the nine-digit zip code designation by utilizing software approved by the secretary that makes this designation from the street address and the five-digit zip code applicable to a purchase.

4. The director may provide address-based boundary database records for assigning taxing jurisdictions and associated rates which shall be in addition to the requirements of subsection 3 of this section. The database records shall be in the same approved format as the database records required under subsection 3 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director develops address-based assignment database records under the agreement, sellers that register under the agreement shall be required to use such database. A seller or CSP shall use such database records in place of the five- and nine-digit zip code database records provided for in subsection 3 of this section. If a seller or CSP is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the seller or CSP may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a seller or CSP is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the seller or CSP may apply the rate for the five-digit zip code area. For the purposes of this section, there shall be a rebuttable presumption that a seller or CSP has exercised due diligence if the seller or CSP has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director has met the requirements of subsection 3 of this section, the director may also elect to certify vendor provided address-based databases for assigning tax rates and jurisdictions. The databases shall be in the same approved format as the database records under this section and meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a), as amended. If the director certifies a vendor address-based database, a seller or CSP may use such database in place of the database provided for in this subsection.

5. The electronic databases provided for in subsections 1, 2, 3, and 4 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a vendor as designated by the director. A database provided by a vendor as designated by the director shall be applicable and subject to the provisions of section 144.1031 and this section. The databases shall be provided at no cost to the user of the database. The provisions of subsections 3 and 4 of this section shall not apply when the purchased product is received by the purchaser at the business location of the seller.

6. No seller or CSP shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.124. 1. The director shall complete a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

2. The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

3. A seller or certified service provider (CSP) shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided by the director in the taxability matrix.

144.125. 1. (1) Amnesty shall be granted for uncollected or unpaid sales or use tax to a seller who registers to pay or to collect and remit applicable sales or use tax on sales made to purchasers in this state in accordance with the terms of the agreement, provided that the seller was not so registered in this state in the twelve-month period preceding the effective date of this state's participation in the agreement.

(2) Amnesty shall preclude assessment for uncollected or unpaid sales or use tax together with penalty or interest for sales made during the period the seller was not registered in this state, provided registration occurs within twelve months of the effective date of this state's participation in the agreement.

(3) Amnesty shall be provided if this state joins the agreement after the seller has registered.

2. Amnesty shall not be available to a seller with respect to any matter or matters for which the seller received notice of the commencement of an audit and which audit is not yet finally resolved including any related administrative and judicial processes. The amnesty shall not be available for sales or use taxes already paid or remitted to this state or to taxes collected by the seller.

3. Amnesty provided under this section shall be fully effective, absent the seller's fraud or intentional misrepresentation of a material fact, as long as the seller continues registration and payment or collection and remittance of applicable sales or use taxes for a period of at least thirty-six months. The statute of limitations applicable to asserting a tax liability during this thirty-six month period shall be tolled.

4. Amnesty provided under this section shall be applicable only to sales or use taxes due from a seller in its capacity as a seller and not to sales or use taxes due from a seller in its capacity as a purchaser.

5. The provisions of this section shall become effective as of the date that the state joins and becomes a member state of the agreement.

144.140. **1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.**

2. If the director of the department of revenue enters into the streamlined sales and use tax agreement under section 32.070, the director shall provide a monetary allowance from the taxes collected to each of the following:

(1) A certified service provider, in accordance with the agreement and under the terms of the contract signed with the provider, provided that such allowance shall not exceed two percent of the amount collected;

(2) Any vendor registered under the agreement that selects a certified automated system to perform part of its sales or use tax functions;

(3) Any vendor registered under the agreement that uses a proprietary system to calculate taxes due and has entered into a performance agreement with states that are members to the streamlined sales and use tax agreement.

3. The monetary allowance provided for vendors in subdivision (2) or (3) of subsection 2 of this section shall be in an amount equal to two percent of the taxes collected.

4. Any vendor receiving an allowance under subsection 2 of this section shall not be entitled simultaneously to deduct the allowance provided for in subsection 1 of this section.

144.210. **1. The burden of proving that a sale of tangible personal property, services, substances or things was not a sale at retail shall be upon the person who made the sale, except that with respect to sales, services, or transactions provided for in section 144.070. [The seller shall obtain and maintain exemption certificates signed by the purchaser or his agent as evidence for any exempt sales claimed; provided, however, that before any administrative tribunal of this state, a seller may prove that sale is exempt from tax under this chapter in accordance with proof admissible under the applicable rules of evidence; except that when a purchaser has purchased tangible personal property or services sales tax free under a claim of exemption which is found to be improper, the director of revenue may collect the proper amount of tax, interest, additions to tax and penalty from the purchaser directly. Any tax, interest, additions to tax or penalty collected by the director from the purchaser shall be credited against the amount otherwise due from the seller on the purchases or sales where the exemption was claimed.]**

2. If the director of revenue is not satisfied with the return and payment of the tax made by any person, he is hereby authorized and empowered to make an additional assessment of tax due from such person, based upon the facts contained in the return or upon any information within his possession or that shall come into his possession.

3. The director of revenue shall give to the person written notice of such additional or revised assessment by certified or registered mail to the person at his or its last known address.

144.212. 1. In addition to all other provisions of law provided for exemptions, when an exemption is claimed by a purchaser:

(1) The seller shall obtain identifying information of the purchaser and the reason for claiming a tax exemption at the time of the purchase;

(2) A purchaser shall not be required to provide a signature to claim an exemption from tax unless a paper exemption certificate is used;

(3) The seller shall use the standard form for claiming an exemption electronically prescribed by the director of the department of revenue and acceptable to the streamlined sales and use tax governing board;

(4) The seller shall obtain the same information for proof of a claimed exemption regardless of the medium in which the transaction occurred;

(5) The seller shall maintain proper records of exempt transactions and provide such records to the director of the department of revenue or the director's designee upon request;

(6) In the case of drop shipment sales, a third-party vendor, such as a drop shipper, may claim a resale exemption based on an exemption certificate provided by its customer or any other acceptable information available to the third-party vendor evidencing qualification for a resale exemption, regardless of whether the customer is registered to collect and remit sales and use tax in the state where the sale is sourced.

2. Sellers that comply with the requirements of this section shall be relieved from collecting and remitting tax otherwise applicable if it is determined that the purchaser improperly claimed an exemption and such purchaser shall be liable for the nonpayment of tax. Relief from liability provided under this section shall not apply to a seller who fraudulently fails to collect tax; to a seller who solicits purchasers to participate in the unlawful claim of an exemption; to a seller who accepts an exemption certificate when the purchaser claims an entity-based exemption when the subject of the transaction sought to be covered by the exemption certificate is actually received by the purchaser at a location operated by the seller and the state in which that location resides provides an exemption certificate that clearly and affirmatively indicates that the claimed exemption is not available in such state; or to a seller who accepts an exemption certificate claiming multiple points of use for tangible personal property other than computer software for which an exemption claiming multiple points of use not available in such state.

(1) A seller shall be relieved from collecting and remitting tax otherwise applicable if the seller obtains a fully completed exemption certificate or captures the relevant data elements required under the agreement within ninety days subsequent to the date of sale.

(2) If a seller fails to obtain an exemption certificate or all relevant data elements as provided in this section, the seller may, within one hundred twenty days subsequent to a request for substantiation by the director of the department of revenue or the director's designee, either prove that the transaction was not subject to tax by other means or obtain a fully completed exemption certificate from the purchaser, taken in good faith.

3. Nothing in this section shall affect the ability of the director of the department of revenue or the director's designee to require purchasers to update exemption certificate information or to reapply with the state to claim certain exemptions.

4. Notwithstanding the provisions of subsection 2 of this section to the contrary, the director shall relieve a seller of the tax otherwise applicable if the seller obtains a blanket exemption certificate for a purchaser with which the seller has a recurring business relationship. The director shall not request from the seller renewal of blanket certificates or updates of exemption certificate information or data elements when there is a recurring business relationship between the buyer and seller. For purposes of this section, a recurring business relationship exists when a period of no more than twelve months elapses between sales transactions.

144.285. 1. [In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the director of revenue shall establish brackets, showing the amounts of tax to be collected on sales of specified amounts, which shall be applicable to all taxable transactions] **When the seller is computing the amount of tax owed by the purchaser and remitted to the state:**

(1) Tax computation shall be carried to the third decimal place; and

(2) The tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four.

2. [In all instances where statements covering taxable purchases are rendered to the taxpayer on a monthly or other periodic basis, the amount of tax shall be determined by applying the applicable tax rate to the taxable purchases represented on the statement, rounded to the nearest whole cent, or by application of the brackets established by the director of revenue, at the option of the retail vendor] **Sellers may elect to compute the tax due on a transaction on an item or an invoice basis. The provision of this subsection may be applied to the aggregated state and local taxes.**

3. No vendor or seller shall knowingly charge or receive from a purchaser as a sales tax any sum in excess of the sums provided for in this section.

4. [A vendor may, at his option, determine the amount charged to and received from each purchaser by use of a formula which applies the applicable tax rate to each taxable purchase, rounded to the nearest whole cent. The formula shall be uniformly and consistently applied to all purchases similarly situated.

5.] Amounts which a vendor charges to and receives from the purchaser in accordance with this section shall not be includable in his gross receipts if the amounts are separately charged or stated.

[6.] 5. If sales tax for one or more local political subdivisions is owed by a taxpayer pursuant to chapter 66, 67, 92, or 94 and that taxpayer remits less than all sales tax due for a filing period specified in section 144.080, the director of revenue shall deposit the tax remitted proportionately to each taxing jurisdiction in accordance with the

percentage that each such jurisdiction's share of the tax due for the filing period bears to the total tax due from such taxpayer for such period. The unpaid balance due along with penalties and interest shall be similarly prorated among the state and all local jurisdictions for which tax was due during the filing period for which an underpayment occurs. The provisions of this subsection shall apply to all returns or remittances relating to sales made on or after January 1, 1984.

144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. [For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

3.] In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law all retail sales of any [energy star certified] new appliance **that is an energy star qualified product**, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth.

[4. A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.]

144.655. 1. Every vendor, on or before the last day of the month following each calendar quarterly period of three months, shall file with the director of revenue a return of all taxes collected for the preceding quarter in the form prescribed by the director of revenue, showing the total sales price of the tangible personal property sold by the vendor, the storage, use or consumption of which is subject to the tax levied by this law, and other information the director of revenue deems necessary. The return shall be accompanied by a remittance of the amount of the tax required to be collected by the vendor during the period covered by the return. Returns shall be signed by the vendor or the vendor's authorized agent. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of vendors, but shall not require any vendor to file and pay more frequently than required in this section.

2. Where the aggregate amount of tax required to be collected by a vendor is in excess of two hundred and fifty dollars for either the first or second month of a calendar quarter, the vendor shall pay such aggregate amount for such months to the director of revenue by the twentieth day of the succeeding month. The amount so paid shall be allowed as a credit against the liability shown on the vendor's quarterly return required by this section.

3. Where the aggregate amount of tax required to be collected by a vendor is less than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the vendor to file a return for a calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4. Except as provided in subsection 5 of this section, every person purchasing tangible personal property, the storage, use or consumption of which is subject to the tax levied by sections 144.600 to 144.748, who has not paid the tax due to a vendor registered in accordance with the provisions of section 144.650, shall file with the director of revenue a return for the preceding reporting period in the form and manner that the director of revenue prescribes, showing the total sales price of the tangible property purchased during the preceding reporting period and any other information that the director of revenue deems necessary for the proper administration of sections 144.600 to 144.748. The return shall be accompanied by a remittance of the amount of the tax required by sections 144.600 to 144.748 to be paid by the person. Returns shall be signed by the person liable for the tax or such person's duly authorized agent. For purposes of this subsection, the reporting period shall be determined by the director of revenue and may be a calendar quarter or a calendar year. Annual returns and payments required by the director pursuant to this subsection shall be due on or before April fifteenth of the year for the preceding calendar year and quarterly returns and payments shall be due on or before the last day of the month following each calendar period of three months. Upon the taxpayer's request, the director may allow the filing of such returns and payments on a monthly basis. If a taxpayer elects to file a monthly return and payment, such return and payment shall be due on or before the twentieth day of the succeeding month.

5. Any person purchasing tangible personal property subject to the taxes imposed by sections 144.600 to 144.748 shall not be required to file a use tax return with the director of revenue if such purchases on which such taxes were not paid do not exceed in the aggregate two thousand dollars in any calendar year.

6. Nothing in subsection 5 of this section shall relieve a vendor of liability to collect the tax imposed pursuant to sections 144.600 to 144.748 on the total gross receipts of all sales of tangible personal property used, stored or consumed in this state and to remit all taxes collected to the director of revenue in accordance with the provisions of this section nor shall it relieve a purchaser from paying such taxes to a vendor registered in accordance with the provisions of section 144.650.

7. Any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 shall file a return for the calendar year. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year. In the event that any out-of-state seller which is not legally required to register for use tax in this state but chooses to collect and remit use tax under sections 144.600 to 144.761 has accumulated state and local use tax funds in an amount equal to one thousand dollars or more, such vendor shall file a return and remit the amount due for the month in which the accumulated state and local use tax funds equal or exceed one thousand dollars.

144.710. [From every remittance made by a vendor as required by sections 144.600 to 144.745 to the director of revenue on or before the date when the remittance becomes due, the vendor may deduct and retain an amount equal to two percent thereof.] **Sections 144.210 and 144.212, pertaining to the allowance for timely remittance of payment, are applicable to the tax levied by this law.**"; and

Further amend said bill, Page 62, Section 192.310, Line 7, by inserting after all of said section the following:

"221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the commission to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the regional jail district of (counties' names) impose a region-wide sales tax of
(insert amount) for the purpose of providing jail services and court facilities and equipment for the region?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are in favor of the proposal, then the order and any amendment to such order shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If the proposal receives less than the required majority, the commission shall have no power to impose the sales tax authorized pursuant to this section unless and until the commission shall again have submitted another proposal to authorize the commission to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters of the district voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last submission of a proposal pursuant to this section.

3. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund and shall be used solely for providing jail services and court facilities and equipment for such district for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or terminated by any means, all funds remaining in the special trust fund shall be used solely for providing jail services and court facilities and equipment for the district. Any funds in such special trust fund which are not needed for current expenditures may be invested by the commission in accordance with applicable laws relating to the investment of other county funds.

5. All sales taxes collected by the director of revenue pursuant to this section on behalf of any district, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue

shall keep accurate records of the amount of money in the trust fund which was collected in each district imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of each member county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer of each such district, and all expenditures of funds arising from the regional jail district sales tax trust fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by the commission. Expenditures may be made from the fund for any function authorized in the order adopted by the commission submitting the regional jail district tax to the voters.

6. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any district abolishes the tax, the commission shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal, and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director of revenue shall remit the balance in the account to the district and close the account of that district. The director of revenue shall notify each district in each instance of any amount refunded or any check redeemed from receipts due the district.

7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

8. The provisions of this section shall expire September 30, 2015."; and

Further amend said bill, Page 63, Section 228.369, Line 34, by inserting after all of said section the following:

"238.235. 1. (1) Any transportation development district may by resolution impose a transportation development district sales tax on all retail sales made in such transportation development district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of [motor vehicles, trailers, boats or outboard motors nor to all sales of electricity or electrical current, water and gas, natural or artificial, nor to sales of service to telephone subscribers, either local or long distance] **fuel used to power motor vehicles, aircraft, locomotives, or watercraft, or to electricity, piped natural or artificial gas, or other fuels delivered by the seller, and the retail sale or transfer of motor vehicles, aircraft, watercraft, modular homes, manufactured homes, or mobile homes.** Such transportation development district sales tax may be imposed for any transportation development purpose designated by the transportation development district in its ballot of submission to its qualified voters, except that no resolution enacted pursuant to the authority granted by this section shall be effective unless:

(a) The board of directors of the transportation development district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of this section; or

(b) The voters approved the question certified by the petition filed pursuant to subsection 5 of section 238.207.

(2) If the transportation district submits to the qualified voters of the transportation development district a proposal to authorize the board of directors of the transportation development district to impose or increase the levy of an existing tax pursuant to the provisions of paragraph (a) of subdivision (1) of this subsection, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the transportation development district of (transportation development district's name) impose a transportation development district-wide sales tax at the rate of (insert amount) for a period of (insert number) years from the date on which such tax is first imposed for the purpose of (insert transportation development purpose)?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the resolution and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors of the transportation development district shall have no power to impose the sales tax authorized by this section unless and until the board of directors of the transportation development

district shall again have submitted another proposal to authorize it to impose the sales tax pursuant to the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.

(3) [The sales tax authorized by this section shall become effective on the first day of the second calendar quarter after the department of revenue receives notification of the tax.

(4) In each transportation development district in which a sales tax has been imposed in the manner provided by this section, every retailer shall add the tax imposed by the transportation development district pursuant to this section to the retailer's sale price, and when so added such tax shall constitute a part of the price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price.

(5) In order to permit sellers required to collect and report the sales tax authorized by this section to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the transportation development district may establish appropriate brackets which shall be used in the district imposing a tax pursuant to this section in lieu of those brackets provided in section 144.285.

(6)] All revenue received by a transportation development district from the tax authorized by this section which has been designated for a certain transportation development purpose shall be deposited in a special trust fund and shall be used solely for such designated purpose. Upon the expiration of the period of years approved by the qualified voters pursuant to subdivision (2) of this subsection or if the tax authorized by this section is repealed pursuant to subsection 6 of this section, all funds remaining in the special trust fund shall continue to be used solely for such designated transportation development purpose. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors in accordance with applicable laws relating to the investment of other transportation development district funds.

[(7)] (4) The sales tax may be imposed in increments of one-eighth of one percent, up to a maximum of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the transportation development district adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, except such transportation development district sales tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors nor to public utilities. Any transportation development district sales tax imposed pursuant to this section shall be imposed at a rate that shall be uniform throughout the district.

2. The resolution imposing the sales tax pursuant to this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed by the resolution as the sales tax and the tax shall be reported and returned to and collected by the transportation development district.

3. [On and after the effective date of any tax imposed pursuant to this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect, in addition to all other sales taxes imposed by law, the additional tax authorized pursuant to this section. The tax imposed pursuant to this section and the taxes imposed pursuant to all other laws of the state of Missouri shall be collected together and reported upon such forms and pursuant to such administrative rules and regulations as may be prescribed by the director of revenue.

4. (1) All applicable provisions contained in sections 144.010 to 144.525, governing the state sales tax, sections 32.085 and 32.087 and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section.

(2) All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services pursuant to the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section.

(3) The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the transportation development district may prescribe a form of exemption certificate for an exemption from the tax imposed by this section.

(4) All discounts allowed the retailer pursuant to the provisions of the state sales tax laws for the collection of and for payment of taxes pursuant to such laws are hereby allowed and made applicable to any taxes collected pursuant to the provisions of this section.

(5) The penalties provided in section 32.057 and sections 144.010 to 144.525 for violation of those sections are hereby made applicable to violations of this section.

(6) For the purpose of a sales tax imposed by a resolution pursuant to this section, all retail sales except retail sales of motor vehicles shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or the retailer's agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which the employee works.

5.] All sales taxes received by the transportation development district shall be deposited by the director of revenue in a special fund to be expended for the purposes authorized in this section. The director of revenue shall keep accurate records of the amount of money which was collected pursuant to this section, and the records shall be open to the inspection of officers of each transportation development district and the general public.

[6.] 4. (1) No transportation development district imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects.

(2) Whenever the board of directors of any transportation development district in which a transportation development sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the qualified voters calling for an election to repeal such transportation development sales tax, the board of directors shall, if such repeal will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or revenue bonds, notes or other obligations which it has issued or which have been issued by the commission or any local transportation authority to finance any project or projects, submit to the qualified voters of such transportation development district a proposal to repeal the transportation development sales tax imposed pursuant to the provisions of this section. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal to repeal the transportation development sales tax, then the resolution imposing the transportation development sales tax, along with any amendments thereto, is repealed. If a majority of the votes cast by the qualified voters voting thereon are opposed to the proposal to repeal the transportation development sales tax, then the ordinance or resolution imposing the transportation development sales tax, along with any amendments thereto, shall remain in effect.

[7.] 5. Notwithstanding any provision of sections 99.800 to 99.865 and this section to the contrary, the sales tax imposed by a district whose project is a public mass transportation system shall not be considered economic activity taxes as such term is defined under sections 99.805 and 99.918 and shall not be subject to allocation under the provisions of subsection 3 of section 99.845, or subsection 4 of section 99.957.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax and collect, in addition to the sales tax for the state of Missouri, the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. Except as provided in this section, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under this section.

238.410. 1. Any county transit authority established pursuant to section 238.400 may impose a sales tax of up to one percent on all retail sales made in such county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed under the provisions of this section shall be effective unless the governing body of the county, on behalf of the transit authority, submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the transit authority to impose a tax.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the Transit Authority impose a countywide sales tax of (insert amount) in order to provide revenues for the operation of transportation facilities operated by the transit authority?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective on the first day of the second calendar quarter following

notification to the department of revenue of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the transit authority shall have no power to impose the sales tax authorized by this section unless and until another proposal to authorize the transit authority to impose the sales tax authorized by this section has been submitted and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by the transit authority from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely by the transit authority for construction, purchase, lease, maintenance and operation of transportation facilities located within the county for so long as the tax shall remain in effect. Any funds in such special trust fund which are not needed for current expenditures may be invested by the transit authority in accordance with applicable laws relating to the investment of county funds.

4. No transit authority imposing a sales tax pursuant to this section may repeal or amend such sales tax unless such repeal or amendment is submitted to and approved by the voters of the county in the same manner as provided in subsection 1 of this section for approval of such tax. Whenever the governing body of any county in which a sales tax has been imposed in the manner provided by this section receives a petition, signed by ten percent of the registered voters of such county voting in the last gubernatorial election, calling for an election to repeal such sales tax, the governing body shall submit to the voters of such county a proposal to repeal the sales tax imposed under the provisions of this section. If a majority of the votes cast on the proposal by the registered voters voting thereon are in favor of the proposal to repeal the sales tax, then such sales tax is repealed. If a majority of the votes cast by the registered voters voting thereon are opposed to the proposal to repeal the sales tax, then such sales tax shall remain in effect.

5. The sales tax imposed under the provisions of this section shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525 and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the rate approved pursuant to this section. The amount reported and returned to the director of revenue by the seller shall be computed on the basis of the combined rate of the tax imposed by sections 144.010 to 144.525 and the tax imposed by this section, plus any amounts imposed under other provisions of law.

6. After the effective date of any tax imposed under the provisions of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri the additional tax authorized under the authority of this section. The tax imposed under this section and the tax imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting tax or to serve as a levy of the tax, and in order to avoid fractions of pennies, the applicable provisions of section 144.285 shall apply to all taxable transactions.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by this section, except as modified in this section. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax imposed by this section. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by this section. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under chapter 144 are hereby allowed and made applicable to any taxes collected under the provisions of this section. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of those sections are hereby made applicable to violations of this section.

8. [For the purposes of a sales tax imposed pursuant to this section, all retail sales shall be deemed to be consummated at the place of business of the retailer, except for tangible personal property sold which is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination and except for the sale of motor vehicles, trailers, boats and outboard motors, which is provided for in subsection 12 of this section. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's employee shall be deemed to be consummated at the place of business from which he works.

9.] All sales taxes collected by the director of revenue under this section on behalf of any transit authority, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in this section, shall be deposited in the state treasury in a special trust fund, which is hereby created, to be known as the "County Transit Authority Sales Tax Trust Fund". The moneys in the county transit authority sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each transit authority imposing a sales tax under this section, and the records shall be open to the inspection of officers of the county and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the transit authority which levied the tax.

[10.] 9. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any transit authority for erroneous payments and overpayments made, and may authorize the state treasurer to redeem dishonored checks and drafts deposited to the credit of such transit authorities. If any transit authority abolishes the tax, the transit authority shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such transit authority, the director of revenue shall authorize the state treasurer to remit the balance in the account to the transit authority and close the account of that transit authority. The director of revenue shall notify each transit authority of each instance of any amount refunded or any check redeemed from receipts due the transit authority. The director of revenue shall annually report on his management of the trust fund and administration of the sales taxes authorized by this section. He shall provide each transit authority imposing the tax authorized by this section with a detailed accounting of the source of all funds received by him for the transit authority.

[11.] 10. The director of revenue and any of his deputies, assistants and employees who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of this section shall enter a surety bond or bonds payable to any and all transit authorities in whose behalf such funds have been collected under this section in the amount of one hundred thousand dollars; but the director of revenue may enter into a blanket bond or bonds covering himself and all such deputies, assistants and employees. The cost of the premium or premiums for the surety bond or bonds shall be paid by the director of revenue from the share of the collection retained by the director of revenue for the benefit of the state.

[12.] 11. Sales taxes imposed pursuant to this section and use taxes on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a county where a sales tax is imposed under this section. The amounts so collected, less the one percent collection cost, shall be deposited in the county transit authority sales tax trust fund. The purchase or sale of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the applicant. As used in this subsection, the term "boat" shall only include motorboats and vessels as the terms "motorboat" and "vessel" are defined in section 306.010.

[13.] 12. In any county where the transit authority sales tax has been imposed, if any person is delinquent in the payment of the amount required to be paid by him under this section or in the event a determination has been made against him for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under this section, the director of revenue shall notify the transit authority to which delinquent taxes are due under this section by United States registered mail or certified mail at least ten days before turning the case over to the attorney general. The transit authority, acting through its attorney, may join in such suit as a party plaintiff to seek a judgment for the delinquent taxes and penalty due such transit authority. In the event any person fails or refuses to pay the amount of any sales tax due under this section, the director of revenue shall promptly notify the transit authority to which the tax would be due so that appropriate action may be taken by the transit authority.

[14.] 13. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by this section, the director of revenue shall permit the transit authority to join in any sale of property to pay the delinquent taxes and penalties due the state and to the transit authority under this section. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such transit authority under this section.

[15. The transit authority created under the provisions of sections 238.400 to 238.412 shall notify any and all affected businesses of the change in tax rate caused by the imposition of the tax authorized by sections 238.400 to 238.412.

16.] 14. In the event that any transit authority in any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants submits a proposal in any election to increase the sales tax under this section, and such proposal is approved by the voters, the county shall be reimbursed for the costs of submitting such proposal from the funds derived from the tax levied under this section.

15. Except as provided in sections 238.400 to 238.412, all provisions of sections 32.085 to 32.087 shall apply to the tax imposed under sections 238.410 to 238.412."; and

Further amend said bill, Page 102, Section 577.041, Line 138, by inserting after all of said section the following:

"644.032. 1. The governing body of any municipality or county may impose, by ordinance or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made in such municipality or county which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section and section 644.033 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax under the provisions of this section and section 644.033 shall be effective unless the governing body of the municipality or county submits to the voters of the municipality or county, at a municipal, county or state general, primary or special election, a proposal to authorize the governing body of the municipality or county to impose a tax[, provided, that the tax authorized by this section shall not be imposed on the sales of food, as defined in section 144.014, when imposed by any county with a charter form of government and with more than one million inhabitants].

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the municipality (county) of impose a sales tax of (insert amount) for the purpose of providing funding for (insert either storm water control, or local parks, or storm water control and local parks) for the municipality (county)?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the municipality or county shall not impose the sales tax authorized in this section and section 644.033 until the governing body of the municipality or county resubmits another proposal to authorize the governing body of the municipality or county to impose the sales tax authorized by this section and section 644.033 and such proposal is approved by a majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant to this section and section 644.033 be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section and section 644.033.

3. All revenue received by a municipality or county from the tax authorized under the provisions of this section and section 644.033 shall be deposited in a special trust fund and shall be used to provide funding for storm water control or for local parks, or both, within such municipality or county, provided that such revenue may be used for local parks outside such municipality or county if the municipality or county is engaged in a cooperative agreement pursuant to section 70.220.

4. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal or county funds.";

Further amend said bill, Page 102, Section 64.205, Line 2, by inserting after all of said line the following:

"[66.601. The duties of the director of revenue with respect to the allocation, division and distribution of sales and use tax proceeds determined to be due any county of the first classification having a charter form of government and having a population of nine hundred thousand or more inhabitants and all municipalities within such county, resulting from taxes levied or imposed under the authority of sections 66.600 to 66.630, section 144.748, and sections 94.850 to 94.857, may be delegated to the county levying the county sales tax under sections 66.600 to 66.630, at the discretion of the director of revenue and with the consent of the county. Notwithstanding the provisions of section 32.057 to the contrary, if such duties are so assigned, the director of revenue shall furnish the county with sufficient information to perform such duties in such form as may be agreed upon by the director and the county at no cost to the county. The county shall be bound by the provisions of

section 32.057, and shall use any information provided by the director of revenue under the provisions of this section solely for the purpose of allocating, dividing and distributing such sales and use tax revenues. The county shall exercise all of the director's powers and duties with respect to such allocation, division and distribution, and shall receive no fee for carrying out such powers and duties.]

[67.1713. Beginning January 1, 2002, there is hereby specifically exempted from the tax imposed pursuant to section 67.1712 all sales of food as defined by section 144.014.]

[67.1971. All entities remitting the sales tax authorized pursuant to section 67.1959 shall have their liability reduced by an amount equal to twenty-five percent of any taxes collected and remitted pursuant to sections 94.802 to 94.805.]

[144.069. All sales of motor vehicles, trailers, boats and outboard motors shall be deemed to be consummated at the address of the owner thereof, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the state department of revenue on that basis.]

[144.517. In addition to the exemptions granted pursuant to section 144.030, there shall also be exempted from state sales and use taxes all sales of textbooks, as defined by section 170.051, when such textbook is purchased by a student who possesses proof of current enrollment at any Missouri public or private university, college or other postsecondary institution of higher learning offering a course of study leading to a degree in the liberal arts, humanities or sciences or in a professional, vocational or technical field, provided that the books which are exempt from state sales tax are those required or recommended for a class. Upon request the institution or department must provide at least one list of textbooks to the bookstore each semester. Alternately, the student may provide to the bookstore a list from the instructor, department or institution of his or her required or recommended textbooks. This exemption shall not apply to any locally imposed sales or use tax.]

[144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

- (1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;
- (2) "Engages in business activities within this state" includes:
 - (a) Purposefully or systematically exploiting the market provided by this state by any media-assisted, media-facilitated, or media-solicited means, including, but not limited to, direct mail advertising, distribution of catalogs, computer-assisted shopping, telephone, television, radio, or other electronic media, or magazine or newspaper advertisements, or other media; or
 - (b) Being owned or controlled by the same interests which own or control any seller engaged in the same or similar line of business in this state; or
 - (c) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525; or
 - (d) Soliciting sales or taking orders by sales agents or traveling representatives;
- (3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, or through a subsidiary, or agent, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business;
- (4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the purpose of this law the place of delivery of the property to the purchaser, user, storer or consumer is deemed to be the place of sale, whether the delivery be by the vendor or by common carriers, private contractors, mails, express, agents, salesmen, solicitors, hawkers, representatives, consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the charges for services, except charges incident to the extension of credit, paid or given, or contracted to be paid or given, by the purchaser to the vendor for the tangible personal property, including any services that are a part of the sale, valued in money, whether paid in money or otherwise, and any amount for which credit is given to the purchaser by the vendor, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service cost, losses or any other expenses whatsoever, except that cash discounts allowed and taken on sales shall not be included and "sales price" shall not include the amount charged for property returned by customers upon rescission of the contract of sales when the entire amount charged therefor is refunded either in cash or credit or the amount charged for labor or services rendered in installing or applying the property sold, the use, storage or consumption of which is taxable pursuant to sections 144.600 to 144.745. In determining the amount of tax due pursuant to sections 144.600 to 144.745, any charge incident to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a representative of a principal, when such principal is not registered with the director of revenue of the state of Missouri for the collection of the taxes imposed pursuant to sections 144.010 to 144.525 or sections 144.600 to 144.745 and who receives compensation by reason of the sale of tangible personal property of the principal, if such property is to be stored, used, or consumed in this state;

(10) "Storage", any keeping or retention in this state of tangible personal property purchased from a vendor, except property for sale or property that is temporarily kept or retained in this state for subsequent use outside the state;

(11) "Tangible personal property", all items subject to the Missouri sales tax as provided in subdivisions (1) and (3) of section 144.020;

(12) "Taxpayer", any person remitting the tax or who should remit the tax levied by sections 144.600 to 144.745;

(13) "Use", the exercise of any right or power over tangible personal property incident to the ownership or control of that property, except that it does not include the temporary storage of property in this state for subsequent use outside the state, or the sale of the property in the regular course of business;

(14) "Vendor", every person engaged in making sales of tangible personal property by mail order, by advertising, by agent or peddling tangible personal property, soliciting or taking orders for sales of tangible personal property, for storage, use or consumption in this state, all salesmen, solicitors, hawkers, representatives, consignees, peddlers or canvassers, as agents of the dealers, distributors, consignors, supervisors, principals or employers under whom they operate or from whom they obtain the tangible personal property sold by them, and every person who maintains a place of business in this state, maintains a stock of goods in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745. A person shall not be considered a vendor for the purposes of sections 144.600 to 144.745 if all of the following apply:

(a) The person's total gross receipts did not exceed five hundred thousand dollars in this state, or twelve and one-half million dollars in the entire United States, in the immediately preceding calendar year;

(b) The person maintains no place of business in this state; and

(c) The person has no selling agents in this state.]

[144.1000. Sections 144.1000 to 144.1015 shall be known as and referred to as the "Simplified Sales and Use Tax Administration Act".]

[144.1003. As used in sections 144.1000 to 144.1015, the following terms shall mean:

(1) "Agreement", the streamlined sales and use tax agreement;

(2) "Certified automated system", software certified jointly by the states that are signatories to the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction;

(3) "Certified service provider", an agent certified jointly by the states that are signatories to the agreement to perform all of the seller's sales tax functions;

(4) "Person", an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation or any other legal entity;

(5) "Sales tax", any sales tax levied pursuant to this chapter, section 32.085, or any other sales tax authorized by statute and levied by this state or its political subdivisions;

(6) "Seller", any person making sales, leases or rentals of personal property or services;

(7) "State", any state of the United States and the District of Columbia;

(8) "Use tax", the use tax levied pursuant to this chapter.]

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter into or vote for any streamlined sales and use tax agreement that:

(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;

(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;

(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within

the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;

(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;

(5) Affects the sourcing of sales tax transactions; or

(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:

(1) The agreement should address the limitation of the number of state rates over time;

(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;

(3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;

(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;

(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so long as they do not conflict with the provisions of section 144.1012:

(a) Restricting variances between the state and local tax bases;

(b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;

(c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and

(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;

(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;

(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;

(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and

(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.]; and

Further amend said bill, Page 103, Section C, Line 3, by inserting after all of said section the following:

"Section D. The provisions of the streamlined sales and use tax agreement act shall become effective January 1, 2015."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Amendment No. 12** was adopted.

Representative Gatschenberger offered **House Amendment No. 13.**

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 24, Page 20, Section 71.012, Line 77, by deleting the number "**three**" and inserting in lieu thereof the number, "**five**"; and

Further amend said page, Section 71.014, Line 13, by deleting the number "**three**" and inserting in lieu thereof the number, "**five**"; and

Further amend said bill, Page 24, Section 71.015, Line 136, by deleting the number "**three**" and inserting in lieu thereof the number, "**five**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 13** was adopted.

On motion of Representative Hinson, **HCS SB 24, as amended**, was adopted.

On motion of Representative Hinson, **HCS SB 24, as amended**, was read the third time and passed by the following vote:

AYES: 088

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Cookson
Cornejo	Cox	Crawford	Cross	Davis
Diehl	Dugger	Elmer	Engler	Entlicher
Fitzwater	Flanigan	Fraker	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Lair	Lauer	Leara	Lynch
McCaherty	McCann Beatty	McGaugh	McManus	McNeil
Miller	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Redmon	Rehder	Reiboldt
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Shull	Smith 120
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wright	Zerr	Mr Speaker		

NOES: 066

Anders	Bahr	Black	Brattin	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Curtis	Curtman	Dohrman	Dunn	Ellinger
Ellington	English	Englund	Fitzpatrick	Fowler
Frame	Gannon	Gardner	Harris	Hummel
Hurst	Johnson	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lichtenegger	Love
Marshall	May	Mayfield	McDonald	McKenna
Meredith	Messenger	Mitten	Montecillo	Moon
Morgan	Newman	Nichols	Norr	Otto

Pace	Peters	Pfautsch	Pike	Pogue
Remole	Rizzo	Runions	Schieber	Schupp
Shumake	Smith 85	Solon	Swearingen	Wilson
Wood				

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 008

Franklin	Lant	Mims	Phillips	Pierson
Rhoads	Webb	Wieland		

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burlison	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Jones 50	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Leara
Lichtenegger	Love	Lynch	Mayfield	McCann Beatty
McGaugh	McKenna	McManus	Messenger	Miller
Mitten	Molendorp	Morris	Muntzel	Neely
Neth	Parkinson	Peters	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wood	Zerr
Mr Speaker				

NOES: 032

Anders	Bahr	Brattin	Burns	Butler
Carpenter	Ellinger	Ellington	Entlicher	Frame
Gardner	Johnson	Justus	Marshall	May
McDonald	McNeil	Meredith	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Pogue	Remole	Runions	Schieber	Smith 85
Walton Gray	Wilson			

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 014

Cierpiot	Conway 104	Curtis	Franklin	Hicks
Lauer	McCaherty	Mims	Moon	Pierson
Rhoads	Webb	Wieland	Wright	

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 342: Representatives Guernsey, McGaugh and Kelly (45)

THIRD READING OF SENATE BILL

HCS SB 100, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 100, Page 2, Section 43.518, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"court budget] **court automation** committee; the presidents of"; and

Further amend said bill, Page 5, Section 57.095, Line 5, by inserting after all of said section and line the following:

"57.955. 1. There shall be assessed and collected a surcharge of [three] **two** dollars in all civil actions filed in the courts of this state and in all criminal cases including violation of any county **or municipal** ordinance or any violation of criminal or traffic laws of this state, including infractions **and municipal ordinance violations**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county or municipality or when a criminal proceeding or the defendant has been dismissed by the court. For purposes of this section, the term "county ordinance" shall not include any ordinance of the city of St. Louis. The clerk responsible for collecting court costs in civil and criminal cases, shall collect and disburse such amounts as provided by sections 488.010 to 488.020*. Such funds shall be payable to the sheriffs' retirement fund. Moneys credited to the sheriffs' retirement fund shall be used only for the purposes provided for in sections 57.949 to 57.997 and for no other purpose.

2. The board may accept gifts, donations, grants and bequests from public or private sources to the sheriffs' retirement fund."; and

Further amend said bill, Page 5, Section 432.047, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"2. A debtor may not maintain an action upon or a defense, regardless of"; and

Further amend said bill, Page 20, Section 479.085, Line 6, by inserting after all of said section and line the following:

"488.024. As provided by [section 57.955] **sections 57.949 to 57.997**, there shall be assessed and collected a surcharge of [three] **two** dollars in all civil actions filed in the courts of this state and in all criminal cases including violation of any county **or municipal** ordinance or any violation of criminal or traffic laws of this state, including infractions **and municipal ordinance violations**, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state, county or municipality or when a criminal proceeding or the defendant has been dismissed by the court. For purposes of this section, the term "county ordinance" shall not include any ordinance of the City of St. Louis. The clerk responsible for collecting court costs in civil and criminal cases shall collect and disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to the sheriffs' retirement fund."; and

Further amend said bill, Page 22, Section 488.5320, Line 15, by inserting after all of said line the following:

"2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule."; and

Further amend by renumbering the remainder of section 488.5320 accordingly; and

Further amend said bill, Page 25, Section 513.430, Line 85, by inserting after all of said section and line the following:

"514.040. 1. Except as provided in subsection 3 of this section, if any court shall, before or after the commencement of any suit pending before it, be satisfied that the plaintiff is a poor person, and unable to prosecute his or her suit, and pay all or any portion of the costs and expenses thereof, such court may, in its discretion, permit him or her to commence and prosecute his or her action as a poor person, and thereupon such poor person shall have all necessary process and proceedings as in other cases, without fees, tax or charge as the court determines the person cannot pay; and the court may assign to such person counsel, who, as well as all other officers of the court, shall perform their duties in such suit without fee or reward as the court may excuse; but if judgment is entered for the plaintiff, costs shall be recovered, which shall be collected for the use of the officers of the court.

2. In any civil action brought in a court of this state by any offender convicted of a crime who is confined in any state prison or correctional center, the court shall not reduce the amount required as security for costs upon filing such suit to an amount of less than ten dollars pursuant to this section. This subsection shall not apply to any action for which no sum as security for costs is required to be paid upon filing such suit.

3. Where a party is represented in a civil action by a legal aid society or a legal services or other nonprofit organization funded in whole or substantial part by moneys appropriated by the general assembly of the state of Missouri, which has as its primary purpose the furnishing of legal services to indigent persons, **by a law school clinic which has as its primary purpose educating law students through furnishing legal services to indigent persons**, or by private counsel working on behalf of or under the auspices of such society, all costs and expenses related to the prosecution of the suit may be waived without the necessity of a motion and court approval, provided that a determination has been made by such society or organization that such party is unable to pay the costs, fees and expenses necessary to prosecute or defend the action, and that a certification that such determination has been made is filed with the clerk of the court."; and

Further amend said bill, Page 26, Section 559.100, Line 17, by inserting after the word "**attorney**." on said line the following:

"Nothing in this section shall prohibit the prosecuting attorney or circuit attorney from contracting with or utilizing another entity for the collection of restitution and costs under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Lichtenegger offered **House Amendment No. 2.**

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 100, Page 5, Section 57.095, Line 5, by inserting after all of said line the following:

"104.1091. 1. Notwithstanding any provision of the year 2000 plan to the contrary, each person **who has never been a judge as defined in section 476.515 prior to January 1, 2011 and** who first becomes an employee on or after January 1, 2011, shall be a member of the year 2000 plan subject to the provisions of this section. **Any employee who was a judge as defined in section 476.515 prior to January 1, 2011 shall receive a refund of his or her contributions made under this section.**

2. A member's normal retirement eligibility shall be as follows:

(1) The member's attainment of at least age sixty-seven and the completion of at least ten years of credited service; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at least age fifty-five with ten years of credited service;

(2) For members of the general assembly, the member's attainment of at least age sixty-two and the completion of at least three full biennial assemblies; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety;

(3) For statewide elected officials, the official's attainment of at least age sixty-two and the completion of at least four years of credited service; or the official's attainment of at least age fifty-five with the sum of the official's age and credited service equaling at least ninety.

3. A vested former member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least ten years of credited service.

4. A temporary annuity paid pursuant to subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-five with ten years of credited service.

5. A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early retirement annuity upon the attainment of at least age sixty-two and the completion of at least ten years of credited service. A vested former member shall not be eligible for early retirement.

6. The provisions of subsection 6 of section 104.1021 and section 104.344 as applied pursuant to subsection 7 of section 104.1021 and section 104.1090 shall not apply to members covered by this section.

7. The minimum credited service requirements of five years contained in sections 104.1018, 104.1030, 104.1036, and 104.1051 shall be ten years for members covered by this section. The normal and early retirement eligibility requirements in this section shall apply for purposes of administering section 104.1087.

8. A member shall be required to contribute four percent of the member's pay to the retirement system, which shall stand to the member's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable under the year 2000 plan, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the member under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the member's pay that is includable in the member's gross income for federal income tax purposes;

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of pay to a member. A deduction shall be made from each member's pay equal to the amount of the member's contributions picked up by the employer. This deduction, however, shall not reduce the member's pay for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Member contributions so picked up shall be credited to a separate account within the member's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, shall be paid by the employer in lieu of the contributions by the member. The member shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2014, and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that is published by the United States Department of Treasury, or its successor agency, for fifty-two week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor treasury bill investment rate as approved by the board if the fifty-two week treasury bill is no longer issued. Interest credits shall cease upon termination of employment if the member is not a vested former member. Otherwise, interest credits shall cease upon retirement or death;

(6) A vested former member or a former member who is not vested may request a refund of his or her contributions and interest credited thereon. If such member is married at the time of such request, such request shall not be processed without consent from the spouse. Such member is not eligible to request a refund if such member's retirement benefit is subject to a division of benefit order pursuant to section 104.1051. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later, and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A vested former member may not request a refund after such member becomes eligible for normal retirement. A vested former member or a former member who is not vested who receives a refund shall forfeit all the member's credited service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any member or vested former member receiving long-term disability benefits shall not be eligible for a refund. If such member subsequently becomes an employee and works continuously for at least one year, the credited service previously forfeited shall be restored if the member returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any member who made contributions shall receive a refund upon the member's death equal to the amount, if any, of such contributions and interest credited thereon less any retirement benefits received by the member unless an annuity is payable to a survivor or beneficiary as a result of the member's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the member's contributions less any annuity amounts received by the member and the survivor or beneficiary.

9. The employee contribution rate, the benefits provided under the year 2000 plan to members covered under this section, and any other provision of the year 2000 plan with regard to members covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the member after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

10. For purposes of members covered by this section, the options under section 104.1027 shall be as follows:

Option 1. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-eight and one half percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of three-tenths of one percent for each year the retiree's age is younger than age sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of three-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of three-tenths of one percent for each year of age difference; provided, after all adjustments the option 1 percent cannot exceed ninety-four and one quarter percent. Upon the retiree's death, fifty percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 2. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-one percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of four-tenths of one percent for each year the retiree's age is younger than sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of five-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of five-tenths of one percent for each year of age difference; provided, after all adjustments the option 2 percent cannot exceed eighty-seven and three quarter percent. Upon the retiree's death one hundred percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 3. A retiree's life annuity shall be reduced to ninety-three percent of the annuity otherwise payable. If the retiree dies before having received one hundred twenty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred twenty-month period to the retiree's designated beneficiary provided that if there

is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred twenty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

Option 4. A retiree's life annuity shall be reduced to eighty-six percent of the annuity otherwise payable. If the retiree dies before having received one hundred eighty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred eighty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred eighty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

11. The provisions of subsection 6 of section 104.1024 shall not apply to members covered by this section."; and

Further amend said bill, Page 18, Section 476.057, Line 29, by inserting after all of said line the following:

"476.521. 1. Notwithstanding any provision of chapter 476 to the contrary, each person who **has never been an employee as defined in section 104.010 or 104.1003 prior to January 1, 2011 and who** first becomes a judge on or after January 1, 2011, and continues to be a judge may receive benefits as provided in sections 476.445 to 476.688 subject to the provisions of this section. **Any judge who was an employee as defined in section 104.010 or 104.1003 prior to January 1, 2011 shall receive a refund of his or her contributions made under this section.**

2. Any person who is at least sixty-seven years of age, has served in this state an aggregate of at least twelve years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge's term, voluntary resignation, or retirement pursuant to the provisions of subsection 2 of section 24 of article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twelve-year requirement of this subsection may be fulfilled by service as judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twelve years. Any judge who is at least sixty-seven years of age and who has served less than twelve years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-seven, or thereafter, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twelve years.

3. Any person who is at least sixty-two years of age or older, has served in this state an aggregate of at least twenty years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge's term, voluntary resignation, or retirement pursuant to the provisions of subsection 2 of section 24 of article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twenty-year requirement of this subsection may be fulfilled by service as a judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twenty years. Any judge who is at least sixty-two years of age and who has served less than twenty years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-two, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twenty years.

4. All judges under this section required by the provisions of section 26 of article V of the Constitution of Missouri to retire at the age of seventy years shall retire upon reaching that age.

5. The provisions of sections 104.344, 476.524, and 476.690 shall not apply to judges covered by this section.

6. A judge shall be required to contribute four percent of the judge's compensation to the retirement system, which shall stand to the judge's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable as provided in sections 476.515 to 476.565, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the judge under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the judge's compensation that is includable in the judge's gross income for federal income tax purposes;

(2) Judge contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a judge. A deduction shall be made from each judge's compensation equal to the amount of the judge's contributions picked up by the employer. This deduction, however, shall not reduce the judge's compensation for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Judge contributions so picked up shall be credited to a separate account within the judge's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, are being paid by the employer in lieu of the contributions by the judge. The judge shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Interest credits shall cease upon retirement of the judge;

(6) A judge whose employment is terminated may request a refund of his or her contributions and interest credited thereon. If such judge is married at the time of such request, such request shall not be processed without consent from the spouse. A judge is not eligible to request a refund if the judge's retirement benefit is subject to a division of benefit order pursuant to section 104.312. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A judge may not request a refund after such judge becomes eligible for retirement benefits under sections 476.515 to 476.565. A judge who receives a refund shall forfeit all the judge's service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any judge or former judge receiving long-term disability benefits shall not be eligible for a refund. If such judge subsequently becomes a judge and works continuously for at least one year, the service previously forfeited shall be restored if the judge returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any judge who made contributions shall receive a refund upon the judge's death equal to the amount, if any, of such contributions less any retirement benefits received by the judge unless an annuity is payable to a survivor or beneficiary as a result of the judge's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the judge's contributions less any annuity amounts received by the judge and the survivor or beneficiary.

7. The employee contribution rate, the benefits provided under sections 476.515 to 476.565 to judges covered under this section, and any other provision of sections 476.515 to 476.565 with regard to judges covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the judge after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

8. Any judge who is receiving retirement compensation under section 476.529 or 476.530 who becomes employed as an employee eligible to participate in the closed plan or in the year 2000 plan under chapter 104, shall not receive such retirement compensation for any calendar month in which the retired judge is so employed. Any judge who is receiving retirement compensation under section 476.529 or section 476.530 who subsequently serves as a judge as defined pursuant to subdivision (4) of subsection 1 of section 476.515 shall not receive such retirement compensation for any calendar month in which the retired judge is serving as a judge; except that upon retirement such judge's annuity shall be recalculated to include any additional service or salary accrued based on the judge's subsequent service. A judge who is receiving compensation under section 476.529 or 476.530 may continue to receive such retirement compensation while serving as a senior judge or senior commissioner and shall receive additional credit and salary for such service pursuant to section 476.682."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lichtenegger moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 072

Allen	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Cookson	Cox
Crawford	Diehl	Dohrman	Dunn	Ellinger
Ellington	Englund	Entlicher	Fitzpatrick	Flanigan
Fraker	Frame	Funderburk	Gardner	Gosen

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Guernsey	Harris	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Lant
Lichtenegger	Love	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Pace	Peters	Richardson	Rizzo
Roorda	Ross	Rowland	Scharnhorst	Schatz
Schieffer	Schupp	Smith 85	Smith 120	Solon
Stream	Swan	Swearingen	Walker	Walton Gray
Wright	Mr Speaker			

NOES: 079

Anders	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cross	Curtis	Curtman	Davis
Dugger	Elmer	Engler	English	Fitzwater
Fowler	Frederick	Gannon	Gatschenberger	Grisamore
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lauer	Leara	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Otto	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rowden	Runions	Schieber	Shull
Shumake	Sommer	Spencer	Thomson	Torpey
White	Wilson	Wood	Zerr	

PRESENT: 002

Cornejo Justus

ABSENT WITH LEAVE: 010

Franklin	Hinson	Jones 50	Mims	Pierson
Rhoads	Riddle	Webb	Webber	Wieland

Representative Solon offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 100, Page 19, Section 478.320, Line 32, by inserting after all of said line the following:

"478.1100. 1. Sections 478.1100 to 478.1120 shall be known and may be cited as the "Veterans Treatment Intervention Act".

2. For purposes of sections 478.1100 to 478.1120, the following terms shall mean:

(1) "Servicemember", any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Missouri National Guard and United States Reserve Forces;

(2) "Veteran", any person defined as a veteran by the United States Department of Veterans Affairs or its successor agency.

478.1105. The presiding judge of any judicial circuit or a combination of circuit courts, upon agreement of the presiding judges of such circuit courts, in this state may establish a "Military Veterans and Servicemembers Court Program" under which veterans and servicemembers who suffer from a military-related mental illness,

traumatic brain injury, substance abuse disorder, or psychological problem may be sentenced in a manner that appropriately addresses the severity of the mental illness, traumatic brain injury, substance abuse disorder, or psychological problem through services tailored to the individual needs of the participant. Entry into any military veterans and servicemembers court program shall be based upon the sentencing court's assessment of the defendant's criminal history, military service, substance abuse treatment needs, mental health treatment needs, amenability to the services of the program, the recommendation of the prosecuting attorney and the victim, if any, and the defendant's agreement to enter the program.

478.1110. 1. Any person who is charged with a felony, other than a felony listed in subsection 2 of this section, identified as a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit upon motion of either party or the court's own motion, except:

(1) If a defendant was previously offered admission to a veterans' treatment intervention program at any time before trial and the defendant rejected such offer on the record, the court may deny the defendant's admission to such a program;

(2) If a defendant previously entered a court-ordered veterans' treatment program, the court may deny the defendant's admission into the veterans' treatment program.

In order to maintain compliance with federal law, nothing in sections 478.1100 to 478.1120 shall apply to any offense committed by a holder of a commercial driver's license or any person operating a commercial motor vehicle when the offense was committed, if the provisions of sections 478.1100 to 478.1120 as applied to such offenses results in this state's failure to comply with applicable federal laws and regulations.

2. Any person charged with the following felonies, including attempt of such felonies, shall not be eligible for admission into a veterans' treatment intervention program under sections 478.1100 to 478.1120:

- (1) Murder or manslaughter under chapter 565;
- (2) Kidnapping or false imprisonment under chapter 565;
- (3) Aggravated assault under chapter 565;
- (4) Stalking under chapter 565;
- (5) Elder abuse under chapter 565;
- (6) Sexual offenses under chapter 566;
- (7) Offenses against the family under chapter 568;
- (8) Robbery or burglary under chapter 569;
- (9) Arson under chapter 569;
- (10) Water contamination under chapter 569;
- (11) Child pornography under chapter 573;
- (12) Treason; and

(13) Any offense committed in another jurisdiction which would be a felony offense listed in this subsection if committed in this state.

3. (1) While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components listed in subdivision (2) of this subsection, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program or other intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

(2) The treatment program shall include:

- (a) Integrate alcohol and other drug treatment services with justice system case processing;
- (b) Use a nonadversarial approach in which prosecution and defense counsel promote public safety while protecting participants' due process rights;
- (c) Eligible participants are identified early and promptly placed in the treatment program;

(d) The treatment program provides access to a continuum of alcohol, drug, and other related treatment and rehabilitation services;

(e) Abstinence is monitored by frequent and random testing for alcohol and other drugs;

(f) A coordinated strategy governs treatment program responses to participants' compliance;

(g) Ongoing judicial interaction with each treatment program participant is essential;

(h) Monitoring and evaluation measure the achievement of program goals and gauge treatment program effectiveness;

(i) Continuing interdisciplinary education promotes effective treatment program planning, implementation, and operations;

(j) Forging partnerships among treatment programs, public agencies, and community-based organizations generates local support and enhances treatment program effectiveness.

4. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant has successfully completed the intervention program. If the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment, which may include treatment programs offered by licensed service providers or jail-based treatment programs, or order that the charges revert to normal channels for prosecution. The court shall dismiss the charges upon a finding that the defendant has successfully completed the intervention program.

478.1115. 1. Any veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, and who is charged with a misdemeanor is eligible for admission into a veterans' treatment intervention program approved by the presiding judge of the circuit for a period based on the program's requirements and the treatment plan for the offender, upon motion of either party or the court's own motion. However, the court may deny the defendant admission into a veterans' treatment intervention program if the defendant has previously entered a court-ordered veterans' treatment program.

2. While enrolled in an intervention program authorized by this section, the participant shall be subject to a coordinated strategy developed by a veterans' treatment intervention team. The coordinated strategy shall be modeled after the therapeutic jurisprudence principles and key components in subdivision (2) of subsection 3 of section 478.1110, with treatment specific to the needs of veterans and servicemembers. The coordinated strategy may include a protocol of sanctions that may be imposed upon the participant for noncompliance with program rules. The protocol of sanctions may include, but not be limited to, placement in a treatment program offered by a licensed service provider or in a jail-based treatment program. The coordinated strategy shall be provided in writing to the participant before the participant agrees to enter into a veterans' treatment intervention program. Any person whose charges are dismissed after successful completion of the veterans' treatment intervention program, if otherwise eligible, may have his or her arrest record of the dismissed charges expunged under chapter 610.

3. At the end of the intervention period, the court shall consider the recommendation of the treatment program and the recommendation of the prosecuting attorney as to disposition of the pending charges. The court shall determine, by written finding, whether the defendant successfully completed the intervention program. Notwithstanding the coordinated strategy developed by a team under subdivision (2) of subsection 2 of section 478.1110 or by the veterans' treatment intervention team, if the court finds that the defendant has not successfully completed the intervention program, the court may order the person to continue in education and treatment or return the charges to the criminal docket for prosecution. The court shall dismiss the charges upon finding that the defendant has successfully completed the intervention program.

4. Any public or private entity providing a substance abuse education and treatment program under this section shall contract with the county or appropriate governmental entity. Except for services provided by the United States Department of Veterans Affairs, the terms of the contract shall include, but not be limited to, the following requirements:

(1) The extent of the services to be rendered by the entity providing supervision or rehabilitation;

(2) Staff qualifications and criminal record checks of staff in accordance with essential standards established by the American Correctional Association;

(3) Staffing levels;

(4) The number of face-to-face contacts with the offender;

(5) Procedures for handling the collection of all offender fees and restitution;

(6) Procedures for handling indigent offenders which ensure placement irrespective of ability to pay;
(7) Circumstances under which revocation of an offender's probation may be recommended;
(8) Reporting and record-keeping requirements;
(9) Default and contract termination procedures;
(10) Procedures that aid offenders with job assistance; and
(11) Procedures for accessing criminal history records of probationers. In addition, the entity shall supply the presiding judge's office with a quarterly report summarizing the number of offenders supervised by the private entity, payment of the required contribution under supervision or rehabilitation, and the number of offenders for whom supervision or rehabilitation will be terminated. All records of the entity shall be open to inspection upon the request of the county, the court, the state auditor, and the office of administration, or agents thereof.

478.1120. For a person on probation who is a veteran or servicemember who suffers from a military service-related mental illness, traumatic brain injury, substance abuse disorder, or psychological problem, the court may, in addition to any other conditions imposed, impose a condition requiring the probationer to participate in a treatment program capable of treating the probationer's mental illness, traumatic brain injury, substance abuse disorder, or psychological problem. The court shall give preference to treatment programs for which the probationer is eligible through the United States Department of Veterans Affairs. The department of corrections is not required to spend state funds to implement this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Shull offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 100, Page 5, Section 57.095, Line 5, by inserting after all of said section and line the following:

"313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shull, **House Amendment No. 4** was adopted.

Representative Cornejo offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 100, Page 18, Section 478.007, Lines 1-23, by deleting all of said section and lines and inserting in lieu thereof the following:

"478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the department's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 5** was adopted.

Representative Mayfield offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 100, Page 7, Section 443.375, Line 37, by inserting after all of said section and line the following:

"452.375. 1. As used in this chapter, unless the context clearly indicates otherwise:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) "Custody" means joint legal custody, sole legal custody, joint physical custody or sole physical custody or any combination thereof;

[(2)] (3) "Joint legal custody" means that the parents share the decision-making rights, responsibilities, and authority relating to the health, education and welfare of the child, and, unless allocated, apportioned, or decreed, the parents shall confer with one another in the exercise of decision-making rights, responsibilities, and authority;

[(3)] (4) "Joint physical custody" means an order awarding each of the parents significant, but not necessarily equal, periods of time during which a child resides with or is under the care and supervision of each of the parents. Joint physical custody shall be shared by the parents in such a way as to assure the child of frequent, continuing and meaningful contact with both parents;

[(4)] (5) "Third-party custody" means a third party designated as a legal and physical custodian pursuant to subdivision (5) of subsection 5 of this section.

2. The court shall determine custody in accordance with the best interests of the child. The court shall consider all relevant factors including:

(1) The wishes of the child's parents as to custody and the proposed parenting plan submitted by both parties;

(2) The needs of the child for a frequent, continuing and meaningful relationship with both parents and the ability and willingness of parents to actively perform their functions as mother and father for the needs of the child;

(3) The interaction and interrelationship of the child with parents, siblings, and any other person who may significantly affect the child's best interests;

(4) Which parent is more likely to allow the child frequent, continuing and meaningful contact with the other parent;

(5) The child's adjustment to the child's home, school, and community;

(6) The mental and physical health of all individuals involved, including any history of abuse of any individuals involved. If the court finds that a pattern of domestic violence as defined in section 455.010 has occurred, and, if the court also finds that awarding custody to the abusive parent is in the best interest of the child, then the court shall enter written findings of fact and conclusions of law. Custody and visitation rights shall be ordered in a manner that best protects the child and any other child or children for whom the parent has custodial or visitation rights, and the parent or other family or household member who is the victim of domestic violence from any further harm;

(7) The intention of either parent to relocate the principal residence of the child; and

(8) The wishes of a child as to the child's custodian. The fact that a parent sends his or her child or children to a home school, as defined in section 167.031, shall not be the sole factor that a court considers in determining custody of such child or children.

3. (1) In any court proceedings relating to custody of a child, the court shall not award custody or unsupervised visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any of the following offenses when a child was the victim:

(a) A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

(b) A violation of section 568.020;

(c) A violation of subdivision (2) of subsection 1 of section 568.060;

(d) A violation of section 568.065;

(e) A violation of section 568.080;

(f) A violation of section 568.090; or

(g) A violation of section 568.175.

(2) For all other violations of offenses in chapters 566 and 568 not specifically listed in subdivision (1) of this subsection or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in awarding custody or visitation of a child to a parent if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

4. The general assembly finds and declares that it is the public policy of this state that frequent, continuing and meaningful contact with both parents after the parents have separated or dissolved their marriage is in the best interest

of the child, except for cases where the court specifically finds that such contact is not in the best interest of the child, and that it is the public policy of this state to encourage parents to participate in decisions affecting the health, education and welfare of their children, and to resolve disputes involving their children amicably through alternative dispute resolution. In order to effectuate these policies, the court shall determine the custody arrangement which will best assure both parents participate in such decisions and have frequent, continuing and meaningful contact with their children so long as it is in the best interests of the child.

5. Prior to awarding the appropriate custody arrangement in the best interest of the child, the court shall consider each of the following as follows:

(1) Joint physical and joint legal custody to both parents, which shall not be denied solely for the reason that one parent opposes a joint physical and joint legal custody award. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(2) Joint physical custody with one party granted sole legal custody. The residence of one of the parents shall be designated as the address of the child for mailing and educational purposes;

(3) Joint legal custody with one party granted sole physical custody;

(4) Sole custody to either parent; or

(5) Third-party custody or visitation:

(a) When the court finds that each parent is unfit, unsuitable, or unable to be a custodian, or the welfare of the child requires, and it is in the best interests of the child, then custody, temporary custody or visitation may be awarded to any other person or persons deemed by the court to be suitable and able to provide an adequate and stable environment for the child. Before the court awards custody, temporary custody or visitation to a third person under this subdivision, the court shall make that person a party to the action;

(b) Under the provisions of this subsection, any person may petition the court to intervene as a party in interest at any time as provided by supreme court rule.

6. If the parties have not agreed to a custodial arrangement, or the court determines such arrangement is not in the best interest of the child, the court shall include a written finding in the judgment or order based on the public policy in subsection 4 of this section and each of the factors listed in subdivisions (1) to (8) of subsection 2 of this section detailing the specific relevant factors that made a particular arrangement in the best interest of the child. If a proposed custodial arrangement is rejected by the court, the court shall include a written finding in the judgment or order detailing the specific relevant factors resulting in the rejection of such arrangement.

7. Upon a finding by the court that either parent has refused to exchange information with the other parent, which shall include but not be limited to information concerning the health, education and welfare of the child, the court shall order the parent to comply immediately and to pay the prevailing party a sum equal to the prevailing party's cost associated with obtaining the requested information, which shall include but not be limited to reasonable attorney's fees and court costs.

8. As between the parents of a child, no preference may be given to either parent in the awarding of custody because of that parent's age, sex, or financial status, nor because of the age or sex of the child.

9. Any judgment providing for custody shall include a specific written parenting plan setting forth the terms of such parenting plan arrangements specified in subsection 7 of section 452.310. Such plan may be a parenting plan submitted by the parties pursuant to section 452.310 or, in the absence thereof, a plan determined by the court, but in all cases, the custody plan approved and ordered by the court shall be in the court's discretion and shall be in the best interest of the child.

10. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, both parents shall have access to records and information pertaining to a minor child, including, but not limited to, medical, dental, and school records. If the parent without custody has been granted restricted or supervised visitation because the court has found that the parent with custody or any child has been the victim of domestic violence, as defined in section 455.010, by the parent without custody, the court may order that the reports and records made available pursuant to this subsection not include the address of the parent with custody or the child. Unless a parent has been denied custody rights pursuant to this section or visitation rights under section 452.400, any judgment of dissolution or other applicable court order shall specifically allow both parents access to such records and reports.

11. Except as otherwise precluded by state or federal law, if any individual, professional, public or private institution or organization denies access or fails to provide or disclose any and all records and information, including, but not limited to, past and present dental, medical and school records pertaining to a minor child, to either parent upon the written request of such parent, the court shall, upon its finding that the individual, professional, public or private institution or organization denied such request without good cause, order that party to comply immediately with such request and to pay to the prevailing party all costs incurred, including, but not limited to, attorney's fees and court costs associated with obtaining the requested information.

12. An award of joint custody does not preclude an award of child support pursuant to section 452.340 and applicable supreme court rules. The court shall consider the factors contained in section 452.340 and applicable supreme court rules in determining an amount reasonable or necessary for the support of the child.

13. If the court finds that domestic violence or abuse, as defined in section 455.010 has occurred, the court shall make specific findings of fact to show that the custody or visitation arrangement ordered by the court best protects the child and the parent or other family or household member who is the victim of domestic violence, as defined in section 455.010, and any other children for whom such parent has custodial or visitation rights from any further harm.

14. If the court finds that a parent of a child, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion, the court may deny custody to the parent."; and

Further amend said bill, Page 7, Section 452.400, Line 26, by inserting after all of said line the following:

"(c) The court may exercise its discretion in granting visitation to a parent not granted custody if such parent, while the child was unborn, attempted to coerce the mother of the child to obtain an abortion."; and

Further amend said section, Page 11, Line 150, by inserting after all of said line the following:

"453.015. As used in sections 453.010 to 453.400, the following terms mean:

(1) **"Coerce" means to force a person to act in a given manner or to compel by pressure or threat;**

(2) "Minor" or "child", any person who has not attained the age of eighteen years or any person in the custody of the division of family services who has not attained the age of twenty-one;

[(2)] (3) "Parent", a birth parent or parents of a child, including the putative father of the child, as well as the husband of a birth mother at the time the child was conceived, or a parent or parents of a child by adoption. The putative father shall have no legal relationship unless he has acknowledged the child as his own by affirmatively asserting his paternity;

[(3)] (4) "Putative father", the alleged or presumed father of a child including a person who has filed a notice of intent to claim paternity with the putative father registry established in section 192.016 and a person who has filed a voluntary acknowledgment of paternity pursuant to section 193.087; and

[(4)] (5) "Stepparent", the spouse of a biological or adoptive parent. The term does not include the state if the child is a ward of the state. The term does not include a person whose parental rights have been terminated."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Mayfield, **House Amendment No. 6** was adopted.

Representative McManus offered **House Amendment No. 7.**

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 100, Page 20, Section 488.426, Line 20, by inserting after all of said line the following:

"488.2230. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to seven dollars per case for each municipal ordinance violation case, except that no such additional cost shall be collected in any proceeding involving a violation of an ordinance when the proceeding or defendant has been dismissed by the court.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be calculated by the clerk and disbursed to the city at least monthly. The city shall use such additional costs exclusively to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with such specialized courts."; and

Further amend said title, enacting clause and intersectional references accordingly.

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On motion of Representative McManus, **House Amendment No. 7** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Dohrman
Dugger	Engler	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wood	Zerr	Mr Speaker	

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 022

Diehl	Elmer	Fitzpatrick	Franklin	Frederick
Hampton	Hinson	Hubbard	Justus	LaFaver
Marshall	Mims	Muntzel	Parkinson	Pierson
Rhoads	Shumake	Stream	Webb	Webber
Wieland	Wilson			

On motion of Representative Cox, **HCS SB 100, as amended**, was adopted.

On motion of Representative Cox, **HCS SB 100, as amended**, was read the third time and passed by the following vote:

AYES: 097

Allen	Anders	Anderson	Austin	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Hodges	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Kratky
Lair	Lant	Lauer	Leara	Love
Lynch	Mayfield	McCaherty	McGaugh	McManus
Meredith	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Pfautsch
Phillips	Pike	Redmon	Rehder	Reiboldt
Remole	Richardson	Riddle	Ross	Rowland
Scharnhorst	Schatz	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Wilson
Wood	Mr Speaker			

NOES: 052

Bahr	Barnes	Black	Brattin	Burns
Butler	Carpenter	Colona	Cornejo	Curtis
Dunn	Ellinger	Ellington	English	Englund
Frame	Gardner	Haahr	Harris	Higdon
Hubbard	Hummel	Kirkton	Korman	LaFaver
Marshall	McCann Beatty	McDonald	McKenna	McNeil
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pogue
Rizzo	Roorda	Rowden	Runions	Schieber
Schieffer	Schupp	Smith 85	Walton Gray	Webber
White	Wright			

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 013

Franklin	Frederick	Hinson	Kelly 45	Lichtenegger
May	Mims	Parkinson	Pierson	Rhoads
Webb	Wieland	Zerr		

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hodges	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Peters	Pfausch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wilson
Wood	Wright	Mr Speaker		

NOES: 014

Butler	Curtis	Ellington	Gardner	Marshall
McDonald	Montecillo	Otto	Pace	Pogue
Rizzo	Schieber	Smith 85	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Crawford	Franklin	Frederick	Guernsey
Hinson	Hoskins	LaFaver	May	Mims
Parkinson	Pierson	Rhoads	Webb	Wieland
Zerr				

HCS SB 12, relating to judicial procedures, was taken up by Representative Jones (50).

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 12, Page 4, Section 537.865, Lines 1-6, by deleting all of said section and lines from the bill; and

Further amend said bill, Sections 600.042, 600.044, 600.052, 600.053, 600.090, Section B and Section C, Pages 8-14, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

Representative Haahr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line the following:

"Section 1. 1. The department of mental health shall develop guidelines for the screening and assessment of persons receiving services from the department or its contracted, licensed, certified, or funded providers that address the interaction between physical and mental health to ensure that all potential causes of changes in behavior or mental status caused by or associated with a medical condition are assessed. Such guidelines shall be issued by the department to its contracted, licensed, certified, and funded providers.

2. The department of mental health shall develop training that addresses appropriate assessment of behavior or mental status changes in persons receiving services from the department or its contracted, licensed, certified, or funded providers. Such training shall be made available by the department to its contracted, licensed, certified, or funded providers.

3. The provisions of this section shall not apply to long-term care facilities licensed under chapter 198 or hospitals licensed under chapter 197."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haahr, **House Amendment No. 2** was adopted.

Representative Cornejo offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line, the following:

"631.165. If the head of the alcohol or drug abuse facility finds that a person who is detained for treatment and rehabilitation is presenting a likelihood of serious harm as a result of mental disorder other than alcohol or drug abuse, or both, or is gravely disabled, the head of the facility shall arrange for the transfer of the person to a mental health facility through a mental health coordinator, or through a licensed physician, registered professional nurse, qualified counselor or mental health professional designated by the mental health facility. The person may be detained for up to ninety-six hours for evaluation and treatment, under the procedures of sections 632.310, 632.315, 632.320 and 632.325, before filing a petition for further detention under sections 632.330 and 632.335.

632.005. As used in chapter 631 and this chapter, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Comprehensive psychiatric services", any one, or any combination of two or more, of the following services to persons affected by mental disorders other than intellectual disabilities or developmental disabilities:

inpatient, outpatient, day program or other partial hospitalization, emergency, diagnostic, treatment, liaison, follow-up, consultation, education, rehabilitation, prevention, screening, transitional living, medical prevention and treatment for alcohol abuse, and medical prevention and treatment for drug abuse;

(2) "Council", the Missouri advisory council for comprehensive psychiatric services;

(3) "Court", the court which has jurisdiction over the respondent or patient;

(4) "Division", the division of comprehensive psychiatric services of the department of mental health;

(5) "Division director", director of the division of comprehensive psychiatric services of the department of mental health, or his designee;

(6) **"Gravely disabled", a condition in which a person, as a result of mental illness or mental disorder, lacks judgment in the management of his or her resources and in the conduct of his or her social relations to the extent that his or her health or safety is significantly endangered and he or she lacks the capacity to understand that this is so. A person of any age can be gravely disabled, but such term shall not include a person who has a developmental disability unless such person also has a mental illness or mental disorder. The determination of gravely disabled shall be based upon the person's mental illness or mental disorder;**

(7) "Head of mental health facility", superintendent or other chief administrative officer of a mental health facility, or his designee;

[(7)] (8) "Judicial day", any Monday, Tuesday, Wednesday, Thursday or Friday when the court is open for business, but excluding Saturdays, Sundays and legal holidays;

[(8)] (9) "Licensed physician", a physician licensed pursuant to the provisions of chapter 334 or a person authorized to practice medicine in this state pursuant to the provisions of section 334.150;

[(9)] (10) "Licensed professional counselor", a person licensed as a professional counselor under chapter 337 and with a minimum of one year training or experience in providing psychiatric care, treatment, or services in a psychiatric setting to individuals suffering from a mental disorder;

[(10)] (11) "Likelihood of serious harm" means any one or more of the following but does not require actual physical injury to have occurred:

(a) A substantial risk that serious physical harm will be inflicted by a person upon his own person, as evidenced by recent threats, including verbal threats, or attempts to commit suicide or inflict physical harm on himself. Evidence of substantial risk may also include information about patterns of behavior that historically have resulted in serious harm previously being inflicted by a person upon himself; **or**

(b) A substantial risk that serious physical harm to a person will result or is occurring because of an impairment in his capacity to make decisions with respect to his hospitalization and need for treatment as evidenced by his current mental disorder or mental illness which results in an inability to provide for his own basic necessities of food, clothing, shelter, safety or medical care or his inability to provide for his own mental health care which may result in a substantial risk of serious physical harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in serious harm to the person previously taking place because of a mental disorder or mental illness which resulted in his inability to provide for his basic necessities of food, clothing, shelter, safety or medical or mental health care; or

(c) A substantial risk that serious physical harm will be inflicted by a person upon another as evidenced by recent overt acts, behavior or threats, including verbal threats, which have caused such harm or which would place a reasonable person in reasonable fear of sustaining such harm. Evidence of that substantial risk may also include information about patterns of behavior that historically have resulted in physical harm previously being inflicted by a person upon another person;

[(11)] (12) "Mental health coordinator", a mental health professional who has knowledge of the laws relating to hospital admissions and civil commitment and who is authorized by the director of the department, or his designee, to serve a designated geographic area or mental health facility and who has the powers, duties and responsibilities provided in this chapter;

[(12)] (13) "Mental health facility", any residential facility, public or private, or any public or private hospital, which can provide evaluation, treatment and, inpatient care to persons suffering from a mental disorder or mental illness and which is recognized as such by the department or any outpatient treatment program certified by the department of mental health. No correctional institution or facility, jail, regional center or developmental disability facility shall be a mental health facility within the meaning of this chapter;

[(13)] (14) "Mental health professional", a psychiatrist, resident in psychiatry, psychologist, psychiatric nurse, licensed professional counselor, or psychiatric social worker;

[(14)] (15) "Mental health program", any public or private residential facility, public or private hospital, public or private specialized service or public or private day program that can provide care, treatment, rehabilitation or services, either through its own staff or through contracted providers, in an inpatient or outpatient setting to persons with a mental

disorder or mental illness or with a diagnosis of alcohol abuse or drug abuse which is recognized as such by the department. No correctional institution or facility or jail may be a mental health program within the meaning of this chapter;

[(15)] (16) "Ninety-six hours" shall be construed and computed to exclude Saturdays, Sundays and legal holidays which are observed either by the court or by the mental health facility where the respondent is detained;

[(16)] (17) "Peace officer", a sheriff, deputy sheriff, county or municipal police officer or highway patrolman;

[(17)] (18) "Psychiatric nurse", a registered professional nurse who is licensed under chapter 335 and who has had at least two years of experience as a registered professional nurse in providing psychiatric nursing treatment to individuals suffering from mental disorders;

[(18)] (19) "Psychiatric social worker", a person with a master's or further advanced degree from an accredited school of social work, practicing pursuant to chapter 337, and with a minimum of one year training or experience in providing psychiatric care, treatment or services in a psychiatric setting to individuals suffering from a mental disorder;

[(19)] (20) "Psychiatrist", a licensed physician who in addition has successfully completed a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[(20)] (21) "Psychologist", a person licensed to practice psychology under chapter 337 with a minimum of one year training or experience in providing treatment or services to mentally disordered or mentally ill individuals;

[(21)] (22) "Resident in psychiatry", a licensed physician who is in a training program in psychiatry approved by the American Medical Association, the American Osteopathic Association or other training program certified as equivalent by the department;

[(22)] (23) "Respondent", an individual against whom involuntary civil detention proceedings are instituted pursuant to this chapter;

[(23)] (24) "Treatment", any effort to accomplish a significant change in the mental or emotional conditions or the behavior of the patient consistent with generally recognized principles or standards in the mental health professions.

632.150. 1. A voluntary patient who has applied for his own admission may request his release either orally or in writing to the head of the mental health facility and shall be released immediately; except, that if the head of the facility determines that he is mentally disordered and, as a result, presents a likelihood of serious physical harm to himself or others, **or is gravely disabled**, the head of the facility may refuse the request for release.

2. If the request for release is refused, the mental health facility may detain the person only if a mental health coordinator, a licensed physician, a registered professional nurse designated by the facility and approved by the department, a mental health professional or a peace officer completes an application for detention for evaluation and treatment to begin the involuntary detention of the patient under this chapter.

632.155. 1. A voluntary patient who is a minor and who requests his release either orally or in writing, or whose release is requested in writing to the head of the facility by his parent, spouse, adult next of kin, or person entitled to his custody, shall be released immediately; except, that if the patient was admitted on the application of another person, his release shall be conditioned upon receiving the consent of the person applying for his admission.

2. If the head of the mental health facility determines that the minor is mentally disordered and, as a result, presents a likelihood of serious physical harm to himself or others, **or is gravely disabled**, the head of the facility may refuse the release. The mental health facility may detain the minor only if a mental health coordinator, a licensed physician, a mental health professional or a registered professional nurse designated by the facility and approved by the department completes an application for detention for evaluation and treatment to begin the involuntary detention of the minor under this chapter or, if appropriate, the minor is detained in the facility under the provisions of chapter 211.

632.300. 1. When a mental health coordinator receives information alleging that a person, as the result of a mental disorder, presents a likelihood of serious harm to himself or others, **or that the person is gravely disabled**, he shall:

- (1) Conduct an investigation;
- (2) Evaluate the allegations and the data developed by investigation; and
- (3) Evaluate the reliability and credibility of all sources of information.

2. If, as the result of personal observation or investigation, the mental health coordinator has reasonable cause to believe that such person is mentally disordered and, as a result, presents a likelihood of serious harm to himself or others, **or that the person is gravely disabled**, the mental health coordinator may file an application with the court having probate jurisdiction pursuant to the provisions of section 632.305; provided, however, that should the mental

health coordinator have reasonable cause to believe, as the result of personal observation or investigation, that the likelihood of serious harm by such person to himself or others as a result of a mental disorder is imminent unless the person is immediately taken into custody, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is immediately taken into custody**, the mental health coordinator shall request a peace officer to take or cause such person to be taken into custody and transported to a mental health facility in accordance with the provisions of subsection 3 of section 632.305.

3. If the mental health coordinator determines that involuntary commitment is not appropriate, he should inform either the person, his family or friends about those public and private agencies and courts which might be of assistance.

632.305. 1. An application for detention for evaluation and treatment may be executed by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, on a form provided by the court for such purpose, and must allege under oath that the applicant has reason to believe that the respondent is suffering from a mental disorder and presents a likelihood of serious harm to himself or to others, **or is gravely disabled**. The application must specify the factual information on which such belief is based and should contain the names and addresses of all persons known to the applicant who have knowledge of such facts through personal observation.

2. The filing of a written application in court by any adult person, who need not be an attorney or represented by an attorney, including the mental health coordinator, shall authorize the applicant to bring the matter before the court on an ex parte basis to determine whether the respondent should be taken into custody and transported to a mental health facility. The application may be filed in the court having probate jurisdiction in any county where the respondent may be found. If the court finds that there is probable cause, either upon testimony under oath or upon a review of affidavits, to believe that the respondent may be suffering from a mental disorder and presents a likelihood of serious harm to himself or others, **or is gravely disabled**, it shall direct a peace officer to take the respondent into custody and transport him to a mental health facility for detention for evaluation and treatment for a period not to exceed ninety-six hours unless further detention and treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

3. A mental health coordinator may request a peace officer to take or a peace officer may take a person into custody for detention for evaluation and treatment for a period not to exceed ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to believe that such person is suffering from a mental disorder and that the likelihood of serious harm by such person to himself or others is imminent unless such person is immediately taken into custody, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is immediately taken into custody**. Upon arrival at the mental health facility, the peace officer or mental health coordinator who conveyed such person or caused him to be conveyed shall either present the application for detention for evaluation and treatment upon which the court has issued a finding of probable cause and the respondent was taken into custody or complete an application for initial detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be based upon his own personal observations or investigations and shall contain the information required in subsection 1 of this section.

4. If a person presents himself or is presented by others to a mental health facility and a licensed physician, a registered professional nurse or a mental health professional designated by the head of the facility and approved by the department for such purpose has reasonable cause to believe that the person is mentally disordered and presents an imminent likelihood of serious harm to himself or others unless he is accepted for detention, **or the person is gravely disabled and there exists an imminent risk to the person's health or safety unless such person is accepted for detention**, the licensed physician, the mental health professional or the registered professional nurse designated by the facility and approved by the department may complete an application for detention for evaluation and treatment for a period not to exceed ninety-six hours. The application shall be based on his own personal observations or investigation and shall contain the information required in subsection 1 of this section.

632.330. 1. At the expiration of the ninety-six hour period, the respondent may be detained and treated involuntarily for an additional two judicial days only if the head of the mental health facility or a mental health coordinator either has filed a petition for additional inpatient detention and treatment not to exceed twenty-one days or has filed a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days.

2. Within ninety-six hours following initial detention, the head of the facility or the mental health coordinator may file or cause to be filed either a petition for a twenty-one-day inpatient involuntary detention and treatment period or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days, provided he has reasonable cause to believe that the person is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The court shall serve the petition and list of prospective witnesses for the petitioner

upon the respondent and his attorney at least twenty-four hours before the hearing. The head of the facility shall also notify the mental health coordinator if the petition is not filed by the mental health coordinator. The petition shall:

- (1) Allege that the respondent, by reason of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**;
- (2) Allege that the respondent is in need of continued detention and treatment either on an inpatient basis or on an outpatient basis;
- (3) Allege the specific behavior of the respondent or the facts which support such conclusion;
- (4) Affirm that attempts were made to provide necessary care, treatment and services in the least restrictive environment to the respondent on a voluntary basis, but either the petitioner believes that the respondent lacks the capacity to voluntarily consent to care, treatment and services or the respondent refuses to voluntarily consent to care, treatment and services such that proceeding with a petition for the respondent's civil detention in the least restrictive environment is necessary;
- (5) Allege that there will be appropriate support from family, friends, case managers or others during the period of outpatient detention and treatment in the community if such commitment is sought;
- (6) Specify the mental health program that is appropriate to handle the respondent's condition and that has agreed to accept the respondent;
- (7) Specify the range of care, treatment and services that shall be provided to the respondent if the petition for further detention is sustained by the court;
- (8) Name the entities that have agreed to fund and provide the specified interventions; and
- (9) Be verified by a psychiatrist or by a licensed physician and a mental health professional who have examined the respondent.

3. The petitioner shall consider whether based on the respondent's condition and treatment history, the respondent meets the criteria in chapter 475, so that appointment of a full or limited guardian or conservator is appropriate for the court to consider, and if deemed so, the petitioner then shall proceed as specified in subsection 4 of this section.

4. If the head of the mental health facility, or his designee, or the mental health coordinator believes that the respondent, because of a mental illness or mental disorder, may be incapacitated or disabled as defined in chapter 475, the head of the mental health facility or mental health coordinator shall cause a petition to be filed pursuant to section 475.060 and section 475.061, if applicable, with the court having probate jurisdiction as determined by section 475.035. In addition, if the head of the mental health facility, his designee or the mental health coordinator believes it appropriate, he shall proceed with obtaining an order for the respondent's temporary emergency detention as provided for in section 475.355. Furthermore, the hearing on the petition filed pursuant to chapter 475 shall be conducted pursuant to the requirements of section 475.075 and other appropriate sections of chapter 475, and shall be held within two judicial days after termination of the ninety-six-hour civil detention period unless continued for good cause shown. Nothing contained in this subsection shall restrict or prohibit the head of the mental health facility, his designee or the mental health coordinator from proceeding under the appropriate provisions of this chapter if the petition for guardianship or conservatorship is denied.

632.335. 1. The petition for additional inpatient detention and treatment not to exceed twenty-one days or the petition for outpatient detention and treatment not to exceed one hundred eighty days shall be filed with the court having probate jurisdiction. At the time of filing the petition, the court clerk shall set a date and time for the hearing which shall take place within two judicial days of the filing of the petition. The clerk shall promptly notify the respondent, his attorney, the petitioner and the petitioner's attorney of the date and time for the hearing. The court shall not grant continuances except upon a showing of good and sufficient cause. If a continuance is granted, the court, in its discretion, may order the person released pending the hearing upon conditions prescribed by the court. The court may order the continued detention and treatment of the person at a mental health facility pending the continued hearing, and a copy of such order shall be furnished to the facility.

2. The hearing shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the respondent. Due consideration shall be given by the court to holding a hearing at the mental health facility. The respondent shall have the following rights in addition to those specified elsewhere:

- (1) To be represented by an attorney;
- (2) To present evidence on his own behalf;
- (3) To cross-examine witnesses who testify against him;
- (4) To remain silent;
- (5) To view and copy all petitions and reports in the court file of his case;

- (6) To have the hearing open or closed to the public as he elects;
- (7) To be proceeded against according to the rules of evidence applicable to civil judicial proceedings;
- (8) A hearing before a jury if requested by the patient or his attorney.

3. The respondent shall be present at the hearing, unless the respondent's physical condition is such that he cannot be present in the courtroom or if the court determines that the respondent's conduct in the courtroom is so disruptive that the proceedings cannot reasonably continue.

4. At the conclusion of the hearing, if the court finds, based upon clear and convincing evidence, that respondent, as the result of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**, and that a mental health program appropriate to handle the respondent's condition has agreed to accept him, the court shall order either that the respondent be detained for inpatient involuntary treatment in the least restrictive environment for a period not to exceed twenty-one days or be detained for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.337. 1. When the court has ordered up to one hundred eighty days of outpatient detention and treatment pursuant to section 632.335 or 632.350 or 632.355, and the supervisory mental health program has good cause to believe that immediate detention in a more appropriate least restrictive environment is required because the respondent presents a likelihood of serious harm, **or is gravely disabled** due to mental illness, the supervisory mental health program may direct that the respondent be detained for up to ninety-six hours at an appropriate mental health program that has agreed to accept the respondent and may authorize the sheriff to detain and transport the respondent to that mental health program. Detention for more than ninety-six hours shall be pursuant to section 632.330.

2. Evidence of detention for ninety-six-hour periods during the one hundred eighty-day outpatient detention and treatment may be considered by the court in determining additional periods of detention and treatment.

632.340. 1. Before the expiration of the twenty-one-day inpatient detention and treatment period ordered pursuant to section 632.335, the court may order the respondent to be detained and treated involuntarily for an additional period not to exceed ninety inpatient days or may order the respondent to be detained for outpatient detention and treatment for a period not to exceed one hundred eighty days; provided, that:

(1) The respondent is mentally ill and continues to present a likelihood of serious harm to himself or others, **or is gravely disabled**; and

(2) The court, after a hearing, orders the respondent detained and treated for the additional period.

2. If, within seventeen days of the court hearing described in section 632.335, the head of the mental health program or the mental health coordinator has reasonable cause to believe that the respondent is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and believes that further detention and treatment is necessary, he shall file, or cause to be filed, with the court a petition for ninety days additional detention and treatment or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days. The court shall immediately set a date and time for a hearing on the petition, which shall take place within four judicial days of the date of the filing of the petition. The court shall serve a copy of the petition and the notice of the date and time of the hearing upon the petitioner, the respondent, and their attorneys as promptly as possible, but not later than two judicial days after the filing of the petition. The petitioner shall also file with the court, for the court to serve upon the respondent's attorney not later than two judicial days after the filing of the petition, a list of the proposed witnesses for the petitioner. The head of the mental health program shall notify the mental health coordinator if the petition is not filed by the mental health coordinator. The petition shall comply with the requirements of section 632.330, and an individualized treatment plan for the respondent shall be attached thereto.

632.350. 1. The hearing for a ninety-day inpatient detention and treatment period or for outpatient detention and treatment for a period not to exceed one hundred eighty days shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the mental health of the respondent. If a jury trial is not requested, due consideration shall be given by the court to holding a hearing at the mental health program. The hearing shall be held in accordance with the provisions set forth in section 632.335.

2. The burden of proof at the hearing shall be by clear and convincing evidence and shall be upon the petitioner.

3. If the matter is tried before a jury, the jury shall determine and shall be instructed only upon the issues of whether or not the respondent is mentally ill and, as a result, presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The remaining procedures for the jury trial shall be as in other civil matters.

4. The respondent shall not be required to file an answer or other responsive pleading.

5. At the conclusion of the hearing, if the court or jury finds that the respondent, as the result of mental illness, presents a likelihood of serious harm to himself or to others, **or is gravely disabled**, and the court finds that a program appropriate to handle the respondent's condition has agreed to accept him, the court shall order the respondent to be detained for involuntary treatment in the least restrictive environment for a period not to exceed ninety days or for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.355. 1. At the expiration of the ninety-day inpatient commitment period ordered by the court pursuant to section 632.350, the respondent may be detained and treated as an involuntarily inpatient for an additional period of time not to exceed one year or such lesser period of time as determined by the court or may be detained for outpatient detention and treatment for a period of time not to exceed one hundred eighty days; provided, that:

(1) The respondent is mentally ill and continues to present a likelihood of serious harm to himself or to others, **or is gravely disabled**; and

(2) The court after a hearing orders the person detained and treated for the additional period.

2. Within the ninety-day commitment period, the head of the mental health program or the mental health coordinator may file or cause to be filed, in compliance with the requirements of section 632.330, a petition for a one-year inpatient detention and treatment period or a petition for outpatient detention and treatment for a period not to exceed one hundred eighty days if he has reasonable cause to believe that the respondent is mentally ill and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and that further detention and treatment is necessary pursuant to an individualized treatment plan prepared by the program and filed with the court. Procedures specified in sections 632.340, 632.345 and 632.350 shall be followed.

3. At the conclusion of the hearing, if the court or jury finds that the respondent, as the result of mental illness, presents a likelihood of serious harm to himself or others, **or is gravely disabled**, and the court finds that a program appropriate to handle the respondent's condition has agreed to accept him, the court shall order that the respondent be detained for involuntary treatment in the least restrictive environment for a period not to exceed one year or for outpatient detention and treatment under the supervision of a mental health program in the least restrictive environment for a period not to exceed one hundred eighty days.

632.375. 1. At least once every one hundred eighty days, the head of each mental health program shall have each respondent who is detained at the program for a one-year period under this chapter examined and evaluated to determine if the respondent continues to be mentally ill, and as a result presents a likelihood of serious harm to himself or others, **or is gravely disabled**. The court, the mental health coordinator for the region, the respondent and the respondent's attorney shall be provided copies of the report of the examination and evaluation described by this section and the respondent's individualized treatment plan.

2. Upon receipt of the report, the court may, upon its own motion, or shall, upon the motion of the respondent, order a hearing to be held as to the need for continued detention and involuntary treatment. At the conclusion of the hearing, the court may order:

(1) The discharge of the respondent; or

(2) An appropriate least restrictive course of detention and involuntary treatment; or

(3) The respondent to be remanded to the mental health program for the unexpired portion of the original commitment order.

632.390. 1. The head of a mental health program shall release any person who is involuntarily detained under this chapter when, in his opinion, the person is no longer mentally ill or, although mentally ill, does not present a likelihood of serious harm to himself or others, **or is no longer gravely disabled**, even though the detention period has not expired.

2. Whenever the head of a mental health program discharges a person prior to the expiration of the detention order, he shall notify in writing the court and the mental health coordinator.

3. Whenever a respondent voluntarily admits himself and the head of a mental health program accepts the admission application submitted by respondent in good faith under section 632.105, the respondent's involuntary detention shall cease, and the head of the program shall notify, in writing, the court and the mental health coordinator.

632.430. 1. Appeals from court orders made under this chapter may be made by the respondent or by the petitioner to the appropriate appellate court pursuant to the rules of civil procedure of the supreme court of Missouri pertaining to appeals. Such appeal shall have priority on the docket of the appellate court and shall be expedited in all

respects. The court shall notify the attorney general's office whenever an appeal is filed under this subsection, and the attorney general shall represent the state when it is a party to such appeal.

2. A motion to stay any order restricting an individual's liberty may be filed in either the court or the appropriate appellate court. A stay order shall not be granted in any case where the court finds that the person is so mentally ill that there is an imminent likelihood of serious physical harm to himself or others if he is not detained or treated pending appeal **or the person is gravely disabled and there exists an imminent risk to the person's health or safety if such person is not detained or treated pending appeal.** Any refusal to grant a stay by the court may be reviewed by the appropriate appellate court on motion."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cornejo, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 12, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"32.056. Except for uses permitted under 18 U.S.C. Section 2721(b)(1), the department of revenue shall not release the home address of or any information that identifies any vehicle owned or leased by any person who is a county, state or federal parole officer, a federal pretrial officer, a peace officer pursuant to section 590.010, a person vested by article V, section 1 of the Missouri Constitution with the judicial power of the state, a member of the federal judiciary, or a member of such person's immediate family contained in the department's motor vehicle or driver registration records, based on a specific request for such information from any person. Any such person may notify the department of his or her status and the department shall protect the confidentiality of the home address and vehicle records on such a person and his or her immediate family as required by this section. [If such member of the judiciary's status changes and he or she and his or her immediate family do not qualify for the exemption contained in this subsection, such person shall notify the department and the department's records shall be revised.] This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309.

43.518. 1. There is hereby established within the department of public safety a "Criminal Records and Justice Information Advisory Committee" whose purpose is to:

- (1) Recommend general policies with respect to the philosophy, concept and operational principles of the Missouri criminal history record information system established by sections 43.500 to 43.530, in regard to the collection, processing, storage, dissemination and use of criminal history record information maintained by the central repository;
- (2) Assess the current state of electronic justice information sharing; and
- (3) Recommend policies and strategies, including standards and technology, for promoting electronic justice information sharing, and coordinating among the necessary agencies and institutions; and
- (4) Provide guidance regarding the use of any state or federal funds appropriated for promoting electronic justice information sharing.

2. The committee shall be composed of the following officials or their designees: the director of the department of public safety; the director of the department of corrections and human resources; the attorney general; the director of the Missouri office of prosecution services; the president of the Missouri prosecutors association; the president of the Missouri court clerks association; the chief clerk of the Missouri state supreme court; the director of the state courts administrator; the chairman of the state judicial record committee; the chairman of the [circuit court budget] **court automation** committee; the presidents of the Missouri peace officers association; the Missouri sheriffs association; the Missouri police chiefs association or their successor agency; the superintendent of the Missouri highway patrol; the chiefs of police of agencies in jurisdictions with over two hundred thousand population; except that, in any county of the first class having a charter form of government, the chief executive of the county may designate another person in place of the police chief of any countywide police force, to serve on the committee; and, at the discretion of the director of public safety, as many as three other representatives of other criminal justice records systems or law enforcement

agencies may be appointed by the director of public safety. The director of the department of public safety will serve as the permanent chairman of this committee.

3. The committee shall meet as determined by the director but not less than semiannually to perform its duties. A majority of the appointed members of the committee shall constitute a quorum.

4. No member of the committee shall receive any state compensation for the performance of duties associated with membership on this committee.

5. Official minutes of all committee meetings will be prepared by the director, promptly distributed to all committee members, and filed by the director for a period of at least five years.

43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend said bill, Page 3, Section 56.807, Line 74, by inserting after all of said section and line the following:

"57.095. Notwithstanding section 537.600, sheriffs or any other law enforcement officers shall have immunity from any liability, civil or criminal, while conducting service of process at the direction of any court to the extent that the officers' actions do not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

432.047. 1. For the purposes of this section, the term "credit agreement" means an agreement to lend or forbear repayment of money, to otherwise extend credit, or to make any other financial accommodation.

2. A debtor may not maintain an action upon or a defense, regardless of legal theory in which it is based, in any way related to a credit agreement unless the credit agreement is in writing, provides for the payment of interest or for other consideration, [and] sets forth the relevant terms and conditions, **and the credit agreement is executed by the debtor and the lender.**

3. (1) [If] **When** a written credit agreement has been signed by a debtor, subsection 2 of this section shall not apply to any credit agreement between such debtor and creditor unless such written credit agreement contains the

following language in boldface ten-point type: "Oral **or unexecuted** agreements or commitments to loan money, extend credit or to forbear from enforcing repayment of a debt including promises to extend or renew such debt are not enforceable, regardless of the legal theory upon which it is based that is in any way related to the credit agreement. To protect you (borrower(s)) and us (creditor) from misunderstanding or disappointment, any agreements we reach covering such matters are contained in this writing, which is the complete and exclusive statement of the agreement between us, except as we may later agree in writing to modify it."

(2) Notwithstanding any other law to the contrary in this chapter, the provisions of this section shall apply to commercial credit agreements only and shall not apply to credit agreements for personal, family, or household purposes.

4. Nothing contained in this section shall affect the enforceability by a creditor of any promissory note, guaranty, security agreement, deed of trust, mortgage, or other instrument, agreement, or document evidencing or creating an obligation for the payment of money or other financial accommodation, lien, or security interest.

443.723. 1. To meet the annual continuing education requirements referred to in sections 443.701 to 443.893, a licensed mortgage loan originator shall complete at least eight hours of education approved in accordance with subsection 2 of this section, which shall include at least:

(1) Three hours of federal law and regulations;

(2) Two hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending issues;

[and]

(3) Two hours of training related to lending standards for the nontraditional mortgage product marketplace;

and

(4) One hour of Missouri law and regulations.

2. For purposes of subsection 1 of this section, continuing education courses shall be reviewed, and approved by the NMLSR based upon reasonable standards. Review and approval of a continuing education course shall include review and approval of the course provider.

3. Nothing in this section shall preclude any education course, as approved by the NMLSR, that is provided by the employer of the mortgage loan originator or person who is affiliated with the mortgage loan originator by an agency contract, or any subsidiary or affiliate of such employer or person.

4. Continuing education may be offered either in a classroom, online, or by any other means approved by the NMLSR.

5. A licensed mortgage loan originator:

(1) Shall only receive credit for a continuing education course in the year in which the course is taken except in the case of an expired license and under subsection 9 of this section; and

(2) Shall not take the same approved course in the same or successive years to meet the annual requirements for continuing education.

6. A licensed mortgage loan originator who is an approved instructor of an approved continuing education course may receive credit for the licensed mortgage loan originator's own annual continuing education requirement at the rate of two hours credit for every one hour taught.

7. A person having successfully completed the education requirements approved by the NMLSR in subdivisions (1) to (3) of subsection 1 of this section for any state shall be accepted as credit towards completion of continuing education requirements in Missouri.

8. A licensed mortgage loan originator who subsequently becomes unlicensed shall complete the continuing education requirements for the last year in which the license was held prior to issuance of a new or renewed license.

9. A person meeting the requirements of subdivisions (1) and (3) of subsection 2 of section 443.719 may make up any deficiency in continuing education as established by rule of the director.

452.400. 1. (1) A parent not granted custody of the child is entitled to reasonable visitation rights unless the court finds, after a hearing, that visitation would endanger the child's physical health or impair his or her emotional development. The court shall enter an order specifically detailing the visitation rights of the parent without physical custody rights to the child and any other children for whom such parent has custodial or visitation rights. In determining the granting of visitation rights, the court shall consider evidence of domestic violence. If the court finds that domestic violence has occurred, the court may find that granting visitation to the abusive party is in the best interests of the child.

(2) (a) The court shall not grant visitation to the parent not granted custody if such parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;

- b. A violation of section 568.020;
- c. A violation of subdivision (2) of subsection 1 of section 568.060;
- d. A violation of section 568.065;
- e. A violation of section 568.080;
- f. A violation of section 568.090; or
- g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the court may exercise its discretion in granting visitation to a parent not granted custody if such parent or any person residing with such parent has been found guilty of, or pled guilty to, any such offense.

(3) The court shall consider the parent's history of inflicting, or tendency to inflict, physical harm, bodily injury, assault, or the fear of physical harm, bodily injury, or assault on other persons and shall grant visitation in a manner that best protects the child and the parent or other family or household member who is the victim of domestic violence, and any other children for whom the parent has custodial or visitation rights from any further harm.

(4) The court, if requested by a party, shall make specific findings of fact to show that the visitation arrangements made by the court best protect the child or the parent or other family or household member who is the victim of domestic violence, or any other child for whom the parent has custodial or visitation rights from any further harm.

2. (1) The court may modify an order granting or denying visitation rights whenever modification would serve the best interests of the child, but the court shall not restrict a parent's visitation rights unless it finds that the visitation would endanger the child's physical health or impair his or her emotional development.

(2) (a) In any proceeding modifying visitation rights, the court shall not grant unsupervised visitation to a parent if the parent or any person residing with such parent has been found guilty of or pled guilty to any of the following offenses when a child was the victim:

- a. A felony violation of section 566.030, 566.032, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.090, 566.100, 566.111, 566.151, 566.203, 566.206, 566.209, 566.212, or 566.215;
- b. A violation of section 568.020;
- c. A violation of subdivision (2) of subsection 1 of section 568.060;
- d. A violation of section 568.065;
- e. A violation of section 568.080;
- f. A violation of section 568.090; or
- g. A violation of section 568.175.

(b) For all other violations of offenses in chapters 566 and 568 not specifically listed in paragraph (a) of this subdivision or for a violation of an offense committed in another state when a child is the victim that would be a violation of chapter 566 or 568 if committed in Missouri, the division may exercise its discretion regarding the placement of a child taken into the custody of the state in which a parent or any person residing in the home has been found guilty of, or pled guilty to, any such offense.

(3) When a court restricts a parent's visitation rights or when a court orders supervised visitation because of allegations of abuse or domestic violence, a showing of proof of treatment and rehabilitation shall be made to the court before unsupervised visitation may be ordered. "Supervised visitation", as used in this section, is visitation which takes place in the presence of a responsible adult appointed by the court for the protection of the child.

3. The court shall mandate compliance with its order by all parties to the action, including parents, children and third parties. In the event of noncompliance, the aggrieved person may file a verified motion for contempt. If custody, visitation or third-party custody is denied or interfered with by a parent or third party without good cause, the aggrieved person may file a family access motion with the court stating the specific facts which constitute a violation of the judgment of dissolution, [or] legal separation **or judgment of paternity**. The state courts administrator shall develop a simple form for pro se motions to the aggrieved person, which shall be provided to the person by the circuit clerk. Clerks, under the supervision of a circuit clerk, shall explain to aggrieved parties the procedures for filing the form. Notice of the fact that clerks will provide such assistance shall be conspicuously posted in the clerk's offices. The location of the office where the family access motion may be filed shall be conspicuously posted in the court building. The performance of duties described in this section shall not constitute the practice of law as defined in section 484.010. Such form for pro se motions shall not require the assistance of legal counsel to prepare and file. The cost of filing the motion shall be the standard court costs otherwise due for instituting a civil action in the circuit court.

4. Within five court days after the filing of the family access motion pursuant to subsection 3 of this section, the clerk of the court shall issue a summons pursuant to applicable state law, and applicable local or supreme court rules.

A copy of the motion shall be personally served upon the respondent by personal process server as provided by law or by any sheriff. Such service shall be served at the earliest time and shall take priority over service in other civil actions, except those of an emergency nature or those filed pursuant to chapter 455. The motion shall contain the following statement in boldface type:

"PURSUANT TO SECTION 452.400, RSMO, YOU ARE REQUIRED TO RESPOND TO THE CIRCUIT CLERK WITHIN TEN DAYS OF THE DATE OF SERVICE. FAILURE TO RESPOND TO THE CIRCUIT CLERK MAY RESULT IN THE FOLLOWING:

- (1) AN ORDER FOR A COMPENSATORY PERIOD OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY AT A TIME CONVENIENT FOR THE AGGRIEVED PARTY NOT LESS THAN THE PERIOD OF TIME DENIED;
- (2) PARTICIPATION BY THE VIOLATOR IN COUNSELING TO EDUCATE THE VIOLATOR ABOUT THE IMPORTANCE OF PROVIDING THE CHILD WITH A CONTINUING AND MEANINGFUL RELATIONSHIP WITH BOTH PARENTS;
- (3) ASSESSMENT OF A FINE OF UP TO FIVE HUNDRED DOLLARS AGAINST THE VIOLATOR;
- (4) REQUIRING THE VIOLATOR TO POST BOND OR SECURITY TO ENSURE FUTURE COMPLIANCE WITH THE COURT'S ORDERS;
- (5) ORDERING THE VIOLATOR TO PAY THE COST OF COUNSELING TO REESTABLISH THE PARENT-CHILD RELATIONSHIP BETWEEN THE AGGRIEVED PARTY AND THE CHILD; AND
- (6) A JUDGMENT IN AN AMOUNT NOT LESS THAN THE REASONABLE EXPENSES, INCLUDING ATTORNEY'S FEES AND COURT COSTS ACTUALLY INCURRED BY THE AGGRIEVED PARTY AS A RESULT OF THE DENIAL OF CUSTODY, VISITATION OR THIRD-PARTY CUSTODY."

5. If an alternative dispute resolution program is available pursuant to section 452.372, the clerk shall also provide information to all parties on the availability of any such services, and within fourteen days of the date of service, the court may schedule alternative dispute resolution.

6. Upon a finding by the court pursuant to a motion for a family access order or a motion for contempt that its order for custody, visitation or third-party custody has not been complied with, without good cause, the court shall order a remedy, which may include, but not be limited to:

- (1) A compensatory period of visitation, custody or third-party custody at a time convenient for the aggrieved party not less than the period of time denied;
- (2) Participation by the violator in counseling to educate the violator about the importance of providing the child with a continuing and meaningful relationship with both parents;
- (3) Assessment of a fine of up to five hundred dollars against the violator payable to the aggrieved party;
- (4) Requiring the violator to post bond or security to ensure future compliance with the court's access orders; and
- (5) Ordering the violator to pay the cost of counseling to reestablish the parent-child relationship between the aggrieved party and the child.

7. The reasonable expenses incurred as a result of denial or interference with custody or visitation, including attorney's fees and costs of a proceeding to enforce visitation rights, custody or third-party custody, shall be assessed, if requested and for good cause, against the parent or party who unreasonably denies or interferes with visitation, custody or third-party custody. In addition, the court may utilize any and all powers relating to contempt conferred on it by law or rule of the Missouri supreme court.

8. Final disposition of a motion for a family access order filed pursuant to this section shall take place not more than sixty days after the service of such motion, unless waived by the parties or determined to be in the best interest of the child. Final disposition shall not include appellate review.

9. Motions filed pursuant to this section shall not be deemed an independent civil action from the original action pursuant to which the judgment or order sought to be enforced was entered.

453.040. The consent to the adoption of a child is not required of:

- (1) A parent whose rights with reference to the child have been terminated pursuant to law, including section 211.444 or section 211.447 or other similar laws in other states;
- (2) A parent of a child who has legally consented to a future adoption of the child;
- (3) A parent whose identity is unknown and cannot be ascertained at the time of the filing of the petition;
- (4) A man who has not been established to be the father and who is not presumed by law to be the father, and who, after the conception of the child, executes a verified statement denying paternity and disclaiming any interest in

the child and acknowledging that this statement is irrevocable when executed and follows the consent as set forth in section 453.030;

(5) A parent or other person who has not executed a consent and who, after proper service of process, fails to file an answer or make an appearance in a proceeding for adoption or for termination of parental rights at the time such cause is heard;

(6) A parent who has a mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(7) A parent who has for a period of at least six months, for a child one year of age or older, or at least sixty days, for a child under one year of age, immediately prior to the filing of the petition for adoption, willfully abandoned the child or, for a period of at least six months immediately prior to the filing of the petition for adoption, willfully, substantially and continuously neglected to provide him with necessary care and protection;

(8) **A man who has reason to believe he is the biological father of an unborn child and who attempted to coerce the mother of the child to obtain an abortion;**

(9) A parent whose rights to the child may be terminated for any of the grounds set forth in section 211.447 and whose rights have been terminated after hearing and proof of such grounds as required by sections 211.442 to 211.487. Such petition for termination may be filed as a count in an adoption petition.

476.057. 1. The state courts administrator shall determine the amount of the projected total collections of fees pursuant to section 488.015, payable to the state pursuant to section 488.023, or subdivision (4) of subsection 2 of section 488.018; and the amount of such projected total collections of fees required to be deposited into the fund in order to maintain the fund required pursuant to subsection 2 of this section. The amount of fees payable for court cases may thereafter be adjusted pursuant to section 488.015, as provided by said section. All proceeds of the adjusted fees shall thereupon be collected and deposited to the state general revenue fund as otherwise provided by law, subject to the transfer of a portion of such proceeds to the fund established pursuant to subsection 2 of this section.

2. There is hereby established in the state treasury a special fund for purposes of providing training and education for judicial personnel, including any clerical employees of each circuit court clerk. Moneys from collected fees shall be annually transferred by the state treasurer into the fund from the state general revenue fund in the amount of no more than two percent of the amount expended for personal service by state and local government entities for judicial personnel as determined by the state courts administrator pursuant to subsection 1 of this section. Any unexpended balance remaining in the fund at the end of each biennium shall be exempt from the provisions of section 33.080 relating to the transfer of unexpended balances to the state general revenue fund, until the amount in the fund exceeds two percent of the amounts expended for personal service by state and local government for judicial personnel.

3. In addition, any moneys received by or on behalf of the state courts administrator from fees, grants, or any other sources in connection with providing training to judicial personnel shall be deposited in the fund provided, however, that moneys collected in the fund in connection with a particular purpose shall be segregated and shall not be disbursed for any other purpose.

4. The state treasurer shall administer the fund and, pursuant to appropriations, shall disburse moneys from the fund to the state courts administrator in order to provide training and to purchase goods and services determined appropriate by the state courts administrator related to the training and education of judicial personnel. As used in this section, the term "judicial personnel" shall include court personnel as defined in section 476.058, and judges."; and

Further amend said bill, Page 4, Section 488.026, Line 12, by inserting after all of said section and line the following:

"488.2250. [For all transcripts of testimony given or proceedings had in any circuit court, the court reporter shall receive the sum of two dollars per twenty-five-line page for the original of the transcript, and the sum of thirty-five cents per twenty-five-line page for each carbon copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three transcripts in duplication of the notes of the evidence, for the original of which the court reporter shall receive two dollars per legal page and for the copies twenty cents per page. The

payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court]

1. For all appeal transcripts of testimony given or proceedings in any circuit court, the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter's fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production, who shall reimburse the court reporter the sum provided in subsection 1 of this section.

513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmatured life insurance contracts owned by such person, other than a credit life insurance contract;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmatured life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.072, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political

subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. 401(a), 403(a), 403(b), 408, 408A or 409); except that any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan [or] , profit-sharing plan, **health savings plan, or similar plan, including an inherited account or plan**, that is qualified under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, **whether such participant's or beneficiary's interest arises by inheritance, designation, appointment, or otherwise**, except as provided in this paragraph. Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its division of family services. As used in this paragraph, the terms "alternate payee" and "qualified domestic relations order" have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended.

If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor's right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended.

537.602. 1. As used in this section the following terms shall mean:

(1) "Community service work", any work which is performed without compensation and is required in exchange for deferred prosecution of any criminal charge by any federal, state, or local prosecutor under a written agreement;

(2) "Entity", includes any person, for profit or not-for-profit business, agency, group, charity, organization, or any unit of federal, state or local government or any of their employees.

2. Any entity which supervises community service work performed as a requirement for deferment of any criminal charge under a written agreement with a federal, state, or local prosecutor, or any entity which derives benefits from the performance of community service work shall be immune from any suit by the person performing the community service work or by any person deriving a cause of action from the person performing the community service work if that cause of action arises from the supervision of the work performed, except that the entity supervising the work shall not be immune from any suit for gross negligence or for an intentional tort.

3. Community service work shall not be deemed employment within the meaning of the provisions of chapter 288 and a person performing community service work under the provisions of this section shall not be deemed an employee within the meaning of the provisions of chapter 287.

545.417. Any party who takes a deposition in any criminal case shall be responsible for the costs of providing one copy of the transcript of such deposition to the opposing party."; and

Further amend said bill, Page 4, Section 537.865, Line 6, by inserting after all of said section and line the following:

"541.033. 1. Persons accused of committing offenses against the laws of this state, except as may be otherwise provided by law, shall be prosecuted:

(1) In the county in which the offense is committed; or
(2) If the offense is committed partly in one county and partly in another, or if the elements of the crime occur in more than one county, then in any of the counties where any element of the offense occurred.

2. Persons accused of committing the offenses of identity theft against the laws of this state in sections 570.223, 570.224, and 575.120 shall be prosecuted:

(1) In the county in which the offense is committed;
(2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred;

(3) In the county in which the victim resides; or

(4) In the county in which the property obtained or attempted to be obtained was located.

3. Persons accused of committing the offense of making a terrorist threat against a school under section 574.115 shall be prosecuted:

(1) In the county in which the offense is committed;

(2) If the offense is committed partly in one county and partly in another, or if the elements of the offense occur in more than one county, then in any of the counties where any element of the offense occurred;

(3) In the county in which the school that was the target of the threat is located; or

(4) In the county in which accused resides."; and

Further amend said bill, Page 6, Section 559.105, Line 28, by inserting after all of said section and line the following:

"565.020. 1. A person commits the crime of murder in the first degree if he knowingly causes the death of another person after deliberation upon the matter.

2. Murder in the first degree is a class A felony, and, **if a person has reached his or her eighteenth birthday at the time of the commission of the crime**, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor; except that, if a person has not reached his **or her** [sixteenth] **eighteenth** birthday at the time of the commission of the crime, the punishment shall be **either** imprisonment for life without eligibility for probation or parole, or release except by act of the governor, **or life imprisonment with eligibility for parole after fifty years.**

3. If the person has not reached his or her eighteenth birthday at the time of the commission of the crime, the court shall hold a hearing upon the motion of the prosecuting attorney to determine whether the mandatory sentence of life imprisonment should be without the possibility of parole or with eligibility for parole after fifty years. Such motion shall be filed within fourteen days of the person's conviction. In the event the prosecuting attorney does not file such a motion within fourteen days, the sentence shall be life with eligibility for parole after fifty years.

4. The motion of the prosecuting attorney shall specify the basis on which he or she believes the proper sentence shall be life without the possibility of parole.

5. At such hearing, the court shall consider both the statutory aggravating circumstances under subsection 2 of section 565.032 and the statutory mitigating circumstances under subsection 3 of section 565.032.

6. At the sentencing, the court shall specify on the record the statutory aggravating circumstances and the statutory mitigating circumstances considered by the court, and the court's reasons supporting the sentence imposed. The court may consider evidence presented at trial together with any new evidence presented at the sentencing hearing.

7. The procedures specified in subsections 3, 4, 5 and 6 of this section shall not apply to any case that is final for purposes of appeal on or before the enactment date of this section. A case is final for purposes of appeal when the time for filing an appeal in the Missouri Court of Appeals has expired; if an appeal was filed in the Missouri Court of Appeals, when the time for filing an application for transfer to the Missouri Supreme Court has expired; if an application for transfer to the Missouri Supreme Court has been filed, when the application for transfer was denied or when a timely filed motion for rehearing was denied; or if the Missouri Supreme Court granted transfer, when the Missouri Supreme Court rendered its decision or when a timely filed motion for rehearing was denied.

8. Any person sentenced to imprisonment for life without the eligibility for probation or parole for a crime committed before the person reached his or her eighteenth birthday, and who was sentenced prior to the effective date of this section, may file a motion in the sentencing court for a sentencing hearing. Such sentencing hearing shall be heard by the judge. The sole purpose of the sentencing hearing shall be to determine if the sentence of imprisonment for life without the eligibility for probation or parole which was originally imposed shall remain or should be amended to life with eligibility for parole after fifty years.

9. This section shall have an emergency clause and shall be effective upon signature by the governor."; and

Further amend said bill, Page 8, Section 570.120, Line 78, by inserting after all of said section and line, the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection [8] **9** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under tribal, federal, or military law **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section;** or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section.** "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration;
- (3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection [7 or 8] 4, 8, or 9 of this section and the court orders the removal or exemption of such person from the registry.

4. **Any person on the sexual offender registry under subdivision (5) or (6) of subsection 1 of this section may file a petition for removal from the registry after five years have passed from the later of the date the offender was found guilty of the offense that requires registration or the date the person was released from custody for such offense. The petition may be filed in the circuit court in the county in which the person was found guilty of the offense, or, if the offense was adjudicated outside the state, the person may file a petition in the circuit court in the county in which the person resides after such person has been a resident of Missouri for at least five years prior to filing the petition. The court shall grant the petition and enter an order directing the removal of the petitioner's name and information from the sexual offender registry unless it finds that the petitioner, in this state or any other state, territory, the District of Columbia, foreign country, or federal, tribal, or military jurisdiction:**

- (1) Has been adjudicated of, or has charges pending, for failure to register;**
- (2) Has been adjudicated of, or has charges pending for, any additional offense which would require registration as a sexual offender under this section, or section 211.425, and which occurred after the date such person initially registered as a sexual offender;**
- (3) Has not successfully completed any required period of supervised release, probation, or parole; or**
- (4) If the petitioner's offense was adjudicated outside the state, such person has not been a resident of Missouri for at least five years prior to filing the petition.**

If the petition was not granted solely because the petitioner had charges pending for failure to register or an additional offense that would require registration and such charges are subsequently dismissed or the petitioner is acquitted of the pending charges, the person may file a new petition at any time after the dismissal or acquittal of the pending charges. If the denial is based on a finding of guilt for an offense that would require registration under this section, or section 211.425, no successive petition shall be filed. If the denial is based on a finding of guilt for failure to register, the person may file a new petition after five years have passed from the date the person was found guilty for failure to register. If the denial is based on the petitioner not completing a required period of supervised release, probation, or parole and the petitioner subsequently completes the period of supervised release, probation, or parole, then the person may file a new petition at any time after completing such period of release, probation, or parole. If the petition is denied because the petitioner's offense was adjudicated outside the state and the petitioner has not been a resident of Missouri for at least five years prior to filing the petition, such person may file a new petition at any time after residing in the state for the required five-year period. Beginning August 28, 2013, information regarding any person whose offense was committed in Missouri, or in any other state, when such person was under eighteen years of age shall be immediately removed from the highway patrol's website created under section 43.650 and any local law enforcement website allowed under section 589.402 regardless of whether such person has a petition granted under this subsection.

5. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

[5.] 6. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

[6.] 7. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 8. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

[8.] 9. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] 10. (1) The court may grant such relief under subsection [7] 8 or [8] 9 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] 11. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection [9] 10 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection [9] 10 of this section.

[11.] 12. Any person whose name is removed or exempted from the sexual offender registry under subsection [7] 8 or [8] 9 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend said bill, Page 8, Section 600.042, Line 3, by deleting the phrase "he and the chief deputy director" and inserting in lieu thereof the phrase "he **or she** and the [chief] deputy director **or directors**"; and

Further amend said bill, Page 9, said section, Line 23, by deleting the word "providing" and insert in lieu thereof the phrase "[providing] **provision**"; and

Further amend said bill, said page, said section, Lines 29-31, by deleting all of said lines and inserting in lieu thereof the following:

"instructions consistent with this chapter defining the organization of [his office] **the state public defender system** and the responsibilities of [public] **division directors, district** defenders, [assistant public] **deputy district** defenders, [deputy] **assistant** public defenders and other personnel"; and

Further amend said bill, page, and section, Line 36, by deleting the open bracket "["; and

Further amend said bill, Page 10, said section, Lines 39-51, by deleting all of said lines and inserting in lieu thereof the following:

"(11) With the approval and on behalf of the commission, contract with private attorneys for the collection and enforcement of liens and other judgments owed to the state for services rendered by the state public defender system;

(12) Prepare a plan to establish district offices, the boundaries of which shall coincide with existing judicial circuits. Any district office may contain more than one judicial circuit within its boundaries, but in no event shall any district office boundary include any geographic region of a judicial circuit without including the entire judicial circuit. The director shall submit the plan to the chair of the house of representatives judiciary committee and the chair of the senate judiciary committee, with fiscal estimates, by December 31, 2014. The plan shall be implemented by December 31, 2018."; and

Further amend said bill, page, and section, Line 60, by deleting said line and inserting in lieu thereof the following:

"4. The director and defenders shall"; and

Further amend said bill, page, and section, Line 62, by deleting the phrase "**class A or B**"; and

Further amend said bill, page, and section, Line 64, by deleting the open bracket "["; and

Further amend said bill, page, and section, Line 66, by inserting immediately after the word "case" the following:

", **unless the prosecuting or circuit attorney has waived a jail sentence**"; and

Further amend said bill, page, and section, Line 67, by deleting said line and inserting in lieu thereof the following:

"(3) Who is [detained or] charged with a violation of probation [or parole] **when it has been determined by a judge that the appointment of counsel is necessary to protect the person's due process rights under section 559.036**"; and

Further amend said bill, page, and section, Lines 68-69, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Who has been taken into custody pursuant to section 632.489, including appeals from"; and

Further amend said bill, page, and section, Line 72, by deleting the phrase "[(5)] (4)" and inserting in lieu thereof the number "(5)"; and

Further amend said bill, Page 11, Section 600.042, Line 74, by deleting said line and inserting in lieu thereof the following:

"(6) [For whom,] **Who is charged** in a case in which he **or she** faces a loss or deprivation of liberty, **and in which the federal or the state constitution or any law**"; and

Further amend said bill, page, and section, Line 77, by inserting after the word "ordinances" the following:

", **or misdemeanor offenses except as provided in this section**"; and

Further amend said bill, page, and section, Line 79, by deleting the open bracket "["; and

Further amend said bill, page, and section, Line 81, by deleting the closed bracket "]"; and

Further amend said bill, page, and section, Lines 82-92, by deleting all of said lines and inserting in lieu thereof the following:

"indigency determinations and assigning counsel."; and

Further amend said bill, Page 12, Section 600.053, Line 3, by inserting immediately after said line the following:

"600.062. Notwithstanding the provisions of sections 600.017 and 600.042 to the contrary, neither the director nor the commission shall have the authority to limit the availability of a district office or any division director, district defender, deputy district defender, or assistant public defender to accept cases based on a determination that the office has exceeded a caseload standard. The director, commission, any division director,

district defender, deputy district defender, or assistant public defender may not refuse to provide representation required under this chapter without prior approval from a court of competent jurisdiction.

600.063. 1. Upon approval by the director or the commission, any district defender may file a motion to request a conference to discuss caseload issues involving any individual public defender or defenders, but not the entire office, with the presiding judge of any circuit court served by the district office. The motion shall state the reasons why the individual public defender or public defenders will be unable to provide effective assistance of counsel due to caseload concerns. When a motion to request a conference has been filed, the clerk of the court shall immediately provide a copy of the motion to the prosecuting or circuit attorney who serves the circuit court.

2. If the presiding judge approves the motion, a date for the conference shall be set within thirty days of the filing of the motion. The court shall provide notice of the conference date and time to the district defender and the prosecuting or circuit attorney.

3. Within thirty days of the conference, the presiding judge shall issue an order either granting or denying relief. If relief is granted, it shall be based upon a finding that the individual public defender or defenders will be unable to provide effective assistance of counsel due to caseload issues. The judge may order one or more of the following types of relief in any appropriate combination:

(1) Appoint private counsel to represent any eligible defendant pursuant to the provisions of section 600.064;

(2) Investigate the financial status of any defendant determined to be eligible for public defender representation under section 600.086 and make findings regarding the eligibility of such defendants;

(3) Determine, with the express concurrence of the prosecuting or circuit attorney, whether any cases can be disposed of without the imposition of a jail or prison sentence and allow such cases to proceed without the provision of counsel to the defendant;

(4) Modify the conditions of release ordered in any case in which the defendant is being represented by a public defender, including, but not limited to, reducing the amount of any bond required for release;

(5) Place cases on a waiting list for defender services, taking into account the seriousness of the case, the incarceration status of the defendant, and such other special circumstances as may be brought to the attention of the court by the prosecuting or circuit attorney, the district defender, or other interested parties; and

(6) Grant continuances.

4. Upon receiving the order, the prosecuting or circuit attorney and the district defender shall have ten days to file an application for review to the appropriate appellate court. Such appeal shall be expedited by the court in every manner practicable.

5. Nothing in this section shall deny any party the right to seek any relief authorized by law nor shall any provisions of this section be construed as providing a basis for a claim for post conviction relief by a defendant.

6. The commission and the supreme court may make such rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created by the commission under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

600.064. 1. Before a circuit court judge appoints private counsel to represent an indigent defendant, the judge shall:

(1) Investigate the defendant's financial status to verify that the defendant does not have the means to obtain counsel; and

(2) Provide each appointed lawyer, upon request, with an evidentiary hearing as to the propriety of the appointment, taking into consideration the lawyer's right to earn a livelihood and be free from involuntary servitude. If the judge determines after the hearing that the appointment will cause any undue hardship to the lawyer, the judge shall appoint another lawyer.

(3) Determine whether the private counsel to be appointed possesses the necessary experience, education, and expertise in criminal defense to provide effective assistance of counsel.

2. No judge shall require a lawyer to advance personal funds in any amount for the payment of litigation expenses to prepare a proper defense for an indigent defendant.

3. If an employee of the general assembly is appointed to represent an indigent defendant during the time period beginning January first and ending June first of each year, or whenever the general assembly is in a veto

session or special session or is holding out-of-session committee hearings, the judge who made the appointment shall postpone the trial and all other proceedings of any kind or nature to a date that does not fall within such time period or appoint a different lawyer who is not an employee of the general assembly to represent the defendant.

4. Private counsel appointed to represent an indigent defendant may seek payment of litigation expenses from the public defender system. Such litigation expenses shall not include counsel fees and shall be limited to those expenses approved in advance by the director as reasonably necessary for the proper defense of the defendant."; and

Further amend said bill, Page 14, Section C, Lines 1-6, by deleting all of said section and lines and inserting in lieu thereof the following:

"Section C. Because immediate action is necessary to protect public safety and to ensure the constitutionality of statutes regarding criminal procedure for juvenile offenders and quality of representation of indigent criminal defendants the enactment of sections 537.865, 565.020, and 600.053 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of sections 537.865, 565.020, and 600.053 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative McManus offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 12, Page 4, Section 488.026, Line 12, by inserting after all of said line the following:

"488.2230. 1. In addition to all other court costs for municipal ordinance violations, any home rule city with more than four hundred thousand inhabitants and located in more than one county may provide for additional court costs in an amount up to seven dollars per case for each municipal ordinance violation case, except that no such additional cost shall be collected in any proceeding involving a violation of an ordinance when the proceeding or defendant has been dismissed by the court.

2. The judge may waive the assessment of the cost in those cases where the defendant is found by the judge to be indigent and unable to pay the costs.

3. Such cost shall be calculated by the clerk and disbursed to the city at least monthly. The city shall use such additional costs exclusively to fund special mental health, drug, and veterans courts, including indigent defense and ancillary services associated with such specialized courts."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 5** was adopted.

Representative Kelly (45) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 12, Page 4, Section 537.865, Line 6, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) **The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or**

(b) **Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or**

(c) **Both paragraphs (a) and (b).**

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. (1) If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) **After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall**

prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

- (1) In any county in which the child resided during the period of time for which the defendant is charged; or
- (2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (45), House Amendment No. 6 was adopted.

Representative McGaugh offered House Amendment 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 12, Page 8, Section 570.120, Line 78, by inserting after all of said section and line the following:

"578.009. 1. A person is guilty of animal neglect [when] **if** he has custody or ownership or both of an animal and fails to provide adequate care [or adequate control, which results in substantial harm to the animal].

2. A person is guilty of abandonment [when] **if** he has knowingly abandoned an animal in any place without making provisions for its adequate care.

3. Animal neglect and abandonment is a class C misdemeanor upon first conviction and for each offense, punishable by imprisonment or a fine not to exceed five hundred dollars, or both, and a class B misdemeanor punishable by imprisonment or a fine not to exceed one thousand dollars, or both upon the second and all subsequent convictions. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This section shall not apply to the provisions of section 578.007 **or sections 272.010 to 272.370.**

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect or abandonment to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected or abandoned animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect or abandonment; and
- (4) The avoidance or minimization of any public health risks created by the neglect or abandonment of the animals.

578.011. 1. A person is guilty of animal trespass if a person having ownership or custody of an animal knowingly fails to provide adequate control for a period equal to or exceeding twelve hours.

2. Animal trespass is an infraction upon first conviction and for each offense punishable by a fine not to exceed two hundred dollars, and a class C misdemeanor punishable by imprisonment or a fine not to exceed five hundred dollars, or both, upon the second and all subsequent convictions. All fines for a first conviction of trespass may be waived by the court provided that the person found guilty of animal trespass shows that adequate, permanent remedies for trespass have been made. Reasonable costs incurred for the care and maintenance of trespassing animals may not be waived. This section shall not apply to the provisions of section 578.007 or sections 272.010 to 272.370.

578.012. 1. A person is guilty of animal abuse [when] **if a person:**

(1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care [or adequate control] **which results in substantial harm to the animal.**

2. Animal abuse is a class A misdemeanor, unless the defendant has previously [plead] **pled** guilty to or has been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McGaugh, **House Amendment No. 7** was adopted.

Representative Lichtenegger offered **House Amendment No. 8.**

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 12, Page 3, Section 56.807, Line 74, by inserting after all of said line the following:

"104.1091. 1. Notwithstanding any provision of the year 2000 plan to the contrary, each person **who has never been a judge as defined in section 476.515 prior to January 1, 2011 and** who first becomes an employee on or after January 1, 2011, shall be a member of the year 2000 plan subject to the provisions of this section. **Any employee who was a judge as defined in section 476.515 prior to January 1, 2011 shall receive a refund of his or her contributions made under this section.**

2. A member's normal retirement eligibility shall be as follows:

(1) The member's attainment of at least age sixty-seven and the completion of at least ten years of credited service; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at least age fifty-five with ten years of credited service;

(2) For members of the general assembly, the member's attainment of at least age sixty-two and the completion of at least three full biennial assemblies; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety;

(3) For statewide elected officials, the official's attainment of at least age sixty-two and the completion of at least four years of credited service; or the official's attainment of at least age fifty-five with the sum of the official's age and credited service equaling at least ninety.

3. A vested former member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least ten years of credited service.

4. A temporary annuity paid pursuant to subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-five with ten years of credited service.

5. A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early retirement annuity upon the attainment of at least age sixty-two and the completion of at least ten years of credited service. A vested former member shall not be eligible for early retirement.

6. The provisions of subsection 6 of section 104.1021 and section 104.344 as applied pursuant to subsection 7 of section 104.1021 and section 104.1090 shall not apply to members covered by this section.

7. The minimum credited service requirements of five years contained in sections 104.1018, 104.1030, 104.1036, and 104.1051 shall be ten years for members covered by this section. The normal and early retirement eligibility requirements in this section shall apply for purposes of administering section 104.1087.

8. A member shall be required to contribute four percent of the member's pay to the retirement system, which shall stand to the member's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable under the year 2000 plan, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the member under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the member's pay that is includable in the member's gross income for federal income tax purposes;

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of pay to a member. A deduction shall be made from each member's pay equal to the amount of the member's contributions picked up by the employer. This deduction, however, shall not reduce the member's pay for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Member contributions so picked up shall be credited to a separate account within the member's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, shall be paid by the employer in lieu of the contributions by the member. The member shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2014, and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that is published by the United States Department of Treasury, or its successor agency, for fifty-two week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor treasury bill investment rate as approved by the board if the fifty-two week treasury bill is no longer issued. Interest credits shall cease upon termination of employment if the member is not a vested former member. Otherwise, interest credits shall cease upon retirement or death;

(6) A vested former member or a former member who is not vested may request a refund of his or her contributions and interest credited thereon. If such member is married at the time of such request, such request shall not be processed without consent from the spouse. Such member is not eligible to request a refund if such member's retirement benefit is subject to a division of benefit order pursuant to section 104.1051. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later, and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A vested former member may not request a refund after such member becomes eligible for normal retirement. A vested former member or a former member who is not vested who receives a refund shall forfeit all the member's credited service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any member or vested former member receiving long-term disability benefits shall not be eligible for a refund. If such member subsequently becomes an employee and works continuously for at least one year, the credited service previously forfeited shall be restored if the member returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any member who made contributions shall receive a refund upon the member's death equal to the amount, if any, of such contributions and interest credited thereon less any retirement benefits received by the member unless an annuity is payable to a survivor or beneficiary as a result of the member's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the member's contributions less any annuity amounts received by the member and the survivor or beneficiary.

9. The employee contribution rate, the benefits provided under the year 2000 plan to members covered under this section, and any other provision of the year 2000 plan with regard to members covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the member after the

effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

10. For purposes of members covered by this section, the options under section 104.1027 shall be as follows:

Option 1. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-eight and one half percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of three-tenths of one percent for each year the retiree's age is younger than age sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of three-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of three-tenths of one percent for each year of age difference; provided, after all adjustments the option 1 percent cannot exceed ninety-four and one quarter percent. Upon the retiree's death, fifty percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 2. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-one percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of four-tenths of one percent for each year the retiree's age is younger than sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of five-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of five-tenths of one percent for each year of age difference; provided, after all adjustments the option 2 percent cannot exceed eighty-seven and three quarter percent. Upon the retiree's death one hundred percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 3. A retiree's life annuity shall be reduced to ninety-three percent of the annuity otherwise payable. If the retiree dies before having received one hundred twenty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred twenty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred twenty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

Option 4. A retiree's life annuity shall be reduced to eighty-six percent of the annuity otherwise payable. If the retiree dies before having received one hundred eighty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred eighty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred eighty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

11. The provisions of subsection 6 of section 104.1024 shall not apply to members covered by this section."; and

Further amend said bill, Page 18, Section 476.057, Line 29, by inserting after all of said line the following:

"476.521. 1. Notwithstanding any provision of chapter 476 to the contrary, each person who **has never been an employee as defined in section 104.010 or 104.1003 prior to January 1, 2011 and who** first becomes a judge on or after January 1, 2011, and continues to be a judge may receive benefits as provided in sections 476.445 to 476.688 subject to the provisions of this section. **Any judge who was an employee as defined in section 104.010 or 104.1003 prior to January 1, 2011 shall receive a refund of his or her contributions made under this section.**

2. Any person who is at least sixty-seven years of age, has served in this state an aggregate of at least twelve years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge's term, voluntary resignation, or retirement pursuant to the provisions of subsection 2 of section 24 of article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twelve-year requirement of this subsection may be fulfilled by service as judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twelve years. Any judge who is at least sixty-seven years of age and who has served less than twelve years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-seven, or thereafter, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twelve years.

3. Any person who is at least sixty-two years of age or older, has served in this state an aggregate of at least twenty years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge's

term, voluntary resignation, or retirement pursuant to the provisions of subsection 2 of section 24 of article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twenty-year requirement of this subsection may be fulfilled by service as a judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twenty years. Any judge who is at least sixty-two years of age and who has served less than twenty years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-two, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twenty years.

4. All judges under this section required by the provisions of section 26 of article V of the Constitution of Missouri to retire at the age of seventy years shall retire upon reaching that age.

5. The provisions of sections 104.344, 476.524, and 476.690 shall not apply to judges covered by this section.

6. A judge shall be required to contribute four percent of the judge's compensation to the retirement system, which shall stand to the judge's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable as provided in sections 476.515 to 476.565, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the judge under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the judge's compensation that is includable in the judge's gross income for federal income tax purposes;

(2) Judge contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a judge. A deduction shall be made from each judge's compensation equal to the amount of the judge's contributions picked up by the employer. This deduction, however, shall not reduce the judge's compensation for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Judge contributions so picked up shall be credited to a separate account within the judge's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, are being paid by the employer in lieu of the contributions by the judge. The judge shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Interest credits shall cease upon retirement of the judge;

(6) A judge whose employment is terminated may request a refund of his or her contributions and interest credited thereon. If such judge is married at the time of such request, such request shall not be processed without consent from the spouse. A judge is not eligible to request a refund if the judge's retirement benefit is subject to a division of benefit order pursuant to section 104.312. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A judge may not request a refund after such judge becomes eligible for retirement benefits under sections 476.515 to 476.565. A judge who receives a refund shall forfeit all the judge's service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any judge or former judge receiving long-term disability benefits shall not be eligible for a refund. If such judge subsequently becomes a judge and works continuously for at least one year, the service previously forfeited shall be restored if the judge returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any judge who made contributions shall receive a refund upon the judge's death equal to the amount, if any, of such contributions less any retirement benefits received by the judge unless an annuity is payable to a survivor or beneficiary as a result of the judge's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the judge's contributions less any annuity amounts received by the judge and the survivor or beneficiary.

7. The employee contribution rate, the benefits provided under sections 476.515 to 476.565 to judges covered under this section, and any other provision of sections 476.515 to 476.565 with regard to judges covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the judge after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

8. Any judge who is receiving retirement compensation under section 476.529 or 476.530 who becomes employed as an employee eligible to participate in the closed plan or in the year 2000 plan under chapter 104, shall not receive such retirement compensation for any calendar month in which the retired judge is so employed. Any judge who

is receiving retirement compensation under section 476.529 or section 476.530 who subsequently serves as a judge as defined pursuant to subdivision (4) of subsection 1 of section 476.515 shall not receive such retirement compensation for any calendar month in which the retired judge is serving as a judge; except that upon retirement such judge's annuity shall be recalculated to include any additional service or salary accrued based on the judge's subsequent service. A judge who is receiving compensation under section 476.529 or 476.530 may continue to receive such retirement compensation while serving as a senior judge or senior commissioner and shall receive additional credit and salary for such service pursuant to section 476.682."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lichtenegger moved that **House Amendment No. 8** be adopted.

Which motion was defeated.

Representative Shull offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 12, Page 3, Section 56.807, Line 74, by inserting after all of said line the following:

"313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person **twenty-one years of age or older** to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. It shall be unlawful for a person under twenty-one years of age to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be fined five hundred dollars and guilty of an infraction for the first offense and a class B misdemeanor for second and subsequent offenses."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shull, **House Amendment No. 9** was adopted.

Representative Barnes offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 12, Page 14, Section 600.090, Line 70, by inserting after all of said section and line the following:

"650.058. 1. Notwithstanding the sovereign immunity of the state, any individual who was found guilty of a felony in a Missouri court and was later determined to be actually innocent of such crime solely as a result of DNA profiling analysis may be paid restitution. The individual may receive an amount of fifty dollars per day for each day of postconviction incarceration for the crime for which the individual is determined to be actually innocent. The petition for the payment of said restitution shall be filed with the sentencing court. For the purposes of this section, the term "actually innocent" shall mean:

- (1) The individual was convicted of a felony for which a final order of release was entered by the court;
- (2) All appeals of the order of release have been exhausted;
- (3) The individual was not serving any term of a sentence for any other crime concurrently with the sentence for which he or she is determined to be actually innocent, unless such individual was serving another concurrent sentence because his or her parole was revoked by a court or the board of probation and parole in connection with the crime for which the person has been exonerated; and

- (4) Testing ordered under section 547.035, or testing by the order of any state or federal court, if such person was exonerated on or before August 28, 2004, or testing ordered under section 650.055, if such person was or is exonerated after August 28, 2004, demonstrates a person's innocence of the crime for which the person is in custody. Any individual who receives restitution under this section shall be prohibited from seeking any civil redress from the state, its departments and agencies, or any employee thereof, or any political subdivision or its employees. This section shall not be construed as a waiver of sovereign immunity for any purposes other than the restitution provided for herein. The department of corrections shall determine the aggregate amount of restitution owed during a fiscal year. If insufficient moneys are appropriated each fiscal year to pay restitution to such persons, the department shall pay each individual who has received an order awarding restitution a pro rata share of the amount appropriated. Provided sufficient moneys are appropriated to the department, the amounts owed to such individual shall be paid on June thirtieth of each subsequent fiscal year, until such time as the restitution to the individual has been paid in full. However, no individual awarded restitution under this subsection shall receive more than thirty-six thousand five hundred dollars during each fiscal year. No interest on unpaid restitution shall be awarded to the individual. No individual who has been determined by the court to be actually innocent shall be responsible for the costs of care under section 217.831.

2. If the results of the DNA testing confirm the person's guilt, then the person filing for DNA testing under section 547.035, shall:

- (1) Be liable for any reasonable costs incurred when conducting the DNA test, including but not limited to the cost of the test. Such costs shall be determined by the court and shall be included in the findings of fact and conclusions of law made by the court; and

- (2) Be sanctioned under the provisions of section 217.262.

3. A petition for payment of restitution under this section may only be filed by the individual determined to be actually innocent or the individual's legal guardian. No claim or petition for restitution under this section may be filed by the individual's heirs or assigns. An individual's right to receive restitution under this section is not assignable or otherwise transferrable. The state's obligation to pay restitution under this section shall cease upon the individual's death. Any beneficiary designation that purports to bequeath, assign, or otherwise convey the right to receive such restitution shall be void and unenforceable.

4. An individual who is determined to be actually innocent of a crime under this chapter shall automatically be granted an order of expungement from the court in which he or she pled guilty or was sentenced to expunge from all official records all recordations of his or her arrest, plea, trial or conviction. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction and as if such

event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section.

5. Any individual incarcerated as a result of a probation or parole revocation based upon a crime for which the individual is determined to be actually innocent may receive an amount of fifty dollars per day for each day of post-revocation incarceration. For the purpose of this subsection, the basis of revocation shall be determined by the face of the order of revocation issued by the board of probation and parole or court."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 10** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wilson	Wood	Zerr
Mr Speaker				

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 017

Burlison	Ellinger	Franklin	Gardner	Grisamore
Kelley 127	LaFaver	Marshall	May	Mims
Molendorp	Pierson	Rhoads	Schatz	Smith 85
Webb	Wieland			

On motion of Representative Jones (50), **HCS SB 12, as amended**, was adopted.

On motion of Representative Jones (50), **HCS SB 12, as amended**, was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McGaugh	McKenna
McManus	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Norr	Parkinson
Pfausch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 032

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellington	English	Frame	Gardner
Hummel	Kirkton	LaFaver	Marshall	McCann Beatty
McDonald	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Otto	Pace
Peters	Pogue	Rizzo	Schieber	Schupp
Smith 85	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 011

Ellinger	Franklin	Kolkmeier	May	Mims
Molendorp	Pierson	Rhoads	Richardson	Webb
Wieland				

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Mayfield
McCaherty	McGaugh	McManus	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Wilson	Wood	Zerr	Mr Speaker	

NOES: 036

Berry	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellington	Frame	Gardner
Hummel	Kirkton	LaFaver	Marshall	McCann Beatty
McDonald	McKenna	McNeil	Meredith	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Roorda
Schieffer	Schupp	Smith 85	Walton Gray	Webber
White				

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Ellinger	Franklin	Grisamore	Love
May	Mims	Molendorp	Neth	Rhoads
Webb	Wieland	Wright		

HCS SS SB 251, relating to public assistance fraud and abuse, was taken up by Representative Guernsey.

Representative Guernsey moved that **HCS SS SB 251** be adopted.

Which motion was defeated.

Representative Johnson assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Berry	Brattin
Brown	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hansen	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Anders	Black	Burns	Butler	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
LaFaver	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

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ABSENT WITH LEAVE: 020

Bahr	Barnes	Bernskoetter	Carpenter	Dohrman
Franklin	Frederick	Grisamore	Haahr	Kratky
Marshall	May	Mims	Molendorp	Neth
Rhoads	Smith 120	Stream	Swearingen	Wieland

On motion of Representative Guernsey, **SS SB 251** was truly agreed to and finally passed by the following vote:

AYES: 110

Anders	Anderson	Austin	Bahr	Berry
Black	Brattin	Brown	Burlison	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 036

Burns	Butler	Colona	Curtis	Dunn
Ellinger	Ellington	Englund	Gardner	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	LaFaver
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Barnes	Bernskoetter	Carpenter	Franklin
Frederick	Grisamore	Hinson	Kratky	May
Mims	Molendorp	Rhoads	Smith 120	Stream
Swearingen	Wieland			

Representative Johnson declared the bill passed.

HCS SB 112, relating to taxation, was taken up by Representative Lauer.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 112, Page 1, Section A, Line 3, by inserting after all of said line the following:

"32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

- (1) The annual tax on gross premium receipts of insurance companies in chapter 148;
- (2) The tax on banks determined pursuant to subdivision (2) of subsection 2 of section 148.030;
- (3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030;
- (4) The tax on other financial institutions in chapter 148;
- (5) The corporation franchise tax in chapter 147;
- (6) The state income tax in chapter 143; and
- (7) The annual tax on gross receipts of express companies in chapter 153.

2. For proposals approved pursuant to section 32.110:

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110;

(2) Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development;

(3) Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(a) An area that is not part of a standard metropolitan statistical area;

(b) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(c) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year;

(4) Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in fiscal year 1999 and six million dollars in fiscal year 2000 and any subsequent fiscal year. When the maximum dollar limit on the seventy percent tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subdivision (5) of this subsection. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved pursuant to section 32.111, 32.112 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed thirty-two million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125;

(5) The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development

is limited to impoverished persons. **Beginning August 28, 2013, no new tax credits shall be granted for programs under section 32.110. The provisions of this subdivision shall not be construed to limit or impair the ability of any administering agency to issue tax credits authorized prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits**

3. For proposals approved pursuant to section 32.111:

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities or market rate housing in distressed communities as defined in section 135.530 by a business firm. Whenever such investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units or market rate housing units in distressed communities for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units or market rate housing units in distressed communities, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved pursuant to section 32.111 for the fiscal year beginning July 1, 1991, shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year. **Beginning August 28, 2013, no new tax credits shall be granted for programs under section 32.111. The provisions of this subdivision shall not be construed to limit or impair the ability of any administering agency to issue tax credits authorized prior to August 28, 2013, or the ability of any taxpayer to redeem any such tax credits;**

(2) For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify such certification;

(3) In the case of owner-occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification;

(4) If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.

4. For proposals approved pursuant to section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved pursuant to section 32.112 shall not exceed one million dollars for each fiscal year.

5. The total amount of tax credits used for market rate housing in distressed communities pursuant to sections 32.100 to 32.125 shall not exceed thirty percent of the total amount of all tax credits authorized pursuant to sections 32.111 and 32.112."; and

Further amend said substitute, Pages 3 through 11, Section 99.1205, Lines 1 through 266, by deleting all of said section from the bill and inserting in lieu thereof the following:

"99.1205. 1. This section shall be known and may be cited as the "Distressed Areas Land Assemblage Tax Credit Act".

2. As used in this section, the following terms mean:

(1) "Acquisition costs", the purchase price for the eligible parcel, costs of environmental assessments, closing costs, real estate brokerage fees, reasonable demolition costs of vacant structures **or any portion thereof, together with site and redevelopment area planning and engineering costs regarding one or more eligible parcels**, and reasonable maintenance costs incurred to maintain an acquired eligible parcel for a period of [five] **twelve** years after the acquisition of such eligible parcel. Acquisition costs shall not include costs for title insurance and survey, attorney's fees, relocation costs, fines, or bills from a municipality;

(2) "Applicant", any person, firm, partnership, trust, limited liability company, or corporation which has:

(a) Incurred, within an eligible project area, acquisition costs for the acquisition of land sufficient to satisfy the requirements under subdivision (8) of this subsection; and

(b) Been appointed or selected, pursuant to a redevelopment agreement by a municipal authority, as a redeveloper or similar designation, under an economic incentive law, to redevelop an urban renewal area or a redevelopment area that includes all of an eligible project area or whose redevelopment plan or redevelopment area, which encompasses all of an eligible project area, has been approved or adopted under an economic incentive law. In addition to being designated the redeveloper, the applicant shall have been designated to receive economic incentives only after the municipal authority has considered the amount of the tax credits in adopting such economic incentives as provided in subsection 8 of this section. The redevelopment agreement shall provide that:

a. the funds generated through the use or sale of the tax credits issued under this section shall be used to redevelop the eligible project area;

b. No more than seventy-five percent of the urban renewal area identified in the urban renewal plan or the redevelopment area identified in the redevelopment plan may be redeveloped by the applicant; and

c. The remainder of the urban renewal area or the redevelopment area shall be redeveloped by co-redevelopers or redevelopers to whom the applicant has assigned its redevelopment rights and obligations under the urban renewal plan or the redevelopment plan;

(3) "Certificate", a tax credit certificate issued under this section;

(4) "Condemnation proceedings", any action taken by, or on behalf of, an applicant to initiate an action in a court of competent jurisdiction to use the power of eminent domain to acquire a parcel within the eligible project area. Condemnation proceedings shall include any and all actions taken after the submission of a notice of intended acquisition to an owner of a parcel within the eligible project area by a municipal authority or any other person or entity under section 523.250;

(5) "Department", the Missouri department of economic development;

(6) "Economic incentive laws", any provision of Missouri law pursuant to which economic incentives are provided to redevelopers of a parcel or parcels to redevelop the land, such as tax abatement or payments in lieu of taxes, or redevelopment plans or redevelopment projects approved or adopted which include the use of economic incentives to redevelop the land. Economic incentive laws include, but are not limited to, the land clearance for redevelopment authority law under sections 99.300 to 99.660, the real property tax increment allocation redevelopment act under sections 99.800 to 99.865, the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.1060, and the downtown revitalization preservation program under sections 99.1080 to 99.1092;

(7) "Eligible parcel", a parcel:

(a) Which is located within an eligible project area;

(b) Which is to be redeveloped;

(c) On which the applicant has not commenced construction prior to November 28, 2007;

(d) Which has been acquired **either directly by the applicant, or on behalf of the applicant through one or more affiliated companies controlled by the applicant or under common ownership with the applicant;**

(e) **Which has been acquired** without the commencement of any condemnation proceedings with respect to such parcel brought by or on behalf of the applicant. Any parcel acquired **before August 28, 2007**, by the applicant from a municipal authority shall not constitute an eligible parcel; and

[(e)] (f) On which all outstanding taxes, fines, and bills levied by municipal governments that were levied by the municipality during the time period that the applicant held title to the eligible parcel have been paid in full;

(8) "Eligible project area", an area which shall have satisfied the following requirements:

(a) The eligible project area shall consist of at least seventy-five acres and may include parcels within its boundaries that do not constitute an eligible parcel;

(b) At least eighty percent of the eligible project area shall be located within a Missouri qualified census tract area, as designated by the United States Department of Housing and Urban Development under 26 U.S.C. Section 42, or within a distressed community as that term is defined in section 135.530.

(c) Any area including and within one quarter mile of property formerly utilized by the state of Missouri as a penitentiary located in any home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants.

[(c)] **(d)** The eligible parcels acquired by the applicant within the eligible project area shall total at least fifty acres, which may consist of contiguous and noncontiguous parcels, **but shall not include any parcel acquired by the applicant from a municipal authority;**

[(d)] **(e)** The average number of parcels per acre in an eligible project area shall be four or more;

[(e)] **(f)** Less than five percent of the acreage within the boundaries of the eligible project area shall consist of owner-occupied residences which the applicant has identified for acquisition under the urban renewal plan or the redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section on the date of the approval or adoption of such plan;

(9) "Interest costs", interest, loan fees, and closing costs, **any of which relate to or arise out of loans relating to acquisition costs, including without limitation, interest, loan fees and closing costs associated with the refinancing of loans relating to acquisition costs.** Interest costs shall not include attorney's fees;

(10) "Maintenance costs", costs of boarding up and securing vacant structures, costs of removing trash, and costs of cutting grass and weeds;

(11) "Municipal authority", any city, town, village, county, public body corporate and politic, political subdivision, or land trust of this state established and authorized to own land within the state;

(12) "Municipality", any city, town, village, or county;

(13) "Parcel", a single lot or tract of land, and the improvements thereon, owned by, or recorded as the property of, one or more persons or entities;

(14) "Redeveloped", the process of undertaking and carrying out a redevelopment plan or urban renewal plan pursuant to which the conditions which provided the basis for an eligible project area to be included in a redevelopment plan or urban renewal plan are to be reduced or eliminated by redevelopment or rehabilitation; and

(15) "Redevelopment agreement", the redevelopment agreement or similar agreement into which the applicant entered with a municipal authority and which is the agreement for the implementation of the urban renewal plan or redevelopment plan pursuant to which the applicant was appointed or selected as the redeveloper or by which the person or entity was qualified as an applicant under this section; and such appointment or selection shall have been approved by an ordinance of the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, in which the eligible project area is located. The redevelopment agreement shall include a time line for redevelopment of the eligible project area, **including deadlines for commencement of work and for project completion, and shall provide the municipal authority the right to terminate the rights of the redeveloper under the redevelopment agreement if such deadlines are not met.** The redevelopment agreement shall state that the named developer shall be subject to the provisions of chapter 290.

3. **Subject to the limitations provided in subsection 7 of this section,** any applicant shall be entitled to a tax credit against the taxes imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an amount equal to fifty percent of the acquisition costs, and one hundred percent of the interest costs incurred for a period of [five] **twelve** years after the acquisition of an eligible parcel. [No tax credits shall be issued under this section until after January 1, 2008.]

4. If the amount of such tax credit exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148 for the succeeding six years, or until the full credit is used, whichever occurs first. The applicant shall not be entitled to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants entitled to receive such tax credits may transfer, sell, or assign the tax credits. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

5. A purchaser, transferee, or assignee of the tax credits authorized under this section may use acquired tax credits to offset up to one hundred percent of the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such transfer by notifying the

department in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department to administer and carry out the provisions of this section.

6. To claim tax credits authorized under this section, an applicant shall submit to the department an application for a certificate. An applicant shall identify the boundaries of the eligible project area in the application. The department shall verify that the applicant has submitted a valid application in the form and format required by the department. The department shall verify that the municipal authority held the requisite hearings and gave the requisite notices for such hearings in accordance with the applicable economic incentive act, and municipal ordinances. On [an annual] **a quarterly** basis, an applicant may file for the tax credit for the acquisition costs, and for the tax credit for the interest costs, subject to the limitations of this section. If an applicant applying for the tax credit meets the criteria required under this section, the department shall issue a certificate in the appropriate amount. If an applicant receives a tax credit for maintenance costs as a part of the applicant's acquisition costs, the department shall post on its internet website the amount and type of maintenance costs and a description of the redevelopment project for which the applicant received a tax credit within thirty days after the department issues the certificate to the applicant.

7. The total aggregate amount of tax credits authorized under this section shall not exceed ninety-five million dollars. At no time shall the annual amount of the tax credits issued under this section exceed twenty million dollars. If the tax credits that are to be issued under this section exceed, in any year, the twenty million dollar limitation, the department shall either:

(1) Issue tax credits to the applicant in the amount of twenty million dollars, if there is only one applicant entitled to receive tax credits in that year; or

(2) Issue the tax credits on a pro rata basis to all applicants entitled to receive tax credits in that year **as provided in this subdivision. The department shall determine on an ongoing basis during the course of each calendar year the amount of tax credits that have been issued to each applicant for each eligible project area during such year, and the amount of tax credits remaining available for issuance with respect to such calendar year, if any.** Any amount of tax credits, which an applicant is, or applicants are, entitled to receive on an annual basis and are not issued due to the twenty million dollar limitation, shall be carried forward for the benefit of the applicant or applicants to subsequent years. No tax credits provided under this section shall be authorized after August 28, [2013] **2019**. Any tax credits which have been authorized on or before August 28, [2013] **2019**, but not issued, may be issued, subject to the limitations provided under this subsection, until all such authorized tax credits have been issued.

8. Upon issuance of any tax credits pursuant to this section, the department shall report to the municipal authority the applicant's name and address, the parcel numbers of the eligible parcels for which the tax credits were issued, the itemized acquisition costs and interest costs for which tax credits were issued, and the total value of the tax credits issued. The municipal authority and the state shall not consider the amount of the tax credits as an applicant's cost, but shall include [the] **issued** tax credits in any **subsequent** sources and uses and cost benefit analysis reviewed or created for the purpose of awarding other economic incentives. The amount of the tax credits shall not be considered an applicant's cost in the evaluation of the amount of any award of any other economic incentives, but shall be considered in measuring the reasonableness of the rate of return to the applicant with respect to such award of other economic incentives. The municipal authority shall provide the report to any relevant commission, board, or entity responsible for the evaluation and recommendation or approval of other economic incentives to assist in the redevelopment of the eligible project area. Tax credits authorized under this section shall constitute redevelopment tax credits, as such term is defined under section 135.800, and shall be subject to all provisions applicable to redevelopment tax credits provided under sections 135.800 to 135.830.

9. **Following its initial application for tax credits under this section for eligible costs incurred in 2013 or any following year, and during the period it continues to seek tax credits under this section, an applicant shall submit to the department on a quarterly basis at the end of each calendar quarter a report affirming such applicant's continued qualification as an applicant under this section, describing the applicant's progress toward meeting the deadlines for commencement of work and for project completion established under its redevelopment agreement with the applicable municipal authority, and including copies of any written notices from such municipal authority asserting or threatening a termination of such development agreement due to a breach or default in the performance of such applicant's obligations under such redevelopment agreement. The department shall review annually the eligibility of each applicant to receive tax credits under this section. The department shall not issue to an applicant any tax credits provided under this section after the date upon which the governing body of the municipality, or municipalities, or in the case of any city not within a county, the board of aldermen, makes a finding that the applicant has failed to comply with deadlines regarding project commencement or completion or other material provisions of its redevelopment agreement with an applicant, and in furtherance of such finding the governing body validly adopts an ordinance terminating its redevelopment agreement with the applicant, with the result that such applicant no longer satisfies the requirements of paragraph (b) of**

subdivision (2) of subsection 2 of this section. The governing body shall notify the department of the governing body's findings and shall deliver to the department a certified copy of the ordinance terminating such redevelopment agreement as soon as practicable.

10. The department may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 36.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

135.484. 1. Beginning January 1, 2000, tax credits shall be allowed pursuant to section 135.481 in an amount not to exceed sixteen million dollars per year. Of this total amount of tax credits in any given year, eight million dollars shall be set aside for projects in areas described in subdivision (6) of section 135.478 and eight million dollars for projects in areas described in subdivision (10) of section 135.478. The maximum tax credit for a project consisting of multiple-unit qualifying residences in a distressed community shall not exceed three million dollars.

2. Any amount of credit which exceeds the tax liability of a taxpayer for the tax year in which the credit is first claimed may be carried back to any of the taxpayer's three prior tax years and carried forward to any of the taxpayer's five subsequent tax years. A certificate of tax credit issued to a taxpayer by the department may be assigned, transferred, sold or otherwise conveyed. Whenever a certificate of tax credit is assigned, transferred, sold or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit and the value of the credit.

3. The tax credits allowed pursuant to sections 135.475 to 135.487 may not be claimed in addition to any other state tax credits, with the exception of the historic structures rehabilitation tax credit authorized pursuant to sections 253.545 to 253.559, which insofar as sections 135.475 to 135.487 are concerned may be claimed only in conjunction with the tax credit allowed pursuant to subsection 4 of section 135.481. In order for a taxpayer eligible for the historic structures rehabilitation tax credit to claim the tax credit allowed pursuant to subsection 4 of section 135.481, the taxpayer must comply with the requirements of sections 253.545 to 253.559, and in such cases, the amount of the tax credit pursuant to subsection 4 of section 135.481 shall be limited to the lesser of twenty percent of the taxpayer's eligible costs or forty thousand dollars.

4. No tax credits provided under sections 135.475 to 135.487 shall be authorized on or after the effective date of this act. The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized prior to the effective date of this act, or a taxpayer's ability to redeem such tax credits."; and

Further amend said substitute, Pages 20 through 27, Section 144.810, Lines 1 through 242, by deleting all of said section from the bill and inserting in lieu thereof the following:

"135.1550. 1. Sections 135.1550 to 135.1575 shall be known and may be cited as the "Missouri Export Incentive Act".

2. As used in sections 135.1550 to 135.1575, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Air export tax credit", the tax credit against the taxes imposed under chapters 143, 147, and 148, except for those in sections 143.191 to 143.265, to be issued by the department to a claiming freight forwarder for the shipment of air cargo on a qualifying outbound flight;

(2) "Airport", any international airport located within the state;

(3) "Chargeable kilo", the shipment of a kilo of freight, as measured by the greater of:

(a) Actual weight; or

(b) A dimensional weight, as determined by the conversion factors promulgated by the International Air Transport Association, on a qualifying outbound flight;

(4) "Claiming freight forwarder", the freight forwarder designated as the "agent" on the airway bill for the qualifying outbound flight for which such air export tax credit is sought;

(5) "Department", the Missouri department of economic development;

(6) "Direct international aircraft flight", a single aircraft transoceanic flight that operates to an international destination in accordance with the operator's bilateral route authority;

(7) "Freight forwarder", a person who assumes responsibility in the ordinary course of business for the transportation of cargo from the place of receipt to the place of destination, including the utilization of a qualifying outbound flight;

(8) "Qualifying outbound flight", a direct international aircraft flight that carries either all cargo or a mix of passengers and cargo from the airport to an international destination.

135.1555. 1. For all fiscal years beginning on or after July 1, 2013, a claiming freight forwarder shall be entitled to an air export tax credit for the shipment of cargo on a qualifying outbound flight in an amount equal to forty cents per chargeable kilo.

2. The department shall index, and the secretary of state shall publish in the Missouri Register, the amount of the air export tax credits to adjust each year depending upon fluctuations in the cost of fuel for over-the-road transportation.

135.1560. 1. To receive benefits provided under section 135.1555, a claiming freight forwarder shall file an application with the department within one hundred twenty calendar days of the date of shipment. The documentation to be presented by the claiming freight forwarder in such an application shall consist of the master airway bill for the shipment on the qualifying outbound flight for which the claiming freight forwarder is seeking air export tax credits. The department shall establish procedures to allow claiming freight forwarders that file applications for air export tax credits to receive such tax credits within twenty business days of the filing of the application.

2. If the fiscal year cap on the issuance of air export tax credits provided under section 135.1565 is met in a given fiscal year, then the amount of such tax credits that have been authorized, but remain unissued, shall be carried forward and issued in the subsequent fiscal year.

3. No tax credits provided under this section shall be authorized after June 30, 2021. Any tax credits authorized on or before June 30, 2021, but not issued, may be issued until all such authorized tax credits have been issued.

135.1565. The total aggregate amount for air export tax credits authorized under section 135.1555 shall not exceed sixty million dollars. The amount of the air export tax credits issued under section 135.1555 shall not exceed seven million five hundred thousand dollars for each fiscal year beginning on or after July 1, 2013, unless authorized by the department. Any amount issued exceeding seven million five hundred thousand dollars in a fiscal year shall be reduced first from the authorized amount for the fiscal year ending June 30, 2021, and then the preceding fiscal years, until all such authorized credits have been issued.

135.1570. If the amount of any tax credit authorized under sections 135.1550 to 135.1575 exceeds the total tax liability for the year in which the applicant is entitled to receive a tax credit, the amount that exceeds the state tax liability may be carried forward for credit against the taxes imposed under chapters 143, 147, and 148, except those in sections 143.191 to 143.265, for the succeeding six years, or until the full credit is used, whichever occurs first. Tax credits authorized under the provisions of sections 135.1550 to 135.1575 may be transferred, sold, or otherwise assigned. Tax credits granted to a partnership, a limited liability company taxed as a partnership, or multiple owners of property shall be passed through to the partners, members, or owners respectively pro rata or pursuant to an executed agreement among the partners, members, or owners documenting an alternate distribution method.

135.1575. 1. The department may promulgate rules to implement the provisions of sections 135.1550 to 135.1575. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

2. The provisions of section 23.253 of the Missouri sunset act notwithstanding:

(1) The provisions of the new programs authorized under sections 135.1550 to 135.1575 shall automatically sunset eight years after the effective date of this act, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset eight years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the programs authorized under sections 135.1550 to 135.1575 sunset.

144.810. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Commencement of commercial operations", shall be deemed to occur during the first calendar year for which the data storage center is first available for use by the operating taxpayer, or first capable of being used by the operating taxpayer, as a data storage center;

(2) "Constructing taxpayer", if more than one taxpayer is responsible for a project, a taxpayer responsible for the construction of the facility, as opposed to a taxpayer responsible for the equipping and ongoing operations of the facility;

(3) "County average wage", the average wage in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(4) "Data storage center" or "facility", a facility constructed, extended, improved, or operating under this section, provided that such business facility is engaged primarily in:

(a) Data processing, hosting, and related services (NAICS 518210);

(b) Internet publishing and broadcasting and web search portals (NAICS 519130), at the business facility; or

(c) Customer service, customer contact, or customer support operations through the use of computer databases and telecommunications services at the business facility;

(5) "Existing facility", a data storage center in this state as it existed prior to August 28, 2013, as determined by the department;

(6) "Expanding facility" or "expanding data storage center", an existing facility or replacement facility that expands its operations in this state on or after August 28, 2013, and has a net new investment related to the expansion of operations in this state of at least two million dollars during a period of up to twelve consecutive months and results in the creation of at least two new jobs during a period of up to twenty-four consecutive months from the date of conditional approval for an exemption under this section, if the average wage of the new jobs equals or exceeds one hundred and fifty percent of the county average wage. An expanding facility shall continue to be an expanding facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(7) "Expanding facility project" or "expanding data storage center project", the construction, extension, improvement, equipping, and operation of an expanding facility;

(8) "Investment" shall include the value of real and depreciable personal property, acquired as part of the new or expanding facility project which is used in the operation of the facility following conditional approval of an exemption under this section;

(9) "NAICS", the 2007 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;

(10) "New facility" or "new data storage center", a facility in this state meeting the following requirements:

(a) The facility is acquired by, or leased to, an operating taxpayer on or after August 28, 2013. A facility shall be deemed to have been acquired by, or leased to, an operating taxpayer on or after August 28, 2013, if the transfer of title to an operating taxpayer, the transfer of possession under a binding contract to transfer title to an operating taxpayer, or the commencement of the term of the lease to an operating taxpayer occurs on or after August 28, 2013, or, if the facility is constructed, erected, or installed by or on behalf of an operating taxpayer, such construction, erection, or installation is commenced on or after August 28, 2013;

(b) If such facility was acquired by an operating or constructing taxpayer from another person or persons on or after August 28, 2013, and such facility was employed prior to August 28, 2013, by any other person or persons in the operation of a data storage center the facility shall not be considered a new facility;

(c) Such facility is not an expanding or replacement facility, as defined in this section;

(d) The new facility project investment is at least five million dollars during a period of up to thirty-six consecutive months from the date of the conditional approval for an exemption under this section. If more than one taxpayer is responsible for a project, the investment requirement may be met by an operating taxpayer, a constructing taxpayer, or a combination of constructing taxpayers and operating taxpayers;

(e) At least five new jobs are created at the new facility during a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section if the average wage of the new jobs equals or exceeds one hundred fifty percent of the county average wage; and

(f) A new facility shall continue to be a new facility regardless of a subsequent change in or addition of operating taxpayers or constructing taxpayers;

(11) "New data storage center project" or "new facility project", the construction, extension, improvement, equipping, and operation of a new facility;

(12) "New job" in the case of a new data center project, the total number of full-time employees located at a new data storage center for a period of up to thirty-six consecutive months from the date of conditional approval for an exemption under this section. In the case of an expanding data storage center project, the total number of full-time employees located at the expanding data storage center that exceeds the greater of the number of full-time employees located at the project facility on the date of the submission of a project plan under this section or for the twelve-month period prior to the date of the submission of a project plan, the average number of full-time employees located at the expanding data storage center facility. In the event the expanding data storage center facility has not been in operation for a full twelve-month period at the time of the submission of a project plan, the average number of full-time employees for the number of months the expanding data storage center facility has been in operation prior to the date of the submission of the project plan;

(13) "Notice of intent", a form developed by the department of economic development, completed by the project taxpayer, and submitted to the department, which states the project taxpayer's intent to construct or expand a data center and requests the exemptions under this program;

(14) "Operating taxpayer", if more than one taxpayer is responsible for a project, a taxpayer responsible for the equipping and ongoing operations of the facility, as opposed to a taxpayer responsible for the purchasing or construction of the facility;

(15) "Project taxpayers", each constructing taxpayer and each operating taxpayer for a data storage center project;

(16) "Replacement facility", a facility in this state otherwise described in subdivision (7) of this subsection, but which replaces another facility located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating within one year prior to the commencement of commercial operations at the new facility;

(17) "Taxpayer", the purchaser of tangible personal property or a service that is subject to state or local sales or use tax and from whom state or local sales or use tax is owed. Taxpayer shall not mean the seller charged by law with collecting the sales tax from the purchaser.

2. In addition to the exemptions granted under chapter 144, project taxpayers for a new data storage center project shall be entitled, for a project period not to exceed fifteen years from the date of conditional approval under this section and subject to the requirements of subsection 3 of this section, to an exemption of one hundred percent of the state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, limited to the net fiscal benefit of the state calculated over a ten year period, on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in a new data storage center;

(2) All machinery, equipment, and computers used in any new data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing any new data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development using the Regional Economic Modeling, Inc. dataset or comparable data.

3. (1) Any data storage center project seeking a tax exemption under subsection 2 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and known operating taxpayer for the project and include any additional information the department of economic development may require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible

for the exemption under subsection 2 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for a new facility project. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey conditional approvals to the department of revenue and the identified project taxpayers. After a conditionally approved new facility has met the requirements in subsection 1 of this section for a new facility and the execution of the agreement specified in subsection 6 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the new facility to the department of revenue as being eligible for the exemption dating retroactively to the first day of construction on the new facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of construction, shall issue a refund of taxes paid but eligible for exemption under subsection 2 of this section to each operating taxpayer and each constructing taxpayer and issue a certificate of exemption to each new project taxpayer for ongoing exemptions under subsection 2 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may still be eligible for the exemption under subsection 2 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

4. In addition to the exemptions granted under chapter 144, upon approval by the department of economic development, project taxpayers for expanding data center projects may, for a period not to exceed ten years, be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235 on:

(1) All electrical energy, gas, water, and other utilities including telecommunication and internet services used in an expanding data storage center which, on an annual basis, exceeds the amount of electrical energy, gas, water, and other utilities including telecommunication and internet services used in the existing facility or the replaced facility prior to the expansion. For purposes of this subdivision only, "amount" shall be measured in kilowatt hours, gallons, cubic feet, or other measures applicable to a utility service as opposed to in dollars, to account for increases in utility rates;

(2) All machinery, equipment, and computers used in any expanding data storage center; and

(3) All sales at retail of tangible personal property and materials for the purpose of constructing, repairing, or remodeling any expanding data storage center.

The amount of any exemption provided under this subsection shall not exceed the projected net fiscal benefit to the state over a period of ten years, as determined by the department of economic development.

5. (1) Any data storage center project seeking a tax exemption under subsection 4 of this section shall submit a notice of intent and a project plan to the department of economic development, which shall identify each known constructing taxpayer and each known operating taxpayer for the project and include any additional information the department of economic development may reasonably require to determine eligibility for the exemption. The department of economic development shall review the project plan and determine whether the project is eligible for the exemption under subsection 4 of this section, conditional upon subsequent verification by the department that the project meets the requirements in subsection 1 of this section for an expanding facility project and the execution of the agreement specified in subsection 6 of this section. The department shall make such conditional determination within thirty days of submission by the operating taxpayer. Failure of the department to respond within thirty days shall result in a project plan being deemed conditionally approved.

(2) The department of economic development shall convey such conditional approval to the department of revenue and the identified project taxpayers. After a conditional approved facility has met the requirements in subsection 1 of this section, the project taxpayers shall provide proof of the same to the department of economic development. Upon verification of such proof, the department of economic development shall certify the project to the department of revenue as being eligible for the exemption dating retroactively to the first day of the expansion of the facility. The department of revenue, upon receipt of adequate proof of the amount of sales taxes paid since the first day of the expansion of the facility, shall issue a refund of taxes paid but eligible for exemption

under subsection 4 of this section to any applicable project taxpayer and issue a certificate of exemption to any applicable project taxpayer for ongoing exemptions under subsection 4 of this section. The department of revenue shall issue such a refund within thirty days of receipt of certification from the department of economic development.

(3) Any project that does not meet the minimum investment or new job requirements of subsection 1 of this section may still be eligible for the exemption under subsection 4 of this section, as long as the exemptions for such project plan do not exceed the projected net fiscal benefit to the state over a period of ten years.

(4) The commencement of the exemption period may be delayed at the option of the operating taxpayer, but not more than twenty-four months after the execution of the agreement required under subsection 6 of this section.

6. (1) The exemptions in subsections 2 and 4 of this section shall be tied to the new or expanding facility project. A certificate of exemption in the hands of a taxpayer that is no longer an operating or constructing taxpayer of the new or expanding facility project shall be invalid as of the date the taxpayer was no longer an operating or constructing taxpayer of the new or expanding facility project. New certificates of exemption shall be issued to successor constructing taxpayers and operating taxpayers at such new or expanding facility projects. The right to the exemption by successor taxpayers shall exist without regard to subsequent levels of investment in the new or expanding facility by successor taxpayers.

(2) As a condition of receiving an exemption under subsection 2 or 4 of this section, the project taxpayers shall enter into an agreement with the department of economic development providing for repayment penalties in the event the data storage center project fails to comply with any of the requirements of this section.

(3) The department of revenue shall credit any amounts remitted by the project taxpayers under this subsection to the fund to which the sales and use taxes exempted would have otherwise been credited.

7. The department of economic development and the department of revenue shall cooperate in conducting random audits to ensure that the intent of this section is followed.

8. Notwithstanding any other provision of law to the contrary, no recipient of an exemption pursuant to this section shall be eligible for benefits under any business recruitment tax credit, as defined in section 135.800.

9. The department of economic development and the department of revenue shall jointly prescribe such rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

10. This section shall terminate on September 1, 2019. The termination of this section shall not be construed to limit or in any way impair the exemption for any project approved prior to the termination of this section."; and

Further amend said substitute, Page 36, Section 348.274, Line 134, by inserting after all of said line the following:

"447.708. 1. For eligible projects, the director of the department of economic development, with notice to the directors of the departments of natural resources and revenue, and subject to the other provisions of sections 447.700 to 447.718, may not create a new enterprise zone but may decide that a prospective operator of a facility being remedied and renovated pursuant to sections 447.700 to 447.718 may receive the tax credits and exemptions pursuant to sections 135.100 to 135.150 and sections 135.200 to 135.257. The tax credits allowed pursuant to this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. For purposes of this subsection:

(1) For receipt of the ad valorem tax abatement pursuant to section 135.215, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs. The city, or county if the eligible project is not located in a city, must provide ad valorem tax abatement of at least fifty percent for a period not less than ten years and not more than twenty-five years;

(2) For receipt of the income tax exemption pursuant to section 135.220 and tax credit for new or expanded business facilities pursuant to sections 135.100 to 135.150, and 135.225, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof. For purposes of sections 447.700 to 447.718, the tax credits described in section 135.225 are modified as follows: the tax credit shall be

four hundred dollars per employee per year, an additional four hundred dollars per year for each employee exceeding the minimum employment thresholds of ten and twenty-five jobs for new and existing businesses, respectively, an additional four hundred dollars per year for each person who is a person difficult to employ as defined by section 135.240, and investment tax credits at the same amounts and levels as provided in subdivision (4) of subsection 1 of section 135.225;

(3) For eligibility to receive the income tax refund pursuant to section 135.245, the eligible project must create at least ten new jobs or retain businesses which supply at least twenty-five existing jobs, or combination thereof, and otherwise comply with the provisions of section 135.245 for application and use of the refund and the eligibility requirements of this section;

(4) The eligible project operates in compliance with applicable environmental laws and regulations, including permitting and registration requirements, of this state as well as the federal and local requirements;

(5) The eligible project operator shall file such reports as may be required by the director of economic development or the director's designee;

(6) The taxpayer may claim the state tax credits authorized by this subsection and the state income exemption for a period not in excess of ten consecutive tax years. For the purpose of this section, "taxpayer" means an individual proprietorship, partnership or corporation described in section 143.441 or 143.471 who operates an eligible project. The director shall determine the number of years the taxpayer may claim the state tax credits and the state income exemption based on the projected net state economic benefits attributed to the eligible project;

(7) For the purpose of meeting the new job requirement prescribed in subdivisions (1), (2) and (3) of this subsection, it shall be required that at least ten new jobs be created and maintained during the taxpayer's tax period for which the credits are earned, in the case of an eligible project that does not replace a similar facility in Missouri. "New job" means a person who was not previously employed by the taxpayer or related taxpayer within the twelve-month period immediately preceding the time the person was employed by that taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned. For the purposes of this section, related taxpayer has the same meaning as defined in subdivision (9) of section 135.100;

(8) For the purpose of meeting the existing job retention requirement, if the eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, it shall be required that at least twenty-five existing jobs be retained at, and in connection with the eligible project, on a full-time basis during the taxpayer's tax period for which the credits are earned. "Retained job" means a person who was previously employed by the taxpayer or related taxpayer, at a facility similar to the eligible project that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, within the tax period immediately preceding the time the person was employed by the taxpayer to work at, or in connection with, the eligible project on a full-time basis. "Full-time basis" means the employee works an average of at least thirty-five hours per week during the taxpayer's tax period for which the tax credits are earned;

(9) In the case where an eligible project replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, the owner and operator of the eligible project shall provide the director with a written statement explaining the reason for discontinuing operations at the closed facility. The statement shall include a comparison of the activities performed at the closed facility prior to the date the facility ceased operating, to the activities performed at the eligible project, and a detailed account describing the need and rationale for relocating to the eligible project. If the director finds the relocation to the eligible project significantly impaired the economic stability of the area in which the closed facility was located, and that such move was detrimental to the overall economic development efforts of the state, the director may deny the taxpayer's request to claim tax benefits;

(10) Notwithstanding any provision of law to the contrary, for the purpose of this section, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment used at the eligible project during any tax year shall be determined by dividing by twelve, in the case of jobs, the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month of the tax year. If the eligible project is in operation for less than the entire tax year, the number of new jobs created and maintained, the number of existing jobs retained, and the value of new qualified investment created at the eligible project during any tax year shall be determined by dividing the sum of the number of individuals employed at the eligible project, or in the case of new qualified investment, the value of new qualified investment used at the eligible project, on the last business day of each full calendar month during the portion of the tax year during which the eligible project was in operation, by the number of full calendar months during such period;

(11) For the purpose of this section, "new qualified investment" means new business facility investment as defined and as determined in subdivision (7) of section 135.100 which is used at and in connection with the eligible project. "New qualified investment" shall not include small tools, supplies and inventory. "Small tools" means tools that are portable and can be hand held.

2. The determination of the director of economic development pursuant to subsection 1 of this section shall not affect requirements for the prospective purchaser to obtain the approval of the granting of real property tax abatement by the municipal or county government where the eligible project is located.

3. (1) The director of the department of economic development, with the approval of the director of the department of natural resources, may, [in addition to the tax credits allowed in subsection 1 of this section,] grant a remediation tax credit to the applicant for up to one hundred percent of the costs of materials, supplies, equipment, labor, professional engineering, consulting and architectural fees, permitting fees and expenses, demolition, asbestos abatement, and direct utility charges for performing the voluntary remediation activities for the preexisting hazardous substance contamination and releases, including, but not limited to, the costs of performing operation and maintenance of the remediation equipment at the property beyond the year in which the systems and equipment are built and installed at the eligible project and the costs of performing the voluntary remediation activities over a period not in excess of four tax years following the taxpayer's tax year in which the system and equipment were first put into use at the eligible project, provided the remediation activities are the subject of a plan submitted to, and approved by, the director of natural resources pursuant to sections 260.565 to 260.575. The tax credit may also include up to one hundred percent of the costs of demolition that are not directly part of the remediation activities, provided that the demolition is on the property where the voluntary remediation activities are occurring, the demolition is necessary to accomplish the planned use of the facility where the remediation activities are occurring, and the demolition is part of a redevelopment plan approved by the municipal or county government and the department of economic development. The demolition may occur on an adjacent property if the project is located in a municipality which has a population less than twenty thousand and the above conditions are otherwise met. The adjacent property shall independently qualify as abandoned or underutilized. The amount of the credit available for demolition not associated with remediation cannot exceed the total amount of credits approved for remediation including demolition required for remediation.

(2) The amount of remediation tax credits issued shall be limited to the least amount necessary to cause the project to occur, as determined by the director of the department of economic development.

(3) The director may, with the approval of the director of natural resources, extend the tax credits allowed for performing voluntary remediation maintenance activities, in increments of three-year periods, not to exceed five consecutive three-year periods. The tax credits allowed in this subsection shall be used to offset the tax imposed by chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265, or the tax otherwise imposed by chapter 147, or the tax otherwise imposed by chapter 148. The remediation tax credit may be taken in the same tax year in which the tax credits are received or may be taken over a period not to exceed twenty years.

(4) The project facility shall be projected to create at least ten new jobs or at least twenty-five retained jobs, or a combination thereof, as determined by the department of economic development, to be eligible for tax credits pursuant to this section.

(5) No more than seventy-five percent of earned remediation tax credits may be issued when the remediation costs were paid, and the remaining percentage may be issued when the department of natural resources issues a letter of completion letter or covenant not to sue following completion of the voluntary remediation activities. It shall not include any costs associated with ongoing operational environmental compliance of the facility or remediation costs arising out of spills, leaks, or other releases arising out of the ongoing business operations of the facility. In the event the department of natural resources issues a letter of completion for a portion of a property, an impacted media such as soil or groundwater, or for a site or a portion of a site improvement, a prorated amount of the remaining percentage may be released based on the percentage of the total site receiving a letter of completion.

4. In the exercise of the sound discretion of the director of the department of economic development or the director's designee, the tax credits and exemptions described in this section may be terminated, suspended or revoked, if the eligible project fails to continue to meet the conditions set forth in this section. In making such a determination, the director shall consider the severity of the condition violation, actions taken to correct the violation, the frequency of any condition violations and whether the actions exhibit a pattern of conduct by the eligible facility owner and operator. The director shall also consider changes in general economic conditions and the recommendation of the director of the department of natural resources, or his or her designee, concerning the severity, scope, nature, frequency and extent of any violations of the environmental compliance conditions. The taxpayer or person claiming the tax credits or exemptions may appeal the decision regarding termination, suspension or revocation of any tax credit or exemption in accordance with the procedures outlined in subsections 4 to 6 of section 135.250. The director of the department of

economic development shall notify the directors of the departments of natural resources and revenue of the termination, suspension or revocation of any tax credits as determined in this section or pursuant to the provisions of section 447.716.

5. Notwithstanding any provision of law to the contrary, no taxpayer shall earn the tax credits, exemptions or refund otherwise allowed in subdivisions (2), (3) and (4) of subsection 1 of this section and the tax credits otherwise allowed in section 135.110, or the tax credits, exemptions and refund otherwise allowed in sections 135.215, 135.220, 135.225 and 135.245, respectively, for the same facility for the same tax period.

6. The total amount of the tax credits allowed in subsection 1 of this section may not exceed the greater of:

(1) That portion of the taxpayer's income attributed to the eligible project; or
 (2) One hundred percent of the total business' income tax if the eligible facility does not replace a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the tax credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; fifty percent of the total business' income tax if the eligible facility replaces a similar facility that closed elsewhere in Missouri prior to the end of the taxpayer's tax period in which the credits are earned, and further provided the taxpayer does not operate any other facilities besides the eligible project in Missouri; or twenty-five percent of the total business income if the taxpayer operates, in addition to the eligible facility, any other facilities in Missouri. In no case shall a taxpayer operating more than one eligible project in Missouri be allowed to offset more than twenty-five percent of the taxpayer's business income in any tax period. That portion of the taxpayer's income attributed to the eligible project as referenced in subdivision (1) of this subsection, for which the credits allowed in sections 135.110 and 135.225 and subsection 3 of this section, may apply, shall be determined in the same manner as prescribed in subdivision (6) of section 135.100. That portion of the taxpayer's franchise tax attributed to the eligible project for which the remediation tax credit may offset, shall be determined in the same manner as prescribed in paragraph (a) of subdivision (6) of section 135.100.

7. Taxpayers claiming the state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use. Otherwise, the taxpayer's right to claim such state tax benefits shall be forfeited. Unused business facility and enterprise zone tax credits shall not be carried forward but shall be initially claimed for the tax period during which the eligible project was first capable of being used, and during any applicable subsequent tax periods.

8. Taxpayers claiming the remediation tax credit allowed in subsection 3 of this section shall be required to file all applicable tax credit applications, forms and schedules prescribed by the director during the taxpayer's tax period immediately after the tax period in which the eligible project was first put into use, or during the taxpayer's tax period immediately after the tax period in which the voluntary remediation activities were performed.

9. The recipient of remediation tax credits, for the purpose of this subsection referred to as assignor, may assign, sell or transfer, in whole or in part, the remediation tax credit allowed in subsection 3 of this section to any other person, for the purpose of this subsection referred to as assignee. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address and the assignee's tax period and the amount of tax credits to be transferred. The number of tax periods during which the assignee may subsequently claim the tax credits shall not exceed twenty tax periods, less the number of tax periods the assignor previously claimed the credits before the transfer occurred.

10. In the case where an operator and assignor of an eligible project has been certified to claim state tax benefits allowed in subdivisions (2) and (3) of subsection 1 of this section, and sells or otherwise transfers title of the eligible project to another taxpayer or assignee who continues the same or substantially similar operations at the eligible project, the director shall allow the assignee to claim the credits for a period of time to be determined by the director; except that, the total number of tax periods the tax credits may be earned by the assignor and the assignee shall not exceed ten. To perfect the transfer, the assignor shall provide written notice to the director of the assignor's intent to transfer the tax credits to the assignee, the date the transfer is effective, the assignee's name, address, and the assignee's tax period, and the amount of tax credits to be transferred.

11. For the purpose of the state tax benefits described in this section, in the case of a corporation described in section 143.471 or partnership, in computing Missouri's tax liability, such state benefits shall be allowed to the following:

- (1) The shareholders of the corporation described in section 143.471;
- (2) The partners of the partnership.

The credit provided in this subsection shall be apportioned to the entities described in subdivisions (1) and (2) of this subsection in proportion to their share of ownership on the last day of the taxpayer's tax period.

12. For each fiscal year beginning on or after July 1, 2014, no more than twenty-five million dollars in tax credits shall be authorized under the provisions of section 447.700 to 447.718. Of the twenty-five million dollars authorized under this subsection, no more than five million dollars shall be available to projects qualified to receive benefits under section 99.1205."; and

Further amend said substitute, Page 38, Section 620.1039, Line 70, by inserting after all of said line the following:

"[143.119. 1. A self-employed taxpayer, as such term is used in the federal internal revenue code, who is otherwise ineligible for the federal income tax health insurance deduction under Section 162 of the federal internal revenue code shall be entitled to a credit against the tax otherwise due under this chapter, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to the portion of such taxpayer's federal tax liability incurred due to such taxpayer's inclusion of such payments in federal adjusted gross income. The tax credits authorized under this section shall be nontransferable. To the extent tax credit issued under this section exceeds a taxpayer's state income tax liability, such excess shall be considered an overpayment of tax and shall be refunded to the taxpayer.

2. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

Representative Fitzwater offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 112, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

"135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, except sections 143.191 to 143.261, as a production incentive to produce processed wood products in a qualified wood-producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, [2013] **2019. In no event shall the aggregate amount of all tax credits allowed pursuant to sections 135.300 to 135.311 exceed three million five hundred thousand dollars in any given fiscal year.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Anderson	Austin	Bahr	Berry
Brattin	Burlison	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen

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Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Richardson	Ross	Rowden	Rowland	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Funderburk	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Brown	Conway 10	Davis
Franklin	Grisamore	Hinson	May	Mims
Molendorp	Rhoads	Riddle	Scharnhorst	Schatz
Smith 85	Smith 120	Wieland		

On motion of Representative Fitzwater, **House Amendment No. 2** was adopted by the following vote:

AYES: 102

Allen	Anders	Austin	Berry	Black
Carpenter	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hodges	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McGaugh	McKenna	McManus	Messenger
Miller	Morris	Neely	Neth	Nichols
Norr	Pfautsch	Phillips	Pike	Pogue
Redmon	Reiboldt	Remole	Richardson	Rizzo
Roorda	Ross	Rowden	Rowland	Runions

Scharnhorst	Schatz	Schieffer	Schupp	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Zerr	Mr Speaker			

NOES: 045

Anderson	Bahr	Brattin	Burlison	Burns
Butler	Colona	Curtis	Curtman	Ellington
Englund	Fitzpatrick	Frame	Gardner	Guernsey
Haahr	Hubbard	Hummel	Kirkton	Koenig
Marshall	McCaherty	McCann Beatty	McDonald	McNeil
Meredith	Mitten	Montecillo	Moon	Morgan
Newman	Otto	Pace	Parkinson	Peters
Pierson	Rehder	Schieber	Walton Gray	Webb
Webber	White	Wilson	Wood	Wright

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Bernskoetter	Brown	Conway 10	Franklin
Grisamore	Hinson	May	Mims	Molendorp
Muntzel	Rhoads	Riddle	Shull	Smith 120
Wieland				

Representative Jones (110) offered **House Amendment No. 3.**

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 112, Page 20, Section 135.680, Line 355, by inserting after all of said line the following:

"135.1670. 1. If any job that qualifies for a tax credit under sections 100.7000 to 100.850, 135.100 to 135.258, 135.950 to 135.973, 620.1023, or 620.1875 to 620.1910 relocates to a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat, a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, or a county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants from any county outside the state of Missouri which is adjacent to such counties, no tax credits shall be issued for such job under such sections if the state of Kansas prohibits any tax credit for jobs or economic incentive for job creation or does not award any job relocation incentive for any job that relocates from such counties into any county outside the state of Missouri which is adjacent to such counties.

2. Subsection 1 of this section shall become effective only upon the state of Kansas enacting legislation or the governor of Kansas issuing an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section.

3. Subsection 1 of this section shall become null and void and thereby considered repealed effective only upon the state of Kansas repealing enacted legislation or the governor of Kansas rescinding an executive order or similar action which is substantially similar to the provisions contained in subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (110), **House Amendment No. 3** was adopted.

Representative Diehl offered **House Amendment No. 4.**

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 112, Page 27, Section 144.810, Line 242, by inserting after all of said line the following:

"253.545. As used in sections 253.545 to 253.559, the following terms mean, unless the context requires otherwise:

(1) "Certified historic structure", a property located in Missouri and listed individually on the National Register of Historic Places;

(2) "Deed in lieu of foreclosure or voluntary conveyance", a transfer of title from a borrower to the lender to satisfy the mortgage debt and avoid foreclosure;

(3) "Eligible property", property located in Missouri and offered or used for residential or business purposes;

(4) "Leasehold interest", a lease in an eligible property for a term of not less than thirty years;

(5) "Principal", a managing partner, general partner, or president of a taxpayer;

(6) "Structure in a certified historic district", a structure located in Missouri which is certified by the department of natural resources as contributing to the historic significance of a certified historic district listed on the National Register of Historic Places, or a local district that has been certified by the United States Department of the Interior;

(7) "Taxpayer", any person, firm, partnership, trust, estate, limited liability company, or corporation;

(8) **"Total costs and expenses of rehabilitation", all costs and expenses related to the rehabilitation of eligible property that is a certified historic structure or a structure in a certified historic district including, but not limited to, qualified rehabilitation expenditures as defined in Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section. Such costs and expenses shall include, but not be limited to, rehabilitation work in progress, accrued developer fees, and costs and expenses related to rehabilitation incurred at the taxpayers own risk up to one year before the date of submission of a preliminary application under section 253.559. Provided however, that accrued developer fees shall only be considered "total costs and expenses of rehabilitation" if an agreement or other contractual document provides for the payment of such fees within no more than six years of completion of the rehabilitation.**

253.550. 1. Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, [may] **shall**, subject to the provisions of this section and section 253.559, receive a credit against the taxes imposed pursuant to chapters 143 and 148, except for sections 143.191 to 143.265, on such taxpayer in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources. **The department of economic development shall determine the total costs and expenses of rehabilitation pursuant to subsection 7 of section 253.559, but in no case shall such total costs and expenses of rehabilitation be defined more narrowly than qualified rehabilitation expenditures as defined in Section 47 (c) (2) (A) of the Internal Revenue Code of 1986, as amended, and any related regulations promulgated under such section, as required by section 253.545.**

2. During the period beginning on January 1, 2010, but ending on or after June 30, 2010, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed seventy million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. For each fiscal year beginning on or after July 1, 2010, **but ending on or before June 30, 2014**, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed one hundred forty million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

3. For all applications for tax credits approved on or after January 1, 2010, **but before July 1, 2014**, no more than two hundred fifty thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the

rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

4. The limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to January 1, 2010; or

(2) Any taxpayer applying for tax credits, provided under this section, which, on or before January 1, 2010, has filed an application with the department evidencing that such taxpayer:

(a) Has incurred costs and expenses for an eligible property which exceed the lesser of five percent of the total project costs or one million dollars and received an approved Part I from the Secretary of the United States Department of Interior; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation shall exceed fifty percent of the total basis in the property.

5. For each fiscal year beginning on or after July 1, 2014, the department of economic development shall not approve applications for tax credits under the provisions of subsections 3 and 8 of section 253.559 which, in the aggregate, exceed ninety million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations provided under this subsection shall not apply to applications approved under the provisions of subsection 3 of section 253.559 for projects to receive less than two hundred seventy-five thousand dollars in tax credits.

6. For all applications for tax credits approved on or after July 1, 2014, no more than one hundred twenty-five thousand dollars in tax credits may be issued for eligible costs and expenses incurred in the rehabilitation of an eligible property which is a nonincome producing single-family, owner-occupied residential property and is either a certified historic structure or a structure in a certified historic district.

7. In lieu of the limitations on tax credit authorization provided under the provisions of subsections 5 and 6 of this section, the limitations on tax credit authorization provided under the provisions of subsections 2 and 3 of this section shall apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to July 1, 2014; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2014:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed the lesser of fifteen percent of the total project costs or three million dollars; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

8. For each fiscal year beginning on or after July 1, 2014, the department of economic development shall not approve applications for projects to receive less than two hundred seventy-five thousand dollars in tax credits which, in the aggregate, exceed ten million dollars, increased by any amount of tax credits for which approval shall be rescinded under the provisions of section 253.559. The limitations on tax credit authorization provided under the provisions of this subsection shall not apply to:

(1) Any application submitted by a taxpayer, which has received approval from the department prior to the July 1, 2014; or

(2) Any application for tax credits provided under this section for a project, which on or before July 1, 2014:

(a) Received an approved Part I from the Secretary of the United States Department of Interior and has incurred costs and expenses for an eligible property which exceed five percent of the total project costs; or

(b) Has received certification, by the state historic preservation officer, that the rehabilitation plan meets the standards consistent with the standards of the Secretary of the United States Department of the Interior, and the rehabilitation costs and expenses associated with such rehabilitation would, upon completion, be expected to exceed fifty percent of the total basis in the property.

253.557. 1. If the amount of such credit exceeds the total tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the state tax liability may be carried back to any of the three preceding years and carried forward for credit against the taxes imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265 for the succeeding ten years, or until the full credit is used, whichever occurs first. Not-for-profit entities, including but not limited to corporations organized as not-for-profit corporations pursuant to chapter 355 shall be ineligible for the tax credits authorized under sections 253.545 [through 253.561] **to 253.559. Any taxpayer that receives state tax credits under the provisions of sections 135.350 to 135.363 for a project that is not financed through tax exempt bonds issuance shall be ineligible for the state tax credits authorized under sections 253.545 to 253.559 for the same project.** Taxpayers eligible for such tax credits may transfer, sell or assign the credits. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners respectively pro rata or pursuant to an executed agreement among the partners, members or owners documenting an alternate distribution method.

2. The assignee of the tax credits, hereinafter the assignee for purposes of this subsection, may use acquired credits to offset up to one hundred percent of the tax liabilities otherwise imposed pursuant to chapter 143 and chapter 148, except for sections 143.191 to 143.265. The assignor shall perfect such transfer by notifying the department of economic development in writing within thirty calendar days following the effective date of the transfer and shall provide any information as may be required by the department of economic development to administer and carry out the provisions of this section.

253.559. 1. To obtain approval for tax credits allowed under sections 253.545 to 253.559, a taxpayer shall submit an application for tax credits to the department of economic development. Each application for approval, including any applications received for supplemental allocations of tax credits as provided under subsection 8 of this section, shall be prioritized for review and approval, in the order of the date on which the application was postmarked, with the oldest postmarked date receiving priority. Applications postmarked on the same day shall go through a lottery process to determine the order in which such applications shall be reviewed.

2. Each application shall be reviewed by the department of economic development for approval. In order to receive approval, an application, other than applications submitted under the provisions of subsection 8 of this section, shall include:

(1) Proof of ownership or site control. Proof of ownership shall include evidence that the taxpayer is the fee simple owner of the eligible property, such as a warranty deed or a closing statement. Proof of site control may be evidenced by a leasehold interest or an option to acquire such an interest. If the taxpayer is in the process of acquiring fee simple ownership, proof of site control shall include an executed sales contract or an executed option to purchase the eligible property;

(2) Floor plans of the existing structure, architectural plans, and, where applicable, plans of the proposed alterations to the structure, as well as proposed additions;

(3) The estimated cost of rehabilitation, the anticipated total costs of the project, the actual basis of the property, as shown by proof of actual acquisition costs, the anticipated total labor costs, the estimated project start date, and the estimated project completion date;

(4) Proof that the property is an eligible property and a certified historic structure or a structure in a certified historic district, **or evidence that the taxpayer has submitted the necessary documentation to qualify the property as an eligible property and a certified historic structure or as a structure in a certified historic district. A final determination of such qualifications shall not be a prerequisite for approval of the application or the incurrence of eligible costs;** and

(5) Any other information which the department of economic development may reasonably require to review the project for approval. Only the property for which a property address is provided in the application shall be reviewed for approval. Once selected for review, a taxpayer shall not be permitted to request the review of another property for approval in the place of the property contained in such application. Any disapproved application shall be removed from the review process. If an application is removed from the review process, the department of economic development shall notify the taxpayer in writing of the decision to remove such application. Disapproved applications shall lose priority in the review process. A disapproved application, which is removed from the review process, may be resubmitted, but shall be deemed to be a new submission for purposes of the priority procedures described in this section.

3. If the department of economic development deems the application sufficient, the taxpayer shall be notified in writing of the approval for an amount of tax credits equal to the amount provided under section 253.550 less any amount of tax credits previously approved. Such approvals shall be granted to applications in the order of priority established under this section and shall require full compliance thereafter with all other requirements of law as a condition to any claim for such credits. **Notwithstanding any provision of law to the contrary, a determination of**

the department of economic development, in consultation with the department of natural resources, whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the department of natural resources under subsection 7 of this section, shall not be required for the department of economic development to approve an application under this subsection.

4. Following approval of an application, the identity of the taxpayer contained in such application shall not be modified except:

(1) The taxpayer may add partners, members, or shareholders as part of the ownership structure, so long as the principal remains the same, provided however, that subsequent to the commencement of renovation and the expenditure of at least ten percent of the proposed rehabilitation budget, removal of the principal for failure to perform duties and the appointment of a new principal thereafter shall not constitute a change of the principal; or

(2) Where the ownership of the project is changed due to a foreclosure, deed in lieu of a foreclosure or voluntary conveyance, or a transfer in bankruptcy. **Upon any such change in ownership, the taxpayer contained in such application, or any successor owner of the project, shall notify the department of such change.**

5. In the event that the department of economic development grants approval for tax credits equal to the **applicable** total amount available under subsection 2 **or 5** of section 253.550, or sufficient that when totaled with all other approvals, the **applicable** amount available under subsection 2 **or 5** of section 253.550 is exhausted, all taxpayers with applications then awaiting approval or thereafter submitted for approval shall be notified by the department of economic development that no additional approvals shall be granted during the fiscal year and shall be notified of the priority given to such taxpayer's application then awaiting approval. Such applications shall be kept on file by the department of economic development and shall be considered for approval for tax credits in the order established in this section in the event that additional credits become available due to the rescission of approvals or when a new fiscal year's allocation of credits becomes available for approval.

6. All taxpayers with applications receiving approval on or after the effective date of this act shall commence rehabilitation within two years of the date of issuance of the letter from the department of economic development granting the approval for tax credits. "Commencement of rehabilitation" shall mean that as of the date in which actual physical work, contemplated by the architectural plans submitted with the application, has begun, the taxpayer has incurred no less than ten percent of the estimated costs of rehabilitation provided in the application. Taxpayers with approval of a project shall submit evidence of compliance with the provisions of this subsection. If the department of economic development determines that a taxpayer has failed to comply with the requirements provided under this section, the approval for the amount of tax credits for such taxpayer shall be rescinded and such amount of tax credits shall then be included in the **applicable** total amount of tax credits, provided under subsection 2 **or 5** of section 253.550, from which approvals may be granted. Any taxpayer whose approval shall be subject to rescission shall be notified of such from the department of economic development and, upon receipt of such notice, may submit a new application for the project.

7. To claim the credit authorized under sections 253.550 to 253.559, a taxpayer with approval shall apply for final approval and issuance of tax credits from the department of economic development [which,] . **Such application for final approval and issuance of tax credits shall include a cost and expense certification, prepared by a licensed certified public accountant that is not an affiliate of the applicant, certifying the total costs and expenses of rehabilitation and the total amount of tax credits for which such taxpayer is eligible under sections 253.550 to 253.559. Cost and expense certifications required under this section shall separately state any accrued developer fees. No later than forty-five calendar days following receipt of a taxpayer's application for final approval and issuance of tax credits, the department of economic development shall determine,** in consultation with the department of natural resources, [shall determine the final amount of eligible rehabilitation costs and expenses and] whether the completed rehabilitation meets the standards of the Secretary of the United States Department of the Interior for rehabilitation [as determined by the state historic preservation officer of the Missouri department of natural resources]. **If the completed rehabilitation meets such standards, the department of economic development shall, within forty-five calendar days following the receipt of the taxpayer's application for final approval and tax credit issuance, inform such taxpayer of its initial determination by letter and issue such taxpayer an initial tax credit issuance. A taxpayer receiving an initial tax credit issuance shall receive tax credit certificates in an amount equal to the lesser of seventy-five percent of the total amount of tax credits for which the taxpayer is eligible under sections 253.550 to 253.559, as certified in the cost and expense certification, or the amount of tax credits approved for such project under subsection 3 of this section. Within one hundred and twenty calendar days following receipt of a taxpayer's application for final approval and tax credit issuance, the department shall determine the final amount of eligible rehabilitation costs and expenses. For a taxpayer receiving an initial tax credit issuance, no later than one hundred and twenty calendar days following receipt of such taxpayer's application for final**

approval and tax credit issuance, the department shall notify such taxpayer of its final determination by letter and issue such taxpayer tax credit certificates in an amount equal to the lesser of the remaining amount of tax credits for which such taxpayer is eligible to receive under sections 253.550 to 253.559, as determined by the department, or the remaining amount of tax credits for which such taxpayer was approved under subsection 3 of this section, but not issued under the initial tax credit issuance. If the department of economic development determines that the amount of tax credits issued to a taxpayer in the initial tax credit issuance is in excess of the total amount of tax credits such taxpayer is eligible to receive under sections 253.550 to 253.559, the department shall notify such taxpayer and such taxpayer shall repay the state an amount equal to such excess. For financial institutions credits authorized pursuant to sections 253.550 to [253.561] 253.559 shall be deemed to be economic development credits for purposes of section 148.064. The approval of all applications and the issuing of certificates of eligible credits to taxpayers shall be performed by the department of economic development. [The department of economic development shall inform a taxpayer of final approval by letter and shall issue, to the taxpayer, tax credit certificates.] The taxpayer shall attach the certificate to all Missouri income tax returns on which the credit is claimed. **Taxpayers which receive tax credit certificates under sections 253.550 to 253.559, attributable to accrued developer fees shall, within six years of completion of rehabilitation, submit an additional cost and expense certification verifying the total amount of developer fees actually accrued and paid. To the extent the amount of developer fees contained in a taxpayer's cost and expense certification included with such taxpayers application for final approval and tax credit issuance exceeds the amount of developer fees actually accrued and paid, as evidenced by the additional cost and expense certification, such taxpayer shall repay to the state an amount equal to twenty-five percent of such excess.**

8. Except as expressly provided in this subsection, tax credit certificates shall be issued in the final year that costs and expenses of rehabilitation of the project are incurred, or within the twelve-month period immediately following the conclusion of such rehabilitation. In the event the amount of eligible rehabilitation costs and expenses incurred by a taxpayer would result in the issuance of an amount of tax credits in excess of the amount provided under such taxpayer's approval granted under subsection 3 of this section, such taxpayer may apply to the department for issuance of tax credits in an amount equal to such excess. Applications for issuance of tax credits in excess of the amount provided under a taxpayer's application shall be made on a form prescribed by the department **and shall be substantially in the form of the department of economic development form titled "Historic Preservation Tax Credit Program - Request for Additional Credits" in effect by the effective date of this act.** Such applications shall be subject to all provisions regarding priority provided under subsection 1 of this section.

9. The department of economic development shall determine, on an annual basis, the overall economic impact to the state from the rehabilitation of eligible property.

10. (1) **Taxpayers or duly authorized representatives may appeal any official decision, including all preliminary or final approvals and denials of approvals, made by the department or the department of natural resources with regard to an application submitted under sections 253.550 to 253.559 to an independent third-party appeals officer designated by the department within fourteen days of receipt of the appeal by the department. Such appeals under this section shall constitute an administrative review of the decision appealed from and shall not be conducted as an adjudicative proceeding.**

(2) Appeals shall be submitted to the designated appeals officer in writing within thirty days of receipt by the taxpayer or the taxpayer's duly authorized representative of the decision that is the subject of the appeal, and shall include all information the appellant wishes the appeals officer to consider in deciding the appeal.

(3) Within fourteen days of receipt of an appeal, the appeals officer shall notify the department or the department of natural resources that an appeal is pending, identify the decision being appealed, and forward a copy of the information submitted by the appellant. The department or the department of natural resources may submit a written response to the appeal within thirty days.

(4) The appellant shall be entitled to one meeting with the appeals officer to discuss the appeal, but the appeals officer may schedule additional meetings at the officer's discretion. The department or the department of natural resources may appear at all meetings.

(5) The appeals officer shall consider the record of the decision in question, any further written submissions by the appellant and the department or the department of natural resources, and other available information, and shall deliver a written decision to all parties as promptly as circumstances permit, but not later than ninety days after the initial receipt of an appeal by the appeals officer.

11. By no later than January 1, 2014, the department shall propose rules to implement the provisions of sections 253.550 to 253.559. Prior to proposing such rules, the department shall conduct a stakeholder process designed to solicit input from interested parties. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated herein shall become effective only if it complies with and

is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 4** was adopted.

Representative Bahr offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 112, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

"135.350. As used in this section, unless the context clearly requires otherwise, the following words and phrases shall mean:

(1) "Commission", the Missouri housing development commission, or its successor agency;

(2) "Director", director of the department of revenue;

(3) "Eligibility statement", a statement authorized and issued by the commission certifying that a given project qualifies for the Missouri low-income housing tax credit. The commission shall promulgate rules establishing criteria upon which the eligibility statements will be issued. The eligibility statement shall specify the amount of the Missouri low-income housing tax credit allowed. The commission shall only authorize the tax credits to qualified projects which begin after June 18, 1991;

(4) **"Federal credit period", the same meaning as is prescribed the term "credit period" under section 42 of the 1986 Internal Revenue Code, as amended;**

(5) "Federal low-income housing tax credit", the federal tax credit as provided in section 42 of the 1986 Internal Revenue Code, as amended;

[(5)] (6) "Low-income project", a housing project which has restricted rents that do not exceed thirty percent of median income for at least forty percent of its units occupied by persons of families having incomes of sixty percent or less of the median income, or at least twenty percent of the units occupied by persons or families having incomes of fifty percent or less of the median income;

[(6)] (7) "Median income", those incomes which are determined by the federal Department of Housing and Urban Development guidelines and adjusted for family size;

[(7)] (8) "Qualified Missouri project", a qualified low-income building as that term is defined in section 42 of the 1986 Internal Revenue Code, as amended, which is located in Missouri;

[(8)] (9) "Taxpayer", person, firm or corporation subject to the state income tax imposed by the provisions of chapter 143 (except withholding imposed by sections 143.191 to 143.265) or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state.

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall, subject to the limitations provided under the provisions of subsection 3 of this section, be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. For qualified Missouri projects placed in service after January 1, 1997, the Missouri low-income housing tax credit available to a project shall be such amount as the commission shall determine is necessary to ensure the feasibility of the project, up to an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal [tax] **credit** period, and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. No more than six million dollars in tax credits shall be authorized each fiscal year **ending on or before June 30, 2014**, for projects financed through tax-exempt bond issuance.

4. **For purposes of the limitations provided under this subsection, the aggregate amount of tax credits allowed over a federal credit period shall be attributed to the fiscal year in which such credits are authorized by the commission for a qualified Missouri project. For each fiscal year beginning on or after July 1, 2014, there shall be a four million dollar cap on tax credit authorizations for projects which are financed through tax exempt bond issuance. For projects which are not financed through tax exempt bond issuance, the maximum amount of tax credits authorized shall be as follows:**

- (1) **For fiscal year 2014, one hundred thirty million dollars;**
- (2) **For fiscal year 2015, one hundred twenty-five million dollars;**
- (3) **For fiscal year 2016, one hundred twenty million dollars;**
- (4) **For fiscal year 2017, one hundred fifteen million dollars; and**
- (5) **For the fiscal years beginning in 2018 and after, one hundred ten million dollars.**

5. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified pursuant to section 32.115. The credit authorized by this section shall not be refundable. Any amount of credit that exceeds the tax due for a taxpayer's taxable year may be carried back to any of the taxpayer's three prior taxable years or carried forward to any of the taxpayer's five subsequent taxable years. **For projects authorized on or after July 1, 2014, any amount of credit that exceeds the tax due for a taxpayer's taxable year shall not be eligible to be carried back, but may be carried forward to any of the taxpayer's two subsequent taxable years.**

[5.] 6. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible pursuant to the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

[6.] 7. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

8. **A taxpayer that receives state tax credits under the provisions of sections 253.545 to 253.559 shall be ineligible to receive state tax credits under the provisions of sections 135.350 to 135.363 for the same project, if such project is not financed through tax exempt bond issuance.**

[7.] 9. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 5** was adopted.

Representative Torpey offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 112, Pages 27 through 36, Sections 348.273 and 348.274, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"348.273. 1. This section and section 348.274 shall be known and may be cited as the "Missouri Angel Investment Incentive Act".

2. As used in this section and section 348.274, the following terms mean:

- (1) **"Cash investment", money or money equivalent contribution;**
- (2) **"Department", the department of economic development;**
- (3) **"Investor":**

(a) A natural person who is an accredited investor as defined in 17 CFR 230.501(a)(5) or 17 CFR 230.501(a)(6), as in effect on August 28, 2013;

(b) A permitted entity investor who is an accredited investor as defined in 17 CFR 230.501(a)(8), as in effect on August 28, 2013; or

(c) A natural person or permitted entity investor making an investment that is permitted under the Jumpstart Our Business Startups Act, Pub. L. No. 112-106, Sections 301-305, 126 Stat. 315-323, as in effect on August 28, 2013.

A person who serves as an executive, officer, or employee of the business in which an otherwise qualified cash investment is made is not an investor and such person shall not qualify for the issuance of tax credits for such investment;

(4) "Owner", any natural person who is, directly or indirectly, a partner, stockholder, or member in a permitted entity investor;

(5) "Permitted entity investor", any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143, general partnership, limited partnership, small corporation described in section 143.471, revocable living trust, or limited liability company that has elected to be taxed as a partnership under the United States internal revenue code, and that was established and is operated for the purpose of making investments in other entities;

(6) "Qualified knowledge-based company", a company based on the use of ideas and information to provide innovative technologies, products, and services;

(7) "Qualified Missouri business", the Missouri businesses that are approved and certified as qualified knowledge-based companies by the regional SBTDC that meet at least one of the following criteria:

(a) Any business owned by an individual;

(b) Any partnership, association, or corporation domiciled in Missouri; or

(c) Any corporation, even if a wholly owned subsidiary of a foreign corporation, that does business primarily in Missouri or does substantially all of such business's production in Missouri;

(8) "Qualified securities", a cash investment through any one or more forms of financial assistance as provided in this subdivision and that have been approved in form and substance by the department. Forms of such financial assistance include:

(a) Any form of equity, such as:

a. A general or limited partnership interest;

b. Common stock;

c. Preferred stock, with or without voting rights, without regard to seniority position, and whether or not convertible into common stock; or

d. Any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion attached; or

(b) A debt instrument, such as a note or debenture that is secured or unsecured, subordinated to the general creditors of the debtor and requires no payments of principal, other than principal payments required to be made out of any future profits of the debtor, for at least a seven-year period after commencement of such debt instrument's term;

(9) "SBTDC", the Missouri small business and technology development center; and

(10) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. The Missouri angel investment incentive act shall be administered by the regional SBTDCs and the department, with the primary goal of encouraging individuals to provide seed-capital financing for emerging Missouri businesses engaged in the development, implementation, and commercialization of innovative technologies, products, and services. Each regional SBTDC shall establish a regional committee consisting of no fewer than three but no more than five persons for the purpose of reviewing applications from businesses requesting designation as a qualified Missouri business and allocating the amount of available tax credits among the qualified Missouri businesses. The department shall establish its own rules of procedure, including the form and substance of applications to be used by each regional SBTDC and the criteria to be considered by each regional SBTDC when evaluating a qualified Missouri business, such applications and criteria to be not less than the minimum requirements set forth in subsection 5 of this section. The department shall issue tax credits to qualified investors that make cash investments in qualified Missouri businesses that have been allocated available tax credits by a regional SBTDC.

4. (1) A tax credit shall be allowed for an investor's cash investment in the qualified securities of a qualified Missouri business. The credit shall be in a total amount equal to fifty percent of such investor's cash investment in any qualified Missouri business, subject to the limitations set forth in this subsection. This tax

credit may be used in its entirety in the taxable year in which the cash investment is made except that no tax credit shall be allowed in a year prior to the year beginning January 1, 2014. If the amount by which that portion of the credit allowed by this section exceeds the investor's liability in any one taxable year, the remaining portion of the credit may be carried forward five years or until the total amount of the credit is used, whichever occurs first. If the investor is a permitted entity investor, the credit provided by this section shall be claimed by the owners of the permitted entity investor in proportion to their equity investment in the permitted entity investor.

(2) A cash investment in a qualified security shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined in accordance with the provisions of the Internal Revenue Code of 1986, as amended.

(3) The director of the department of revenue shall not allow tax credits of more than fifty thousand dollars for a single qualified Missouri business or a total of two hundred fifty thousand dollars in tax credits for a single year per investor who is a natural person or owner of a permitted entity investor. No tax credits authorized by this section and section 348.274 shall be allowed for any cash investments in qualified securities for any year beginning after December 31, 2019. The total amount of tax credits allocated under this section shall not exceed six million dollars per year.

(4) At the beginning of each calendar year, the department shall equally designate the tax credits available during that year to each regional SBTDC. At the beginning of each calendar quarter, the department shall allocate to each regional SBTDC one-fourth of the total tax credits designated to such regional SBTDC for the calendar year such that the regional SBTDC can allocate tax credits among the qualified Missouri businesses. The department shall then issue tax credits to qualified investors for cash investments in such qualified Missouri businesses during that calendar quarter.

(5) At the end of each calendar quarter, each regional SBTDC shall report to the department any unallocated tax credits for the preceding quarter. Such report shall meet the requirements set forth in section 348.274. The department shall aggregate all such tax credits and reallocate them equally among the regional SBTDCs as soon as possible during the next consecutive calendar quarter. Each regional SBTDC shall receive such reallocation in addition to the new allocation of designated tax credits for such quarter.

(6) During the fourth calendar quarter, a regional SBTDC in need of additional tax credits for transactions closing in the fourth calendar quarter may request that another regional SBTDC with unallocated tax credits permit such unallocated tax credits to be allocated by the requesting SBTDC. No regional SBTDC shall be required to grant such request. When a granting SBTDC transfers the allocation of the unallocated tax credits to a requesting SBTDC under this subdivision, the granting SBTDC shall provide to the requesting SBTDC a written confirmation authorizing such transfer, the granting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274, and the requesting SBTDC shall include a copy of such written confirmation in its reports provided under section 348.274.

5. (1) Before an investor may be entitled to receive tax credits under this section and section 348.274, such investor shall have made a cash investment in a qualified security of a qualified Missouri business. The business shall have been approved by a regional SBTDC as a qualified Missouri business before the date on which the cash investment was made. To be designated as a qualified Missouri business, a business shall make application to a regional SBTDC in accordance with the provisions of this section.

(2) The application by a business to a regional SBTDC shall be in the form and substance as required by the department, but shall include at least the following:

- (a) The name of the business and certified copies of the organizational documents of the business;
- (b) A business plan, including a description of the business and the management, product, market, and financial plan of the business;
- (c) A statement of the potential economic impact of the enterprise, including the number, location, and types of jobs expected to be created;
- (d) A description of the qualified securities to be issued, the consideration to be paid for the qualified securities, and the amount of any tax credits requested;
- (e) A statement of the amount, timing, and projected use of the proceeds to be raised from the proposed sale of qualified securities; and
- (f) Such other information as the regional SBTDC or the department may reasonably request.

(3) The designation of a business as a qualified Missouri business shall be made by the regional SBTDC, and such designation shall be renewed annually. A business shall be so designated if the regional SBTDC determines, based upon the application submitted by the business and any additional investigation the regional SBTDC shall make, that such business meets the criteria established by the department. Such criteria shall include at least the following:

(a) The business shall not have had annual gross revenues of more than five million dollars in the most recent tax year of the business;

(b) Businesses that are not bioscience businesses shall have been in operation for less than five years, and bioscience businesses shall have been in operation for less than ten years;

(c) The ability of investors in the business to receive tax credits for cash investments in qualified securities of the business is beneficial, because funding otherwise available for the business is not available on commercially reasonable terms;

(d) The business shall not have ownership interests including, but not limited to, common or preferred shares of stock, that can be traded via a public stock exchange before the date that a qualifying investment is made;

(e) The business shall not be engaged primarily in any one or more of the following enterprises:

a. The business of banking, savings and loan or lending institutions, credit or finance, or financial brokerage or investments;

b. The provision of professional services, such as legal, accounting, or engineering services;

c. Governmental, charitable, religious, or trade organizations;

d. The ownership, development brokerage, sales, or leasing of real estate;

e. Insurance;

f. Construction or construction management or contracting;

g. Business consulting or brokerage;

h. Any business engaged primarily as a passive business, having irregular or noncontinuous operations, or deriving substantially all of the income of the business from passive investments that generate interest, dividends, royalties, or capital gains, or any business arrangements the effect of which is to immunize an investor from risk of loss;

i. Any activity that is in violation of the law;

j. Any business raising money primarily to purchase real estate, land, or fixtures; and

k. Any gambling related business;

(f) The business has a reasonable chance of success;

(g) The business has the reasonable potential to create measurable employment within the region, this state, or both;

(h) The business has an innovative and proprietary technology, product, or service;

(i) The existing owners of the business and other founders have made or are committed to make a substantial financial and time commitment to the business;

(j) The securities to be issued and purchased are qualified securities;

(k) The business has the reasonable potential to address the needs and opportunities specific to the region or this state, or both;

(l) The business has made binding commitments to the regional SBTDC for adequate reporting of financial data, including a requirement for an annual report, or, if required by the regional SBTDC, an annual audit of the financial and operational records of the business, the right of access to the financial records of the business, and the right of the regional SBTDC to record and publish normal and customary data and information related to the issuance of tax credits that are not otherwise determined to be trade or business secrets;

(m) The business shall satisfy all other requirements of this section and section 348.274; and

(n) This section and all referenced sections herein are subject to the provisions of section 196.1127.

(4) Notwithstanding the requirements of subdivision (3) of this subsection, a business may be considered as a qualified Missouri business under the provisions of this section and section 348.274 if such business falls within a standard industrial classification code established by the department.

(5) A qualified Missouri business shall have the burden of proof to demonstrate to the regional SBTDC the qualifications of the business under this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section and section 348.274 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

348.274. 1. (1) Each regional SBTDC is authorized to allocate tax credits to qualified Missouri businesses. The department is authorized to issue tax credits to qualified investors in such qualified Missouri

businesses. Such tax credits shall be allocated to those qualified Missouri businesses which, as determined by the regional SBTDC, are most likely to provide the greatest economic benefit to the region, the state, or both. The regional SBTDC may allocate, and the department may issue, whole or partial tax credits based on the regional SBTDC's assessment of the qualified Missouri businesses. The regional SBTDC may consider numerous factors in such assessment, including but not limited to, the quality and experience of the management team, the size of the estimated market opportunity, the risk from current or future competition, the ability to defend intellectual property, the quality and utility of the business model, and the quality and reasonableness of financial projections for the business.

(2) Each qualified Missouri business for which a regional SBTDC has allocated tax credits such that the department can issue tax credits to the qualified investors of such qualified Missouri business shall submit to the regional SBTDC a report before such tax credits are issued. The regional SBTDC shall provide copies of this report to the department. Such report shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business;

(b) Proof of such investment, including copies of the securities purchase agreements and cancelled checks or wire transfer receipts; and

(c) Any additional information as the regional SBTDC may reasonably require under this section and section 348.273.

2. (1) The state of Missouri shall not be held liable for any damages to any investor that makes an investment in any qualified security of a qualified Missouri business, any business that applies to be designated as a qualified Missouri business and is turned down, or any investor that makes an investment in a business that applies to be designated as a qualified Missouri business and is turned down.

(2) Each qualified Missouri business shall have the obligation to notify the regional SBTDC that allocated tax credits to the qualified Missouri business and the department in a timely manner of any changes in the qualifications of the business or in the eligibility of investors to claim a tax credit for cash investment in a qualified security.

(3) The department shall provide the information specified in subdivision (3) of subsection 4 of this section to the department of revenue on an annual basis. The department shall conduct an annual review of the activities undertaken under this section and section 348.273 to ensure that tax credits issued under this section and section 348.273 are issued in compliance with the provisions of this section and section 348.273 or rules and regulations promulgated by each regional SBTDC or the department with respect to this section and section 348.273.

(4) If the department determines that a business is not in substantial compliance with the requirements of this section and section 348.273 to maintain its designation, the department, by written notice, shall inform the business that such business will lose its designation as a qualified Missouri business one hundred twenty days from the date of mailing of the notice unless such business corrects the deficiencies and is once again in compliance with the requirements for designation.

(5) At the end of the one hundred twenty-day period, if the qualified Missouri business is still not in substantial compliance, the department shall send a notice of loss of designation to the business, each regional SBTDC, the director of the department of revenue and to all known investors in the business.

(6) A business shall lose its designation as a qualified Missouri business under this section and section 348.273 by moving its operations outside Missouri within ten years after receiving financial assistance under this section and section 348.273.

(7) In the event that a business loses its designation as a qualified Missouri business, such business shall be precluded from being issued any additional tax credits with respect to the business, shall be precluded from being approved as a qualified Missouri business and shall repay any financial assistance to the regional SBTDC, in an amount to be determined by the regional SBTDC. Each qualified Missouri business that loses its designation as a qualified Missouri business shall enter into a repayment agreement with the regional SBTDC specifying the terms of such repayment obligation.

(8) Investors in a qualified Missouri business shall be entitled to keep all of the tax credits properly issued to such investors under this section and section 348.273.

(9) The portions of documents and other materials submitted to any regional SBTDC or the department that contain trade secrets shall be kept confidential and shall be maintained in a secured environment by the regional SBTDC and the department, as applicable. For the purposes of this section and section 348.273, "trade secrets" means any customer lists, formula, compound, production data, or compilation of information that will allow individuals within a commercial concern using such information the means to fabricate, produce, or

compound an article of trade or perform any service having commercial value, which gives the user an opportunity to obtain a business advantage over competitors who do not know or use such service.

(10) Each regional SBTDC and the department may prepare and adopt procedures concerning the performance of the duties placed upon each respective entity by this section and section 348.273.

3. Any qualified investor who makes a cash investment in a qualified security of a qualified Missouri business may transfer the tax credits such qualified investor may receive under subsection 4 of section 348.273 to any natural person. Such transferee may claim the tax credit against the transferee's Missouri income tax liability as provided in subdivision (1) of subsection 4 of section 348.273, subject to all restrictions and limitations set forth in this section and section 348.273. Only the full credit for any one investment shall be transferred and this interest shall only be transferred one time. Documentation of any tax credit transfer under this section shall be provided by the qualified investor in the manner required by the department.

4. (1) Each qualified Missouri business for which tax credits have been issued under this section and section 348.273 shall report to the applicable regional SBTDC on an annual basis, on or before February first. The regional SBTDC shall provide copies of the reports to the department. Such reports shall include the following:

(a) The name, address, and taxpayer identification number of each investor who has made cash investment in the qualified securities of the qualified Missouri business and has received tax credits for this investment during the preceding year;

(b) The amounts of these cash investments by each investor and a description of the qualified securities issued in consideration of such cash investments; and

(c) Any additional information as the regional SBTDC or the department may reasonably require under this section and section 348.273.

(2) Each regional SBTDC shall report quarterly to the department on the allocation of the tax credits in the preceding calendar quarter. Such reports shall include:

(a) The amount of applications the regional SBTDC received;

(b) The number and ratio of successful applications to unsuccessful applications;

(c) The amount of tax credits allocated but not issued in the previous quarter, including what percentage was allocated to individuals and what percentage was allocated to investment firms;

(d) The amount of unallocated tax credits; and

(e) Such other information as reasonably agreed upon by each regional SBTDC and the department.

(3) The department shall also report annually to the governor, the president pro tempore of the senate, and the speaker of the house of representatives, on or before April first, on the allocation and issuance of the tax credits. Such reports shall include:

(a) The amount of tax credits issued in the previous fiscal year, including what percentage was issued to individuals and what percentage was issued to investment firms;

(b) The types of businesses that benefited from the tax credits;

(c) The amount of allocated but unissued tax credits and the information about the unissued tax credits set forth in subdivision (2) of this subsection;

(d) Any aggregate job creation or capital investment in the region that resulted from the use of the tax credits for a period of five years beginning from the date on which the tax credits were awarded;

(e) The manner in which the purpose of this section and section 348.273 has been carried out with regard to the region;

(f) The total cash investments made for the purchase of qualified securities of qualified Missouri businesses within the region during the preceding year and cumulatively since the effective date of this section and section 348.273;

(g) An estimate of jobs created and jobs preserved by cash investments made in qualified Missouri businesses within the region;

(h) An estimate of the multiplier effect on the economy of the region of the cash investments made under this section and section 348.273;

(i) Information regarding what businesses derived benefit from the tax credits remained in the region, what businesses ceased business, what businesses were purchased, and what businesses may have moved out-of-region or out-of-state and why.

(4) Any violation of the reporting requirements of this subsection by a qualified Missouri business may be grounds for the loss of designation of such qualified Missouri business, and such business that loses its designation as a qualified Missouri business shall be subject to the restrictions upon loss of designation set forth in subsection 2 of this section.

5. Notwithstanding sections 23.250 to 23.298 of the Missouri sunset act, sections 348.273 and 348.274 shall expire on December 31, 2019."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 6** was adopted.

Representative Zerr offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 112, Page 1, In the Title, Line 1, by inserting after "RSMo," the following:

"and section 135.630 as truly agreed to and finally passed by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session,"; and

Further amend said substitute, Page 1, Section A, Line 1, by inserting after "RSMo," the following:

"and section 135.630 as truly agreed to and finally passed by house committee substitute for senate substitute for senate committee substitute for senate bills nos. 20, 15 & 19, ninety-seventh general assembly, first regular session,"; and

Further amend said substitute, Page 11, Section 99.1205, Line 266, by inserting after all of said line the following:

"135.630. 1. As used in this section, the following terms mean:

- (1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
- (2) "Director", the director of the department of social services;
- (3) "Pregnancy resource center", a nonresidential facility located in this state:
 - (a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and
 - (b) Where childbirths are not performed; and
 - (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
 - (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
 - (e) Which provides its services at no cost to its clients; and
 - (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
 - (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;
- (4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;
- (5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from

federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. (1) Beginning on the effective date of this act, any contribution to a pregnancy resource center made on or after January 1, 2013, shall be eligible for tax credits as provided by this section;

(2) For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million **five hundred thousand** dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. Pursuant to section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall be reauthorized as of the effective date of this act and shall expire on December 31, 2019, unless reauthorized by the general assembly; and

(2) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; and

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits."; and

Further amend said substitute, Page 38, Section 620.1039, Line 70, by inserting after all of said line the following:

"[135.630. 1. As used in this section, the following terms mean:

(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and

material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

- (b) Where childbirths are not performed; and
- (c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and
- (d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and
- (e) Which provides its services at no cost to its clients; and
- (f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and
- (g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. (1) Beginning on the effective date of this act, any contribution to a pregnancy resource center made on or after January 1, 2013, shall be eligible for tax credits as provided by this section;

(2) For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director,

of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. [Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

- (1) For no less than seventy-five percent of the par value of such credits; and
- (2) In an amount not to exceed one hundred percent of annual earned credits.

10.] Pursuant to section 23.253 of the Missouri sunset act:

(1) [Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,] The program authorized under this section shall [automatically sunset twelve years after the effective date of the reauthorization of this section] **be reauthorized as of the effective date of this act and shall expire on December 31, 2019, unless reauthorized by the general assembly; and**

[(3)] (2) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset; **and**

(3) **The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.]"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 7** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely

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Neth	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Wood
Zerr	Mr Speaker			

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Franklin	Hinson	May	McCaherty
Mims	Parkinson	Rhoads	Smith 120	Webber
Wieland				

On motion of Representative Lauer, **HCS SB 112, as amended**, was adopted.

On motion of Representative Lauer, **HCS SB 112, as amended**, was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dugger
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Miller
Mitten	Molendorp	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Richardson	Riddle	Rizzo

Roorda	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Solon
Sommer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Wilson	Zerr	Mr Speaker

NOES: 033

Anderson	Brattin	Burlison	Conway 104	Curtman
Dunn	Ellington	Fowler	Frame	Hampton
Hurst	Keeney	Kirkton	Marshall	Meredith
Messenger	Montecillo	Moon	Morgan	Newman
Pace	Pogue	Rehder	Ross	Schieber
Schupp	Smith 85	Spencer	Walton Gray	Webb
White	Wood	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Franklin	Hinson	May	McCaherty	Mims
Parkinson	Rhoads	Smith 120	Webber	Wieland

Representative Johnson declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	English	Englund	Entlicher
Fitzwater	Flanigan	Fowler	Fraker	Frame
Frederick	Gannon	Gatschenberger	Gosen	Guernsey
Haefner	Hansen	Harris	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Messenger	Miller	Mitten
Molendorp	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wilson
Wood	Zerr	Mr Speaker		

NOES: 028

Anderson	Bahr	Brattin	Burlison	Conway 104
Curtman	Ellington	Fitzpatrick	Gardner	Haahr
Hampton	Hurst	Keeney	Kirkton	Koenig
Marshall	Meredith	Montecillo	Moon	Newman
Norr	Pogue	Rehder	Richardson	Schieber
Smith 85	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 017

Engler	Franklin	Funderburk	Grisamore	Hicks
Hinson	Lair	Lichtenegger	May	Mims
Parkinson	Rhoads	Riddle	Schatz	Smith 120
Webber	Wieland			

HCS SS SCS SB 241, relating to infrastructure facilities deployment, was taken up by Representative Cierpiot.

Speaker Jones resumed the Chair.

Representative Cierpiot moved that **HCS SS SCS SB 241** be adopted.

Which motion was defeated.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 241, Page 1, In the Title, Line 1, by inserting after "RSMo," the following:

"and section 393.150 as truly agreed to and finally passed by senate committee substitute for senate bill no. 240, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "RSMo," the following:

"and section 393.150 as truly agreed to and finally passed by senate committee substitute for senate bill no. 240, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Pages 1 through 24, Sections 67.1830, 67.1836, 67.1838, 67.1842, 67.5090, 67.5092, 67.5094, 67.5096, 67.5098, 67.5100, 67.5102, 67.5103, 67.5104, 389.585, 389.586, 389.587, 389.588, 389.589, and 389.591, by deleting all of said sections from the bill and inserting in lieu thereof the following:

"67.5102. In accordance with the policies of this state to further the deployment of wireless communications infrastructure:

(1) An authority may not institute any moratorium on the permitting, construction, or issuance of approval of new wireless support structures, substantial modifications of wireless support structures, or collocations if such moratorium exceeds six months in length and if the legislative act establishing it fails to state reasonable grounds and good cause for such moratorium. No such moratorium shall affect an already pending application;

(2) To encourage applicants to request construction of new wireless support structures on public lands and to increase local revenues:

(a) An authority may not charge a wireless service provider or wireless infrastructure provider any rental, license, or other fee to locate a wireless support structure on an authority's property in excess of the current market rates for rental or use of similarly situated property. If the applicant and the authority do not agree on the applicable market rate for any such public land and cannot agree on a process by which to derive the applicable market rate for any such public land, then the market rate will be determined by a panel of three certified appraisers licensed under chapter 339, using the following process. Each party will appoint one certified appraiser to the panel, and the two certified appraisers so appointed will appoint a third certified appraiser. Each appraiser will independently appraise the appropriate lease rate, and the market rate shall be set at the mid-point between the highest and lowest market rates among the three independent appraisals, provided the mid-point between the highest and lowest appraisals is greater than or less than ten percent of the appraisal of the third appraiser chosen by the parties' appointed appraisers. In such case, the third appraisal will determine the rate for the lease. The appraisal process shall be concluded within ninety calendar days from the date the applicant first tenders its proposed lease rate to the authority. Each party will bear the cost of its own appointed appraiser, and the parties shall share equally the cost of the third appraiser chosen by the two appointed appraisers. Nothing in this paragraph shall bar an applicant and an authority from agreeing to reasonable, periodic reviews and adjustments of current market rates during the term of a lease or contract to use an authority's property; and

(b) An authority may not offer a lease or contract to use public lands to locate a wireless support structure on an authority's property that is less than fifteen years in duration unless the applicant agrees to accept a lease or contract of less than fifteen years in duration;

(3) Nothing in subsection 2 of this section is intended to limit an authority's lawful exercise of zoning, land use, or planning and permitting authority with respect to applications for new wireless support structures on an authority's property under subsection 1 of section 67.5096."; and

Further amend said bill, Page 24, Section 389.591, Line 9, by inserting after all of said line the following:

"[393.150. 1. Whenever there shall be filed with the commission by any gas corporation, electrical corporation, water corporation or sewer corporation any schedule stating a new rate or charge, or any new form of contract or agreement, or any new rule, regulation or practice relating to any rate, charge or service or to any general privilege or facility, the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders without answer or other formal pleading by the interested gas corporation, electrical corporation, water corporation or sewer corporation, but upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, charge, form of contract or agreement, rule, regulation or practice, and pending such hearing and the decision thereon, the commission upon filing with such schedule, and delivering to the gas corporation, electrical corporation, water corporation or sewer corporation affected thereby, a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, charge, form of contract or agreement, rule, regulation or practice, but not for a longer period than one hundred and twenty days beyond the time when such rate, charge, form of contract or agreement, rule, regulation or practice would otherwise go into effect; and after full hearing, whether completed before or after the rate, charge, form of contract or agreement, rule, regulation or practice goes into effect, the commission may make such order in reference to such rate, charge, form of contract or agreement, rule, regulation or practice as would be proper in a proceeding initiated after the rate, charge, form of contract or agreement, rule, regulation or practice had become effective.

2. If any such hearing cannot be concluded within the period of suspension, as above stated, the commission may, in its discretion, extend the time of suspension for a further period not exceeding six months. At any hearing involving a rate sought to be increased, the burden of proof to show that the increased rate or proposed increased rate is just and reasonable shall be upon the gas corporation, electrical corporation, water corporation or sewer corporation, and the commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.

3. The commission order or decision shall specify the annual amount of net write-offs incurred by the gas corporation in providing service to system sales customers as of the date

revenues, rate base, and expenses were last updated or trued-up in the general rate case proceeding. The gas corporation shall thereafter defer and accumulate for future recovery from or return to customers ninety percent of the net increase or decrease in the annual amount of such net write-offs for system sales customers from the date revenues, rate base, and expenses were last updated or trued-up in the general rate case proceeding until the date revenues, rate base, and expenses are updated or trued-up in the gas corporation's next general rate case proceeding. Subject to a review of the reasonableness and prudence of the gas corporation's collection practices, the amounts so deferred shall be recovered from or returned to system sales customers through a positive or negative rate base adjustment designed to recover or returned such amounts over a period not to exceed five years.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ellington moved that **SS SCS SB 241** be recommitted to the committee of origin pursuant to Rule 78.

Which motion was defeated by the following vote:

AYES: 042

Butler	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	English	Frame
Gardner	Harris	Hodges	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Morgan	Newman
Norr	Otto	Pace	Peters	Pierson
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

NOES: 107

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Conway 104	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCaherty	McGaugh
Messenger	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Nichols	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Wood
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Cookson	Franklin	Frederick	Grisamore
Korman	May	Miller	Mims	Rhoads
Roorda	Smith 120	Webber	Wieland	

Representative Stream assumed the Chair.

Representative Cierpiot moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 077

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Cierpiot	Cookson
Cornejo	Cox	Crawford	Curtman	Davis
Diehl	Dohrman	Dugger	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hinson	Hoskins	Hough	Houghton	Hummel
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lant	Leara	Lichtenegger	Lynch
McGaugh	Messenger	Molendorp	Muntzel	Neth
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Rizzo	Ross
Rowden	Rowland	Schatz	Shull	Shumake
Solon	Swan	Thomson	Torpey	Walker
Wood	Mr Speaker			

NOES: 077

Anders	Black	Brattin	Burlison	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cross	Curtis	Dunn	Ellinger	Ellington
Elmer	Fitzpatrick	Frame	Funderburk	Gardner
Grisamore	Harris	Hicks	Higdon	Hodges
Hubbard	Hurst	Johnson	Kelly 45	Kirkton
Korman	Kratky	LaFaver	Lair	Lauer
Love	Marshall	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mitten
Montecillo	Moon	Morgan	Morris	Neely
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Phillips	Pierson	Riddle
Roorda	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Smith 85	Sommer	Spencer	Stream
Swearingen	Walton Gray	Webb	White	Wilson
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 009

Franklin
Rhoads

May
Smith 120

McCaherty
Webber

Miller
Wieland

Mims

SS SCS SB 241 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 103, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Munzlinger, Kehoe, Libla, LeVota and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 116**, entitled:

An act to repeal sections 21.760, 29.090, 29.180, 29.190, 29.200, 29.210, 29.230, 29.235, 29.250, 29.260, 29.270, 29.275, 29.340, 50.055, 50.057, 50.622, 50.1030, 56.809, 70.605, 86.900, 86.990, 86.1000, 86.1010, 86.1030, 86.1100, 86.1110, 86.1150, 86.1180, 86.1210, 86.1220, 86.1230, 86.1240, 86.1250, 86.1270, 86.1310, 86.1380, 86.1420, 86.1500, 86.1530, 86.1540, 86.1580, 86.1590, 86.1610, 86.1630, 103.025, 104.190, 104.480, 169.020, and 238.272, RSMo, and to enact in lieu thereof fifty new sections relating to public accounts, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 118, Section 238.272, Lines 20-21 of said page, by striking the following:

"or three percent of the expenditures made by the transportation district".

Senate Amendment No. 4

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 19, Section 29.351, Line 5, by inserting immediately after said line, the following:

"33.087. 1. Every department and division of the state that receives any grant of federal funds of one million dollars or more shall document and make the following information easily available to the public on the Missouri accountability portal established in section 37.850:

- (1) Any amount of funds it receives from the federal government;**
- (2) The name of the federal agency disbursing the funds;**
- (3) The purpose for which the funds are being received;**
- (4) The name of any state agency to which any portion of the funds are transferred by the initial receiving department or division, the amount transferred, and the purpose for which those funds are transferred;**
and
- (5) The information provided to the department or division pursuant to subsection 2 of this section.**

2. If a department or division receives a grant of federal funds and transfers a portion of such funds to another department or division, the department or division receiving the transferred funds shall report to the department or division from which the funds were transferred, an accounting of how the transferred funds were used and any statistical impact that can be discerned as a result of such usage.

3. All information referred to in subsection 1 of this section shall be updated within thirty days of any receipt or transfer of funds.

4. The office of administration shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this act, shall be invalid and void.

33.300. The governor, lieutenant governor, attorney general, [state auditor,] state treasurer, and commissioner of administration constitute the board of fund commissioners, of which the governor is president and the state treasurer, secretary. The board shall direct the payment of interest on the state debt, the redemption, issue and cancellation of bonds of the state, and perform all acts required of it by law.

37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, Internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to the purchase of goods and services and the distribution of funds for state programs; **all bonds issued by any public institution of higher education or political subdivision of this state or its designated authority after August 28, 2013, all obligations issued or incurred pursuant to section 99.820 by any political subdivision of this state or its designated authority, and the revenue stream pledged to repay such bonds or obligations; and all debt incurred by any public charter school.**

3. The Missouri accountability portal shall be updated each state business day and maintained as the primary source of information about the activity of Missouri's government.

4. **Upon the conducting of a withholding or a release of funds, the governor shall submit a report stating all amounts withheld from the state's operating budget for the current fiscal year, as authorized by article IV, section 27 of the Missouri Constitution which shall be:**

- (1) **Conspicuously posted on the accountability portal website;**
- (2) **Searchable by the amounts withheld or released from each individual fund; and**
- (3) **Searchable by the total amount withheld or released from the operating budget.**

5. Every political subdivision of the state, including public institutions of higher education but excluding school districts, shall supply all information described in subsection 2 of this section to the office of administration within seven days of issuing or incurring such corresponding bond or obligation. For all such bonds or obligations issued or incurred prior to the effective date of this act, every such political subdivision and public institution of higher education shall have ninety days to supply such information to the office of administration.

6. Every school district and public charter school shall supply all information described in subsection 2 of this section to the department of elementary and secondary education within seven days of issuing such bond, or incurring such debt. The department of elementary and secondary education shall have forty-eight hours to deliver such information to the office of administration. For all such bonds issued or debt incurred prior to the effective date of this act, every school district and public charter school shall have ninety days to supply such information to the department of elementary and secondary education. The department of elementary and secondary education shall have forty-eight hours to deliver such information to the office of administration."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 16, Section 29.235, Line 21, by striking the following:

"For the purposes of this chapter" and inserting in lieu thereof, the following: **"Insofar as necessary to conduct an audit under this chapter"**.

Senate Amendment No. 6

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 116, Page 36, Section 70.605, Line 7, by inserting immediately after said line, the following:

"86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Accumulated contributions", the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) "Average final compensation":

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;

(5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;

(6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;

(7) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;

(8) "DROP", the deferred retirement option plan provided for in section 86.251;

(9) "Earnable compensation", the annual salary **established under section 84.160** which a member would earn during one year on the basis of the member's rank or position [as specified in the applicable salary matrix] plus any additional compensation for academic work and shift differential that may be provided by any official or board now or hereafter authorized by law to employ and manage a permanent police force in such cities. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:

(a) The last day of the plan year that includes August 28, 1995; or

(b) December 31, 1995;

(10) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;

(11) "Mandatory contributions", the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;

(12) **"Medical board", the board of three physicians of different disciplines appointed by the trustees of the police retirement board and responsible for arranging and passing upon all medical examinations required under the provisions of sections 86.200 to 86.366, which board shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations, which can be based upon the opinion of a single member or that of an outside specialist if one is appointed, upon all the matters referred to such medical board;**

(13) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;

[(13)] (14) "Members' interest", interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;

[(14)] (15) "Membership service", service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case "membership service" means service as a policeman rendered since last becoming a member prior to entering such armed service;

[(15)] (16) "Plan year" or "limitation year", the twelve consecutive-month period beginning each October first and ending each September thirtieth;

[(16)] (17) "Policeman" or "police officer", any member of the police force of such cities who holds a rank in such police force;

[(17)] (18) "Prior service", all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;

[(18)] (19) "Reserve officer", any member of the police reserve force of such cities, armed or unarmed, who works less than full time, without compensation, and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with those of a police officer and who currently receives a service retirement as provided by sections 86.200 to 86.366;

[(19)] (20) "Retirement allowance", annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;

[(20)] (21) "Retirement system", the police retirement system of the cities as defined in sections 86.200 to 86.366;

[(21)] (22) "Surviving spouse", the surviving spouse of a member who was the member's spouse at the time of the member's death.

86.257. 1. Upon the application of [a member in service or of] the board of police commissioners **or any successor body**, any member who has completed ten or more years of creditable service **or upon the police retirement system created by sections 86.200 to 86.366 first attaining, after the effective date of this act, a funded ratio, as defined in section 105.660 and as determined by the system's annual actuarial valuation, of at least eighty percent,**

a member who has completed five or more years of creditable service and who has become permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by the actual performance of his or her official duties or by his or her own negligence shall be retired by the board of [trustees of the police retirement system] **police commissioners or any successor body** upon certification by the medical [director] **board** of the police retirement system and approval by the board of trustees of the police retirement system that the member is mentally or physically unable to perform the duties of a police officer, that the inability is permanent or likely to become permanent, and that the member should be retired.

2. Once each year during the first five years following such member's retirement, and at least once in every three-year period thereafter, the board of trustees may, and upon the member's application shall, require any nonduty disability beneficiary who has not yet attained sixty years of age to undergo a medical examination at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any nonduty disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her nonduty disability pension may be discontinued until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

3. If the medical [director] **board** certifies to the board of trustees that a nonduty disability beneficiary is able to perform the duties of a police officer, and if the board of trustees concurs on the report, then such beneficiary's nonduty disability pension shall cease.

4. If upon cessation of a disability pension under subsection 3 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

86.263. 1. Any member **in active service** who is permanently unable to perform the **full and unrestricted** duties of a police officer as the natural, proximate, and exclusive result of an accident occurring within the actual performance of duty at some definite time and place, through no negligence on the member's part, shall[, upon application,] be retired **by the board of police commissioners or any successor body** upon certification by [the medical director of the police retirement system and approval by the board of trustees of the police retirement system] **one or more physicians of the medical board** that the member is mentally or physically unable to perform the **full and unrestricted** duties of a police officer [and], that the inability is permanent or [reasonably] likely to become permanent, **and that the member should be retired. The inability to perform the "full and unrestricted duties of a police officer" means the member is unable to perform all the essential job functions for the position of police officer as established by the board of police commissioners or any successor body.**

2. No member shall be approved for retirement under the provisions of subsection 1 of this section unless the application was made and submitted to the board of [trustees of the police retirement system] **police commissioners or any successor body** no later than five years following the date of accident, provided, that if the accident was reported within five years of the date of the accident and an examination made of the member within thirty days of the date of accident by a health care provider whose services were provided through the board of police commissioners with subsequent examinations made as requested, then an application made more than five years following the date of the accident shall be considered timely.

3. Once each year during the first five years following a member's retirement, and at least once in every three-year period thereafter, the board of trustees may require any disability beneficiary who has not yet attained sixty years of age to undergo a medical examination or medical examinations at a place designated by the medical [director] **board** or such physicians as the medical [director] **board** appoints. If any disability beneficiary who has not attained sixty years of age refuses to submit to a medical examination, his or her disability pension may be discontinued **by the board of trustees of the police retirement system** until his or her withdrawal of such refusal, and if his or her refusal continues for one year, all rights in and to such pension may be revoked by the board of trustees.

4. If the medical [director] **board** certifies to the board of trustees that a disability beneficiary is able to perform the duties of a police officer, [and if the board of trustees concurs with the medical director's determination,] then such beneficiary's disability pension shall cease.

5. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is restored to active service, he or she shall again become a member, and he or she shall contribute thereafter at the same rate as other members. Upon his or her subsequent retirement, he or she shall be credited with all of his or her active service time as a member including the service time prior to receiving disability retirement, but not including any time during which the former disability beneficiary received a disability pension under this section.

6. If upon cessation of a disability pension under subsection 4 of this section, the former disability beneficiary is not restored to active service, such former disability beneficiary shall be entitled to the retirement benefit to which such former disability beneficiary would have been entitled if such former disability beneficiary had terminated service for any reason other than dishonesty or being convicted of a felony at the time of such cessation of such former disability beneficiary's disability pension. For purposes of such retirement benefits, such former disability beneficiary shall be credited with all of the former disability beneficiary's active service time as a member, but not including any time during which the former disability beneficiary received a disability beneficiary pension under this section."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 148**, entitled:

An act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 336**, entitled:

An act to repeal sections 84.480, 84.510, 84.830, 86.200, 86.257, 86.263, 99.845, 190.100, 321.015, and 321.322, RSMo, and to enact in lieu thereof twelve new sections relating to emergency services.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 336, Page 45, Section 321.015, Line 15 of said page, by inserting after all of said line the following:

"321.210. On the first Tuesday in April after the expiration of at least two full calendar years from the date of the election of the first board of directors, and on the first Tuesday in April every two years thereafter, an election for members of the board of directors shall be held in the district. Nominations shall be filed at the headquarters of the fire protection district in which a majority of the district is located by paying a [ten-dollar] filing fee **up to the amount of a candidate for state representative as set forth under section 115.357** and filing a statement under oath that he possesses the required qualifications. The candidate receiving the most votes shall be elected. Any new member of the board shall qualify in the same manner as the members of the first board qualify."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 336, Page 49, Section 321.322, Line 7 of said page, by inserting after all of said line the following:

"Section 1. Notwithstanding any other provision of law to the contrary, the department of insurance, financial institutions and professional registration shall exercise its authority and responsibility over health

insurance product form filings filed by health carriers that provide coverage for emergency and nonemergency services, consumer complaints, and investigations in compliance with state law, regardless as to how a health insurance product may be sold or marketed in this state or to residents of this state.

Section B. Because of the need to ensure that the Department of Insurance, Financial Institutions and Professional Registration has the regulatory authority to oversee the marketing of health insurance products in this state, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 611**, entitled:

An act to repeal sections 285.300, 285.515, 288.030, 288.050, 288.100, and 288.380, RSMo, and to enact in lieu thereof six new sections relating to employment, with penalty provisions.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 611, Pages 2-3, Section 285.515, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 611, Page 7, Section 288.030, Line 166, by inserting immediately after said line the following:

"288.040. 1. A claimant who is unemployed and has been determined to be an insured worker shall be eligible for benefits for any week only if the deputy finds that:

(1) The claimant has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the division may prescribe;

(2) The claimant is able to work and is available for work. No person shall be deemed available for work unless such person has been and is actively and earnestly seeking work. Upon the filing of an initial or renewed claim, and prior to the filing of each weekly claim thereafter, the deputy shall notify each claimant of the number of work search contacts required to constitute an active search for work. No person shall be considered not available for work, pursuant to this subdivision, solely because he or she is a substitute teacher or is on jury duty. A claimant shall not be determined to be ineligible pursuant to this subdivision because of not actively and earnestly seeking work if:

(a) The claimant is participating in training approved pursuant to Section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended);

(b) The claimant is temporarily unemployed through no fault of his or her own and has a definite recall date within eight weeks of his or her first day of unemployment; however, upon application of the employer responsible for the claimant's unemployment, such eight-week period may be extended not to exceed a total of sixteen weeks at the discretion of the director;

(3) The claimant has reported [in person] to an office of the division as directed by the deputy, but at least once every four weeks, except that a claimant shall be exempted from the reporting requirement of this subdivision if:

- (a) The claimant is claiming benefits in accordance with division regulations dealing with partial or temporary total unemployment; or
- (b) The claimant is temporarily unemployed through no fault of his or her own and has a definite recall date within eight weeks of his or her first day of unemployment; or
- (c) [The claimant resides in a county with an unemployment rate, as published by the division, of ten percent or more and in which the county seat is more than forty miles from the nearest division office;
- (d)] The director of the division of employment security has determined that the claimant belongs to a group or class of workers whose opportunities for reemployment will not be enhanced by reporting [in person], or is prevented from reporting due to emergency conditions that limit access by the general public to an office that serves the area where the claimant resides, but only during the time such circumstances exist.

Ineligibility pursuant to this subdivision shall begin on the first day of the week which the claimant was scheduled to claim and shall end on the last day of the week preceding the week during which the claimant does report [in person] to the division's office;

(4) Prior to the first week of a period of total or partial unemployment for which the claimant claims benefits he or she has been totally or partially unemployed for a waiting period of one week. No more than one waiting week will be required in any benefit year. During calendar year 2008 and each calendar year thereafter, the one-week waiting period shall become compensable once his or her remaining balance on the claim is equal to or less than the compensable amount for the waiting period. No week shall be counted as a week of total or partial unemployment for the purposes of this subsection unless it occurs within the benefit year which includes the week with respect to which the claimant claims benefits;

(5) The claimant has made a claim for benefits within fourteen days from the last day of the week being claimed. The fourteen-day period may, for good cause, be extended to twenty-eight days;

(6) The claimant has reported to an employment office to participate in a reemployment assessment and reemployment services as directed by the deputy or designated staff of an employment office, unless the deputy determines that good cause exists for the claimant's failure to participate in such reemployment assessment and reemployment services. For purposes of this section, "reemployment services" may include, but not be limited to, the following:

- (a) Providing an orientation to employment office services;
- (b) Providing job search assistance; and
- (c) Providing labor market statistics or analysis;

Ineligibility under this subdivision shall begin on the first day of the week which the claimant was scheduled to report for the reemployment assessment or reemployment services and shall end on the last day of the week preceding the week during which the claimant does report in person to the employment office for such reemployment assessment or reemployment services;

(7) The claimant is participating in reemployment services, such as job search assistance services, as directed by the deputy if the claimant has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the division, unless the deputy determines that:

- (a) The individual has completed such reemployment services; or
- (b) There is justifiable cause for the claimant's failure to participate in such reemployment services.

2. A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds he or she is or has been suspended by his or her most recent employer for misconduct connected with his or her work. Suspensions of four weeks or more shall be treated as discharges.

3. (1) Benefits based on "service in employment", [defined] **described** in subsections 7 and 8 of section 288.034, shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this law; except that:

(a) With respect to service performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years (or terms) and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) With respect to services performed in any capacity (other than instructional, research, or principal administrative capacity) for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two successive academic years or terms if such

individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform such services in the second of such academic years or terms;

(c) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits shall not be paid on the basis of such services to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performed such services in the period immediately before such vacation period or holiday recess, and there is reasonable assurance that such individual will perform such services immediately following such vacation period or holiday recess;

(d) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits payable on the basis of services in any such capacity shall be denied as specified in paragraphs (a), (b), and (c) of this subdivision to any individual who performed such services at an educational institution while in the employ of an educational service agency, and for this purpose the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(2) If compensation is denied for any week pursuant to paragraph (b) or (d) of subdivision (1) of this subsection to any individual performing services at an educational institution in any capacity (other than instructional, research or principal administrative capacity), and such individual was not offered an opportunity to perform such services for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of the compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of paragraph (b) or (d) of subdivision (1) of this subsection.

4. (1) A claimant shall be ineligible for waiting week credit, benefits or shared work benefits for any week for which he or she is receiving or has received remuneration exceeding his or her weekly benefit amount or shared work benefit amount in the form of:

(a) Compensation for temporary partial disability pursuant to the workers' compensation law of any state or pursuant to a similar law of the United States;

(b) A governmental or other pension, retirement or retired pay, annuity, or other similar periodic payment which is based on the previous work of such claimant to the extent that such payment is provided from funds provided by a base period or chargeable employer pursuant to a plan maintained or contributed to by such employer; but, except for such payments made pursuant to the Social Security Act or the Railroad Retirement Act of 1974 (or the corresponding provisions of prior law), the provisions of this paragraph shall not apply if the services performed for such employer by the claimant after the beginning of the base period (or remuneration for such services) do not affect eligibility for or increase the amount of such pension, retirement or retired pay, annuity or similar payment.

(2) If the remuneration referred to in this subsection is less than the benefits which would otherwise be due, the claimant shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration, and, if such benefit is not a multiple of one dollar, such amount shall be lowered to the next multiple of one dollar.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, if a claimant has contributed in any way to the Social Security Act or the Railroad Retirement Act of 1974, or the corresponding provisions of prior law, no part of the payments received pursuant to such federal law shall be deductible from the amount of benefits received pursuant to this chapter.

5. A claimant shall be ineligible for waiting week credit or benefits for any week for which or a part of which he or she has received or is seeking unemployment benefits pursuant to an unemployment insurance law of another state or the United States; provided, that if it be finally determined that the claimant is not entitled to such unemployment benefits, such ineligibility shall not apply.

6. (1) A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds that such claimant's total or partial unemployment is due to a stoppage of work which exists because of a labor dispute in the factory, establishment or other premises in which such claimant is or was last employed. In the event the claimant secures other employment from which he or she is separated during the existence of the labor dispute, the claimant must have obtained bona fide employment as a permanent employee for at least the major part of each of two weeks in such subsequent employment to terminate his or her ineligibility. If, in any case, separate branches of work which are commonly conducted as separate businesses at separate premises are conducted in separate departments of the same premises, each such department shall for the purposes of this subsection be deemed to be a separate factory, establishment or other premises. This subsection shall not apply if it is shown to the satisfaction of the deputy that:

(a) The claimant is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(b) The claimant does not belong to a grade or class of workers of which, immediately preceding the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute.

(2) "Stoppage of work" as used in this subsection means a substantial diminution of the activities, production or services at the establishment, plant, factory or premises of the employing unit. This definition shall not apply to a strike where the employees in the bargaining unit who initiated the strike are participating in the strike. Such employees shall not be eligible for waiting week credit or benefits during the period when the strike is in effect, regardless of diminution, unless the employer has been found guilty of an unfair labor practice by the National Labor Relations Board or a federal court of law for an act or actions preceding or during the strike.

7. On or after January 1, 1978, benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive sport seasons (or similar periods) if such individual performed such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such seasons (or similar periods).

8. Benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of Section 212(d)(5) of the Immigration and Nationality Act).

(1) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(2) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

9. A claimant shall be ineligible for waiting week credit or benefits for any week such claimant has an outstanding penalty which was assessed based upon an overpayment of benefits, as provided for in subsection 9 of section 288.380.

10. The directors of the division of employment security and the division of workforce development shall submit to the governor, the speaker of the house of representatives, and the president pro tem of the senate no later than October 15, 2006, a report outlining their recommendations for how to improve work search verification and claimant reemployment activities. The recommendations shall include, but not limited to how to best utilize "greathires.org", and how to reduce the average duration of unemployment insurance claims. Each calendar year thereafter, the directors shall submit a report containing their recommendations on these issues by December thirty-first of each year.

11. For purposes of this section, a claimant may satisfy reporting requirements provided under this section by reporting by internet communication or any other means deemed acceptable by the division of employment security."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 12, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 24, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 73, as amended**, and has taken up and passed **HCS SB 73, as amended by the Conference Committee Report**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 75, as amended**, and has taken up and passed **HCS SB 75, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 100, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 282, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 342, as amended**: Senators Parson, Kehoe, Cunningham, McKenna and LeVota.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HB 336, as amended, relating to a first responder political activity, was taken up by Representative Hinson.

Representative Hinson moved that the House refuse to adopt **SS HB 336, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 282, as amended, relating to traffic offenses, was taken up by Representative Hough.

Representative Hough moved that the House refuse to recede from its position on **HCS SCS SB 282, as amended**, and request the Senate take up and adopt **HCS SCS SB 282, as amended**, and take up and pass **HCS SCS SB 282, as amended**.

Which motion was adopted.

HCS SB 12, as amended, relating to judicial procedures, was taken up by Representative Jones (50).

Representative Jones (50) moved that the House refuse to recede from its position on **HCS SB 12, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 100, as amended, relating to judicial procedures, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SB 100, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 24, as amended, relating to political subdivisions, was taken up by Representative Hinson.

Representative Hinson moved that the House refuse to recede from its position on **HCS SB 24, as amended**, and grant the Senate a conference.

Which motion was adopted.

Speaker Jones resumed the Chair.

BILLS IN CONFERENCE

CCR SS SCS HB 307, as amended, relating to fire protection district boards, was taken up by Representative Riddle.

On motion of Representative Riddle, **CCR SS SCS HB 307, as amended**, was adopted by the following vote:

AYES: 124

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McDonald
McGaugh	Messenger	Molendorp	Morgan	Morris
Muntzel	Neely	Newman	Norr	Parkinson
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon

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Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 025

Burns	Curtis	Frame	Hummel	Hurst
LaFaver	McCann Beatty	McKenna	McNeil	Meredith
Mitten	Montecillo	Moon	Nichols	Otto
Pace	Peters	Pogue	Rizzo	Roorda
Schieffer	Schupp	Smith 85	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 014

Conway 10	Dunn	Franklin	Gardner	Leara
May	McManus	Miller	Mims	Neth
Rhoads	Smith 120	Webber	Wieland	

On motion of Representative Riddle, **CCS SS SCS HB 307** was third read and passed by the following vote:

AYES: 120

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellington	Elmer	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McDonald
McGaugh	Meredith	Messenger	Molendorp	Morgan
Muntzel	Neely	Newman	Norr	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 026

Burns	Carpenter	Curtis	Frame	Hummel
Hurst	LaFaver	Marshall	McCann Beatty	McKenna
McNeil	Mitten	Montecillo	Moon	Morris

Nichols	Otto	Pace	Pogue	Rizzo
Roorda	Schieffer	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Dunn	Ellinger	Engler	Franklin	Funderburk
Gardner	Grisamore	Leara	May	McManus
Miller	Mims	Neth	Rhoads	Smith 120
Webber	Wieland			

Speaker Jones declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HB 103: Representatives Kelly (127), Richardson and Rizzo

HCS SB 12: Representatives Jones (50), Haahr and Kelly (45)

HCS SB 24: Representatives Hinson, Jones (50) and Rizzo

HCS SB 100: Representatives Cox, Elmer and Kelly (45)

BILLS IN CONFERENCE

CCR SCS SB 36, with House Amendment No. 1, relating to juvenile offenders, was taken up by Representative Hicks.

On motion of Representative Hicks, **CCR SCS SB 36, with House Amendment No. 1**, was adopted by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger

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Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Cox	Engler	Frame	Franklin	Funderburk
Grisamore	Hinson	Leara	May	Miller
Mims	Neth	Rhoads	Roorda	Smith 120
Webb	Webber	Wieland		

On motion of Representative Hicks, **CCS SCS SB 36** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Mitten
Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Solon	Sommer

Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Cox	Engler	Franklin	Leara	May
Miller	Mims	Morgan	Rhoads	Roorda
Smith 120	Webb	Webber	Wieland	

Speaker Jones declared the bill passed.

THIRD READING OF SENATE BILL

HCS SCS SB 89, relating to health care facility administration, was taken up by Representative Jones (50).

Representative Jones (50) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 89, Page 1, In the Title, Line 1, by inserting after "RSMo," the following:

"and section 191.237 as truly agreed to and finally passed by senate committee substitute for house committee substitute for house bill no. 986, ninety-seventh general assembly, first regular session,"; and

Further amend said bill and page, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the phrase "relating to health care, with an emergency clause for a certain section"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "RSMo," the following:

"and section 191.237 as truly agreed to and finally passed by senate committee substitute for house committee substitute for house bill no. 986, ninety-seventh general assembly, first regular session,"; and

Further amend said bill, Pages 1 through 5, Section 96.229, by removing said section from the bill; and

Further amend said bill, Page 5, Section 96.229, Line 125, by inserting after all of said line the following:

"191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. **A health information organization shall not restrict the exchange of state agency data or standards-based clinical summaries for patients for federal Health Insurance Portability and Accountability Act (HIPAA) allowable uses. Charges for such service shall not exceed the cost of the actual technology connection or recurring maintenance thereof.**

3. As used in this section, the following terms shall mean:

(1) "Fine or penalty", any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Health information organization", an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards."; and

Further amend said bill, Page 5, Section 198.345, Line 10, by inserting after all of said line the following:

"[191.237. 1. No law or rule promulgated by an agency of the state of Missouri may impose a fine or penalty against a health care provider, hospital, or health care system for failing to participate in any particular health information organization.

2. **No health information organization may impose connection fees or recurring connection fees on another health information organization for the purpose of exchanging standards-based clinical summaries for patients or for sharing information of an agency of the state of Missouri.**

3. As used in this section, the following terms shall mean:

(1) "Fine or penalty", any civil or criminal penalty or fine, tax, salary or wage withholding, or surcharge established by law or by rule promulgated by a state agency pursuant to chapter 536;

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, or enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Health information organization", an organization that oversees and governs the exchange of health-related information among organizations according to nationally recognized standards.]"

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (50), **House Amendment No. 1** was adopted.

On motion of Representative Jones (50), **HCS SCS SB 89, as amended**, was adopted.

On motion of Representative Jones (50), **HCS SCS SB 89, as amended**, was read the third time and passed by the following vote:

AYES: 126

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Molendorp
Montecillo	Moon	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson

Peters	Pfautsch	Phillips	Pike	Redmon
Reiboldt	Remole	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Thomson	Torpey	Walker
Walton Gray	White	Wilson	Wood	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 036

Anders	Carpenter	Ellinger	Ellington	Engler
English	Franklin	Funderburk	Higdon	Hinson
Leara	May	McCann Beatty	McNeil	Miller
Mims	Mitten	Morgan	Morris	Pace
Pierson	Pogue	Rehder	Rhoads	Rizzo
Roorda	Runions	Schieffer	Smith 85	Smith 120
Swan	Swearingen	Webb	Webber	Wieland
Wright				

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 008

Bahr	Grisamore	Jones 50	Muntzel	Parkinson
Richardson	Ross	Schatz		

NOES: 128

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Cierpiot	Colona
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Elmer	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McDonald	McGaugh	McKenna
McManus	Meredith	Messenger	Mitten	Molendorp
Montecillo	Moon	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Riddle	Rizzo	Rowden

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Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wilson
Wood	Zerr	Mr Speaker		

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 026

Carpenter	Ellinger	Ellington	Engler	English
Franklin	Higdon	Kelley 127	Leara	May
McCann Beatty	McNeil	Miller	Mims	Morgan
Morris	Pierson	Pogue	Rhoads	Roorda
Smith 85	Smith 120	Webb	Webber	Wieland
Wright				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HJR 16**, entitled:

Joint resolution submitting to the qualified voters of Missouri an amendment to article I of the Constitution of Missouri, and adopting one new section relating to admissibility of evidence.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 12, as amended**: Senators Schaefer, Dixon, Schmitt, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 24, as amended**: Senators Parson, Kehoe, Romine, Walsh and LeVota.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 100, as amended**: Senators Keaveny, Dixon, Schaefer, Schmitt and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS SB 114, as amended**: Senators Schmitt, Schaefer, Parson, McKenna and Holsman.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 336, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like committee from the House: Senators Silvey, Schmitt, Kehoe, Justus and Holsman.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS HB 336: Representatives Hinson, Hough and Montecillo

RECESS

Representative Diehl moved that the House stand in recess pending the receipt of messages and the distribution of specified conference reports, or until 1:00 a.m., whichever is earlier, and then stand adjourned until Friday, May 17, 2013, pursuant to Rule 1. The specified reports are for: **SB 24, SB 224, SB 342, SB 12, SB 100, SB 114, SB 45, HB 103, HB 698 and HB 336.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 128**, entitled:

An act to repeal sections 52.230 and 52.240, RSMo, and to enact in lieu thereof two new sections relating to property tax bills.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 128, Page 1, Section Title, Line 3, by striking "property tax bills" and inserting in lieu thereof the following:

"taxation"; and

Further amend said bill, Page 2, Section 52.240, Line 27, by inserting immediately after said line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, **or the manner set forth in subdivision (3) of this subsection:**

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

[(3)] (c) For the purposes of this [section] **subdivision**, a transaction involving the sale of tangible property is:

[(a)] a. "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

[(b)] b. "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

[(c)] c. Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state[;].

(d) For purposes of this subdivision:

a. The purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale[;]; and

b. The seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. "In this state" if the purchaser's destination point is in this state;

b. Not "in this state" if the purchaser's destination point is outside this state;

(d) For purposes of this subdivision, the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser's location outside this state.

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) "Investment company", any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) "Investment funds service corporation" includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) "Management services" include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) "Qualifying sales", gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, gross income is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) "Residence", presumptively the fund shareholder's mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder's primary residence or principal place of business is different than the fund shareholder's mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder's residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 128, Page 2, Section 52.240, Line 27, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains

in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district**, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, [or] any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, **or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

- (n) The anticipated type and term of the sources of funds to pay such development project costs;
 - (o) The anticipated type and terms of the obligations to be issued;
 - (p) The most recent equalized assessed valuation of the property within the development project area;
 - (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
 - (r) The general land uses to apply in the development area;
 - (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
 - (t) The total number of full-time equivalent positions in the development area;
 - (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
 - (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
 - (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
 - (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
 - (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
 - (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
 - (aa) A list of other community and economic benefits to result from the project;
 - (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
 - (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
 - (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
 - (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
 - (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
 - (gg) A market study for the development area;
 - (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;
- (3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 307**, as **amended**, and has taken up and passed **CCS SS SCS HB 307**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 722**, entitled:

An act to repeal sections 86.200, 86.257, and 86.263, RSMo, and to enact in lieu thereof three new sections relating to police retirement.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 103**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 103, with Senate Amendment Nos. 1, 2, 5, and Senate Substitute Amendment No. 1 for Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 103, as amended;
2. That the House recede from its position on House Bill No. 103;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 103, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Kelley
/s/ Todd Richardson
/s/ John Rizzo

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Mike Kehoe
/s/ Doug Libla
/s/ Paul LeVota
/s/ Jolie Justus

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 117**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117;
2. That the House recede from its position on House Committee Substitute for House Bill No. 117;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 117, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Sandy Crawford
/s/ Pat Conway

FOR THE SENATE:

/s/ Jay Wasson
/s/ Mike Cunningham
/s/ Bob Dixon
/s/ Joseph Keavney

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
HOUSE BILL NO. 336**

The Conference Committee appointed on Senate Substitute for House Bill No. 336, with Senate Amendment Nos. 1 & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Bill No. 336, as amended;
2. That the House recede from its position on House Bill No. 336;
3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 336, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Dave Hinson
/s/ Lincoln Hough
/s/ Genise Montecillo

FOR THE SENATE:

/s/ Ryan Silvey
/s/ Eric Schmitt
/s/ Mike Kehoe
/s/ Jolie Justus
/s/ Jason Holsman

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
HOUSE BILL NO. 698**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, as amended;
2. That the House recede from its position on House Committee Substitute No. 2 for House Bill No. 698;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 698, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Anne Zerr
/s/ Caleb Jones
/s/ Michele Kratky

FOR THE SENATE:

/s/ Eric Schmitt
/s/ Ron Richard
/s/ Will Kraus
/s/ Jolie Justus
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 12**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 12, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 12, as amended;
2. That the Senate recede from its position on Senate Bill No. 12;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 12 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Bob Dixon
/s/ Eric Schmitt

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Elijah Haahr
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 24**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 24, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8, and 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10 as amended, House Amendment Nos. 11, 12, and 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 24, as amended;
2. That the Senate recede from its position on Senate Bill No. 24;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 24 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Mike Kehoe
/s/ Gina Walsh
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Dave Hinson
/s/ Caleb Jones, 50th
/s/ John Rizzo

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 51**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 51, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 51, as amended;
2. That the Senate recede from its position on Senate Bill No. 51;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Mike Kehoe
/s/ Doug Libla
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Casey Guernsey
/s/ Lyndall Fraker
/s/ Courtney Curtis

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 73**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 73, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Amendment No. 1, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4 as amended to House Committee Substitute for Senate Bill No. 73, as amended;
2. That the Senate recede from its position on House Amendment Nos. 2 to House Committee Substitute for Senate Bill No. 73;

3. That the attached Conference Committee Amendment No. 1 to House Committee Substitute for Senate Bill No. 73, be adopted.
4. That House Committee Substitute for Senate Bill No. 73, with House Amendment No. 2 and Conference Committee Amendment No. 1, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Bob Dixon
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Robert Cornejo
/s/ Elijah Haahr
/s/ Vicki Englund

Conference Committee Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 73, Page 2, Section 304.152, Line 10, by inserting after all of said line the following:

"307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. **A motorcycle may be equipped with a means of varying the brightness of the vehicle's brake light for a duration of not more than five seconds upon application of the vehicle's brakes.**

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of an infraction."; and

Further amend the title and enacting clause accordingly.

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 100**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 100, with House Amendment Nos. 1, 3, 4, 5, 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 100, as amended;
2. That the Senate recede from its position on Senate Bill No. 100;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 100 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny
/s/ Bob Dixon
/s/ Kurt Schaefer
/s/ Eric Schmitt
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Kevin Elmer
/s/ Chris Kelly

**CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 114**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, with House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 114;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 114 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt
/s/ Mike Parson
/s/ Ryan McKenna
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Caleb Jones
/s/ Todd Richardson
/s/ Jacob Hummel

**CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 224**

The Conference Committee appointed on Senate Committee Substitute for Senate Bill No. 224, with House Amendment Nos. 1, 2, 3, and 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment Nos. 6, 7 and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute for Senate Bill No. 224, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 224;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Shalonn "Kiki" Curls
/s/ Ryan Silvey
/s/ Wayne Wallingford
/s/ David Pearce
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Noel Torpey
/s/ John McCaherty
/s/ John Rizzo

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 256**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 256;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 256 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Ryan Silvey
/s/ Gary Romine
/s/ David Sater
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Noel Torpey
/s/ Dave Hinson
/s/ Kevin McManus

**CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 342**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 342, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3, 4, 5, 6 and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 342, as amended;
2. That the Senate recede from its position on Senate Bill No. 342;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Mike Kehoe
/s/ Mike Cunningham
/s/ Paul LeVota

FOR THE HOUSE:

/s/ Casey Guernsey
/s/ Joe Don McGaugh
/s/ Chris Kelly

ADJOURNMENT

Pursuant to the motion by Representative Diehl, the House adjourned until 10:00 a.m., Friday, May 17, 2013.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-eighth Day, Tuesday, May 14, 2013, Page 2487, Line 32, by deleting the words “Smith 120”; and

Further correct said journal and page, Line 41, by inserting after the word “Otto”, the words “Smith 120”.

COMMITTEE HEARINGS

DOWNSIZING STATE GOVERNMENT

Friday, May 17, 2013, 8:00 AM, House Hearing Room 4.

Public hearing will be held: HB 512

Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-FIRST DAY, FRIDAY, MAY 17, 2013

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 19 - Bahr
- 2 HCS HJR 15 - Brattin
- 3 HCS HJR 35 - Jones (50)
- 4 HCS HJR 23 - Hinson

HOUSE BILLS FOR PERFECTION

- 1 HB 227 - Zerr
- 2 HB 423 - Zerr
- 3 HB 578, as amended - Funderburk
- 4 HCS HB 221 - Leara

- 5 HCS HB 701 - Molendorp
- 6 HB 255 - Torpey
- 7 HB 242 - Ellington
- 8 HB 503, as amended, HA 1 HA 3, and HA 3, pending - McCaherty
- 9 HB 448 - Webb
- 10 HCS HB 234 - Gatschenberger
- 11 HB 616 - Bahr
- 12 HB 185 - Kirkton
- 13 HCS HB 641 - Korman
- 14 HCS HB 402 - Shumake
- 15 HCS HB 83 - Reiboldt
- 16 HCS HB 132 - Stream
- 17 HCS HB 1041 - Swan
- 18 HCS HBs 309 & 73 - Solon
- 19 HCS HB 350 - Frederick
- 20 HCS HB 464 - Higdon
- 21 HCS HB 484 - Lauer
- 22 HCS HB 564 - McGaugh
- 23 HCS HB 604 - Phillips
- 24 HCS HB 608 - Frederick
- 25 HCS HB 685 - Burlison
- 26 HB 745 - Thomson
- 27 HCS HB 783 - Diehl
- 28 HCS HB 814 - Fraker
- 29 HCS HB 830 - Jones (50)
- 30 HB 863 - Allen
- 31 HCS HB 930 - Flanigan
- 32 HB 411 - Muntzel
- 33 HB 447 - Diehl
- 34 HB 467 - Lichtenegger
- 35 HB 827 - Redmon
- 36 HB 915 - Bahr
- 37 HCS HB 975 - Richardson
- 38 HCS HB 198 - Funderburk
- 39 HB 385 - Burlison
- 40 HCS HBs 77, 91 & 95 - Burlison
- 41 HCS HB 398 - Riddle
- 42 HCS#2 HB 927 - Reiboldt
- 43 HCS HB 749 - Cross

HOUSE BILLS FOR THIRD READING

- 1 HB 201 - Torpey
- 2 HCS HBs 521 & 579, (Fiscal Review 3/27/13) - Koenig
- 3 HCS HB 470 - Barnes

- 4 HCS#2 HB 178 - Koenig
- 5 HB 162 - Sommer
- 6 HCS HB 458 - Scharnhorst

HOUSE CONCURRENT RESOLUTIONS

- 1 HCR 11 - Walton Gray
- 2 HCR 21 - Black
- 3 HCR 32 - Schatz

SENATE JOINT RESOLUTIONS FOR THIRD READING

SCS SJR 14 - Jones (50)

SENATE BILLS FOR THIRD READING

- 1 HCS SCS SB 88 - Frederick
- 2 SS SCS SB 241 - Cierpiot
- 3 HCS SB 18, E.C. - Cox
- 4 SCS SB 87 - Bahr
- 5 SCS SB 178 - Kirkton
- 6 HCS SS SB 245 - Mitten
- 7 HCS SCS SBs 317 & 319 - Gosen
- 8 HCS SS SB 401, E.C. - Molendorp
- 9 SB 138 - Gatschenberger
- 10 SB 218 - McKenna
- 11 SB 170 - Smith (85)
- 12 SS SB 366, E.C. - Flanigan
- 13 SS SCS SB 121 - Jones (50)
- 14 HCS SS SCS SB 210, E.C. - Bahr
- 15 HCS SB 294 - Funderburk
- 16 HCS SCS SB 258 - Neth
- 17 HCS SB 275 - Funderburk

HOUSE BILLS WITH SENATE AMENDMENTS

- 1 SCS HCS HB 351, as amended, E.C. - Frederick
- 2 SS HCS HB 58, E.C. - Molendorp
- 3 SCS HB 322 - Gosen
- 4 SCS HB 533, as amended - Riddle
- 5 SS SCS HB 142, as amended - Dugger
- 6 SS SCS HCS HB 345 - Cierpiot
- 7 SCS HB 196, E.C. - Lauer
- 8 SS SCS HB 428 - Schatz
- 9 SCS HB 148 - Davis

BILLS CARRYING REQUEST MESSAGES

- 1 SB 77, HA 1(request House recede/take up and pass SB 77) - Allen
- 2 HCS SS SB 282, as amended (House refuse to recede/request Senate to take up and pass
HCS SCS SB 282, a.a.) - Hough

BILLS IN CONFERENCE

- 1 CCR SCS HCS#2 HB 698, as amended, E.C. - Zerr
- 2 CCR HCS SS SB SB 262, as amended (exceed differences), E.C. - Molendorp
- 3 CCR HCS SCS SB 157 and SB 102, as amended - Phillips
- 4 CCR HCS SCS SB 17, as amended (Senate exceed differences on HA 5) - Thomson
- 5 CCR#2 HCS SCS SB 9, as amended - Guernsey
- 6 CCR HCS SB 43, as amended, E.C. - Kolkmeier
- 7 CCR#2 SCS HCS HB 1035, as amended, E.C. - Kelley (127)
- 8 CCR HCS SCS SB 42, as amended - Jones (50)
- 9 HCS SB 90, as amended - Dugger
- 10 CCR SCS SB 33, HA 1, HA 2, HA 3, HA 4, HA 5, HA 6 - Grisamore
- 11 HCS SB 41, as amended - Hough
- 12 CCR SB 327, HA 1 - Haahr
- 13 CCR HCS HBs 256, 33 & 305, SA 2 , SA 3 (exceed differences), E.C. - Jones (50)
- 14 SS HCS HB 199, as amended (House exceed differences), E.C. - Dugger
- 15 CCR#2 HCS SB 330, as amended - Burlison
- 16 HCS SCS SB 45, as amended - Hough
- 17 CCR HCS SB 161, as amended - Stream
- 18 CCR HCS SB 127, as amended - Lichtenegger
- 19 CCR SCS SB 248, HA 1, HA 2 - Fraker
- 20 CCR SS SCS HCS HBs 374 & 434, as amended - Elmer
- 21 CCR HCS SB 51, as amended, E.C. - Guernsey
- 22 CCR SS SCS SB 114, HA 1, as amended, E.C. - Jones (50)
- 23 CCR HCS SCS SB 256, as amended - Torpey
- 24 CCR HCS SCS SB 224, HA 1, 2, 3, ,4, HSA 1 for HA 5, 6, 7, 8 - Rizzo
- 25 CCR HCS SB 73 - Cornejo
- 26 HCS SB 57, as amended - Engler
- 27 CCR SS SCS HCS HB 117 - Dugger
- 28 CCR HCS SB 342, as amended - Guernsey
- 29 CCR SCS HB 103, as amended, E.C. - Kelley (127)
- 30 CCR HCS SB 12, as amended, E.C. - Jones (50)
- 31 CCR HCS SB 100, as amended - Cox
- 32 CCR HCS SB 24, as amended, E.C. - Hinson
- 33 CCR SS HB 336, as amended, E.C. - Hinson

SENATE CONCURRENT RESOLUTIONS

- 1 SCS SCR 5 - Frederick
- 2 SS SCR 15 - Wieland

HOUSE REMONSTRANCES

HRM 1 - Marshall

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, FRIDAY, MAY 17, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In God is my salvation and my glory; the rock of my strength and my refuge is in God. (Psalm 62:7)

O God of us all, ever new and ancient, we know of no better way to begin this last day of session than by again lifting our hearts to You in prayer and by pledging to You the desire of our hearts to serve You by devoting ourselves to the welfare of our state and to the well-being of each Missourian with these final debates and votes.

Bless all assembled here representing our good citizens. We are grateful for the new friendships formed and old relationships renewed. We are grateful too for all the legislation offered, votes taken, reconciliations accepted and prayers answered both in public and private ways.

We asked You to be with us each day O God, and You were, even when we could not sense Your power. We thank You for all who have cooperated with us over the last five months - our spouses, our families, our staffs and all the unsung heroes and heroines of our great Missouri House of Representatives, which is the pride of our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Hunter Houghton.

The Journal of the seventieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3334 through House Resolution No. 3381

BILLS IN CONFERENCE

CCR#2 SCS HCS HB 1035, as amended, relating to political subdivisions, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **CCR#2 SCS HCS HB 1035, as amended**, was adopted by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Brattin	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shumake	Smith 120	Solon	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wood	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Berry	Black	Curtis	Ellinger
Ellington	Gardner	Gatschenberger	Grisamore	Hodges
LaFaver	McDonald	McKenna	Mims	Mitten
Molendorp	Parkinson	Pierson	Roorda	Shull
Smith 85	Sommer	Walton Gray	Webber	Wright
Zerr				

On motion of Representative Kelley (127), **CCS#2 SCS HCS HB 1035** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Berry	Curtis	Ellington	Fowler	Gardner
Gatschenberger	Grisamore	Hodges	May	McKenna
Molendorp	Nichols	Parkinson	Pike	Roorda
Smith 85	Swearingen	Webber	Zerr	

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schupp	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wieland
Wilson	Wood	Wright	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Berry	Curtis	Ellington	Franklin
Gardner	Grisamore	Hodges	May	McKenna
Molendorp	Parkinson	Roorda	Schieffer	Shull
Smith 85	Webb	Webber	Zerr	

CCR SS HB 336, as amended, relating to emergency services, was taken up by Representative Hinson.

On motion of Representative Hinson, **CCR SS HB 336, as amended**, was adopted by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 002

Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 015

Berry	Curtis	Diehl	Ellington	Franklin
Funderburk	Hodges	May	McKenna	McManus
Molendorp	Parkinson	Richardson	Smith 85	Webber

On motion of Representative Hinson, **CCS SS HB 336** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 003

Marshall	Pogue	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 010

Berry	Curtis	Engler	Grisamore	Hodges
Lichtenegger	McKenna	Molendorp	Parkinson	Webber

Speaker Jones declared the bill passed.

CCR SCS HCS#2 HB 698, as amended, relating to tax incentives and tax credits, was taken up by Representative Zerr.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 045

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McManus
McNeil	Meredith	Mims	Montecillo	Morgan
Newman	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Wright

PRESENT: 000

ABSENT WITH LEAVE: 017

Berry	Curtis	Ellington	Funderburk	Hicks
Hinson	Love	Marshall	McDonald	McKenna
Mitten	Molendorp	Nichols	Parkinson	Stream
Webb	Webber			

On motion of Representative Zerr, **CCR SCS HCS#2 HB 698, as amended**, was adopted by the following vote:

AYES: 124

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Harris	Hicks
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 50	Justus
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Morris	Muntzel
Neely	Neth	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Scharnhorst	Schatz	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Wieland	Wood	Zerr	Mr Speaker	

NOES: 030

Anderson	Brattin	Burlison	Conway 104	Curtman
Ellinger	Fowler	Frame	Guernsey	Hampton
Hurst	Keeney	Kirkton	Marshall	Montecillo
Moon	Morgan	Newman	Nichols	Pogue
Rehder	Ross	Schieber	Schieffer	Schupp
Smith 120	Swearingen	White	Wilson	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Butler	Ellington	Funderburk	Hansen	Hinson
Molendorp	Parkinson	Webb	Webber	

On motion of Representative Zerr, **CCS SCS HCS#2 HB 698** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Morris	Muntzel
Neely	Neth	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Rhoads	Richardson	Riddle
Rizzo	Roorda	Rowden	Rowland	Runions
Scharnhorst	Schatz	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Wieland
Zerr	Mr Speaker			

NOES: 032

Anderson	Brattin	Burlison	Conway 104	Curtman
Ellinger	Fowler	Frame	Guernsey	Hampton
Hodges	Hurst	Keeney	Kirkton	Marshall
Montecillo	Moon	Morgan	Newman	Nichols
Rehder	Remole	Ross	Schieber	Schieffer
Schupp	Smith 120	Swearingen	White	Wilson
Wood	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 009

Ellington	Funderburk	Hinson	McManus	Molendorp
Parkinson	Pogue	Webb	Webber	

Speaker Jones declared the bill passed.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McGaugh	Messenger	Moon
Morris	Muntzel	Neth	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 049

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	English
Englund	Frame	Gardner	Harris	Hodges
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Walton Gray	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 013

Diehl	Ellington	Funderburk	Grisamore	Hinson
Miller	Molendorp	Neely	Parkinson	Schatz
Swearingen	Webb	Webber		

The emergency clause was defeated by the following vote:

AYES: 003

Dohrman Schatz Walker

NOES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walton Gray	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Hinson	Korman	Molendorp	Parkinson	Swearingen
Webb	Webber			

CCR SS SCS HCS HB 117, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Funderburk	Hinson	Justus	Kelly 45	Pace
Parkinson	Richardson	Riddle	Webber	

On motion of Representative Dugger, **CCR SS SCS HCS HB 117** was adopted by the following vote:

AYES: 148

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 010

Carpenter	Curtis	Frame	Gardner	Hummel
LaFaver	Peters	Pogue	Smith 85	Webb

PRESENT: 000

ABSENT WITH LEAVE: 005

Ellington	Funderburk	Parkinson	Richardson	Webber
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On motion of Representative Dugger, **CCS SS SCS HCS HB 117** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 009

Carpenter	Curtis	Ellington	Frame	Gardner
Hummel	Pogue	Smith 85	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 007

Conway 104	Funderburk	Hicks	Parkinson	Richardson
Rowland	Webber			

Speaker Jones declared the bill passed.

CCR SS SCS HCS HBs 374 & 434, as amended, relating to judicial procedures, was taken up by Representative Elmer.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Grisamore	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr				

NOES: 048

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Brattin	Davis	Funderburk	Guernsey
Hodges	Kelly 45	Marshall	Mims	Phillips
Pogue	Richardson	Webber	Mr Speaker	

On motion of Representative Elmer, **CCR SS SCS HCS HBs 374 & 434, as amended**, was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Parkinson
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 009

Butler	Ellinger	Ellington	Gardner	Pace
Peters	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk	Pogue	Webber
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On motion of Representative Elmer, **CCS SS SCS HCS HBs 374 & 434** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 009

Butler	Ellinger	Ellington	Gardner	Pace
Peters	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 004

Funderburk	Lichtenegger	Pogue	Webber
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Speaker Jones declared the bill passed.

CCR HCS HBs 256, 33 & 305, with Senate Amendment No. 2 and Senate Amendment No. 3, relating to public safety, was taken up by Representative Jones (50).

On motion of Representative Jones (50), **CCR HCS HBs 256, 33 & 305, with Senate Amendment No. 2 and Senate Amendment No. 3** was adopted by the following vote:

AYES: 160

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Funderburk	Lair	Webber
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On motion of Representative Jones (50), **CCS HCS HBs 256, 33 & 305** was read the third time and passed by the following vote:

AYES: 160

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cross	Funderburk	Webber
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Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 002

Ellington	Pierson
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PRESENT: 000

ABSENT WITH LEAVE: 002

Barnes	Webber
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CCR SCS SB 33, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to individuals with mental disabilities, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **CCR SCS SB 33, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** was adopted by the following vote:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Frame	Jones 50	Pogue	Webber
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On motion of Representative Grisamore, **CCS SCS SB 33** was truly agreed to and finally passed by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Curtman

PRESENT: 000

ABSENT WITH LEAVE: 005

Frederick	Funderburk	Neely	Pogue	Webber
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Speaker Jones declared the bill passed.

CCR SCS HB 103, as amended, relating to transportation, was taken up by Representative Kelley (127).

On motion of Representative Kelley (127), **CCR SCS HB 103, as amended**, was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burns	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 007

Burlison	Butler	Ellington	Fitzpatrick	Gardner
Smith 85	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brattin	Grisamore	Pogue	Schatz	Webber
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On motion of Representative Kelley (127), **CCS SCS HB 103** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burns	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 014

Barnes	Burlison	Butler	Ellington	Fitzpatrick
Frederick	Gardner	Marshall	Moon	Peters
Pogue	Schupp	Smith 85	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 003

Grisamore	Schatz	Webber
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Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Anders	Anderson	Austin	Bahr	Bernskoetter
Black	Brattin	Brown	Burlison	Carpenter
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Ellinger	Elmer
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haefner	Hansen
Harris	Hicks	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	Meredith
Messenger	Mims	Molendorp	Moon	Morris
Muntzel	Neely	Newman	Nichols	Norr
Parkinson	Pfautsch	Phillips	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 85	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 039

Barnes	Berry	Burns	Butler	Colona
Conway 10	Dunn	Ellington	Engler	English
Frame	Frederick	Gardner	Haahr	Hampton
Hummel	May	McCann Beatty	McDonald	McManus
McNeil	Mitten	Montecillo	Morgan	Neth
Otto	Pace	Peters	Pierson	Pogue
Rizzo	Roorda	Schieber	Smith 120	Swearingen
Walton Gray	Webb	White	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 005

Allen	Grisamore	Miller	Rehder	Webber
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CCR SB 327, with House Amendment No. 1, relating to the supervision of criminal offenders, was taken up by Representative Haahr.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Grisamore	Guernsey	Kelly 45	Lauer	Scharnhorst
Smith 120	Stream	Webber		

On motion of Representative Haahr, **CCR SB 327, with House Amendment No. 1**, was adopted by the following vote:

AYES: 160

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Grisamore	Scharnhorst	Webber
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On motion of Representative Haahr, **CCS SB 327** was truly agreed to and finally passed by the following vote:

AYES: 159

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Scharnhorst	Smith 85	Webber
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Speaker Jones declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS HCR 25**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 301**, entitled:

An act to repeal sections 632.480, 632.498 and 632.505, RSMo, and to enact in lieu thereof three new sections relating to civil commitment of sexually violent predators, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 1 to Senate Amendment No. 4, and Senate Amendment No. 4, as amended.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 301, Page 1, Section 632.480, Line 1, by striking "1."; and

Further amend said bill and section, Page 2, Lines 30 to 36, by striking said lines; and

Further amend said bill, Page 8, Section 632.505, Line 164, by inserting after all of said line the following:

"Section 1. It is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of "sexually violent offense" to include, but not be limited to, holdings in: Robertson v. State, 392 S.W.3d 1 (Mo. App. W.D., 2012); and State ex rel. Whitaker v. Satterfield, 386 S.W.3d 893 (Mo. App. S.D., 2012) and all cases citing, interpreting, applying, or following those cases. It is the intent of the legislature to apply these provisions retroactively."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 301, Page 1, Section Title, Line 3 of the Title, by striking "civil commitment of" and inserting in lieu thereof the following: "

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002

to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) [Forcible] Rape **in the first degree** under section 566.030;
- (6) [Forcible] Sodomy **in the first degree** under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) [Sexual assault] **Rape in the second degree** under section [566.040] **566.031**;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) [Deviate sexual assault] **Sodomy in the second degree** pursuant to section [566.070] **566.061**;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse **in the first degree** pursuant to section 566.100;
- (24) Harassment under section 565.090; or
- (25) Stalking under section 565.225; committed on school property, including but not limited to actions on any

school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

- (1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;
- (3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or
- (4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of

any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

167.115. 1. Notwithstanding any provision of chapter 211 or chapter 610 to the contrary, the juvenile officer, sheriff, chief of police or other appropriate law enforcement authority shall, as soon as reasonably practical, notify the superintendent, or the superintendent's designee, of the school district in which the pupil is enrolled when a petition is filed pursuant to subsection 1 of section 211.031 alleging that the pupil has committed one of the following acts:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**
- (6) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**
- (7) Burglary in the first degree under section 569.160;
- (8) Robbery in the first degree under section 569.020;
- (9) Distribution of drugs under section 195.211;
- (10) Distribution of drugs to a minor under section 195.212;
- (11) Arson in the first degree under section 569.040;
- (12) Voluntary manslaughter under section 565.023;
- (13) Involuntary manslaughter under section 565.024;
- (14) Second degree assault under section 565.060;
- (15) Sexual assault under section 566.040 **as it existed prior to August 28, 2013, or rape in the second degree under section 566.031;**
- (16) Felonious restraint under section 565.120;
- (17) Property damage in the first degree under section 569.100;
- (18) The possession of a weapon under chapter 571;
- (19) Child molestation in the first degree pursuant to section 566.067;
- (20) Deviate sexual assault pursuant to section 566.070 **as it existed prior to August 28, 2013, or sodomy in the second degree under section 566.061;**
- (21) Sexual misconduct involving a child pursuant to section 566.083; or
- (22) Sexual abuse pursuant to section 566.100 **as it existed prior to August 28, 2013, or sexual abuse in the first degree under section 566.100.**

2. The notification shall be made orally or in writing, in a timely manner, no later than five days following the filing of the petition. If the report is made orally, written notice shall follow in a timely manner. The notification shall include a complete description of the conduct the pupil is alleged to have committed and the dates the conduct occurred but shall not include the name of any victim. Upon the disposition of any such case, the juvenile office or prosecuting attorney or their designee shall send a second notification to the superintendent providing the disposition of the case, including a brief summary of the relevant finding of facts, no later than five days following the disposition of the case.

3. The superintendent or the designee of the superintendent shall report such information to teachers and other school district employees with a need to know while acting within the scope of their assigned duties. Any information received by school district officials pursuant to this section shall be received in confidence and used for the limited purpose of assuring that good order and discipline is maintained in the school. This information shall not be used as the sole basis for not providing educational services to a public school pupil.

4. The superintendent shall notify the appropriate division of the juvenile or family court upon any pupil's suspension for more than ten days or expulsion of any pupil that the school district is aware is under the jurisdiction of the court.

5. The superintendent or the superintendent's designee may be called to serve in a consultant capacity at any dispositional proceedings pursuant to section 211.031 which may involve reference to a pupil's academic treatment plan.

6. Upon the transfer of any pupil described in this section to any other school district in this state, the superintendent or the superintendent's designee shall forward the written notification given to the superintendent pursuant to subsection 2 of this section to the superintendent of the new school district in which the pupil has enrolled. Such written notification shall be required again in the event of any subsequent transfer by the pupil.

7. As used in this section, the terms "school" and "school district" shall include any charter, private or parochial school or school district, and the term "superintendent" shall include the principal or equivalent chief school officer in the cases of charter, private or parochial schools.

8. The superintendent or the designee of the superintendent or other school employee who, in good faith, reports information in accordance with the terms of this section and section 160.261 shall not be civilly liable for providing such information.

167.171. 1. The school board in any district, by general rule and for the causes provided in section 167.161, may authorize the summary suspension of pupils by principals of schools for a period not to exceed ten school days and by the superintendent of schools for a period not to exceed one hundred and eighty school days. In case of a suspension by the superintendent for more than ten school days, the pupil, the pupil's parents or others having such pupil's custodial care may appeal the decision of the superintendent to the board or to a committee of board members appointed by the president of the board which shall have full authority to act in lieu of the board. Any suspension by a principal shall be immediately reported to the superintendent who may revoke the suspension at any time. In event of an appeal to the board, the superintendent shall promptly transmit to it a full report in writing of the facts relating to the suspension, the action taken by the superintendent and the reasons therefor and the board, upon request, shall grant a hearing to the appealing party to be conducted as provided in section 167.161.

2. No pupil shall be suspended unless:

- (1) The pupil shall be given oral or written notice of the charges against such pupil;
- (2) If the pupil denies the charges, such pupil shall be given an oral or written explanation of the facts which form the basis of the proposed suspension;
- (3) The pupil shall be given an opportunity to present such pupil's version of the incident; and
- (4) In the event of a suspension for more than ten school days, where the pupil gives notice that such pupil wishes to appeal the suspension to the board, the suspension shall be stayed until the board renders its decision, unless in the judgment of the superintendent of schools, or of the district superintendent, the pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, in which case the pupil may be immediately removed from school, and the notice and hearing shall follow as soon as practicable.

3. No school board shall readmit or enroll a pupil properly suspended for more than ten consecutive school days for an act of school violence as defined in subsection 2 of section 160.261 regardless of whether or not such act was committed at a public school or at a private school in this state, provided that such act shall have resulted in the suspension or expulsion of such pupil in the case of a private school, or otherwise permit such pupil to attend school without first holding a conference to review the conduct that resulted in the expulsion or suspension and any remedial actions needed to prevent any future occurrences of such or related conduct. The conference shall include the appropriate school officials including any teacher employed in that school or district directly involved with the conduct that resulted in the suspension or expulsion, the pupil, the parent or guardian of the pupil or any agency having legal jurisdiction, care, custody or control of the pupil. The school board shall notify in writing the parents or guardians and all other parties of the time, place, and agenda of any such conference. Failure of any party to attend this conference shall not preclude holding the conference. Notwithstanding any provision of this subsection to the contrary, no pupil shall be readmitted or enrolled to a regular program of instruction if:

- (1) Such pupil has been convicted of; or
- (2) An indictment or information has been filed alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (3) A petition has been filed pursuant to section 211.091 alleging that the pupil has committed one of the acts enumerated in subdivision (4) of this subsection to which there has been no final judgment; or
- (4) The pupil has been adjudicated to have committed an act which if committed by an adult would be one of the following:
 - (a) First degree murder under section 565.020;
 - (b) Second degree murder under section 565.021;
 - (c) First degree assault under section 565.050;
 - (d) Forcible rape under section 566.030 **as it existed prior to August 28, 2013, or rape in the first degree under section 566.030;**
 - (e) Forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, or sodomy in the first degree under section 566.060;**
 - (f) Statutory rape under section 566.032;
 - (g) Statutory sodomy under section 566.062;
 - (h) Robbery in the first degree under section 569.020;
 - (i) Distribution of drugs to a minor under section 195.212;
 - (j) Arson in the first degree under section 569.040;
 - (k) Kidnapping, when classified as a class A felony under section 565.110. Nothing in this subsection shall prohibit the readmittance or enrollment of any pupil if a petition has been dismissed, or when a pupil has been acquitted or adjudicated not to have committed any of the above acts. This subsection shall not apply to a student with a disability, as identified under state eligibility criteria, who is convicted or adjudicated guilty as a result of an action related to the student's disability. Nothing in this subsection shall be construed to prohibit a school district which provides an

alternative education program from enrolling a pupil in an alternative education program if the district determines such enrollment is appropriate.

4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another in-state or out-of-state school district including a private, charter or parochial school or school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court-appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another school or district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.

168.071. 1. The state board of education may refuse to issue or renew a certificate, or may, upon hearing, discipline the holder of a certificate of license to teach for the following causes:

(1) A certificate holder or applicant for a certificate has pleaded to or been found guilty of a felony or crime involving moral turpitude under the laws of this state, any other state, of the United States, or any other country, whether or not sentence is imposed;

(2) The certification was obtained through use of fraud, deception, misrepresentation or bribery;

(3) There is evidence of incompetence, immorality, or neglect of duty by the certificate holder;

(4) A certificate holder has been subject to disciplinary action relating to certification issued by another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has pleaded guilty to or been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: **rape in the first degree** under section 566.030; **forcible rape under section 566.030 as it existed prior to August 28, 2013; rape as it existed prior to August 13, 1980;** statutory rape in the first degree under section 566.032; statutory rape in the second degree under section 566.034; **rape in the second degree under section 566.031;** sexual assault under section 566.040 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060;** forcible sodomy under section 566.060 **as it existed prior to August 28, 2013; sodomy as it existed prior to January 1, 1995;** statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section 566.064; child molestation in the first degree under section 566.067; child molestation in the second degree under section 566.068; **sodomy in the second degree under section 566.061;**

deviate sexual assault under section 566.070 **as it existed prior to August 28, 2013**; sexual misconduct involving a child under section 566.083; sexual contact with a student while on public school property under section 566.086; **sexual misconduct in the first degree under section 566.093**; sexual misconduct in the first degree under section 566.090 **as it existed prior to August 28, 2013**; **sexual misconduct in the second degree under section 566.095**; sexual misconduct in the second degree under section 566.093 **as it existed prior to August 28, 2013**; sexual misconduct in the third degree under section 566.095 **as it existed prior to August 28, 2013**; **sexual abuse in the first degree under section 566.100**; sexual abuse under section 566.100 **as it existed prior to August 28, 2013**; **sexual abuse in the second degree under section 566.101**; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance under section 568.080; promoting sexual performance by a child under section 568.090; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree under section 573.020; promoting obscenity in the second degree when the penalty is enhanced to a class D felony under section 573.030; promoting child pornography in the first degree under section 573.025; promoting child pornography in the second degree under section 573.035; possession of child pornography under section 573.037; furnishing pornographic materials to minors under section 573.040; or coercing acceptance of obscene material under section 573.065.

7. When a certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.

8. The certificate holder whose certificate was revoked pursuant to subsection 6 of this section may appeal such revocation to the state board of education. Notice of this appeal must be received by the commissioner of education within ninety days of notice of revocation pursuant to this subsection. Failure of the certificate holder to notify the commissioner of the intent to appeal waives all rights to appeal the revocation. Upon notice of the certificate holder's intent to appeal, an appeal hearing shall be held by a hearing officer designated by the commissioner of education, with the final decision made by the state board of education, based upon the record of that hearing. The certificate holder shall be given not less than thirty days' notice of the hearing, and an opportunity to be heard by the hearing officer, together with witnesses.

9. In the case of any certificate holder who has surrendered or failed to renew his or her certificate of license to teach, the state board of education may refuse to issue or renew, or may suspend or revoke, such certificate for any of the reasons contained in this section.

10. In those cases where the charges filed pursuant to this section are based upon an allegation of misconduct involving a minor child, the hearing officer may accept into the record the sworn testimony of the minor child relating to the misconduct received in any court or administrative hearing.

11. Hearings, appeals or other matters involving certificate holders, licensees or applicants pursuant to this section may be informally resolved by consent agreement or agreed settlement or voluntary surrender of the certificate of license pursuant to the rules promulgated by the state board of education.

12. The final decision of the state board of education is subject to judicial review pursuant to sections 536.100 to 536.140.

13. A certificate of license to teach to an individual who has been convicted of a felony or crime involving moral turpitude, whether or not sentence is imposed, shall be issued only upon motion of the state board of education adopted by a unanimous affirmative vote of those members present and voting.

188.023. Any licensed health care professional who delivers a baby or performs an abortion, who has prima facie evidence that a patient has been the victim of statutory rape in the first degree or statutory rape in the second degree, or if the patient is under the age of eighteen, that he or she has been a victim of sexual abuse, including [forcible rape, sexual assault] **rape in the first or second degree**, or incest, shall be required to report such offenses in the same manner as provided for by section 210.115.

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder

under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 **as it existed prior to August 28, 2013, rape in the first degree under section 566.030**, forcible sodomy under section 566.060 **as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060**, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

- (1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;
- (2) Whether the offense alleged involved viciousness, force and violence;
- (3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;
- (4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;
- (5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;
- (6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;
- (7) The age of the child;
- (8) The program and facilities available to the juvenile court in considering disposition;
- (9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and
- (10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

- (1) Findings showing that the court had jurisdiction of the cause and of the parties;
- (2) Findings showing that the child was represented by counsel;
- (3) Findings showing that the hearing was held in the presence of the child and his counsel; and
- (4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.447. 1. Any information that could justify the filing of a petition to terminate parental rights may be referred to the juvenile officer by any person. The juvenile officer shall make a preliminary inquiry and if it does not appear to the juvenile officer that a petition should be filed, such officer shall so notify the informant in writing within thirty days of the referral. Such notification shall include the reasons that the petition will not be filed. Thereupon, the informant may bring the matter directly to the attention of the judge of the juvenile court by presenting the information in writing, and if it appears to the judge that the information could justify the filing of a petition, the judge may order the juvenile officer to take further action, including making a further preliminary inquiry or filing a petition.

2. Except as provided for in subsection 4 of this section, a petition to terminate the parental rights of the child's parent or parents shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, when:

(1) Information available to the juvenile officer or the division establishes that the child has been in foster care for at least fifteen of the most recent twenty-two months; or

(2) A court of competent jurisdiction has determined the child to be an abandoned infant. For purposes of this subdivision, an "infant" means any child one year of age or under at the time of filing of the petition. The court may find that an infant has been abandoned if:

(a) The parent has left the child under circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so; or

(3) A court of competent jurisdiction has determined that the parent has:

(a) Committed murder of another child of the parent; or

(b) Committed voluntary manslaughter of another child of the parent; or

(c) Aided or abetted, attempted, conspired or solicited to commit such a murder or voluntary manslaughter;

or

(d) Committed a felony assault that resulted in serious bodily injury to the child or to another child of the parent.

3. A termination of parental rights petition shall be filed by the juvenile officer or the division, or if such a petition has been filed by another party, the juvenile officer or the division shall seek to be joined as a party to the petition, within sixty days of the judicial determinations required in subsection 2 of this section, except as provided in subsection 4 of this section. Failure to comply with this requirement shall not deprive the court of jurisdiction to adjudicate a petition for termination of parental rights which is filed outside of sixty days.

4. If grounds exist for termination of parental rights pursuant to subsection 2 of this section, the juvenile officer or the division may, but is not required to, file a petition to terminate the parental rights of the child's parent or parents if:

(1) The child is being cared for by a relative; or

(2) There exists a compelling reason for determining that filing such a petition would not be in the best interest of the child, as documented in the permanency plan which shall be made available for court review; or

(3) The family of the child has not been provided such services as provided for in section 211.183.

5. The juvenile officer or the division may file a petition to terminate the parental rights of the child's parent when it appears that one or more of the following grounds for termination exist:

(1) The child has been abandoned. For purposes of this subdivision a "child" means any child over one year of age at the time of filing of the petition. The court shall find that the child has been abandoned if, for a period of six months or longer:

(a) The parent has left the child under such circumstances that the identity of the child was unknown and could not be ascertained, despite diligent searching, and the parent has not come forward to claim the child; or

(b) The parent has, without good cause, left the child without any provision for parental support and without making arrangements to visit or communicate with the child, although able to do so;

(2) The child has been abused or neglected. In determining whether to terminate parental rights pursuant to this subdivision, the court shall consider and make findings on the following conditions or acts of the parent:

(a) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(b) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control of the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control;

(c) A severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another under circumstances that indicate that the parent knew or should have known that such acts were being committed toward the child or any child in the family; or

(d) Repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development. Nothing in this subdivision shall be construed to permit discrimination on the basis of disability or disease;

(3) The child has been under the jurisdiction of the juvenile court for a period of one year, and the court finds that the conditions which led to the assumption of jurisdiction still persist, or conditions of a potentially harmful nature continue to exist, that there is little likelihood that those conditions will be remedied at an early date so that the child can be returned to the parent in the near future, or the continuation of the parent-child relationship greatly diminishes the child's prospects for early integration into a stable and permanent home. In determining whether to terminate parental rights under this subdivision, the court shall consider and make findings on the following:

(a) The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with those terms;

(b) The success or failure of the efforts of the juvenile officer, the division or other agency to aid the parent on a continuing basis in adjusting his circumstances or conduct to provide a proper home for the child;

(c) A mental condition which is shown by competent evidence either to be permanent or such that there is no reasonable likelihood that the condition can be reversed and which renders the parent unable to knowingly provide the child the necessary care, custody and control;

(d) Chemical dependency which prevents the parent from consistently providing the necessary care, custody and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody and control; or

(4) The parent has been found guilty or pled guilty to a felony violation of chapter 566 when the child or any child in the family was a victim, or a violation of section 568.020 when the child or any child in the family was a victim. As used in this subdivision, a "child" means any person who was under eighteen years of age at the time of the crime and who resided with such parent or was related within the third degree of consanguinity or affinity to such parent; or

(5) The child was conceived and born as a result of an act of forcible rape **or rape in the first degree**. When the biological father has pled guilty to, or is convicted of, the forcible rape **or rape in the first degree** of the birth mother, such a plea or conviction shall be conclusive evidence supporting the termination of the biological father's parental rights; or

(6) The parent is unfit to be a party to the parent and child relationship because of a consistent pattern of committing a specific abuse, including but not limited to abuses as defined in section 455.010, child abuse or drug abuse before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be of a duration or nature that renders the parent unable, for the reasonably foreseeable future, to care appropriately for the ongoing physical, mental or emotional needs of the child. It is presumed that a parent is unfit to be a party to the parent-child relationship upon a showing that within a three-year period immediately prior to the termination adjudication, the parent's parental rights to one or more other children were involuntarily terminated pursuant to subsection 2 or 4 of this section or subdivisions (1), (2), (3) or (4) of subsection 5 of this section or similar laws of other states.

6. The juvenile court may terminate the rights of a parent to a child upon a petition filed by the juvenile officer or the division, or in adoption cases, by a prospective parent, if the court finds that the termination is in the best interest of the child and when it appears by clear, cogent and convincing evidence that grounds exist for termination pursuant to subsection 2, 4 or 5 of this section.

7. When considering whether to terminate the parent-child relationship pursuant to subsection 2 or 4 of this section or subdivision (1), (2), (3) or (4) of subsection 5 of this section, the court shall evaluate and make findings on the following factors, when appropriate and applicable to the case:

(1) The emotional ties to the birth parent;

(2) The extent to which the parent has maintained regular visitation or other contact with the child;

(3) The extent of payment by the parent for the cost of care and maintenance of the child when financially able to do so including the time that the child is in the custody of the division or other child-placing agency;

(4) Whether additional services would be likely to bring about lasting parental adjustment enabling a return of the child to the parent within an ascertainable period of time;

(5) The parent's disinterest in or lack of commitment to the child;

(6) The conviction of the parent of a felony offense that the court finds is of such a nature that the child will be deprived of a stable home for a period of years; provided, however, that incarceration in and of itself shall not be grounds for termination of parental rights;

(7) Deliberate acts of the parent or acts of another of which the parent knew or should have known that subjects the child to a substantial risk of physical or mental harm.

8. The court may attach little or no weight to infrequent visitations, communications, or contributions. It is irrelevant in a termination proceeding that the maintenance of the parent-child relationship may serve as an inducement for the parent's rehabilitation.

9. In actions for adoption pursuant to chapter 453, the court may hear and determine the issues raised in a petition for adoption containing a prayer for termination of parental rights filed with the same effect as a petition permitted pursuant to subsection 2, 4, or 5 of this section.

10. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care, for the removal of custody of a child from the parent, or for the termination of parental rights without a specific showing that there is a causal relation between the disability or disease and harm to the child.

217.010. As used in this chapter and chapter 558, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Administrative segregation unit", a cell for the segregation of offenders from the general population of a facility for relatively extensive periods of time;

(2) "Board", the board of probation and parole;

(3) "Chief administrative officer", the institutional head of any correctional facility or his designee;

(4) "Correctional center", any premises or institution where incarceration, evaluation, care, treatment, or rehabilitation is provided to persons who are under the department's authority;

(5) "Department", the department of corrections of the state of Missouri;

(6) "Director", the director of the department of corrections or his designee;

(7) "Disciplinary segregation", a cell for the segregation of offenders from the general population of a correctional center because the offender has been found to have committed a violation of a division or facility rule and other available means are inadequate to regulate the offender's behavior;

(8) "Division", a statutorily created agency within the department or an agency created by the departmental organizational plan;

(9) "Division director", the director of a division of the department or his designee;

(10) "Local volunteer community board", a board of qualified local community volunteers selected by the court for the purpose of working in partnership with the court and the department of corrections in a reparative probation program;

(11) "Nonviolent offender", any offender who is convicted of a crime other than murder in the first or second degree, involuntary manslaughter, kidnapping, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, robbery in the first degree or assault in the first degree;

(12) "Offender", a person under supervision or an inmate in the custody of the department;

(13) "Probation", a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the board;

(14) "Volunteer", any person who, of his own free will, performs any assigned duties for the department or its divisions with no monetary or material compensation.

339.100. 1. The commission may, upon its own motion, and shall upon receipt of a written complaint filed by any person, investigate any real estate-related activity of a licensee licensed under sections 339.010 to 339.180 and sections 339.710 to 339.860 or an individual or entity acting as or representing themselves as a real estate licensee. In conducting such investigation, if the questioned activity or written complaint involves an affiliated licensee, the commission may forward a copy of the information received to the affiliated licensee's designated broker. The commission shall have the power to hold an investigatory hearing to determine whether there is a probability of a violation of sections 339.010 to 339.180 and sections 339.710 to 339.860. The commission shall have the power to issue a subpoena to compel the production of records and papers bearing on the complaint. The commission shall have the

power to issue a subpoena and to compel any person in this state to come before the commission to offer testimony or any material specified in the subpoena. Subpoenas and subpoenas duces tecum issued pursuant to this section shall be served in the same manner as subpoenas in a criminal case. The fees and mileage of witnesses shall be the same as that allowed in the circuit court in civil cases.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by the provisions of chapter 621 against any person or entity licensed under this chapter or any licensee who has failed to renew or has surrendered his or her individual or entity license for any one or any combination of the following acts:

(1) Failure to maintain and deposit in a special account, separate and apart from his or her personal or other business accounts, all moneys belonging to others entrusted to him or her while acting as a real estate broker or as the temporary custodian of the funds of others, until the transaction involved is consummated or terminated, unless all parties having an interest in the funds have agreed otherwise in writing;

(2) Making substantial misrepresentations or false promises or suppression, concealment or omission of material facts in the conduct of his or her business or pursuing a flagrant and continued course of misrepresentation through agents, salespersons, advertising or otherwise in any transaction;

(3) Failing within a reasonable time to account for or to remit any moneys, valuable documents or other property, coming into his or her possession, which belongs to others;

(4) Representing to any lender, guaranteeing agency, or any other interested party, either verbally or through the preparation of false documents, an amount in excess of the true and actual sale price of the real estate or terms differing from those actually agreed upon;

(5) Failure to timely deliver a duplicate original of any and all instruments to any party or parties executing the same where the instruments have been prepared by the licensee or under his or her supervision or are within his or her control, including, but not limited to, the instruments relating to the employment of the licensee or to any matter pertaining to the consummation of a lease, listing agreement or the purchase, sale, exchange or lease of property, or any type of real estate transaction in which he or she may participate as a licensee;

(6) Acting for more than one party in a transaction without the knowledge of all parties for whom he or she acts, or accepting a commission or valuable consideration for services from more than one party in a real estate transaction without the knowledge of all parties to the transaction;

(7) Paying a commission or valuable consideration to any person for acts or services performed in violation of sections 339.010 to 339.180 and sections 339.710 to 339.860;

(8) Guaranteeing or having authorized or permitted any licensee to guarantee future profits which may result from the resale of real property;

(9) Having been finally adjudicated and been found guilty of the violation of any state or federal statute which governs the sale or rental of real property or the conduct of the real estate business as defined in subsection 1 of section 339.010;

(10) Obtaining a certificate or registration of authority, permit or license for himself or herself or anyone else by false or fraudulent representation, fraud or deceit;

(11) Representing a real estate broker other than the broker with whom associated without the express written consent of the broker with whom associated;

(12) Accepting a commission or valuable consideration for the performance of any of the acts referred to in section 339.010 from any person except the broker with whom associated at the time the commission or valuable consideration was earned;

(13) Using prizes, money, gifts or other valuable consideration as inducement to secure customers or clients to purchase, lease, sell or list property when the awarding of such prizes, money, gifts or other valuable consideration is conditioned upon the purchase, lease, sale or listing; or soliciting, selling or offering for sale real property by offering free lots, or conducting lotteries or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property;

(14) Placing a sign on or advertising any property offering it for sale or rent without the written consent of the owner or his or her duly authorized agent;

(15) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of sections 339.010 to 339.180 and sections 339.710 to 339.860, or of any lawful rule adopted pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860;

(16) Committing any act which would otherwise be grounds for the commission to refuse to issue a license under section 339.040;

(17) Failure to timely inform seller of all written offers unless otherwise instructed in writing by the seller;

(18) Been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of this state or any other state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an

essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(19) Any other conduct which constitutes untrustworthy, improper or fraudulent business dealings, demonstrates bad faith or incompetence, misconduct, or gross negligence;

(20) Disciplinary action against the holder of a license or other right to practice any profession regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 granted by another state, territory, federal agency, or country upon grounds for which revocation, suspension, or probation is authorized in this state;

(21) Been found by a court of competent jurisdiction of having used any controlled substance, as defined in chapter 195, to the extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 339.010 to 339.180 and sections 339.710 to 339.860;

(22) Been finally adjudged insane or incompetent by a court of competent jurisdiction;

(23) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated under sections 339.010 to 339.180 and sections 339.710 to 339.860 who is not registered and currently eligible to practice under sections 339.010 to 339.180 and sections 339.710 to 339.860;

(24) Use of any advertisement or solicitation which is knowingly false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(25) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or license renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(26) Engaging in, committing, or assisting any person in engaging in or committing mortgage fraud, as defined in section 443.930.

3. After the filing of such complaint, the proceedings will be conducted in accordance with the provisions of law relating to the administrative hearing commission. A finding of the administrative hearing commissioner that the licensee has performed or attempted to perform one or more of the foregoing acts shall be grounds for the suspension or revocation of his license by the commission, or the placing of the licensee on probation on such terms and conditions as the real estate commission shall deem appropriate, or the imposition of a civil penalty by the commission not to exceed two thousand five hundred dollars for each offense. Each day of a continued violation shall constitute a separate offense.

4. The commission may prepare a digest of the decisions of the administrative hearing commission which concern complaints against licensed brokers or salespersons and cause such digests to be mailed to all licensees periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: **rape in the first degree, forcible rape, rape**, statutory rape in the first degree, statutory rape in the second degree, **rape in the second degree**, sexual assault, **sodomy in the first degree**, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, **sodomy in the second degree**, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree **under section 566.090 as it existed prior to August 28, 2013**, sexual abuse **under section 566.100 as it existed prior to August 28, 2013**, **sexual abuse in the first or second degree**, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children;

(4) Any of the following offenses involving child pornography and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class D felony, promoting child pornography in the first degree, promoting child pornography in the second degree, possession of child pornography in the first degree, possession of child pornography in the second degree, furnishing child pornography to a minor, furnishing pornographic materials to minors, or coercing acceptance of obscene material; and

(5) Mortgage fraud as defined in section 570.310.

6. A person whose license was revoked under subsection 5 of this section may appeal such revocation to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of revocation. Failure of a person whose license was revoked

to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the revocation. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission.

556.036. 1. A prosecution for murder, **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, **attempted sodomy in the first degree**, attempted forcible sodomy, or any class A felony may be commenced at any time.

2. Except as otherwise provided in this section, prosecutions for other offenses must be commenced within the following periods of limitation:

- (1) For any felony, three years, except as provided in subdivision (4) of this subsection;
- (2) For any misdemeanor, one year;
- (3) For any infraction, six months;
- (4) For any violation of section 569.040, when classified as a class B felony, or any violation of section 569.050 or 569.055, five years.

3. If the period prescribed in subsection 2 of this section has expired, a prosecution may nevertheless be commenced for:

(1) Any offense a material element of which is either fraud or a breach of fiduciary obligation within one year after discovery of the offense by an aggrieved party or by a person who has a legal duty to represent an aggrieved party and who is himself or herself not a party to the offense, but in no case shall this provision extend the period of limitation by more than three years. As used in this subdivision, the term "person who has a legal duty to represent an aggrieved party" shall mean the attorney general or the prosecuting or circuit attorney having jurisdiction pursuant to section 407.553, for purposes of offenses committed pursuant to sections 407.511 to 407.556; and

(2) Any offense based upon misconduct in office by a public officer or employee at any time when the defendant is in public office or employment or within two years thereafter, but in no case shall this provision extend the period of limitation by more than three years; and

(3) Any offense based upon an intentional and willful fraudulent claim of child support arrearage to a public servant in the performance of his or her duties within one year after discovery of the offense, but in no case shall this provision extend the period of limitation by more than three years.

4. An offense is committed either when every element occurs, or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated. Time starts to run on the day after the offense is committed.

5. A prosecution is commenced for a misdemeanor or infraction when the information is filed and for a felony when the complaint or indictment is filed.

6. The period of limitation does not run:

(1) During any time when the accused is absent from the state, but in no case shall this provision extend the period of limitation otherwise applicable by more than three years; or

(2) During any time when the accused is concealing himself from justice either within or without this state;

or

(3) During any time when a prosecution against the accused for the offense is pending in this state; or

(4) During any time when the accused is found to lack mental fitness to proceed pursuant to section 552.020.

556.037. Notwithstanding the provisions of section 556.036, prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must be commenced within thirty years after the victim reaches the age of eighteen unless the prosecutions are for **rape in the first degree**, forcible rape, **attempted rape in the first degree**, attempted forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, **attempted sodomy in the first degree**, or attempted forcible sodomy in which case such prosecutions may be commenced at any time.

556.061. In this code, unless the context requires a different definition, the following shall apply:

(1) "Affirmative defense" has the meaning specified in section 556.056;

(2) "Burden of injecting the issue" has the meaning specified in section 556.051;

(3) "Commercial film and photographic print processor", any person who develops exposed photographic film into negatives, slides or prints, or who makes prints from negatives or slides, for compensation. The term commercial film and photographic print processor shall include all employees of such persons but shall not include a person who develops film or makes prints for a public agency;

(4) "Confinement":

(a) A person is in confinement when such person is held in a place of confinement pursuant to arrest or order of a court, and remains in confinement until:

a. A court orders the person's release; or

- b. The person is released on bail, bond, or recognizance, personal or otherwise; or
- c. A public servant having the legal power and duty to confine the person authorizes his release without guard and without condition that he return to confinement;
- (b) A person is not in confinement if:
 - a. The person is on probation or parole, temporary or otherwise; or
 - b. The person is under sentence to serve a term of confinement which is not continuous, or is serving a sentence under a work-release program, and in either such case is not being held in a place of confinement or is not being held under guard by a person having the legal power and duty to transport the person to or from a place of confinement;
- (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
 - (a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
 - (b) It is given by a person who by reason of youth, mental disease or defect, [or] intoxication, **a drug-induced state, or any other reason** is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - (c) It is induced by force, duress or deception;
- (6) "Criminal negligence" has the meaning specified in section 562.016;
- (7) "Custody", a person is in custody when the person has been arrested but has not been delivered to a place of confinement;
- (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first degree, **attempted rape in the first degree if physical injury results**, attempted forcible rape if physical injury results, **attempted sodomy in the first degree if physical injury results**, attempted forcible sodomy if physical injury results, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, and, abuse of a child [pursuant to subdivision (2) of subsection 3 of] **if the child dies as a result of injuries sustained from conduct chargeable under** section 568.060, child kidnapping, and parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153;
- (9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;
- (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles;
- (11) "Felony" has the meaning specified in section 556.016;
- (12) "Forcible compulsion" means either:
 - (a) Physical force that overcomes reasonable resistance; or
 - (b) A threat, express or implied, that places a person in reasonable fear of death, serious physical injury or kidnapping of such person or another person;
- (13) "Incapacitated" means that physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person's conduct, or unable to communicate unwillingness to an act[. A person is not incapacitated with respect to an act committed upon such person if he or she became unconscious, unable to appraise the nature of such person's conduct or unable to communicate unwillingness to an act, after consenting to the act];
- (14) "Infraction" has the meaning specified in section 556.021;
- (15) "Inhabitable structure" has the meaning specified in section 569.010;
- (16) "Knowingly" has the meaning specified in section 562.016;
- (17) "Law enforcement officer" means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States;
- (18) "Misdemeanor" has the meaning specified in section 556.016;
- (19) "Offense" means any felony, misdemeanor or infraction;
- (20) "Physical injury" means physical pain, illness, or any impairment of physical condition;
- (21) "Place of confinement" means any building or facility and the grounds thereof wherein a court is legally authorized to order that a person charged with or convicted of a crime be held;
- (22) "Possess" or "possessed" means having actual or constructive possession of an object with knowledge of its presence. A person has actual possession if such person has the object on his or her person or within easy reach and

convenient control. A person has constructive possession if such person has the power and the intention at a given time to exercise dominion or control over the object either directly or through another person or persons. Possession may also be sole or joint. If one person alone has possession of an object, possession is sole. If two or more persons share possession of an object, possession is joint;

(23) "Public servant" means any person employed in any way by a government of this state who is compensated by the government by reason of such person's employment, any person appointed to a position with any government of this state, or any person elected to a position with any government of this state. It includes, but is not limited to, legislators, jurors, members of the judiciary and law enforcement officers. It does not include witnesses;

(24) "Purposely" has the meaning specified in section 562.016;

(25) "Recklessly" has the meaning specified in section 562.016;

(26) "Ritual" or "ceremony" means an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity;

(27) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(28) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body;

(29) "Sexual conduct" means acts of human masturbation; deviate sexual intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification;

(30) "Sexual contact" means any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person;

(31) "Sexual performance", any performance, or part thereof, which includes sexual conduct by a child who is less than seventeen years of age;

(32) "Voluntary act" has the meaning specified in section 562.011.

558.018. 1. The court shall sentence a person [who has pleaded guilty to or] **to an extended term of imprisonment if it finds the defendant is a persistent sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual offender] **attempting to commit or committing the following offenses:**

(1) **Statutory rape in the first degree or statutory sodomy in the first degree;**

(2) **Rape in the first degree or sodomy in the first degree attempted or committed on or after August 28, 2013;**

(3) **Forcible rape committed or attempted any time during the period of August 13, 1980 to August 27, 2013;**

(4) **Forcible sodomy committed or attempted any time during the period of January 1, 1995 to August 27, 2013;**

(5) **Rape committed or attempted before August 13, 1980;**

(6) **Sodomy committed or attempted before January 1, 1995.**

2. A "persistent sexual offender" is one who has previously [pleaded guilty to or has been found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this subsection] **been found guilty of attempting to commit or committing any of the offenses listed in subsection 1 of this section.**

3. The term of imprisonment for one found to be a persistent sexual offender shall be imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019 shall not apply to any person imprisoned under this subsection, and "imprisonment for life" shall mean imprisonment for the duration of the person's natural life.

4. The court shall sentence a person [who has pleaded guilty to or has] **to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender and** has been found guilty of [the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony to an extended term of imprisonment as provided for in this section if it finds the defendant is a predatory sexual offender.

5. For purposes of this section, a "predatory sexual offender" is a person who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes or] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony; or

(2) Has previously committed an act which would constitute an offense listed in subsection 4 of this section, whether or not the act resulted in a conviction; or

(3) Has committed an act or acts against more than one victim which would constitute an offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged with an additional offense or offenses as a result of such act or acts.

6. A person found to be a predatory sexual offender shall be imprisoned for life with eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be predatory sexual offenders for the purposes of determining the minimum prison term or the length of sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no event shall a person found to be a predatory sexual offender receive a final discharge from parole.

7. Notwithstanding any other provision of law, the court shall set the minimum time required to be served before a predatory sexual offender is eligible for parole, conditional release or other early release by the department of corrections. The minimum time to be served by a person found to be a predatory sexual offender who:

(1) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory sodomy in the first degree or an attempt to commit any of the preceding crimes] **committing or attempting to commit any of the offenses listed in subsection 1 of this section and is found guilty of committing or attempting to commit any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than thirty years;

(2) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony and [pleads guilty to or] is found guilty of attempting to commit or committing [forcible rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree] **any of the offenses listed in subsection 1 of this section** shall be any number of years but not less than fifteen years;

(3) Has previously [pleaded guilty to or has] been found guilty of [the felony of forcible rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found guilty of] **committing or attempting to commit any of the offenses listed in subsection 1 of this section, or committing** child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(4) Has previously pleaded guilty to or has been found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony, and pleads guilty to or is found guilty of child molestation in the first degree when classified as a class B felony or sexual abuse when classified as a class B felony shall be any number of years but not less than fifteen years;

(5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of subsection 5 of this section shall be any number of years within the range to which the person could have been sentenced pursuant to the applicable law if the person was not found to be a predatory sexual offender.

8. Notwithstanding any provision of law to the contrary, the department of corrections, or any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual offender or a predatory sexual offender.

558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except [that,] in the case of multiple sentences of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy or] **any offense committed during or at the same time as, or multiple offenses of, the following felonies:**

(1) **Rape in the first degree, forcible rape, or rape;**

(2) **Statutory rape in the first degree;**

(3) **Sodomy in the first degree, forcible sodomy, or sodomy;**

(4) **Statutory sodomy in the first degree; or**

(5) An attempt to commit any of the [aforesaid and for other offenses committed during or at the same time as that rape, forcible rape, sodomy, forcible sodomy or an attempt to commit any of the aforesaid, the sentences of imprisonment imposed for the other offenses may run concurrently, but] **felonies listed in this subsection.**

In such case, the sentence of imprisonment imposed for [the felony of rape, forcible rape, sodomy, forcible sodomy] **any felony listed in this subsection** or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. **The sentences imposed for any other offense may run concurrently.**

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the start of his conditional release term, the court shall direct the manner in which the sentence or sentences imposed by the court shall run with respect to any resulting probation, parole or conditional release revocation term or terms. If the subsequent sentence to imprisonment is in another jurisdiction, the court shall specify how any resulting probation, parole or conditional release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

3. A court may cause any sentence it imposes to run concurrently with a sentence an individual is serving or is to serve in another state or in a federal correctional center. If the Missouri sentence is served in another state or in a federal correctional center, subsection 4 of section 558.011 and section 217.690 shall apply as if the individual were serving his sentence within the department of corrections of the state of Missouri, except that a personal hearing before the board of probation and parole shall not be required for parole consideration.

559.115. 1. Neither probation nor parole shall be granted by the circuit court between the time the transcript on appeal from the offender's conviction has been filed in appellate court and the disposition of the appeal by such court.

2. Unless otherwise prohibited by subsection [5] **8** of this section, a circuit court only upon its own motion and not that of the state or the offender shall have the power to grant probation to an offender anytime up to one hundred twenty days after such offender has been delivered to the department of corrections but not thereafter. The court may request information and a recommendation from the department concerning the offender and such offender's behavior during the period of incarceration. Except as provided in this section, the court may place the offender on probation in a program created pursuant to section 217.777, or may place the offender on probation with any other conditions authorized by law.

3. The court may recommend placement of an offender in a department of corrections one hundred twenty-day program under this [section] **subsection** or order such placement under subsection 4 of section 559.036. Upon the recommendation or order of the court, the department of corrections shall assess each offender to determine the appropriate **one hundred twenty-day** program in which to place the offender, [including] **which may include placement in the shock incarceration program** or institutional treatment **program**. When the court recommends and receives placement of an offender in a department of corrections one hundred twenty-day program, the offender shall be released on probation if the department of corrections determines that the offender has successfully completed the program except as follows. Upon successful completion of a [treatment] program **under this subsection**, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release. [The court shall release the offender unless such release constitutes an abuse of discretion. If the court determined that there is an abuse of discretion, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days of the offender's sentence. If the court does not respond when an offender successfully completes the program, the offender shall be released on probation. Upon successful completion of a shock incarceration program, the board of probation and parole shall advise the sentencing court of an offender's probationary release date thirty days prior to release.] The court shall follow the recommendation of the department unless the court determines that probation is not appropriate. If the court determines that probation is not appropriate, the court may order the execution of the offender's sentence only after conducting a hearing on the matter within ninety to one hundred twenty days [of the offender's sentence. If the department determines that an offender is not successful in a program, then after one hundred days of incarceration the circuit court shall receive from] **from the date the offender was delivered to the department of corrections. If the department determines the offender has not successfully completed a one hundred twenty-day program under this subsection, the offender shall be removed from the program and the court shall be advised of the removal.** The department [of corrections a] **shall** report on the offender's participation in the program and [department] **may provide** recommendations for terms and conditions of an offender's probation. The court shall then [release the offender on probation or order the offender to remain in the department to serve the sentence imposed] **have the power to grant probation or order the execution of the offender's sentence.**

4. **If the court is advised that an offender is not eligible for placement in a one hundred twenty-day program under subsection 3 of this section, the court shall consider other authorized dispositions.** If the department of corrections one hundred twenty-day program **under subsection 3 of this section** is full, the court may place the offender in a private program approved by the department of corrections or the court, the expenses of such program to be paid by the offender, or in an available program offered by another organization. If the offender is convicted of a class C or class D nonviolent felony, the court may order probation while awaiting appointment to treatment.

5. Except when the offender has been found to be a predatory sexual offender pursuant to section 558.018, the court shall request [that the offender be placed in the sexual offender assessment unit of the department of corrections] **the department of corrections to conduct a sexual offender assessment** if the defendant has pleaded guilty to or has been found guilty of sexual abuse when classified as a class B felony. **Upon completion of the assessment, the department shall provide to the court a report on the offender and may provide recommendations for terms and conditions of an offender's probation. The assessment shall not be considered a one hundred twenty-day program as provided under subsection 3 of this section. The process for granting probation to an offender who has completed the assessment shall be as provided under subsections 2 and 6 of this section.**

6. Unless the offender is being granted probation pursuant to successful completion of a one hundred twenty-day program the circuit court shall notify the state in writing when the court intends to grant probation to the offender pursuant to the provisions of this section. The state may, in writing, request a hearing within ten days of receipt of the court's notification that the court intends to grant probation. Upon the state's request for a hearing, the court shall grant a hearing as soon as reasonably possible. If the state does not respond to the court's notice in writing within ten days, the court may proceed upon its own motion to grant probation.

7. An offender's first incarceration [for one hundred twenty days for participation in a department of corrections program] **under this section** prior to release on probation shall not be considered a previous prison commitment for the purpose of determining a minimum prison term under the provisions of section 558.019.

8. Notwithstanding any other provision of law, probation may not be granted pursuant to this section to offenders who have been convicted of murder in the second degree pursuant to section 565.021; forcible rape pursuant to section 566.030 **as it existed prior to August 28, 2013; rape in the first degree under section 566.030**; forcible sodomy pursuant to section 566.060 **as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060**; statutory rape in the first degree pursuant to section 566.032; statutory sodomy in the first degree pursuant to section 566.062; child molestation in the first degree pursuant to section 566.067 when classified as a class A felony; abuse of a child pursuant to section 568.060 when classified as a class A felony; an offender who has been found to be a predatory sexual offender pursuant to section 558.018; or any offense in which there exists a statutory prohibition against either probation or parole.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

- (1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;
- (2) Have been found guilty of, or plead guilty to, **rape in the first degree under section 566.030 or forcible rape under section 566.030 as it existed prior to August 28, 2013;**
- (3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;
- (4) Have been found guilty of, or plead guilty to, **sodomy in the first degree under section 566.060 or forcible sodomy under section 566.060 as it existed prior to August 28, 2013;**
- (5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;
- (6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;
- (7) Have been found to be a predatory sexual offender under section 558.018; or
- (8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide.

566.020. 1. [Whenever in this chapter the criminality of conduct depends upon a victim's being incapacitated, no crime is committed if the actor reasonably believed that the victim was not incapacitated and reasonably believed that the victim consented to the act. The defendant shall have the burden of injecting the issue of belief as to capacity and consent.

2.] Whenever in this chapter the criminality of conduct depends upon a child being thirteen years of age or younger, it is no defense that the defendant believed the child to be older.

[3.] 2. Whenever in this chapter the criminality of conduct depends upon a child being under seventeen years of age, it is an affirmative defense that the defendant reasonably believed that the child was seventeen years of age or older.

[4.] 3. Consent is not an affirmative defense to any offense under chapter 566 if the alleged victim is less than twelve years of age.

566.030. 1. A person commits the [crime] **offense of [forcible] rape in the first degree** if [such person] **he or she** has sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of rape in the first degree** or an attempt to commit [forcible] **rape in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years;

(2) The victim is a child less than twelve years of age, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] **rape in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] **rape in the first degree or attempt to commit rape in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] **rape in the first degree or attempt to commit rape in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] **rape in the first degree** or an attempt to commit [forcible] **rape in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.040.] **566.031.** 1. A person commits the [crime] **offense of [sexual assault] rape in the second degree** if he **or she** has sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Sexual assault] **The offense of rape in the second degree** is a class C felony.

566.060. 1. A person commits the [crime] **offense of [forcible] sodomy in the first degree** if [such person] **he or she** has deviate sexual intercourse with another person **who is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. [Forcible] **The offense of sodomy in the first degree** or an attempt to commit [forcible] **sodomy in the first degree** is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years [of age] **old**, in which case the required term of imprisonment is life imprisonment without eligibility for probation or parole until the [defendant] **offender** has served not less than thirty years of such sentence or unless the [defendant] **offender** has reached the age of seventy-five years and has served at least fifteen years of such sentence, unless such [forcible] sodomy **in the first degree** is described under subdivision (3) of this subsection; or

(3) The victim is a child less than twelve years of age and such [forcible] sodomy **in the first degree or attempt to commit sodomy in the first degree** was outrageously or wantonly vile, horrible or inhumane, in that it involved torture or depravity of mind, in which case the required term of imprisonment is life imprisonment without eligibility for probation, parole or conditional release.

3. Subsection 4 of section 558.019 shall not apply to the sentence of a person who has [pleaded guilty to or has] been found guilty of [forcible] sodomy **in the first degree or an attempt to commit sodomy in the first degree** when the victim is [under the age of] **less than twelve years of age**, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section.

4. No person found guilty of [or pleading guilty to forcible] sodomy **in the first degree** or an attempt to commit [forcible] sodomy **in the first degree** shall be granted a suspended imposition of sentence or suspended execution of sentence.

[566.070.] **566.061.** 1. A person commits the [crime of deviate sexual assault] **offense of sodomy in the second degree** if he **or she** has deviate sexual intercourse with another person knowing that he **or she** does so without that person's consent.

2. [Deviate sexual assault] **The offense of sodomy in the second degree** is a class C felony.

566.093. 1. A person commits the [crime] **offense** of sexual misconduct in the [second] **first degree** if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

2. **The offense of** sexual misconduct in the [second] **first degree** is a class B misdemeanor unless the [actor] **person** has previously been [convicted] **found guilty** of an offense under this chapter, in which case it is a class A misdemeanor.

566.095. 1. A person commits the [crime] **offense** of sexual misconduct in the [third] **second degree** if he **or she** solicits or requests another person to engage in sexual conduct under circumstances in which he **or she** knows that [his requests] **such request** or solicitation is likely to cause affront or alarm.

2. **The offense of** sexual misconduct in the [third] **second degree** is a class C misdemeanor.

566.100. 1. A person commits the [crime] **offense** of sexual abuse **in the first degree** if he **or she** subjects another person to sexual contact **when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or** by the use of forcible compulsion.

2. **The offense of** sexual abuse **in the first degree** is a class C felony unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age, in which case [the crime] **it** is a class B felony.

[566.090.] **566.101.** 1. A person commits the [crime] **offense** of sexual [misconduct] **abuse** in the [first] **second degree** if [such person] **he or she** purposely subjects another person to sexual contact without that person's consent.

2. **The offense of** sexual [misconduct] **abuse** in the [first] **second degree** is a class A misdemeanor, unless the actor has previously been convicted of an offense under this chapter or unless in the course thereof the actor displays a deadly weapon in a threatening manner or the offense is committed as a part of a ritual or ceremony, in which case it is a class D felony.

566.224. No prosecuting or circuit attorney, peace officer, governmental official, or employee of a law enforcement agency shall request or require a victim of **rape in the second degree under section 566.031**, sexual assault under section 566.040 **as it existed prior to August 28, 2013**, **rape in the first degree under section 566.030**, or

forcible rape under section 566.030 **as it existed prior to August 28, 2013** to submit to any polygraph test or psychological stress evaluator exam as a condition for proceeding with a criminal investigation of such crime.

566.226. 1. After August 28, 2007, any information contained in any court record, whether written or published on the internet, that could be used to identify or locate any victim of sexual assault, domestic assault, stalking, **rape in the first or second degree**, or forcible rape shall be closed and redacted from such record prior to disclosure to the public. Identifying information shall include the name, home or temporary address, telephone number, Social Security number or physical characteristics.

2. If the court determines that a person or entity who is requesting identifying information of a victim has a legitimate interest in obtaining such information, the court may allow access to the information, but only if the court determines that disclosure to the person or entity would not compromise the welfare or safety of such victim.

3. Notwithstanding the provisions of subsection 1 of this section, the judge presiding over a sexual assault, domestic assault, stalking, [or] forcible rape, **or rape in the first or second degree** case shall have the discretion to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement to the court regarding whether he or she desires such information to remain closed. When making the decision to disclose such information, the judge shall consider the welfare and safety of the victim and any statement to the court received from the victim regarding the disclosure.

589.015. As used in sections 589.010 to 589.040:

(1) The term "center" shall mean the state center for the prevention and control of sexual assault established pursuant to section 589.030;

(2) The term "sexual assault" shall include:

(a) The acts of rape **in the first or second degree**, forcible rape, **rape**, statutory rape in the first degree, statutory rape in the second degree, sexual assault, sodomy **in the first or second degree**, forcible sodomy, **sodomy**, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault, sexual misconduct and sexual abuse, or attempts to commit any of the aforesaid, as these acts are defined in chapter 566;

(b) The act of incest, as this act is defined in section 568.020;

(c) The act of abuse of a child, as defined in subdivision (1) of subsection 1 of section 568.060, which involves sexual contact, and as defined in subdivision (2) of subsection 1 of section 568.060;

(d) The act of use of a child in a sexual performance as defined in section 568.080; and

(e) The act of enticement of a child, as defined in section 566.151, or any attempt to commit such act.

590.700. 1. As used in this section, the following terms shall mean:

(1) "Custodial interrogation", the questioning of a person under arrest, who is no longer at the scene of the crime, by a member of a law enforcement agency along with the answers and other statements of the person questioned. "Custodial interrogation" shall not include:

(a) A situation in which a person voluntarily agrees to meet with a member of a law enforcement agency;

(b) A detention by a law enforcement agency that has not risen to the level of an arrest;

(c) Questioning that is routinely asked during the processing of the arrest of the suspect;

(d) Questioning pursuant to an alcohol influence report;

(e) Questioning during the transportation of a suspect;

(2) "Recorded" and "recording", any form of audiotape, videotape, motion picture, or digital recording.

2. All custodial interrogations of persons suspected of committing or attempting to commit murder in the first degree, murder in the second degree, assault in the first degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, arson in the first degree, **rape in the first degree**, forcible rape, **sodomy in the first degree**, forcible sodomy, kidnapping, statutory rape in the first degree, statutory sodomy in the first degree, child abuse, or child kidnapping shall be recorded when feasible.

3. Law enforcement agencies may record an interrogation in any circumstance with or without the knowledge or consent of a suspect, but they shall not be required to record an interrogation under subsection 2 of this section:

(1) If the suspect requests that the interrogation not be recorded;

(2) If the interrogation occurs outside the state of Missouri;

(3) If exigent public safety circumstances prevent recording;

(4) To the extent the suspect makes spontaneous statements;

(5) If the recording equipment fails; or

(6) If recording equipment is not available at the location where the interrogation takes place.

4. Each law enforcement agency shall adopt a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

5. If a law enforcement agency fails to comply with the provisions of this section, the governor may withhold any state funds appropriated to the noncompliant law enforcement agency if the governor finds that the agency did not act in good faith in attempting to comply with the provisions of this section.

6. Nothing in this section shall be construed as a ground to exclude evidence, and a violation of this section shall not have impact other than that provided for in subsection 5 of this section. Compliance or noncompliance with this section shall not be admitted as evidence, argued, referenced, considered or questioned during a criminal trial.

7. Nothing contained in this section shall be construed to authorize, create, or imply a private cause of action."; and

Further amend said bill, Page 1, Section 632.480, Line 11, by inserting immediately after "felonies of" the following:

"rape in the first degree,"; and

Further amend Line 12, by inserting immediately after "degree," the following:

"sodomy in the first degree,"; and

Further amend Line 14, by inserting immediately after "first degree," the following:

"rape in the second degree,"; and

Further amend Line 15, by inserting immediately after "first degree," the following:

"sodomy in the second degree,"; and

Further amend said bill, Page 8, Section B, Line 2, by inserting immediately after "offenses" the following:

"and to protect children"; and

Further amend said line, by striking "section 632.480 of section A" and inserting in lieu thereof the following:

"sections 556.061, 568.060, and 632.480"; and

Further amend Lines 5-6, by striking "section 632.480 of section A" and inserting in lieu thereof the following:

"sections 556.061, 568.060, and 632.480"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 301, Page 1, Section Title, Line 3, by striking the words "civil commitment of sexually violent predators" and inserting in lieu thereof the following:

"sex offenders"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a [web page] **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant

to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of section 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age.

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is [exempted] **exempt** from registering under subsection [8] **9** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under tribal, federal, or military law **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section**; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri **unless such person's name has been removed from the registry pursuant to subsection 4 of this section and such person has not been found guilty of a subsequent offense requiring registration under this section**. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

- (1) All offenses requiring registration are reversed, vacated or set aside;
- (2) The registrant is pardoned of the offenses requiring registration;
- (3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or
- (4) The registrant may petition the court for removal or exemption from the registry under subsection [7 or 8] 4, 8, or 9 of this section and the court orders the removal or exemption of such person from the registry.

4. **Any person on the sexual offender registry under subdivision (5) or (6) of subsection 1 of this section may file a petition for removal from the registry after five years have passed from the later of the date the offender was found guilty of the offense that requires registration or the date the person was released from custody for such offense. The petition may be filed in the circuit court in the county in which the person was found guilty of the offense, or, if the offense was adjudicated outside the state, the person may file a petition in the circuit court in the county in which the person resides after such person has been a resident of Missouri for at least five years prior to filing the petition. The court shall grant the petition and enter an order directing the removal of the petitioner's name and information from the sexual offender registry unless it finds that the petitioner, in this state or any other state, territory, the District of Columbia, foreign country, or federal, tribal, or military jurisdiction:**

- (1) **Has been adjudicated of, or has charges pending, for failure to register;**
- (2) **Has been adjudicated of, or has charges pending for, any additional offense which would require registration as a sexual offender under this section, or section 211.425, and which occurred after the date such person initially registered as a sexual offender;**
- (3) **Has not successfully completed any required period of supervised release, probation, or parole; or**
- (4) **If the petitioner's offense was adjudicated outside the state, such person has not been a resident of Missouri for at least five years prior to filing the petition.**

If the petition was not granted solely because the petitioner had charges pending for failure to register or an additional offense that would require registration and such charges are subsequently dismissed or the petitioner is acquitted of the pending charges, the person may file a new petition at any time after the dismissal or acquittal of the pending charges. If the denial is based on a finding of guilt for an offense that would require registration under this section, or section 211.425, no successive petition shall be filed. If the denial is based on a finding of guilt for failure to register, the person may file a new petition after five years have passed from the date the

person was found guilty for failure to register. If the denial is based on the petitioner not completing a required period of supervised release, probation, or parole and the petitioner subsequently completes the period of supervised release, probation, or parole, then the person may file a new petition at any time after completing such period of release, probation, or parole. If the petition is denied because the petitioner's offense was adjudicated outside the state and the petitioner has not been a resident of Missouri for at least five years prior to filing the petition, such person may file a new petition at any time after residing in the state for the required five-year period. Beginning August 28, 2013, information regarding any person whose offense was committed in Missouri, or in any other state, when such person was under eighteen years of age shall be immediately removed from the highway patrol's website created under section 43.650 and any local law enforcement website allowed under section 589.402 regardless of whether such person has a petition granted under this subsection.

5. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

[5.] 6. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

[6.] 7. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.] 8. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

[8.] 9. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.] 10. (1) The court may grant such relief under subsection [7] 8 or [8] 9 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.] 11. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of

subsection [9] 10 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection [9] 10 of this section.

[11.] 12. Any person whose name is removed or exempted from the sexual offender registry under subsection [7] 8 or [8] 9 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a [web page] **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. The registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website.

3. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

- (1) The name and any known aliases of the offender;
- (2) The date of birth and any known alias dates of birth of the offender;
- (3) A physical description of the offender;
- (4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;
- (5) Any photographs of the offender;
- (6) A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;
- (7) The nature and dates of all offenses qualifying the offender to register;
- (8) The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;
- (9) Compliance status of the offender with the provisions of sections 589.400 to 589.425; and
- (10) Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the [web page] **website** and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender.

4. The chief law enforcement officer of any county or city not within a county may publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county.

5. Beginning August 28, 2013, no offender's information whose offense was committed in the state of Missouri, or in any other state, when such offender was a juvenile shall be listed on the website. Effective August 28, 2013, any offender currently on the website who was required to register as a sex offender under section 589.400, based on an offense that occurred when such offender was a juvenile shall be immediately removed from the website. For purposes of this subsection, "juvenile" shall mean any person under eighteen years of age."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 1
to
Senate Amendment No. 4*

AMEND Senate Amendment No. 4 to Senate Committee Substitute for House Bill No. 301, Page 1, Section 217.738, Line 8, by inserting after "appropriated" the following:

", subject to appropriations,".

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 301, Page 1, Section A, Line 2, by inserting after all of said line the following:

"217.738. 1. There is hereby established, within the department of corrections, a prisoner re-entry program to serve those male and female prisoners who have served their full sentences without early release and are locating upon release to a city not within a county.

2. Moneys for such program shall be appropriated to the department of corrections, which shall transfer the funds from its budget to the city of St. Louis's Department of Health and Human Services, which shall administer the fund. The city shall be responsible for the issuance of a request for proposals for re-entry services to organizations with demonstrated experience in providing re-entry services, including facilitating connections to providers of housing and employment services and physical health, mental health, substance abuse, and other social services. The city and the selected contractor shall be jointly responsible to the department of corrections for ensuring that such services are provided, and they shall provide to the department all data and records necessary to oversee and measure the effectiveness of the program.

3. The director of the department of corrections is authorized to promulgate rules and regulations and to enter into such contracts as are necessary and proper for the implementation of the program.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 112, as amended**, and requests the House to recede from its position and take up and pass **SB 112**.

BILLS IN CONFERENCE

CCR HCS SS SB 262, as amended, relating to health insurance, was taken up by Representative Molendorp.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen

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Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McGaugh	Messenger	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 007

Cross	Grisamore	Kolkmeier	McCaherty	Miller
Stream	Webber			

On motion of Representative Molendorp, **CCR HCS SS SB 262, as amended**, was adopted by the following vote:

AYES: 124

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Butler	Cierpiot	Colona	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeier	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McCann Beatty	McGaugh
McKenna	Meredith	Messenger	Miller	Mims

Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieffer	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	White	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 032

Anders	Burns	Carpenter	Curtis	Ellinger
Ellington	Englund	Hurst	Kirkton	LaFaver
Marshall	May	Mayfield	McDonald	McManus
McNeil	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pogue	Runions	Schieber	Schupp	Smith 85
Walton Gray	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Cross	Gardner	Grisamore	McCaherty
Shull	Webber			

On motion of Representative Molendorp, **CCS HCS SS SB 262** was truly agreed to and finally passed by the following vote:

AYES: 128

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Butler	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Koenig
Kolkmeier	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	McCann Beatty	McGaugh	McKenna	Messenger
Miller	Mims	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Pace	Parkinson
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer

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Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	White	Wieland	Wood
Wright	Zerr	Mr Speaker		

NOES: 032

Anders	Burns	Carpenter	Curtis	Ellinger
Ellington	Englund	Gardner	Hurst	Kirkton
LaFaver	Marshall	Mayfield	McDonald	McManus
McNeil	Meredith	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Peters
Pogue	Runions	Schieber	Schupp	Smith 85
Walton Gray	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 003

Grisamore	McCaherty	Webber
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Speaker Jones declared the bill passed.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neth	Parkinson	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45

Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown	Grisamore	McCaherty	Neely	Webber
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The emergency clause was adopted by the following vote:

AYES: 130

Allen	Anders	Anderson	Austin	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Butler	Cierpiot	Colona	Conway 10
Conway 104	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McCann Beatty	McDonald	McGaugh	McManus	McNeil
Messenger	Miller	Mims	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Norr
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	White
Wieland	Wood	Wright	Zerr	Mr Speaker

NOES: 028

Bahr	Burns	Carpenter	Curtis	Curtman
English	Englund	Gardner	Hummel	Koenig
LaFaver	Marshall	Mayfield	McKenna	Meredith
Mitten	Montecillo	Morgan	Newman	Nichols
Otto	Pace	Pogue	Roorda	Schieber
Smith 85	Walton Gray	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 005

Cookson

Grisamore

May

Shull

Webber

CCR HCS SCS SB 157 and SB 102, as amended, relating to the disposition of personal property, was taken up by Representative Phillips.

Speaker Pro Tem Smith assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith 85	Swearingen	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 005

Grisamore	Lichtenegger	Molendorp	Webber	Wright
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On motion of Representative Phillips, **CCR HCS SCS SB 157 and SB 102, as amended**,
was adopted by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 005

Butler	Ellington	Marshall	May	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 003

Grisamore	Molendorp	Webber
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On motion of Representative Phillips, **CCS HCS SCS SB 157 and SB 102** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 008

Butler	Ellington	Gardner	Higdon	Marshall
May	Peters	Smith 85		

PRESENT: 000

ABSENT WITH LEAVE: 004

Grisamore	Messenger	Molendorp	Webber
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Speaker Pro Tem Smith declared the bill passed.

CCR#2 HCS SB 330, as amended, relating to professional licenses, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR#2 HCS SB 330, as amended**, was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 003

Marshall	Pogue	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 008

Ellinger	Fitzwater	Funderburk	Gardner	Grisamore
Molendorp	Scharnhorst	Webber		

On motion of Representative Burlison, **CCS#2 HCS SB 330** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 004

Gardner	Marshall	Pogue	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 005

Diehl	Grisamore	Kelley 127	Scharnhorst	Webber
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Speaker Pro Tem Smith declared the bill passed.

CCR HCS SCS SB 17, as amended, relating to education, was taken up by Representative Thomson.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Ellinger	Grisamore	Hinson	McGaugh
Pogue	Webber			

On motion of Representative Thomson, **CCR HCS SCS SB 17, as amended**, was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Mr Speaker				

NOES: 003

Leara	Newman	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 009

Diehl	Ellington	Grisamore	Hinson	Justus
Pogue	Rowden	Webber	Zerr	

On motion of Representative Thomson, **CCS HCS SCS SB 17** was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Higdon
Hodges	Hoskins	Hough	Houghton	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 004

Curtis	Leara	Newman	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 007

Diehl	Gardner	Grisamore	Hampton	Hinson
Hubbard	Webber			

Speaker Pro Tem Smith declared the bill passed.

CCR#2 HCS SCS SB 9, as amended, relating to agriculture, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **CCR#2 HCS SCS SB 9, as amended**, was adopted by the following vote:

AYES: 135

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtman	Davis
Dohrman	Dugger	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 020

Burns	Butler	Carpenter	Colona	Curtis
Ellington	Gardner	Hummel	LaFaver	Leara
Marshall	McCann Beatty	McManus	Montecillo	Otto
Pace	Rizzo	Roorda	Runions	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 008

Allen	Cross	Diehl	Ellinger	Grisamore
Hodges	Kelley 127	Webber		

On motion of Representative Guernsey, **CCS#2 HCS SCS SB 9** was truly agreed to and finally passed by the following vote:

AYES: 133

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Davis	Dohrman
Dugger	Dunn	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McDonald	McGaugh	McKenna	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webb	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 021

Brattin	Burns	Butler	Carpenter	Colona
Curtis	Curtman	Ellington	Gardner	Hummel
Koenig	LaFaver	Leara	Marshall	McCann Beatty
McManus	Montecillo	Rizzo	Roorda	Runions
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Diehl	Ellinger	Flanigan	Funderburk
Grisamore	Hodges	Scharnhorst	Webber	

Speaker Pro Tem Smith declared the bill passed.

CCR HCS SB 43, as amended, relating to transportation, was taken up by Representative Kolkmeier.

On motion of Representative Kolkmeier, **CCR HCS SB 43, as amended**, was adopted by the following vote:

AYES: 143

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Black	Brattin	Burlison	Burns
Butler	Carpenter	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 005

Ellington	Gardner	Marshall	Moon	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Berry	Brown	Cierpiot	Colona
Diehl	Ellinger	Funderburk	Grisamore	Hodges
Hough	Miller	Webber	Wood	Wright

On motion of Representative Kolkmeier, **CCS HCS SB 43** was truly agreed to and finally passed by the following vote:

AYES: 146

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Dohrman	Dugger	Dunn	Ellinger	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wright	Zerr
Mr Speaker				

NOES: 006

Ellington	Gardner	Marshall	Moon	Pogue
Smith 85				

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Colona	Diehl	Engler	Grisamore
Hinson	Hodges	Hough	Miller	Webber
Wood				

Speaker Pro Tem Smith declared the bill passed.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Reiboldt
Remole	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Zerr	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Diehl	Fraker	Funderburk	Grisamore
Hinson	Hodges	Hough	Hubbard	Rehder
Rhoads	Webber	Wood		

The emergency clause was adopted by the following vote:

AYES: 143

Anders	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	White	Wieland	Wilson
Wright	Zerr	Mr Speaker		

NOES: 009

Ellington	Gardner	Marshall	Montecillo	Newman
Norr	Schupp	Smith 85	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Diehl	Flanigan	Funderburk	Grisamore
Hinson	Hodges	Hough	Scharnhorst	Webber
Wood				

CCR HCS SCS SB 42, as amended, relating to law enforcement agencies, was taken up by Representative Jones (50).

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Elmer	Engler	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeyer
Korman	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Zerr	Mr Speaker		

NOES: 048

Anders	Black	Burns	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Gardner	Harris	Hubbard
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Walton Gray	Webb	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 017

Butler	Cox	Diehl	Entlicher	Frame
Funderburk	Grisamore	Hinson	Hodges	Lair
McGaugh	Parkinson	Reiboldt	Scharnhorst	Swearingen
Webber	Wood			

On motion of Representative Jones (50), **CCR HCS SCS SB 42, as amended**, was adopted by the following vote:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McDonald	McKenna	McManus	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Norr	Pace	Parkinson	Peters
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wright	Zerr	Mr Speaker

NOES: 030

Butler	Carpenter	Curtis	Dunn	Ellinger
Ellington	Gardner	Hummel	Kirkton	LaFaver
Marshall	May	McCann Beatty	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Otto	Pierson	Pogue	Rizzo
Runions	Schupp	Smith 85	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Funderburk	Grisamore	Hinson	Hodges	McGaugh
Scharnhorst	Webber	Wood		

On motion of Representative Jones (50), **CCS HCS SCS SB 42** was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Higdon	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McDonald	McGaugh
McKenna	McManus	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Norr	Pace	Parkinson	Pfautsch	Phillips
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swearingen	Thomson	Torpey
Walker	White	Wieland	Wilson	Wright
Zerr	Mr Speaker			

NOES: 031

Butler	Carpenter	Curtis	Dunn	Ellinger
Ellington	Gardner	Hummel	Kirkton	LaFaver
Marshall	May	McCann Beatty	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Otto	Peters	Pierson	Pogue
Rizzo	Runions	Schupp	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Gatschenberger	Grisamore	Hicks	Hinson
Hodges	Scharnhorst	Swan	Webber	Wood

Speaker Pro Tem Smith declared the bill passed.

CCR HCS SB 161, as amended, relating to health insurance, was taken up by Representative Stream.

On motion of Representative Stream, **CCR HCS SB 161, as amended**, was adopted by the following vote:

AYES: 139

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Cierpiot
Colona	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wilson	Wright	Mr Speaker	

NOES: 003

Marshall	Pogue	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 021

Carpenter	Conway 10	Conway 104	Dugger	Grisamore
Hicks	Higdon	Hinson	Hodges	Jones 50
Lant	Lauer	Leara	Mitten	Parkinson
Scharnhorst	Schatz	Swan	Webber	Wood
Zerr				

On motion of Representative Stream, **CCS HCS SB 161** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Harris	Hicks	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wieland	Wright	Mr Speaker		

NOES: 004

Marshall	Moon	Pogue	Schieber
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PRESENT: 000

ABSENT WITH LEAVE: 021

Conway 104	Flanigan	Franklin	Gardner	Grisamore
Hampton	Hansen	Higdon	Hinson	Hodges
Justus	Leara	McDonald	Miller	Parkinson
Pfautsch	Scharnhorst	Webber	Wilson	Wood
Zerr				

Speaker Pro Tem Smith declared the bill passed.

CCR HCS SB 127, as amended, relating to public assistance benefits, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **CCR HCS SB 127, as amended**, was adopted by the following vote:

AYES: 135

Allen	Anders	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Harris	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webber	White	Wieland	Wright

NOES: 005

Brattin	Curtman	Koenig	Marshall	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 023

Anderson	Carpenter	Conway 104	Ellington	Flanigan
Funderburk	Gannon	Grisamore	Hampton	Hansen
Hicks	Higdon	Hinson	Hodges	Parkinson
Ross	Rowden	Scharnhorst	Webb	Wilson
Wood	Zerr	Mr Speaker		

On motion of Representative Lichtenegger, **CCS HCS SB 127** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kirkton	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pike	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 008

Bahr	Brattin	Curtman	Koenig	Marshall
Moon	Parkinson	Pogue		

PRESENT: 000

ABSENT WITH LEAVE: 023

Anderson	Conway 104	Diehl	Ellington	Funderburk
Grisamore	Hicks	Higdon	Hinson	Hodges
Hubbard	Jones 50	Kelly 45	Morris	Pierson
Redmon	Rehder	Ross	Rowden	Scharnhorst
Stream	Wilson	Wood		

Speaker Pro Tem Smith declared the bill passed.

CCR SCS SB 248, with House Amendment No. 1 and House Amendment No. 2, relating to property taxes, was taken up by Representative Fraker.

On motion of Representative Fraker, **CCR SCS SB 248, with House Amendment No. 1 and House Amendment No. 2** was adopted by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Cox
Crawford	Curtis	Curtman	Davis	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Frederick
Gannon	Gardner	Gatschenberger	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hoskins
Hough	Houghton	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wright	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 104	Cornejo	Cross	Diehl	Dohrman
Franklin	Funderburk	Gosen	Grisamore	Hicks
Higdon	Hinson	Hodges	Hubbard	Parkinson
Phillips	Scharnhorst	Wood		

On motion of Representative Fraker, **CCS SCS SB 248** was truly agreed to and finally passed by the following vote:

AYES: 136

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Cookson	Cox	Crawford	Curtis
Curtman	Davis	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 003

Marshall	McKenna	Moon
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PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Colona	Conway 104	Cornejo	Cross
Diehl	Dohrman	Franklin	Funderburk	Gardner
Grisamore	Hicks	Higdon	Hinson	Hodges
Jones 50	Kolkmeyer	McDonald	Neely	Parkinson
Pike	Scharnhorst	Wilson	Wood	

Speaker Pro Tem Smith declared the bill passed.

CCR HCS SCS SB 256, as amended, relating to child abuse and neglect, was taken up by Representative Torpey.

On motion of Representative Torpey, **CCR HCS SCS SB 256, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Anderson	Austin	Bahr
Barnes	Berry	Black	Brattin	Brown
Burlison	Burns	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lauer	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Messenger	Miller	Mims	Mitten	Moon
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webber
White	Wright	Zerr	Mr Speaker	

NOES: 011

Butler	Colona	Curtis	Gardner	Marshall
Meredith	Montecillo	Newman	Otto	Schupp
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Cross	Diehl	Flanigan	Funderburk
Gannon	Grisamore	Hodges	Jones 50	Justus
Lant	Leara	Molendorp	Parkinson	Richardson
Wieland	Wilson	Wood		

On motion of Representative Torpey, **CCS HCS SCS SB 256** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Mims	Moon
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wright	Mr Speaker		

NOES: 014

Butler	Colona	Curtis	Gardner	Marshall
Meredith	Mitten	Montecillo	Newman	Otto
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 011

Cross	Diehl	Flanigan	Grisamore	Hodges
Lauer	Molendorp	Redmon	Shumake	Wood
Zerr				

Speaker Pro Tem Smith declared the bill passed.

CCR HCS SB 73, relating to judicial procedures, was taken up by Representative Cornejo.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Barnes
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Higdon	Hinson	Hoskins	Houghton	Hurst
Johnson	Justus	Koenig	Kolkmeyer	Korman
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCahtery	McGaugh	Messenger
Miller	Moon	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	Wieland	Wilson	Wood	Mr Speaker

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Harris
Hummel	Kelly 45	Kirkton	Kratky	LaFaver
May	Mayfield	McCann Beatty	McDonald	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 023

Bernskoetter	Cross	Davis	Diehl	Flanigan
Franklin	Gardner	Grisamore	Hicks	Hodges
Hough	Hubbard	Jones 50	Keeney	Kelley 127
Lair	Molendorp	Morris	Pike	Richardson
Stream	White	Zerr		

On motion of Representative Cornejo, **CCR HCS SB 73** was adopted by the following vote:

AYES: 132

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hoskins	Houghton
Hubbard	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Moon	Morgan	Morris
Muntzel	Neely	Neth	Nichols	Pace
Parkinson	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Riddle	Rizzo	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 018

Butler	Colona	Curtis	Ellinger	Ellington
Higdon	Hummel	Mayfield	McNeil	Montecillo
Newman	Norr	Otto	Peters	Pogue
Roorda	Schupp	Smith 85		

PRESENT: 001

Fitzpatrick

ABSENT WITH LEAVE: 012

Allen	Bernskoetter	Diehl	Flanigan	Gardner
Grisamore	Hodges	Hough	Jones 50	Lair
Molendorp	Richardson			

On motion of Representative Cornejo, **HCS SB 73, as amended by the Conference Committee Report**, was truly agreed to and finally passed by the following vote:

AYES: 131

Anders	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Fowler	Fraker	Frame
Franklin	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Korman	Kratky	LaFaver	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mims	Mitten	Moon	Muntzel	Neely
Neth	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 018

Butler	Colona	Curtis	Ellinger	Ellington
Higdon	Hummel	Mayfield	McNeil	Montecillo
Newman	Otto	Pogue	Roorda	Schupp
Smith 85	Walton Gray	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Bernskoetter	Diehl	Flanigan	Frederick
Gardner	Grisamore	Hodges	Jones 50	Kolkmeier
Lair	Molendorp	Morgan	Morris	

Speaker Pro Tem Smith declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 351, as amended, relating to health care providers, was taken up by Representative Frederick.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Haahr	Haefner	Hansen	Hicks
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Lant	Lauer	Leara	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neth	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Remole	Rhoads	Riddle
Ross	Rowden	Rowland	Schatz	Schieber
Shull	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wood	Zerr	Mr Speaker

NOES: 043

Anders	Black	Burns	Butler	Carpenter
Colona	Dunn	Ellinger	English	Englund
Gardner	Harris	Hubbard	Hummel	Kirkton
Kratky	LaFaver	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schieffer	Schupp	Smith 85
Swearingen	Walton Gray	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 030

Bahr	Brattin	Conway 10	Curtis	Ellington
Flanigan	Frame	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hodges	Kelly 45
Kolkmeier	Korman	Lair	Lichtenegger	May
Neely	Parkinson	Reiboldt	Richardson	Roorda
Scharnhorst	Shumake	Webb	Webber	Wilson

On motion of Representative Frederick, **SCS HCS HB 351, as amended**, was adopted by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Ellinger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Hicks	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeyer	Kratky	LaFaver
Lant	Lauer	Leara	Love	Lynch
Mayfield	McCaherty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	White	Wieland	Wood	Wright
Mr Speaker				

NOES: 008

Butler	Colona	Dunn	Johnson	McCann Beatty
Mims	Montecillo	Pogue		

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Conway 10	Ellington	Fitzwater	Frame
Grisamore	Hampton	Higdon	Hodges	Kelly 45
Korman	Lair	Lichtenegger	Marshall	May
Parkinson	Richardson	Roorda	Scharnhorst	Shumake
Webb	Webber	Wilson	Zerr	

On motion of Representative Frederick, **SCS HCS HB 351, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mitten	Molendorp	Moon	Morgan	Morris
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Pfautsch	Phillips	Pierson
Pike	Redmon	Reiboldt	Remole	Rhoads
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Walker	Walton Gray
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 009

Butler	Colona	Dunn	Johnson	McCann Beatty
Mims	Montecillo	Pogue	Torpey	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Ellington	Frame	Grisamore	Hampton
Hodges	Kelly 45	Lair	May	McManus
Muntzel	Parkinson	Peters	Rehder	Richardson
Webb	Webber			

Speaker Pro Tem Smith declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCahty	McDonald	McGaugh
McKenna	McManus	Meredith	Messenger	Miller
Mitten	Molendorp	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfausch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 010

Butler	Colona	Curtis	Dunn	Gardner
Marshall	McCann Beatty	McNeil	Montecillo	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 016

Ellington	Frame	Grisamore	Hampton	Hodges
Lair	May	Mims	Moon	Parkinson
Richardson	Rowden	Scharnhorst	Webb	Webber
Zerr				

SS HCS HB 58, relating to portable electronics insurance, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **SS HCS HB 58** was adopted by the following vote:

AYES: 144

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCann Beatty	McDonald	McGaugh	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Muntzel	Neely	Neth	Newman	Nichols
Otto	Pace	Peters	Pfausch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	White
Wieland	Wilson	Wood	Wright	

NOES: 002

Burlison Marshall

PRESENT: 000

ABSENT WITH LEAVE: 017

Ellington	Grisamore	Hampton	Hodges	Koenig
Lair	May	McCaherty	McKenna	Morris
Norr	Parkinson	Richardson	Webb	Webber
Zerr	Mr Speaker			

On motion of Representative Molendorp, **SS HCS HB 58** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hansen	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 004

Burlison	Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 012

Ellington	Entlicher	Grisamore	Hampton	Hicks
Hodges	Lair	May	Parkinson	Scharnhorst
Webb	Webber			

Speaker Pro Tem Smith declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	English	Englund
Entlicher	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Peters	Pfausch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 006

Burlison	Engler	Fitzpatrick	Marshall	Moon
Pogue				

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Grisamore	Hodges	May	Parkinson
Webb	Webber			

SCS HB 322, relating to motor vehicle insurance policies, was taken up by Representative Gosen.

On motion of Representative Gosen, **SCS HB 322** was adopted by the following vote:

AYES: 153

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Scharnhorst
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	White	Wieland	Wilson
Wood	Wright	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cross	Funderburk	Grisamore	Hodges	Richardson
Ross	Schatz	Webb	Webber	Zerr

On motion of Representative Gosen, **SCS HB 322** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Reiboldt
Remole	Rhoads	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Ellington	Fraker	Funderburk	Grisamore
Hodges	Korman	McKenna	Parkinson	Rehder
Richardson	Shull	Webb	Webber	

Speaker Pro Tem Smith declared the bill passed.

SCS HB 533, as amended, relating to firearms, was taken up by Representative Riddle.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Austin	Brattin	Curtis	Funderburk	Grisamore
Hodges	Richardson	Scharnhorst	Webber	

On motion of Representative Riddle, SCS HB 533, as amended, was adopted by the following vote:

AYES: 126

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Carpenter	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gannon	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Kratky
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	Mayfield	McCaherty
McGaugh	McKenna	McManus	Messenger	Miller
Molendorp	Montecillo	Moon	Morris	Muntzel
Neth	Nichols	Norr	Parkinson	Pfausch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 029

Butler	Colona	Dunn	Ellinger	Ellington
Gardner	Hummel	Kelly 45	Kirkton	LaFaver
May	McCann Beatty	McDonald	McNeil	Meredith
Mims	Mitten	Morgan	Newman	Otto
Pace	Peters	Pierson	Rizzo	Runions
Schupp	Smith 85	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Austin	Funderburk	Gatschenberger	Grisamore	Hodges
Neely	Scharnhorst	Webber		

On motion of Representative Riddle, **SCS HB 533, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Anderson	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Carpenter	Cierpiot	Conway 10	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
Mayfield	McCaherty	McGaugh	McKenna	McManus
Messenger	Miller	Molendorp	Montecillo	Moon
Morris	Muntzel	Neely	Neth	Nichols
Norr	Otto	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowden	Rowland	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 027

Butler	Colona	Dunn	Ellinger	Ellington
Gardner	Hummel	Kirkton	LaFaver	May
McCann Beatty	McDonald	McNeil	Meredith	Mims
Mitten	Morgan	Newman	Pace	Peters
Pierson	Rizzo	Runions	Schupp	Smith 85
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 011

Austin	Brattin	Flanigan	Funderburk	Gatschenberger
Grisamore	Hodges	Jones 50	Kelly 45	Scharnhorst
Webber				

Speaker Pro Tem Smith declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 110**, entitled:

An act to repeal sections 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof four new sections relating to the selection of public officials, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Line 13, by inserting after all of said line the following:

"115.607. 1. No person shall be elected or shall serve as a member of a county committee who is not, for one year next before the person's election, both a registered voter of and a resident of the county and the committee district from which the person is elected if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken. Except as provided in subsections 2, 3, 4, 5, and 6 of this section, the membership of a county committee of each established political party shall consist of a man and a woman elected from each township or ward in the county.

2. In each county of the first classification containing the major portion of a city which has over three hundred thousand inhabitants, [two members of the committee, a man and a woman, shall be elected from each ward in the city. Any township entirely contained in the city shall have no additional representation on the county committee. The election authority for the county shall, not later than six months after the decennial census has been reported to the President of the United States, divide the most populous township outside the city into eight subdistricts of contiguous and compact territory and as nearly equal in population as practicable. The subdistricts shall be numbered from one upward consecutively, which numbers shall, insofar as practicable, be retained upon reapportionment. Two members of the county committee, a man and a woman, shall be elected from each such subdistrict. Six members of the committee, three men and three women, shall be elected from the second and third most populous townships outside the city. Four members of the committee, two men and two women, shall be elected from the other townships outside the city] **members of the committee shall be elected from the districts of each state representative that are in any way contained in the county in the following manner: within six months after each legislative reapportionment, each portion of a legislative district contained in the county shall constitute a single committee district. Two men and two women shall be elected from each committee district formed from a legislative district that is wholly contained in the county as members of the committee, two men and two women shall be elected from each committee district formed from a legislative district that is predominantly contained in the county as members of the committee, and one man and one woman shall be elected from each committee district formed from a legislative district that is partially but not predominantly contained in the county as members of the committee.**

3. [In any city which has over three hundred thousand inhabitants, the major portion of which is located in a county with a charter form of government, for the portion of the city located within such county and notwithstanding section 82.110, it shall be the duty of the election authority, not later than six months after the decennial census has been reported to the President of the United States, to divide such cities into not less than twenty-four nor more than twenty-five wards after each decennial census. Wards shall be so divided that the number of inhabitants in any ward shall not exceed any other ward of the city and within the same county, by more than five percent, measured by the number of the inhabitants determined at the preceding decennial census.

4.] In each county of the first classification containing a portion, but not the major portion, of a city which has over three hundred thousand inhabitants, ten members of the committee, five men and five women, shall be elected from the district of each state representative wholly contained in the county in the following manner: within six months after each legislative reapportionment, the election authority shall divide each legislative district wholly contained in the county into five committee districts of contiguous territory as compact and as nearly equal in population as may be; two members of the committee, a man and a woman, shall be elected from each committee district. The election authority shall divide the area of the county located within legislative districts not wholly contained in the county into similar committee districts; two members of the committee, a man and a woman, shall be elected from each committee district.

[5.] 4. In each city not situated in a county, two members of the committee, a man and a woman, shall be elected from each ward.

[6.] 5. In all counties with a charter form of government and a population of over nine hundred thousand inhabitants, the county committee persons shall be elected from each township. Within ninety days after August 28, 2002, and within six months after each decennial census has been reported to the President of the United States, the election authority shall divide the county into twenty-eight compact and contiguous townships containing populations as nearly equal in population to each other as is practical.

[7.] 6. If any election authority has failed to adopt a reapportionment plan by the deadline set forth in this section, the county commission, sitting as a reapportionment commission, shall within sixty days after the deadline, adopt a reapportionment plan. Changes of township, ward, or precinct lines shall not affect the terms of office of incumbent party committee members elected from districts as constituted at the time of their election."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Lines 1-13, by striking all of said section from the bill and inserting in lieu thereof the following:

"26.226. In case of death, resignation, removal from office, conviction after impeachment, or vacancy from any cause in the office of lieutenant governor, the governor shall, within thirty days, issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred and until the successor is elected, commissioned, and qualified. Such election shall be held at the next general election. The candidates for the election shall be nominated and placed on the ballot in accordance with the provisions of sections 115.305 to 115.405. In the case of impeachment, the office shall remain vacant until such impeachment is determined. If acquitted, the lieutenant governor shall be reinstated in office. During any period of time when the office of lieutenant governor is vacant, the chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy, provided however, that any duties of the lieutenant governor as president of the senate shall be performed by the president pro tempore of the senate during the period of such vacancy."

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 110, Page 1, Section 26.226, Line 13, by inserting immediately after said line the following:

"115.027. 1. Each board of election commissioners shall be composed of four members, appointed by the governor with the advice and consent of the senate. Two commissioners on each board shall be members of one major political party, and two commissioners on each board shall be members of the other major political party. In no case shall more than two commissioners on a board be members of the same political party. When appointing commissioners, the governor shall designate one commissioner on each board to be chairman of the board and one commissioner on each board to be secretary of the board. The chairman and secretary of a board shall not be members of the same political party.

2. In jurisdictions with boards of election commissioners as the election authority, the governor may appoint to the board one representative from each established political party. The representative shall not be a member of the board for purposes of subsection 1 of this section. The state chair of each established political party shall submit a list of no more than four names from which the governor shall select the representative for that party. The representative shall not have voting status, and shall not be compensated, but shall be allowed to participate in discussions and be informed of any meeting of the board.

3. The governor shall not make any appointment, during the legislative interim, to the board of election commissioners in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 152**, entitled:

An act to repeal section 162.215, RSMo, and to enact in lieu thereof two new sections relating to school officers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 215**, entitled:

An act to repeal sections 43.518, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 217.345, 217.703, 339.100, 375.1312, 544.455, 556.036, 556.037, 556.061, 557.011, 558.018, 558.026, 559.036, 559.100, 559.105, 559.115, 559.117, 566.020, 566.030, 566.040, 566.060, 566.070, 566.090, 566.093, 566.095, 566.100, 566.224, 566.226, 570.120, 573.037, 589.015, 590.700, 595.220, 600.011, 600.040, 600.042, 600.048, 632.480, 632.498, and 632.505, RSMo, and to enact in lieu thereof fifty-two new sections relating to criminal procedures, with penalty provisions, and an emergency clause for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 215, Page 59, Section 375.1312, Line 25 of said page, by inserting after all of said line the following:

"455.010. As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Abuse" includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

(a) "Assault", purposely or knowingly placing or attempting to place another in fear of physical harm;

(b) "Battery", purposely or knowingly causing physical harm to another with or without a deadly weapon;

(c) "Coercion", compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;

(d) "Harassment", engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child. Such conduct might include, but is not limited to:

a. Following another about in a public place or places;

b. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;

(e) "Sexual assault", causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, or duress;

(f) "Unlawful imprisonment", holding, confining, detaining or abducting another person against that person's will;

(2) "Adult", any person seventeen years of age or older or otherwise emancipated;

(3) "Child", any person under seventeen years of age unless otherwise emancipated;

(4) "Court", the circuit or associate circuit judge or a family court commissioner;

(5) "Domestic violence", abuse or stalking **committed by a family or household member**, as [both] **such** terms are defined in this section;

(6) "Ex parte order of protection", an order of protection issued by the court before the respondent has received notice of the petition or an opportunity to be heard on it;

(7) "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;

(8) "Full order of protection", an order of protection issued after a hearing on the record where the respondent has received notice of the proceedings and has had an opportunity to be heard;

(9) "Order of protection", either an ex parte order of protection or a full order of protection;

(10) "Pending", exists or for which a hearing date has been set;

(11) "Petitioner", a family or household member who has been a victim of domestic violence, or any person who has been the victim of stalking, or a person filing on behalf of a child pursuant to section 455.503 who has filed a verified petition pursuant to the provisions of section 455.020 or section 455.505;

(12) "Respondent", the family or household member alleged to have committed an act of domestic violence, or person alleged to have committed an act of stalking, against whom a verified petition has been filed or a person served on behalf of a child pursuant to section 455.503;

(13) "Stalking" is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

(a) "Alarm" means to cause fear of danger of physical harm;

(b) "Course of conduct" means a pattern of conduct composed of repeated acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact; and

(c) "Repeated" means two or more incidents evidencing a continuity of purpose.

455.015. The petition shall be filed in the county where the petitioner resides, where the alleged incident of [abuse] **domestic violence** occurred, or where the respondent may be served.

455.020. 1. Any [adult] **person** who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence or stalking by the respondent.

2. [An adult's] **A person's** right to relief under sections 455.010 to 455.085 shall not be affected by [his] **the person** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.

455.030. 1. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from [abuse] **domestic violence** or a motion for hearing on violation of any order of protection under sections 455.010 to 455.085 may be filed before any available court in the city or county having jurisdiction to hear the petition pursuant to the guidelines developed pursuant to subsection 4 of this section. An ex parte order may be granted pursuant to section 455.035.

2. All papers in connection with the filing of a petition or the granting of an ex parte order of protection or a motion for a hearing on a violation of an order of protection under this section shall be certified by such court or the clerk within the next regular business day to the circuit court having jurisdiction to hear the petition.

3. A petitioner seeking a protection order shall not be required to reveal any current address or place of residence except to the court in camera for the purpose of determining jurisdiction and venue. The petitioner may be required to provide a mailing address unless the petitioner alleges that he or she would be endangered by such disclosure, or that other family or household members would be endangered by such disclosure. Effective January 1, 2004, a petitioner shall not be required to provide his or her Social Security number on any petition or document filed in connection with a protection order; except that, the court may require that a petitioner's Social Security number be retained on a confidential case sheet or other confidential record maintained in conjunction with the administration of the case.

4. The supreme court shall develop guidelines which ensure that a verified petition may be filed on holidays, evenings and weekends.

455.032. In addition to any other jurisdictional grounds provided by law, a court shall have jurisdiction to enter an order of protection restraining or enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting or disturbing the peace of petitioner, pursuant to sections 455.010 to 455.085, if the petitioner is present, whether permanently or on a temporary basis within the state of Missouri and if the respondent's actions constituting [abuse] **domestic violence** have occurred, have been attempted or have been or are threatened within the state of Missouri. For purposes of this section, if the petitioner has been the subject of [abuse] **domestic violence** within or outside of the state of Missouri, such evidence shall be admissible to demonstrate the need for protection in Missouri.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence** to the petitioner **or the child on whose behalf the petition is filed** shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.020.**

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a **custodial** parent or guardian of the respondent, or upon a guardian ad litem appointed by the court, **requiring that the person appear and bring the respondent before the court at the time and place stated.**

3. If an ex parte order is entered and [the allegations in the petition would give rise to jurisdiction under section 211.031 because] the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian.

455.040. 1. Not later than fifteen days after the filing of a petition [pursuant to sections 455.010 to 455.085] **that meets the requirements of section 455.020**, a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of [abuse] **domestic violence** or stalking by a preponderance of the evidence, **and the respondent cannot show that his or her actions alleged to constitute abuse were otherwise justified under the law**, the court shall issue a full order of protection for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year from the expiration date of the originally issued full order of protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. When an automatic renewal is not authorized, upon motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. For purposes of this subsection, a finding by the court of a subsequent act of [abuse] **domestic violence or stalking** is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent as provided by law or by any sheriff or police officer at least three days prior to such hearing. [Such notice shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.] The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. **Notice of an ex parte or full order of protection shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.** Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted pursuant to sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted.

The law enforcement agency responsible for maintaining MULES shall, for purposes of verification, within twenty-four hours from the time the order is granted, enter information contained in the order including but not limited to any orders regarding child custody or visitation and all specifics as to times and dates of custody or visitation that are provided in the order. A notice of expiration or of termination of any order of protection or any change in child custody or visitation within that order shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system within twenty-four hours of receipt of information evidencing such expiration or termination. The information contained in an order of protection may be entered in the Missouri uniform law enforcement system or comparable law enforcement system using a direct automated data transfer from the court automated system to the law enforcement system.

4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.

455.045. Any ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from [abuse] **domestic violence** or stalking and may include:

- (1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;
- (2) Restraining the respondent from entering the premises of the dwelling unit of petitioner when the dwelling unit is:
 - (a) Jointly owned, leased or rented or jointly occupied by both parties; or
 - (b) Owned, leased, rented or occupied by petitioner individually; or
 - (c) Jointly owned, leased or rented by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or
 - (d) Jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit;
- (3) Restraining the respondent from communicating with the petitioner in any manner or through any medium;
- (4) A temporary order of custody of minor children where appropriate.

455.050. 1. Any full or ex parte order of protection granted pursuant to sections 455.010 to 455.085 shall be to protect the petitioner from domestic violence and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

- (1) Temporarily enjoining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence**, molesting, stalking or disturbing the peace of the petitioner;
- (2) Temporarily enjoining the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is:
 - (a) Jointly owned, leased or rented or jointly occupied by both parties; or
 - (b) Owned, leased, rented or occupied by petitioner individually; or
 - (c) Jointly owned, leased, rented or occupied by petitioner and a person other than respondent; provided, however, no spouse shall be denied relief pursuant to this section by reason of the absence of a property interest in the dwelling unit; or
 - (d) Jointly occupied by the petitioner and a person other than respondent; provided that the respondent has no property interest in the dwelling unit; or
- (3) Temporarily enjoining the respondent from communicating with the petitioner in any manner or through any medium.

2. Mutual orders of protection are prohibited unless both parties have properly filed written petitions and proper service has been made in accordance with sections 455.010 to 455.085.

3. When the court has, after a hearing for any full order of protection, issued an order of protection, it may, in addition:

- (1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;
- (2) Establish a visitation schedule that is in the best interests of the child;
- (3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members;

(6) Order the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing;

(7) Order that the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys, and other personal effects;

(8) Prohibit the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties;

(9) Order the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program;

(10) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a shelter for victims of domestic violence;

(11) Order the respondent to pay court costs;

(12) Order the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.

4. A verified petition seeking orders for maintenance, support, custody, visitation, payment of rent, payment of monetary compensation, possession of personal property, prohibiting the transfer, encumbrance, or disposal of property, or payment for services of a shelter for victims of domestic violence, shall contain allegations relating to those orders and shall pray for the orders desired.

5. In making an award of custody, the court shall consider all relevant factors including the presumption that the best interests of the child will be served by placing the child in the custody and care of the nonabusive parent, unless there is evidence that both parents have engaged in abusive behavior, in which case the court shall not consider this presumption but may appoint a guardian ad litem or a court-appointed special advocate to represent the children in accordance with chapter 452 and shall consider all other factors in accordance with chapter 452.

6. The court shall grant to the noncustodial parent rights to visitation with any minor child born to or adopted by the parties, unless the court finds, after hearing, that visitation would endanger the child's physical health, impair the child's emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged which would sufficiently protect the custodial parent from further [abuse] **domestic violence**. The court may appoint a guardian ad litem or court-appointed special advocate to represent the minor child in accordance with chapter 452 whenever the custodial parent alleges that visitation with the noncustodial parent will damage the minor child.

7. The court shall make an order requiring the noncustodial party to pay an amount reasonable and necessary for the support of any child to whom the party owes a duty of support when no prior order of support is outstanding and after all relevant factors have been considered, in accordance with Missouri supreme court rule 88.01 and chapter 452.

8. The court may grant a maintenance order to a party for a period of time, not to exceed one hundred eighty days. Any maintenance ordered by the court shall be in accordance with chapter 452.

455.060. 1. After notice and hearing, the court may modify an order of protection at any time, upon subsequent motion filed by the guardian ad litem, the court-appointed special advocate or by either party together with an affidavit showing a change in circumstances sufficient to warrant the modification. All full orders of protection shall be final orders and appealable and shall be for a fixed period of time as provided in section 455.040.

2. Any order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order upon the issuance of a subsequent order pursuant to chapter 452 or any other Missouri statute.

3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any subsequent proceeding, including, but not limited to, any action brought under chapter 452[, RSMo 1978, as amended].

4. All provisions of an order of protection shall terminate upon entry of a decree of dissolution of marriage or legal separation except as to those provisions which require the respondent to participate in a court-approved counseling program or enjoin the respondent from [abusing, molesting, stalking or disturbing the peace of] **committing an act of domestic violence against** the petitioner and which enjoin the respondent from entering the premises of the dwelling unit of the petitioner as described in the order of protection when the petitioner continues to reside in that dwelling unit unless the respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of marriage or legal separation.

5. Any order of protection or order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate upon the order of the court granting a motion to terminate the order of protection by the petitioner. [The court shall set the motion to dismiss for hearing and both parties shall have an opportunity to be heard.] Prior to terminating any order of protection, the court may [examine the circumstances of the motion to dismiss and may] inquire of the petitioner or others in order to [assist the court in determining if] **determine whether the** dismissal is voluntary.

6. The order of protection may not change the custody of children when an action for dissolution of marriage has been filed or the custody has previously been awarded by a court of competent jurisdiction.

455.080. 1. Law enforcement agencies may establish procedures to ensure that dispatchers and officers at the scene of an alleged incident of [abuse] **domestic violence or stalking** or violation of an order of protection can be informed of any recorded prior incident of [abuse] **domestic violence or stalking** involving the abused party and can verify the effective dates and terms of any recorded order of protection.

2. The law enforcement agency shall apply the same standard for response to an alleged incident of [abuse] **domestic violence or stalking** or a violation of any order of protection as applied to any like offense involving strangers, except as otherwise provided by law. Law enforcement agencies shall not assign lower priority to calls involving alleged incidents of [abuse] **domestic violence or stalking** or violation of protection orders than is assigned in responding to offenses involving strangers. Existence of any of the following factors shall be interpreted as indicating a need for immediate response:

- (1) The caller indicates that violence is imminent or in progress; or
- (2) A protection order is in effect; or
- (3) The caller indicates that incidents of domestic violence have occurred previously between the parties.

3. Law enforcement agencies may establish domestic crisis teams or, if the agency has fewer than five officers whose responsibility it is to respond to calls of this nature, individual officers trained in methods of dealing with [family and household quarrels] **domestic violence**. Such teams or individuals may be supplemented by social workers, ministers or other persons trained in counseling or crisis intervention. When an alleged incident of [family or household abuse] **domestic violence** is reported, the agency may dispatch a crisis team or specially trained officer, if available, to the scene of the incident.

4. The officer at the scene of an alleged incident of [abuse] **domestic violence or stalking** shall inform the abused party of available judicial remedies for relief from [adult abuse] **domestic violence** and of available shelters for victims of domestic violence.

5. Law enforcement officials at the scene shall provide or arrange transportation for the abused party to a medical facility for treatment of injuries or to a place of shelter or safety.

455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to [abuse or assault] **domestic violence**, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act of abuse in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest [he], **the officer** is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party [he] **the officer** believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

- (1) The intent of the law to protect victims [of domestic violence] from continuing [abuse] **domestic violence**;
- (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;

(3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of [abuse] **domestic violence** shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether [he] **the officer** should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to [abuse] **domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of [abuse] **domestic violence, stalking**, or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

455.503. 1. A petition for an order of protection for a child shall be filed in the county where the child resides, where the alleged incident of [abuse] **domestic violence or stalking** occurred, or where the respondent may be served.

2. Such petition may be filed by any of the following:

- (1) A parent or guardian of the victim;
- (2) A guardian ad litem or court-appointed special advocate appointed for the victim; or
- (3) The juvenile officer.

455.505. 1. An order of protection for a child who has been subject to domestic violence by a present or former [adult] household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such domestic violence **or stalking** by the respondent.

2. A child's right to relief under sections 455.500 to 455.538 shall not be affected by [his] **the child's** leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.

455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that no prior order regarding custody is pending or has been made or that the respondent is less than seventeen years of age, the court may immediately issue an ex parte order of protection. An immediate and present danger of [abuse] **domestic violence or stalking** to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. **The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.505.**

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If [an ex parte order is entered and] the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court **may issue an ex parte order and** shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035.

455.520. 1. Any ex parte order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence **or stalking** and may include such terms as the court reasonably deems necessary to ensure the [petitioner's] **victim's** safety, including but not limited to:

- (1) Restraining the respondent from [abusing, threatening to abuse] **committing or threatening to commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;
- (2) Restraining the respondent from entering the family home of the victim except as specifically authorized by the court;
- (3) Restraining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court;
- (4) A temporary order of custody of minor children.

2. No ex parte order of protection excluding the respondent from the family home shall be issued unless the court finds that:

- (1) The order is in the best interests of the child or children remaining in the home;
- (2) The verified allegations of domestic violence present a substantial risk to the child or children unless the respondent is excluded; and
- (3) A remaining adult family or household member is able to care adequately for the child or children in the absence of the excluded party.

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence and **stalking** may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

- (1) Temporarily enjoining the respondent from [abusing] **committing domestic violence**, threatening to [abuse] **commit domestic violence, stalking**, molesting, or disturbing the peace of the victim;
- (2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;
- (3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

- (1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;
- (2) Award visitation;
- (3) Award child support in accordance with supreme court rule 88.01 and chapter 452;
- (4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help [child abusers] stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence.

455.538. 1. When a law enforcement officer has probable cause to believe that a party, against whom a protective order for a child has been entered, has committed an act [of abuse] in violation of that order, [he] **the officer** shall have the authority to arrest the respondent whether or not the violation occurred in the presence of the arresting officer.

2. When a person, against whom an order of protection for a child has been entered, fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

3. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

4. (1) Violation of the terms and conditions of an ex parte or full order of protection with regard to [abuse] **domestic violence, stalking**, child custody, communication initiated by the respondent, or entrance upon the premises of the victim's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of which the respondent has notice, shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of a prior plea of guilty or finding of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of a prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

(2) For purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection for a child if the law enforcement officer responding to a call of a reported incident of [abuse] **domestic violence or stalking** or violation of an order of protection for a child presents a copy of the order of protection to the respondent.

5. The fact that an act by a respondent is a violation of a valid order of protection for a child shall not preclude prosecution of the respondent for other crimes arising out of the incident in which the protection order is alleged to have been violated.

527.290. 1. Public notice of such a change of name shall be given at least three times in a newspaper published in the county where such person is residing, within twenty days after the order of court is made, and if no newspaper is published in [his] **the person's** or any adjacent county, then such notice shall be given in a newspaper published in the City of St. Louis, or at the seat of government.

2. Public notice of such name change through publication as required in subsection 1 of this section shall not be required, **and any system operated by the judiciary that is designed to provide public case information electronically shall not post the name change**, if the petitioner is:

(1) The victim of a crime, the underlying factual basis of which is found by the court on the record to include an act of domestic violence, as defined in section 455.010;

(2) The victim of child abuse, as defined in section 210.110; or

(3) The victim of [abuse] **domestic violence** by a family or household member, as defined in section 455.010."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 404 & 614**, entitled:

An act to repeal sections 287.067 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 404 & 614, Page 1, Section 287.067, Line 9, by inserting after "injury" the following:

"or death"; and

Further amend said bill, Pages 2 to 6, Section 287.243, by striking all of said section from the bill and inserting in lieu thereof the following:

"287.975. 1. The advisory organization shall file with the director every pure premium rate, every manual of rating rules, every rating schedule and every change or amendment, or modification of any of the foregoing, proposed for use in this state no more than thirty days after it is distributed to members, subscribers or others.

2. The advisory organization which makes a uniform classification system for use in setting rates in this state shall collect data for two years after January 1, 1994, on the payroll differential between employers within the construction group of code classifications, including, but not limited to, payroll costs of the employer and number of hours worked by all employees of the employer engaged in construction work. Such data shall be transferred to the department of insurance, financial institutions and professional registration in a form prescribed by the director of the department of insurance, financial institutions and professional registration, and the department shall compile the data and develop a formula to equalize premium rates for employers within the construction group of code classifications based on such payroll differential within three years after the data is submitted by the advisory organization.

3. The formula to equalize premium rates for employers within the construction group of code classifications established under subsection 2 of this section shall be the formula in effect on January 1, 1999. This subsection shall become effective on January 1, 2014."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1035**, as **amended**, and has taken up and passed **CCS SCS HCS HB 1035**.

Emergency clause adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 142, as amended, relating to utilities, was taken up by Representative Dugger.

On motion of Representative Dugger, **SS SCS HB 142, as amended**, was adopted by the following vote:

AYES: 142

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Mims	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 006

Butler	Kirkton	Korman	Mitten	Newman
Smith 85				

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Flanigan	Fraker	Frame	Grisamore
Hodges	Hough	Keeney	Leara	Miller
Molendorp	Parkinson	Scharnhorst	Shull	Webber

On motion of Representative Dugger, **SS SCS HB 142, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Kratky	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 004

Butler	Korman	Newman	Smith 85
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PRESENT: 000

ABSENT WITH LEAVE: 012

Dugger	Grisamore	Hicks	Hodges	Kelly 45
LaFaver	Lair	McDonald	Molendorp	Neth
Parkinson	Scharnhorst			

Speaker Pro Tem Smith declared the bill passed.

SS SCS HCS HB 345, relating to telecommunications, was taken up by Representative Cierpiot.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Hicks
Higdon	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCahtery	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith 85	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Flanigan	Grisamore	Hinson	Hodges
Molendorp	Scharnhorst	Swearingen		

On motion of Representative Cierpiot, **SS SCS HCS HB 345** was adopted by the following vote:

AYES: 143

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieffer	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Stream	Swan
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 014

Anders	Curtis	Ellinger	Entlicher	Gardner
Kirkton	Korman	McGaugh	McManus	Mitten
Newman	Schieber	Schupp	Spencer	

PRESENT: 000

ABSENT WITH LEAVE: 006

Flanigan	Grisamore	Hodges	Molendorp	Scharnhorst
Swearingen				

On motion of Representative Cierpiot, **SS SCS HCS HB 345** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeyer	Kratky	LaFaver
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wood
Wright	Zerr	Mr Speaker		

NOES: 013

Curtis	Ellinger	Entlicher	Gardner	Kirkton
Korman	McGaugh	Mitten	Newman	Schieber
Schupp	Spencer	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 007

Conway 10	Flanigan	Grisamore	Hodges	Lair
Molendorp	Otto			

Speaker Pro Tem Smith declared the bill passed.

SCS HB 196, relating to job training programs, was taken up by Representative Lauer.

On motion of Representative Lauer, **SCS HB 196** was adopted by the following vote:

AYES: 139

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzwater	Fowler	Fraker	Frame
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Kelley 127
Kelly 45	Kirkton	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Rizzo
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 015

Anderson	Bahr	Brattin	Burlison	Conway 104
Curtman	Fitzpatrick	Keeney	Koenig	Marshall
Moon	Pogue	Ross	Schieber	Wilson

PRESENT: 000

ABSENT WITH LEAVE: 009

Dugger	Flanigan	Franklin	Grisamore	Hodges
Miller	Molendorp	Rhoads	Roorda	

On motion of Representative Lauer, **SCS HB 196** was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Austin	Barnes	Bernskoetter
Berry	Black	Brown	Burns	Butler
Carpenter	Cierpiot	Colona	Conway 10	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Fitzwater	Fraker	Frame	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Kelley 127	Kelly 45	Kirkton
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Rizzo
Roorda	Rowden	Rowland	Runions	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 85
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wood
Wright	Zerr	Mr Speaker		

NOES: 017

Anderson	Bahr	Brattin	Burlison	Conway 104
Curtman	Fitzpatrick	Fowler	Keeney	Koenig
Marshall	Moon	Pogue	Ross	Schieber
Smith 120	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 008

Entlicher	Flanigan	Franklin	Gardner	Grisamore
Hodges	Rhoads	Scharnhorst		

Speaker Pro Tem Smith declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Allen	Anders	Austin	Barnes	Bernskoetter
Black	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzwater
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Kelley 127
Kelly 45	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Messenger	Miller	Mims	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 85	Solon
Sommer	Spencer	Swan	Thomson	Torpey
Walker	Webb	Webber	White	Wieland
Wood	Wright	Zerr	Mr Speaker	

NOES: 022

Anderson	Bahr	Burlison	Conway 104	Curtman
Ellington	Fitzpatrick	Gardner	Keeney	Kirkton
Koenig	Marshall	Meredith	Mitten	Moon
Otto	Pogue	Ross	Schieber	Smith 120
Walton Gray	Wilson			

PRESENT: 000

ABSENT WITH LEAVE: 012

Berry	Brattin	Brown	Flanigan	Franklin
Grisamore	Hicks	Hodges	Jones 50	Richardson
Stream	Swearingen			

SS SCS HB 428, relating to registration and licensing of motor vehicles, was taken up by Representative Schatz.

On motion of Representative Schatz, **SS SCS HB 428** was adopted by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Fitzwater	Flanigan	Franklin	Grisamore
Hodges	Jones 50	May	Molendorp	Morris
Scharnhorst				

On motion of Representative Schatz, **SS SCS HB 428** was truly agreed to and finally passed by the following vote:

AYES: 151

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Flanigan	Gosen	Grisamore	Hodges
Jones 50	May	McDonald	Molendorp	Otto
Scharnhorst				

Speaker Pro Tem Smith declared the bill passed.

SCS HB 148, relating to child custody for military personnel, was taken up by Representative Davis.

Speaker Jones resumed the Chair.

On motion of Representative Davis, **SCS HB 148** was adopted by the following vote:

AYES: 155

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Flanigan	Frame	Grisamore	Hodges
Jones 50	Molendorp	Wright		

On motion of Representative Davis, **SCS HB 148** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Brattin	Flanigan	Grisamore	Hodges
Jones 50	Molendorp	Schatz	Wright	

Speaker Jones declared the bill passed.

SS SCS HCS HB 175, relating to collection of local government funds, was taken up by Representative Crawford.

On motion of Representative Crawford, **SS SCS HCS HB 175** was adopted by the following vote:

AYES: 145

Allen	Anders	Anderson	Austin	Bahr
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mitten	Molendorp
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 011

Colona	Curtis	Ellington	Gardner	Marshall
Mims	Montecillo	Moon	Smith 85	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Cross	Grisamore	Hodges	Hough
Hummel	Keeney			

On motion of Representative Crawford, **SS SCS HCS HB 175** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mitten	Molendorp	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 010

Colona	Curtis	Ellington	Gardner	Marshall
Mims	Montecillo	Smith 85	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 003

Cross	Grisamore	Hodges
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Speaker Jones declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 349**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 100, as amended**, and has taken up and passed **CCS HCS SB 100**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS SB 224, as amended**, and has taken up and passed **CCS SCS SB 224**.

SENATE CONCURRENT RESOLUTIONS

SS SCR 15, relating to a lead industry study, was taken up by Representative Wieland.

On motion of Representative Wieland, **SS SCR 15** was adopted by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wieland	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 005

Colona Curtis Gardner Mitten Smith 85

PRESENT: 000

ABSENT WITH LEAVE: 004

Cross Grisamore Hodges Scharnhorst

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 611, as amended, relating to employment, was taken up by Representative Lant.

On motion of Representative Lant, **SCS HCS HB 611, as amended**, was adopted by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 85	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

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NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 005

Cross	Flanigan	Grisamore	Hodges	Lauer
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On motion of Representative Lant, **SCS HCS HB 611, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellington	Elmer	Engler	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Meredith	Messenger	Miller	Mims
Molendorp	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 018

Butler	Carpenter	Colona	Curtis	Ellinger
English	Gardner	Hummel	Kirkton	Marshall
McNeil	Mitten	Nichols	Norr	Roorda
Schupp	Smith 85	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 005

Cross	Funderburk	Grisamore	Hodges	Lauer
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Speaker Jones declared the bill passed.

SS#2 SCS HB 116, as amended, relating to public accounts, was taken up by Representative Dugger.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 049

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McKenna
McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Brattin	Cross	Ellinger	Flanigan
Grisamore	Haahr	Hodges	Kelley 127	McDonald
Norr	Reiboldt	Scharnhorst	Zerr	

On motion of Representative Dugger, **SS#2 SCS HB 116, as amended**, was adopted by the following vote:

AYES: 152

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 85	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wieland	Wilson	Wood
Wright	Mr Speaker			

NOES: 005

Colona	Frame	Kratky	Montecillo	Roorda
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PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Cross	Grisamore	Hodges	Kelly 45
Zerr				

On motion of Representative Dugger, **SS#2 SCS HB 116, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kirkton	Koenig	Kolkmeier	Korman	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Molendorp	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 007

Colona	Ellinger	Frame	Kratky	Montecillo
Roorda	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	Cross	Flanigan	Grisamore	Hodges
Kelly 45				

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 064

Allen	Anderson	Bahr	Barnes	Bernskoetter
Brown	Burlison	Cierpiot	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Entlicher	Fitzwater	Fraker	Franklin
Frederick	Funderburk	Gatschenberger	Guernsey	Hoskins
Houghton	Hubbard	Johnson	Jones 50	Justus
Keeney	Kelly 45	Koenig	Kolkmeyer	Korman
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Lynch	McCann Beatty	Miller	Molendorp
Pfausch	Pike	Pogue	Redmon	Rehder
Reiboldt	Rizzo	Ross	Rowland	Scharnhorst
Smith 120	Solon	Spencer	Stream	Swan
Thomson	Walker	White	Mr Speaker	

NOES: 091

Anders	Austin	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Conway 104
Cookson	Cornejo	Curtis	Dunn	Ellinger
Ellington	Engler	English	Englund	Fitzpatrick
Fowler	Frame	Gannon	Gardner	Gosen
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hough	Hurst
Kirkton	Kratky	Love	Marshall	May
Mayfield	McCaherty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Phillips	Pierson	Remole	Rhoads	Richardson
Riddle	Roorda	Rowden	Runions	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 85
Sommer	Swearingen	Torpey	Walton Gray	Webb
Webber	Wieland	Wilson	Wood	Wright
Zerr				

PRESENT: 001

Hummel

ABSENT WITH LEAVE: 007

Brattin	Curtman	Flanigan	Grisamore	Hodges
Kelley 127	Schatz			

SCS HJR 16, relating to admissibility of evidence, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **SCS HJR 16** was adopted by the following vote:

AYES: 135

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Messenger
Miller	Molendorp	Montecillo	Moon	Morris
Muntzel	Neely	Newman	Norr	Otto
Peters	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webber	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 021

Butler	Curtis	Dunn	Ellinger	Ellington
Gardner	Haahr	Kelly 45	Meredith	Mims
Mitten	Morgan	Nichols	Pace	Pierson
Schupp	Smith 85	Spencer	Walton Gray	Webb
White				

PRESENT: 000

ABSENT WITH LEAVE: 007

Carpenter	Frederick	Grisamore	Hodges	Kolkmeier
Neth	Parkinson			

On motion of Representative McCaherty, **SCS HJR 16** was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Cierpiot	Conway 10
Conway 104	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Dohrman	Dugger	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	Messenger	Miller	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Newman
Otto	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
Wieland	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 026

Butler	Colona	Curtis	Dunn	Ellinger
Ellington	Englund	Gardner	Haahr	Kelly 45
McNeil	Meredith	Mims	Mitten	Morgan
Nichols	Norr	Pace	Peters	Pierson
Schupp	Smith 85	Spencer	Walton Gray	Webb
White				

PRESENT: 000

ABSENT WITH LEAVE: 006

Carpenter	Cookson	Diehl	Grisamore	Hodges
Neth				

Speaker Jones declared the bill passed.

HCS HB 128, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, the House concurred in **Senate Amendment No. 1 and Senate Amendment No. 2** by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Englund	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McGaugh	Messenger
Molendorp	Moon	Morris	Muntzel	Neely
Pfautsch	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Wood
Zerr	Mr Speaker			

NOES: 045

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Grisamore	Hodges	Hubbard	Korman	Miller
Mitten	Neth	Parkinson	Phillips	Webb
Wieland				

On motion of Representative Sommer, **HCS HB 128, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 107

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Cookson	Cornejo	Cox	Crawford
Cross	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McGaugh	Messenger	Miller	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Wood
Zerr	Mr Speaker			

NOES: 045

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith 85	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Conway 104	Curtman	Grisamore	Hodges
Korman	Mitten	Molendorp	Shull	Webb
Wieland				

Speaker Jones declared the bill passed.

SCS HCS HB 722, relating to police retirement, was taken up by Representative Leara.

On motion of Representative Leara, **SCS HCS HB 722** was adopted by the following vote:

AYES: 157

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtis
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 85	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Grisamore	Hodges	Korman	Rhoads	Webb
Wieland				

On motion of Representative Leara, **SCS HCS HB 722** was truly agreed to and finally passed by the following vote:

AYES: 154

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown	Burlison	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellinger	Ellington	Elmer	Engler	English
Englund	Entlicher	Fitzpatrick	Fitzwater	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webber	White	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cross	Flanigan	Grisamore	Hodges	Phillips
Rhoads	Scharnhorst	Webb	Wieland	

Speaker Jones declared the bill passed.

THIRD READING OF SENATE BILLS

SB 170, relating to votes of public governmental bodies, was taken up by Representative Smith (85).

On motion of Representative Smith (85), **SB 170** was truly agreed to and finally passed by the following vote:

AYES: 142

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
May	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Riddle
Rizzo	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieffer	Schupp	Shull	Shumake
Smith 85	Smith 120	Solon	Sommer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 008

Ellington	Marshall	McDonald	Newman	Otto
Roorda	Schieber	Spencer		

PRESENT: 000

ABSENT WITH LEAVE: 013

Anders	Brattin	Cross	Grisamore	Hodges
LaFaver	Molendorp	Rhoads	Richardson	Ross
Swearingen	Webb	Wieland		

Speaker Jones declared the bill passed.

HCS SS SCS SB 210, relating to the Common Core State Standards, was taken up by Representative Bahr.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Engler	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	McCaherty	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wilson	Wood	Zerr
Mr Speaker				

NOES: 047

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	English
Englund	Frame	Harris	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Smith 85	Swearingen
Walton Gray	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Dugger	Ellinger	Elmer	Fitzpatrick
Frederick	Gardner	Grisamore	Hinson	Hodges
Hoskins	Hough	Korman	Molendorp	Parkinson
Rehder	Smith 120	Webb	Webber	Wieland

On motion of Representative Bahr, **HCS SS SCS SB 210** was adopted.

On motion of Representative Bahr, **HCS SS SCS SB 210** was read the third time and passed by the following vote:

AYES: 123

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Butler	Carpenter	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	McNeil	Messenger	Miller	Molendorp
Moon	Morgan	Morris	Muntzel	Neely
Neth	Norr	Pfausch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wilson
Wood	Zerr	Mr Speaker		

NOES: 028

Burns	Conway 10	Curtis	Dunn	Ellinger
Ellington	Hubbard	Hummel	Kelly 45	May
McCann Beatty	McDonald	McManus	Meredith	Mims
Mitten	Montecillo	Newman	Nichols	Otto
Pace	Peters	Pierson	Rizzo	Smith 85
Swearingen	Walton Gray	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Colona	Frederick	Gardner	Grisamore
Hodges	Hough	Parkinson	Smith 120	Webb
Webber	Wieland			

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 104

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Funderburk	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Houghton	Hubbard	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wilson	Wood	Zerr	Mr Speaker	

NOES: 036

Burns	Butler	Conway 10	Curtis	Dunn
Ellinger	Ellington	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Lair	Marshall	May
McCann Beatty	McDonald	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Newman	Nichols
Norr	Otto	Pace	Pierson	Rizzo
Runions	Schupp	Smith 85	Swearingen	Walton Gray
Wright				

PRESENT: 011

Carpenter	English	Englund	Frame	Harris
Mayfield	McKenna	Morgan	Peters	Roorda
Schieffer				

ABSENT WITH LEAVE: 012

Anders	Colona	Frederick	Gardner	Grisamore
Hodges	Hough	Smith 120	Sommer	Webb
Webber	Wieland			

HCS SCS SB 258, relating to the board of directors of the Kansas City school district, was taken up by Representative Neth.

Representative Neth moved that **HCS SCS SB 258** be adopted.

Which motion was defeated.

On motion of Representative Neth, **SCS SB 258** was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Funderburk	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeier	Korman	LaFaver	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Meredith	Messenger	Miller	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Otto	Pace	Parkinson
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 021

Butler	Curtis	Dunn	Ellinger	Ellington
English	Gardner	Lair	Marshall	May
McNeil	Mims	Newman	Nichols	Norr
Peters	Pierson	Pogue	Runions	Schupp
Walton Gray				

PRESENT: 001

Kratky

ABSENT WITH LEAVE: 016

Anders	Barnes	Cross	Frederick	Grisamore
Hinson	Hodges	Hough	Kelly 45	McCahterty
Schieffer	Smith 85	Smith 120	Webb	White
Wieland				

Speaker Jones declared the bill passed.

SS SCS SB 121, relating to liquor control, was taken up by Representative Jones (50).

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haahr
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	White
Wilson	Wood	Zerr	Mr Speaker	

NOES: 048

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Swearingen
Walton Gray	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 016

Anders	Cierpiot	Cross	Frederick	Grisamore
Haefner	Hinson	Hodges	McCaherty	Neth
Parkinson	Schieffer	Smith 85	Smith 120	Webb
Wieland				

On motion of Representative Jones (50), **SS SCS SB 121** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Gannon	Gardner	Gatschenberger	Gosen
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Rhoads
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Shull	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 010

Curtman	Guernsey	Johnson	May	McNeil
Pogue	Reiboldt	Remole	Richardson	Shumake

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Anders	Cross	Frederick	Funderburk	Grisamore
Hinson	Hodges	McCaherty	Schatz	Smith 85
Webb	Wieland			

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 120

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Elmer	Engler
English	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Fraker	Frame	Franklin	Funderburk
Gannon	Gosen	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kolkmeyer	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Messenger	Miller	Mims	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Parkinson	Pfautsch
Phillips	Pierson	Pike	Redmon	Rehder
Rhoads	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieffer
Shull	Smith 120	Solon	Sommer	Stream
Swan	Thomson	Torpey	Walker	Webber
White	Wood	Wright	Zerr	Mr Speaker

NOES: 028

Black	Dugger	Ellington	Englund	Gardner
Guernsey	Hampton	Kirkton	Koenig	Marshall
May	McNeil	Meredith	Mitten	Morgan
Otto	Pace	Peters	Pogue	Reiboldt
Remole	Richardson	Schieber	Schupp	Shumake
Swearingen	Walton Gray	Wilson		

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Cross	Frederick	Gatschenberger	Grisamore
Hinson	Hodges	Hoskins	Hubbard	McCaherty
Riddle	Smith 85	Spencer	Webb	Wieland

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 103, as amended**, and has taken up and passed **CCS SCS HB 103**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 117**, and has taken up and passed **CCS SS SCS HCS HB 117**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS HBs 256, 33 & 305, as amended**, and has taken up and passed **CCS HCS HBs 256, 33 & 305**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 336, as amended**, and has taken up and passed **CCS SS HB 336**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HBs 374 & 434, as amended**, and has taken up and passed **CCS SS SCS HCS HBs 374 & 434**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 505**, entitled:

An act to repeal sections 37.710, 160.261, 160.262, 162.068, 162.069, 210.115, 556.061, 568.060, and 595.220, RSMo, and to enact in lieu thereof nine new sections relating to child abuse and neglect, with penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 986, as amended, relating to public assistance, was taken up by Representative Barnes.

On motion of Representative Barnes, **SCS HCS HB 986, as amended**, was adopted by the following vote:

AYES: 149

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Webb	Webber	White
Wood	Wright	Zerr	Mr Speaker	

NOES: 005

Curtman	Marshall	Pogue	Walton Gray	Wilson
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PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Frederick	Funderburk	Grisamore	Hodges
Kelly 45	Leara	Smith 85	Wieland	

On motion of Representative Barnes, **SCS HCS HB 986, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lichtenegger	Love	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Morgan	Morris	Muntzel	Neely	Neth
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 003

Marshall	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Curtman	Frederick	Funderburk	Grisamore
Hodges	Leara	Lynch	Newman	Phillips
Smith 85	Wieland			

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
McNeil	Meredith	Messenger	Miller	Mims
Mitten	Molendorp	Montecillo	Morgan	Morris
Muntzel	Neely	Neth	Newman	Nichols
Norr	Otto	Pace	Parkinson	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 003

Curtman	Moon	Pogue
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PRESENT: 000

ABSENT WITH LEAVE: 008

Anders	Frederick	Grisamore	Hodges	Marshall
Scharnhorst	Smith 85	Wieland		

THIRD READING OF SENATE JOINT RESOLUTION

SCS SJR 14, relating to the right to keep and bear arms, was taken up by Representative Jones (50).

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Joint Resolution No. 14, Page 1, Section 23, Line 4, by inserting after the period on said line, ".", the following:

"The right of every citizen to possess, purchase, reload, or manufacture ammunition and to possess, purchase, or manufacture mechanical parts or other articles essential to the proper functioning of arms shall not be infringed or the amounts limited."; and

Further amend said bill, page, and section, Line 7, by inserting after the period, ".", on said line, the following:

"Nothing in this section shall be construed to invalidate acts of the General Assembly, which create criminal penalties for the unlawful use of firearms."; and

Further amend said resolution, Page 2, Section B, Lines 5-8, by deleting all of said lines and inserting in lieu thereof, the following:

"Shall the Missouri Constitution be amended to include a declaration that the right to keep and bear arms is a unalienable right, that the state government is obligated to uphold that right, and that every citizen is guaranteed the right to possess, purchase, and manufacture firearms, parts, and ammunition?"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Funderburk	Gatschenberger
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hoskins	Hough	Houghton
Hurst	Johnson	Jones 50	Justus	Keeney
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Smith 120

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Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wilson
Wood	Mr Speaker			

NOES: 046

Black	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	English
Englund	Frame	Harris	Hubbard	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Cierpiot	Conway 10	Flanigan	Franklin
Frederick	Gannon	Gardner	Gosen	Grisamore
Hinson	Hodges	Hummel	Kelley 127	Kelly 45
Love	Parkinson	Smith 85	Wieland	Zerr

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fowler	Fraker	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Keeney
Kelley 127	Koenig	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Molendorp	Moon	Morris	Muntzel
Neely	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 048

Black	Burns	Butler	Carpenter	Colona
Curtis	Dunn	Ellinger	Ellington	Englund
Frame	Gardner	Harris	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieffer	Schupp	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Cierpiot	Conway 10	English	Fitzwater
Flanigan	Frederick	Grisamore	Guernsey	Hinson
Hodges	Justus	Neth	Smith 85	Wieland

On motion of Representative Jones (50), **SCS SJR 14, as amended**, was read the third time and passed by the following vote:

AYES: 115

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer
Engler	Entlicher	Fitzpatrick	Flanigan	Fowler
Fraker	Frame	Franklin	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mayfield	McCaherty	McGaugh
McKenna	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Wilson	Wood	Zerr	Mr Speaker

NOES: 038

Burns	Butler	Carpenter	Colona	Curtis
Dunn	Ellinger	Englund	Gardner	Hummel
Kelly 45	Kirkton	LaFaver	May	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols

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Norr	Otto	Pace	Peters	Pierson
Rizzo	Runions	Schupp	Walton Gray	Webb
Webber	White	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 010

Anders	Conway 10	English	Fitzwater	Frederick
Grisamore	Hodges	Kratky	Smith 85	Wieland

Speaker Jones declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 215, as amended, relating to criminal procedures, was taken up by Representative Cox.

On motion of Representative Cox, **SS SCS HCS HB 215, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gosen	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 018

Black	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Gardner	May	Mitten
Montecillo	Morgan	Pace	Peters	Pierson
Schupp	Walton Gray	Webb		

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 011

Anders	Engler	Funderburk	Gatschenberger	Grisamore
Guernsey	Hodges	Lair	Richardson	Smith 85
Wieland				

On motion of Representative Cox, **SS SCS HCS HB 215, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 136

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeyer	Korman
Kratky	LaFaver	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Molendorp	Moon	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Parkinson	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieber	Schieffer	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Webber
White	Wilson	Wood	Wright	Zerr
Mr Speaker				

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NOES: 018

Black	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Gardner	May	Mitten
Montecillo	Morgan	Pace	Peters	Pierson
Schupp	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Funderburk	Grisamore	Hansen	Hodges
Lair	Richardson	Smith 85	Wieland	

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Burns	Cierpiot	Conway 10	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Mayfield	McCaherty	McCann Beatty
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Molendorp	Morris	Muntzel
Neely	Nichols	Otto	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 026

Black	Butler	Carpenter	Colona	Curtis
Ellinger	Ellington	Gardner	Hubbard	Kirkton
Marshall	May	McDonald	McNeil	Mitten
Montecillo	Moon	Morgan	Newman	Norr
Pace	Peters	Pierson	Schupp	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 010

Anders	Funderburk	Grisamore	Hodges	Lair
Neth	Richardson	Schatz	Smith 85	Wieland

SS HB 184, relating to taxation, was taken up by Representative Cox.

On motion of Representative Cox, **SS HB 184** was adopted by the following vote:

AYES: 098

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Burns	Cierpiot	Colona	Conway 10
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Englund	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Haefner	Hampton	Hansen	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Jones 50	Justus	Kelley 127	Kolkmeyer
Korman	Kratky	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neth	Nichols	Norr	Pfautsch
Phillips	Pike	Redmon	Reiboldt	Rhoads
Richardson	Riddle	Rizzo	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webb
Wood	Zerr	Mr Speaker		

NOES: 058

Anderson	Bahr	Berry	Brattin	Burlison
Butler	Carpenter	Conway 104	Curtis	Curtman
Dunn	Ellinger	Ellington	English	Fitzpatrick
Fowler	Frame	Gardner	Guernsey	Haahr
Hicks	Hummel	Hurst	Johnson	Keeney
Kelly 45	Kirkton	Koenig	LaFaver	Marshall
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Moon	Morgan	Newman	Otto
Pace	Parkinson	Peters	Pierson	Pogue
Rehder	Remole	Roorda	Ross	Schieber
Schupp	Smith 120	Swearingen	Walton Gray	Webber
White	Wilson	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 007

Anders	Funderburk	Grisamore	Hodges	Neely
Smith 85	Wieland			

On motion of Representative Cox, **SS HB 184** was truly agreed to and finally passed by the following vote:

AYES: 098

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Burns	Butler	Cierpiot	Colona
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Englund	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Haefner	Hampton	Hansen
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Jones 50	Justus	Kelley 127
Kolkmeyer	Korman	Kratky	Lair	Lant
Leara	Lichtenegger	Love	Lynch	Mayfield
McCaherty	McGaugh	McKenna	Messenger	Miller
Mims	Mitten	Molendorp	Montecillo	Morris
Muntzel	Neely	Neth	Nichols	Norr
Pfautsch	Pike	Pogue	Redmon	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Rowden
Rowland	Runions	Scharnhorst	Schatz	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webb
Wood	Zerr	Mr Speaker		

NOES: 059

Anderson	Bahr	Berry	Brattin	Burlison
Carpenter	Conway 10	Conway 104	Curtis	Curtman
Dunn	Ellinger	Ellington	English	Fitzpatrick
Fowler	Frame	Gardner	Guernsey	Haahr
Hicks	Hummel	Hurst	Johnson	Keeney
Kelly 45	Kirkton	Koenig	LaFaver	Marshall
May	McCann Beatty	McDonald	McManus	McNeil
Meredith	Moon	Morgan	Newman	Otto
Pace	Parkinson	Peters	Phillips	Pierson
Rehder	Remole	Roorda	Ross	Schieber
Schieffer	Schupp	Smith 120	Swearingen	Walton Gray
Webber	White	Wilson	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 006

Anders	Grisamore	Hodges	Lauer	Smith 85
Wieland				

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 092

Allen	Austin	Barnes	Bernskoetter	Black
Brown	Burns	Cierpiot	Colona	Cookson
Cox	Crawford	Cross	Davis	Diehl
Dohrman	Dugger	Elmer	Englund	Entlicher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Haefner
Hansen	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Jones 50	Justus
Kelley 127	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Mayfield	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	Messenger	Miller	Mims
Molendorp	Montecillo	Morris	Muntzel	Neely
Nichols	Pfautsch	Pike	Redmon	Reiboldt
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	Webb	White
Wood	Mr Speaker			

NOES: 063

Anderson	Bahr	Berry	Brattin	Burlison
Butler	Carpenter	Conway 10	Conway 104	Cornejo
Curtis	Curtman	Dunn	Ellington	English
Fitzpatrick	Fowler	Frame	Gardner	Guernsey
Haahr	Hampton	Harris	Hicks	Hurst
Johnson	Keeney	Kelly 45	Kirkton	Koenig
Marshall	May	McDonald	McNeil	Meredith
Mitten	Moon	Morgan	Neth	Newman
Norr	Otto	Pace	Parkinson	Peters
Phillips	Pierson	Pogue	Rehder	Remole
Roorda	Runions	Schieber	Schieffer	Schupp
Shull	Smith 120	Swearingen	Walton Gray	Webber
Wilson	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 008

Anders	Ellinger	Engler	Grisamore	Hodges
Lauer	Smith 85	Wieland		

Representative Keeney assumed the Chair.

SCS HB 301, as amended, relating to sexually violent predators, was taken up by Representative Engler.

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Crawford
Cross	Curtman	Davis	Dohrman	Dugger
Engler	Entlicher	Fitzpatrick	Fitzwater	Flanigan
Fowler	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Schatz	Schieber	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 049

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hubbard	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	May	Mayfield	McCann Beatty	McDonald
McKenna	McNeil	Meredith	Mims	Mitten
Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Cox	Diehl	Elmer	Fraker
Funderburk	Hodges	Leara	McManus	Molendorp
Neth	Scharnhorst	Smith 85	Wieland	

On motion of Representative Engler, **SCS HB 301, as amended**, was adopted by the following vote:

AYES: 153

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowden
Rowland	Runions	Scharnhorst	Schatz	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Anders	Diehl	Funderburk	Grisamore	Hodges
Leara	McManus	Molendorp	Smith 85	Wieland

On motion of Representative Engler, **SCS HB 301, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Dohrman	Dugger	Dunn	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Kratky	LaFaver	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Anders	Diehl	Ellinger	Funderburk	Grisamore
Hodges	Jones 50	Korman	Leara	McManus
Molendorp	Smith 85	Wieland		

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 152

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Curtman
Davis	Diehl	Dohrman	Dugger	Dunn
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Gannon
Gardner	Gatschenberger	Gosen	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Molendorp	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Walton Gray	Webb
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Anders	Ellinger	Funderburk	Grisamore	Hicks
Hodges	Jones 50	Leara	McManus	Smith 85
Wieland				

SCS HB 152, relating to school officers, was taken up by Representative Solon.

On motion of Representative Solon, **SCS HB 152** was adopted by the following vote:

AYES: 126

Allen	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Brown	Burlison
Butler	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Engler	Englund
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Gannon	Gatschenberger	Gosen
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Higdon	Hoskins	Hough	Houghton
Hubbard	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Love	Lynch	Marshall
May	McCaherty	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Montecillo	Moon	Morris	Muntzel	Neely
Neth	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 019

Burns	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellington	Frame	Gardner	Hummel
Mayfield	Mims	Mitten	Morgan	Newman
Roorda	Runions	Schupp	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Anders	Bernskoetter	Ellinger	Elmer	English
Entlicher	Funderburk	Grisamore	Hicks	Hinson
Hodges	Leara	Lichtenegger	McDonald	Molendorp
Parkinson	Smith 85	Wieland		

On motion of Representative Solon, **SCS HB 152** was truly agreed to and finally passed by the following vote:

AYES: 124

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Butler	Cierpiot	Conway 104	Cookson
Cornejo	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dohrman	Dugger	Elmer
Englund	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lichtenegger	Love
Lynch	Marshall	McCaherty	McCann Beatty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Nichols	Norr	Otto
Pace	Peters	Pfautsch	Phillips	Pike
Pogue	Rehder	Reiboldt	Remole	Richardson
Riddle	Rizzo	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Webb	Webber	White	Wilson
Wood	Wright	Zerr	Mr Speaker	

NOES: 022

Burns	Carpenter	Colona	Conway 10	Curtis
Dunn	Ellinger	Ellington	Frame	Gardner
Hummel	May	Mayfield	McDonald	Mitten
Morgan	Newman	Pierson	Roorda	Runions
Schupp	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Engler	English	Entlicher	Funderburk
Gatschenberger	Hinson	Hodges	Jones 50	Leara
Mims	Molendorp	Parkinson	Redmon	Rhoads
Smith 85	Wieland			

Representative Keeney declared the bill passed.

HCS HBs 404 & 614, with Senate Amendment No. 1, relating to workers' compensation, was taken up by Representative Conway (104).

On motion of Representative Conway (104), the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 149

Allen	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeyer
Korman	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Molendorp
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wood	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Bernskoetter	Brown	Entlicher	Funderburk
Hodges	Jones 50	Lichtenegger	Parkinson	Scharnhorst
Smith 85	Spencer	Wieland	Wilson	

On motion of Representative Conway (104), **HCS HBs 404 & 614, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anderson	Austin	Bahr	Barnes
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Bernskoetter	Brown	Entlicher	Funderburk
Hansen	Hodges	Jones 50	LaFaver	Molendorp
Parkinson	Scharnhorst	Smith 85	Wieland	Wilson

Representative Keeney declared the bill passed.

SS HCR 25, relating to the establishment of the Joint Interim Committee on St. Louis Metropolitan Statistical Area Governance and Taxation, was taken up by Representative Allen.

On motion of Representative Allen, **SS HCR 25** was adopted by the following vote:

AYES: 142

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Cookson	Cornejo	Cox	Crawford
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Ellinger	Ellington	Engler	English
Englund	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Frame	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hinson	Hoskins	Hough	Houghton
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
Marshall	May	Mayfield	McCaherty	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Phillips	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schieber
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Torpey	Walker	Walton Gray	Webb
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 001

Curtis

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Brown	Conway 104	Cross	Elmer
Fitzpatrick	Franklin	Funderburk	Hodges	Hubbard
Korman	Molendorp	Morris	Muntzel	Pierson
Scharnhorst	Schatz	Smith 85	Thomson	Wieland

SCS HCS HB 505, relating to child abuse and neglect, was taken up by Representative Haefner.

On motion of Representative Haefner, **SCS HCS HB 505** was adopted by the following vote:

AYES: 148

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Burlison
Burns	Butler	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtis	Curtman	Davis	Diehl	Dohrman
Dunn	Ellinger	Ellington	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fraker	Frame	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Brown	Carpenter	Cross	Dugger
Fowler	Funderburk	Hinson	Hodges	Jones 50
Molendorp	Scharnhorst	Smith 85	Swearingen	Wieland

On motion of Representative Haefner, **SCS HCS HB 505** was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Ellington	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gardner
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Haefner	Hampton	Hansen	Harris	Hicks
Higdon	Hoskins	Hough	Houghton	Hubbard
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wilson	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Anders	Cross	Frame	Funderburk	Hinson
Hodges	Hummel	Kelly 45	Molendorp	Riddle
Scharnhorst	Smith 85	Wieland	Wood	

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Curtis	Curtman	Davis	Diehl
Dohrman	Dugger	Dunn	Ellington	Elmer
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Gannon	Gardner	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Justus	Keeney	Kelley 127
Kelly 45	Kirkton	Koenig	Kolkmeier	Korman
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson
Torpey	Walker	Walton Gray	Webb	Webber
White	Wilson	Wright	Zerr	Mr Speaker

NOES: 002

Colona Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 016

Anders	Cross	Flanigan	Frame	Funderburk
Hicks	Higdon	Hinson	Hodges	Hoskins
Jones 50	Molendorp	Scharnhorst	Smith 85	Wieland
Wood				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 28**, entitled:

An act to repeal sections 43.543, 49.266, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 253.180, 253.185, 256.117, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 260.200, 260.205, 260.235, 260.249, 260.262, 260.365, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 444.772, 621.250, 640.010, 640.012, 640.017,

640.075, 640.715, 640.725, 643.079, 644.051, 644.052, and 644.054, RSMo, and to enact in lieu thereof sixty-three new sections relating to the environment, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 278**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 675**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 51, as amended**, and has taken up and passed **CCS HCS SB 51**.

Emergency clause adopted.

BILLS IN CONFERENCE

CCR SCS SB 224, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8, relating to public safety, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **CCR SCS SB 224, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Substitute Amendment No. 1 for House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8**, was adopted by the following vote:

AYES: 140

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Carpenter	Cierpiot	Colona	Conway 10
Conway 104	Cookson	Cornejo	Cox	Crawford
Curtis	Curtman	Davis	Diehl	Dohrman
Dugger	Dunn	Ellinger	Ellington	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Frederick
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Harris	Hoskins	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	McNeil	Meredith
Messenger	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Newman

Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfausch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Rizzo	Rowden	Rowland
Runions	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Walton Gray	Webb	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 002

Butler Roorda

PRESENT: 000

ABSENT WITH LEAVE: 021

Anders	Burns	Cross	Engler	Franklin
Hicks	Higdon	Hinson	Hodges	Hough
Korman	Lichtenegger	Miller	Molendorp	Neth
Riddle	Ross	Scharnhorst	Smith 85	Swearingen
Wieland				

On motion of Representative Rizzo, **CCS SCS SB 224** was truly agreed to and finally passed by the following vote:

AYES: 133

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brown	Burlison
Carpenter	Colona	Conway 10	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Diehl
Dohrman	Dunn	Ellinger	Ellington	Elmer
Engler	English	Englund	Fitzpatrick	Fitzwater
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gardner	Gatschenberger	Gosen	Guernsey
Haahr	Hampton	Hansen	Harris	Hicks
Higdon	Hoskins	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Kratky	LaFaver	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McGaugh	McKenna	McManus	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Newman	Nichols
Norr	Otto	Pace	Peters	Pfausch
Phillips	Pierson	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Riddle
Rizzo	Rowden	Rowland	Runions	Schatz
Schieber	Schieffer	Schupp	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

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NOES: 002

Butler Roorda

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Brattin	Burns	Cierpiot	Conway 104
Cookson	Davis	Dugger	Entlicher	Flanigan
Franklin	Grisamore	Haefner	Hinson	Hodges
Hough	Korman	McNeil	Molendorp	Neely
Neth	Parkinson	Richardson	Ross	Scharnhorst
Shull	Smith 85	Wieland		

Representative Keeney declared the bill passed.

CCR HCS SB 100, as amended, relating to judicial procedures, was taken up by Representative Cox.

On motion of Representative Cox, **CCR HCS SB 100, as amended**, was adopted by the following vote:

AYES: 131

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Dunn
Engler	English	Englund	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Hoskins	Hough	Houghton	Hubbard
Hummel	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Kelly 45	Kirkton	Koenig
Kolkmeyer	Kratky	LaFaver	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Marshall
May	Mayfield	McCann Beatty	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Mims
Mitten	Montecillo	Moon	Morgan	Morris
Muntzel	Neely	Newman	Nichols	Norr
Otto	Peters	Pfautsch	Phillips	Pierson
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Runions	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Swearingen
Thomson	Torpey	Walker	Webb	Webber
White	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 008

Butler	Curtis	Ellington	Gardner	McDonald
Pace	Schupp	Walton Gray		

PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 023

Anders	Carpenter	Dohrman	Ellinger	Elmer
Entlicher	Frame	Franklin	Higdon	Hinson
Hodges	Korman	Lynch	McCaherty	Miller
Molendorp	Neth	Parkinson	Roorda	Scharnhorst
Schieffer	Smith 85	Wieland		

On motion of Representative Cox, **CCS HCS SB 100** was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dohrman	Dugger
Dunn	Elmer	Engler	English	Englund
Fitzpatrick	Flanigan	Fraker	Frame	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kirkton
Koenig	Kolkmeyer	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Love	Lynch
Marshall	May	Mayfield	McCaherty	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Newman	Nichols
Norr	Otto	Peters	Pfautsch	Phillips
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Schatz	Schieber	Schieffer	Shull	Shumake
Smith 120	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 009

Butler	Carpenter	Curtis	Ellington	Gardner
McDonald	Pace	Schupp	Walton Gray	

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PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 021

Anders	Ellinger	Entlicher	Fitzwater	Fowler
Franklin	Hinson	Hodges	Kelly 45	Korman
Lichtenegger	McCann Beatty	Miller	Molendorp	Neth
Parkinson	Richardson	Scharnhorst	Smith 85	Webb
Wieland				

Representative Keeney declared the bill passed.

CCR HCS SB 51, as amended, relating to motor vehicles, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **CCR HCS SB 51, as amended**, was adopted by the following vote:

AYES: 101

Austin	Barnes	Bernskoetter	Berry	Black
Brown	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Frame	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Hansen	Harris	Hicks	Higdon
Hoskins	Houghton	Hubbard	Hummel	Hurst
Justus	Keeney	Kelley 127	Kirkton	Kolkmeyer
Korman	LaFaver	Lair	Lant	Lauer
Leara	Love	Lynch	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McManus
Messenger	Miller	Mims	Morris	Muntzel
Neely	Nichols	Norr	Pfautsch	Pike
Redmon	Rehder	Reiboldt	Rhoads	Riddle
Rizzo	Rowland	Runions	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wood	Wright	Zerr
Mr Speaker				

NOES: 041

Anderson	Bahr	Brattin	Burlison	Burns
Butler	Carpenter	Colona	Conway 10	Curtman
Ellington	Fitzpatrick	Gardner	Haahr	Johnson
Kelly 45	Koenig	Kratky	Marshall	May
McNeil	Meredith	Mitten	Montecillo	Moon
Morgan	Newman	Otto	Pace	Peters
Pierson	Pogue	Remole	Roorda	Rowden
Schatz	Schieber	Swearingen	Walton Gray	Webb
Wilson				

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Anders	Dugger	Ellinger	Franklin
Grisamore	Hinson	Hodges	Hough	Jones 50
Lichtenegger	Molendorp	Neth	Parkinson	Phillips
Richardson	Ross	Scharnhorst	Smith 85	Webber
Wieland				

On motion of Representative Guernsey, **CCS HCS SB 51** was truly agreed to and finally passed by the following vote:

AYES: 097

Allen	Barnes	Bernskoetter	Berry	Black
Brown	Cierpiot	Conway 10	Cookson	Cornejo
Cox	Crawford	Cross	Curtis	Davis
Diehl	Dohrman	Dunn	Elmer	Engler
Englund	Fitzwater	Flanigan	Fowler	Fraker
Frame	Frederick	Funderburk	Gannon	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Houghton
Hubbard	Hummel	Hurst	Jones 50	Keeney
Kelley 127	Kelly 45	Kirkton	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Love
Lynch	Mayfield	McCaherty	McGaugh	Messenger
Miller	Mims	Morris	Muntzel	Neely
Nichols	Norr	Peters	Pfautsch	Pierson
Pike	Redmon	Rehder	Reiboldt	Rhoads
Riddle	Runions	Scharnhorst	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	Webber	White	Wood	Wright
Zerr	Mr Speaker			

NOES: 044

Anderson	Austin	Bahr	Burlison	Burns
Butler	Carpenter	Colona	Conway 104	Curtman
Ellington	English	Fitzpatrick	Haahr	Johnson
Koenig	Kratky	LaFaver	Marshall	May
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mitten	Montecillo	Moon	Morgan
Newman	Otto	Pace	Pogue	Remole
Rizzo	Roorda	Rowden	Schatz	Schieber
Swearingen	Walton Gray	Webb	Wilson	

PRESENT: 000

ABSENT WITH LEAVE: 022

Anders	Brattin	Dugger	Ellinger	Entlicher
Franklin	Gardner	Gatschenberger	Hinson	Hodges
Hough	Justus	Lichtenegger	Molendorp	Neth
Parkinson	Phillips	Richardson	Ross	Rowland
Smith 85	Wieland			

Representative Keeney declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 082

Allen	Berry	Black	Brown	Cierpiot
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Davis	Diehl	Dohrman	Elmer
Engler	Englund	Entlicher	Fitzwater	Flanigan
Fowler	Fraker	Franklin	Frederick	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hansen	Hicks	Hoskins	Houghton
Hubbard	Hummel	Hurst	Jones 50	Justus
Keeney	Kelley 127	Kolkmeyer	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Mayfield	McCaherty	McGaugh	Messenger	Miller
Morris	Muntzel	Neely	Nichols	Pfautsch
Pike	Redmon	Rehder	Reiboldt	Rhoads
Richardson	Riddle	Rowland	Runions	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
Wood	Zerr			

NOES: 059

Anderson	Austin	Bahr	Barnes	Brattin
Burlison	Burns	Butler	Carpenter	Colona
Conway 10	Conway 104	Curtman	Dunn	Ellington
English	Fitzpatrick	Frame	Haahr	Harris
Higdon	Johnson	Kelly 45	Kirkton	Koenig
Kratky	LaFaver	Marshall	May	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Norr	Otto	Pace	Parkinson
Pierson	Pogue	Remole	Rizzo	Roorda
Schatz	Schieber	Schupp	Swearingen	Walton Gray
Webb	White	Wilson	Wright	

PRESENT: 001

Peters

ABSENT WITH LEAVE: 021

Anders	Bernskoetter	Dugger	Ellinger	Funderburk
Gardner	Hinson	Hodges	Hough	Lynch
Molendorp	Neth	Phillips	Ross	Rowden
Scharnhorst	Schieffer	Smith 85	Webber	Wieland
Mr Speaker				

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 110, as amended, relating to the selection of public officials, was taken up by Representative Smith (120).

Representative Cierpiot moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Davis	Dohrman	Elmer
Engler	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hoskins
Hough	Houghton	Hurst	Johnson	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Leara	Lichtenegger	Love
Lynch	Marshall	McCaherty	McGaugh	Messenger
Miller	Moon	Morris	Neely	Neth
Parkinson	Pfautsch	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Schatz
Schieber	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wilson	Wood
Zerr	Mr Speaker			

NOES: 047

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hummel	Kelly 45	Kirkton	LaFaver	May
Mayfield	McCann Beatty	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Curtman	Diehl	Dugger	Entlicher
Guernsey	Hinson	Hodges	Hubbard	Jones 50
Kratky	Lauer	McDonald	Molendorp	Muntzel
Phillips	Scharnhorst	Smith 85	Wieland	

On motion of Representative Smith (120), **SCS HCS HB 110, as amended**, was adopted by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hoskins	Hough	Houghton	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 054

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Higdon	Hubbard	Hummel	Hurst	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieber	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Dugger	Flanigan	Hinson	Hodges
Molendorp	Phillips	Smith 85	Wieland	

Speaker Jones resumed the Chair.

On motion of Representative Smith (120), **SCS HCS HB 110, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 100

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Hoskins	Hough	Houghton	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wilson	Wood	Zerr	Mr Speaker

NOES: 054

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Higdon	Hubbard	Hummel	Hurst	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Roorda
Runions	Schieber	Schieffer	Schupp	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Dugger	Franklin	Hinson	Hodges
Molendorp	Phillips	Smith 85	Wieland	

Speaker Jones declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Allen	Anderson	Austin	Barnes	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Elmer	Engler	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Morris
Muntzel	Neely	Neth	Parkinson	Pfausch
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wilson	Wood	Zerr
Mr Speaker				

NOES: 051

Bahr	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Haahr	Harris	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Swearingen	Walton Gray	Webb
Wright				

PRESENT: 001

Moon

ABSENT WITH LEAVE: 010

Anders	Dugger	Gatschenberger	Hinson	Hodges
Molendorp	Phillips	Smith 85	Webber	Wieland

BILLS CARRYING REQUEST MESSAGES

SB 77, with House Amendment No. 1, relating to neighborhood youth development programs, was taken up by Representative Allen.

Representative Allen moved that the House recede from its position on **House Amendment No. 1 to SB 77**, and truly agree to and finally pass **SB 77**.

Which motion was adopted by the following vote:

AYES: 143

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dunn	Ellinger	Elmer
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Harris	Higdon	Hoskins	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kirkton	Koenig
Kolkmeyer	Korman	LaFaver	Lair	Lant
Lauer	Leara	Love	Lynch	May
Mayfield	McCaherty	McCann Beatty	McDonald	McGaugh
McKenna	McManus	McNeil	Meredith	Messenger
Miller	Mims	Mitten	Montecillo	Moon
Morgan	Morris	Muntzel	Neely	Neth
Newman	Nichols	Norr	Otto	Pace
Parkinson	Peters	Pfautsch	Pierson	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Rizzo	Roorda	Ross
Rowden	Rowland	Runions	Scharnhorst	Schatz
Schieffer	Schupp	Shull	Shumake	Smith 120
Solon	Sommer	Spencer	Stream	Swan
Swearingen	Thomson	Torpey	Walker	Walton Gray
Webb	Webber	White	Wilson	Wood
Wright	Zerr	Mr Speaker		

NOES: 004

Conway 10	Kratky	Marshall	Pogue
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PRESENT: 001

Ellington

ABSENT WITH LEAVE: 015

Anders	Dugger	Engler	Guernsey	Hicks
Hinson	Hodges	Hough	Kelly 45	Lichtenegger
Molendorp	Phillips	Schieber	Smith 85	Wieland

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 320**, entitled:

An act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 342, as amended**, and has taken up and passed **CCS HCS SB 342**.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 28, relating to the environment, was taken up by Representative Lichtenegger.

On motion of Representative Lichtenegger, **SS SCS HCS HB 28** was adopted by the following vote:

AYES: 151

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Burns	Butler	Carpenter	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dunn	Ellinger	Ellington
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hoskins	Hough	Houghton
Hubbard	Hummel	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Kelly 45	Kirkton
Koenig	Kolkmeyer	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	May	Mayfield
McCaherty	McDonald	McGaugh	McKenna	McNeil
Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Moon	Morgan	Morris	Muntzel
Neely	Neth	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swan	Swearingen	Thomson

Torpey	Walker	Walton Gray	Webb	Webber
White	Wilson	Wood	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Anders	Dugger	Hinson	Hodges
McCann Beatty	McManus	Molendorp	Phillips	Runions
Smith 85	Wieland			

On motion of Representative Lichtenegger, **SS SCS HCS HB 28** was truly agreed to and finally passed by the following vote:

AYES: 138

Anderson	Austin	Bahr	Barnes	Bernskoetter
Berry	Black	Brattin	Burlison	Burns
Butler	Carpenter	Cierpiot	Colona	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Curtis	Curtman	Davis	Diehl	Dohrman
Dunn	Elmer	Engler	English	Englund
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Frame	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	May	Mayfield	McCann Beatty
McDonald	McGaugh	McKenna	McManus	McNeil
Meredith	Messenger	Miller	Mims	Montecillo
Moon	Morgan	Morris	Muntzel	Neely
Neth	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Roorda
Ross	Rowden	Rowland	Runions	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shull
Shumake	Smith 120	Solon	Sommer	Spencer
Stream	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wood
Wright	Zerr	Mr Speaker		

NOES: 004

Ellington	Gardner	Kirkton	Mitten
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PRESENT: 001

Conway 10

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ABSENT WITH LEAVE: 020

Allen	Anders	Brown	Dugger	Ellinger
Fowler	Funderburk	Harris	Hicks	Hinson
Hodges	Kolkmeyer	McCaherty	Molendorp	Peters
Phillips	Smith 85	Swan	Wieland	Wilson

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dunn	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeyer	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Norr	Otto	Pace	Parkinson	Pfautsch
Pierson	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Walton Gray	Webb	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 005

Ellinger	Ellington	Gardner	May	Peters
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PRESENT: 001

Conway 10

ABSENT WITH LEAVE: 012

Anders	Dugger	Funderburk	Hinson	Hodges
Molendorp	Nichols	Phillips	Smith 85	Swearingen
Webber	Wieland			

BILLS IN CONFERENCE

CCR HCS SB 342, as amended, relating to agriculture, was taken up by Representative Guernsey.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Gannon	Gosen	Grisamore	Guernsey
Haahr	Hampton	Hansen	Hicks	Higdon
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Justus	Keeney	Kelley 127	Koenig
Kolkmeier	Korman	Lair	Lant	Lauer
Love	Lynch	Marshall	McCaherty	McGaugh
Miller	Moon	Morris	Muntzel	Neth
Pfautsch	Pike	Pogue	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Swan	Thomson	Torpey	Walker
White	Zerr	Mr Speaker		

NOES: 045

Black	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	Ellington
Englund	Frame	Gardner	Harris	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Rizzo	Roorda	Runions	Schieffer
Schupp	Stream	Swearingen	Walton Gray	Wright

PRESENT: 000

ABSENT WITH LEAVE: 025

Anders	Dugger	English	Funderburk	Gatschenberger
Haefner	Hinson	Hodges	Jones 50	Leara
Lichtenegger	McManus	Messenger	Molendorp	Neely
Parkinson	Phillips	Pierson	Redmon	Smith 85
Webb	Webber	Wieland	Wilson	Wood

On motion of Representative Guernsey, **CCR HCS SB 342, as amended**, was adopted by the following vote:

AYES: 101

Allen	Austin	Barnes	Bernskoetter	Berry
Black	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dunn	Elmer
Engler	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kelly 45	Kolkmeyer	Korman	Lair	Lant
Lauer	Lichtenegger	Love	Lynch	McCann Beatty
McGaugh	McManus	McNeil	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Pierson	Pike	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Rizzo
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieffer	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Wilson	Wood	Zerr
Mr Speaker				

NOES: 046

Anderson	Bahr	Brattin	Burns	Butler
Colona	Conway 10	Curtis	Curtman	Ellinger
Ellington	English	Englund	Fitzpatrick	Frame
Gardner	Harris	Kirkton	Koenig	LaFaver
Leara	Marshall	Mayfield	McCaherty	McKenna
Meredith	Mims	Mitten	Montecillo	Moon
Morgan	Newman	Nichols	Norr	Pace
Peters	Pogue	Roorda	Runions	Schieber
Schupp	Swearingen	Walton Gray	Webber	White
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 016

Anders	Carpenter	Dugger	Funderburk	Gannon
Hodges	Kratky	May	McDonald	Molendorp
Otto	Phillips	Redmon	Smith 85	Webb
Wieland				

On motion of Representative Guernsey, **CCS HCS SB 342** was truly agreed to and finally passed by the following vote:

AYES: 103

Allen	Austin	Barnes	Bernskoetter	Berry
Black	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dunn	Elmer
Engler	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hummel	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Kolkmeier	Korman	Lair	Lant	Lauer
Lichtenegger	Love	Lynch	McCaherty	McCann Beatty
McGaugh	McManus	McNeil	Messenger	Miller
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Pike	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Rizzo	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	Webb	White	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anderson	Bahr	Brattin	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Curtman
Ellinger	Ellington	English	Englund	Fitzpatrick
Frame	Gardner	Haahr	Harris	Kirkton
Koenig	Kratky	LaFaver	Leara	Marshall
May	Mayfield	McDonald	McKenna	Meredith
Mims	Mitten	Montecillo	Moon	Morgan
Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Roorda	Runions
Schieber	Swearingen	Walton Gray	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Anders	Dugger	Funderburk	Hodges	Kelly 45
Molendorp	Phillips	Redmon	Smith 85	Wieland

Speaker Jones declared the bill passed.

HOUSE BILLS WITH SENATE AMENDMENTS

SS#2 SCS HB 116, as amended, relating to public accounts, was again taken up by Representative Diehl.

Representative Roorda, having voted on the prevailing side, moved that the vote by which the emergency clause on **SS#2 SCS HB 116, as amended**, was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 133

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Conway 10	Conway 104	Cornejo	Cox	Cross
Curtman	Davis	Diehl	Dohrman	Dunn
Ellinger	Elmer	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Gardner	Gatschenberger
Gosen	Grisamore	Haahr	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hummel
Hurst	Johnson	Jones 50	Justus	Keeney
Kelley 127	Kelly 45	Kirkton	Koenig	Kolkmeier
Korman	Kratky	LaFaver	Lair	Lant
Leara	Lichtenegger	Love	May	Mayfield
McCaherty	McDonald	McGaugh	McManus	Meredith
Messenger	Miller	Mims	Mitten	Montecillo
Moon	Morris	Muntzel	Neth	Newman
Norr	Otto	Pace	Parkinson	Peters
Pfausch	Pierson	Pike	Pogue	Rehder
Reiboldt	Rhoads	Richardson	Riddle	Rizzo
Roorda	Ross	Rowden	Rowland	Runions
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shull	Shumake	Smith 120	Solon	Sommer
Spencer	Stream	Swearingen	Thomson	Torpey
Walker	Walton Gray	Webb	White	Wood
Wright	Zerr	Mr Speaker		

NOES: 005

Ellington	Marshall	McKenna	Remole	Wilson
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PRESENT: 000

ABSENT WITH LEAVE: 025

Anders	Colona	Cookson	Crawford	Curtis
Dugger	Engler	Funderburk	Gannon	Guernsey
Hodges	Lauer	Lynch	McCann Beatty	McNeil
Molendorp	Morgan	Neely	Nichols	Phillips
Redmon	Smith 85	Swan	Webber	Wieland

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Burns	Butler	Carpenter	Cierpiot
Colona	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Curtman	Davis	Diehl
Dohrman	Dunn	Ellinger	Elmer	Engler
English	Englund	Entlicher	Fitzpatrick	Flanigan
Fowler	Fraker	Frame	Franklin	Frederick
Gardner	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Hummel	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Kirkton	Koenig	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McManus	McNeil	Meredith	Messenger	Miller
Mims	Mitten	Montecillo	Moon	Morgan
Morris	Muntzel	Neely	Neth	Newman
Nichols	Norr	Otto	Pace	Parkinson
Peters	Pfautsch	Pierson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Ross	Rowland
Runions	Scharnhorst	Schatz	Schieber	Schieffer
Schupp	Shull	Shumake	Smith 120	Solon
Sommer	Spencer	Stream	Swearingen	Torpey
Walker	Walton Gray	Webb	Webber	White
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 003

Curtis	Ellington	Marshall
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PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Cross	Dugger	Fitzwater	Funderburk
Gannon	Hodges	Molendorp	Phillips	Redmon
Rowden	Smith 85	Swan	Thomson	Wieland

WITHDRAWAL OF HOUSE BILL

May 15, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue, Rm 113
Jefferson City, MO 65101

Dear Adam,

Because of the limited time remaining in session of the Missouri House, we will not be able to fully hear, discuss and debate a bill I introduced, **House Bill No. 1025**. I therefore respectfully request this bill be withdrawn.

Thank you for your assistance. Please let me know if you have any questions or concerns.

Sincerely,

/s/ Bart Korman
State Representative
District 42

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 508 - Local Government
HR 2594 - General Laws

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 6 - Government Oversight and Accountability
HCR 22 - Crime Prevention and Public Safety
HCR 24 - International Trade
HCR 26 - Tourism and Natural Resources
HCR 27 - Crime Prevention and Public Safety
HCR 31 - Health Insurance
HCR 36 - General Laws
HCR 37 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 9** - Elementary and Secondary Education
- HJR 31** - Downsizing State Government
- HJR 34** - General Laws
- HJR 36** - Tourism and Natural Resources
- HJR 37** - Ways and Means
- HJR 38** - Transportation
- HJR 39** - Local Government
- HJR 40** - Local Government

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

- HB 39** - Elections
- HB 40** - Crime Prevention and Public Safety
- HB 41** - Elections
- HB 80** - Economic Development
- HB 88** - Judiciary
- HB 93** - Retirement
- HB 115** - Workforce Development and Workplace Safety
- HB 120** - Elementary and Secondary Education
- HB 135** - General Laws
- HB 139** - General Laws
- HB 143** - Utilities
- HB 146** - Crime Prevention and Public Safety
- HB 147** - Ways and Means
- HB 153** - Crime Prevention and Public Safety
- HB 155** - Crime Prevention and Public Safety
- HB 165** - Special Standing Committee on Small Business
- HB 167** - Special Standing Committee on Corrections
- HB 171** - Health Care Policy
- HB 172** - Health Insurance
- HB 173** - Health Care Policy
- HB 174** - Crime Prevention and Public Safety
- HB 190** - Health Care Policy
- HB 192** - Ways and Means
- HB 193** - Elections
- HB 207** - Financial Institutions
- HB 225** - Crime Prevention and Public Safety
- HB 232** - Elections
- HB 237** - Financial Institutions
- HB 239** - Crime Prevention and Public Safety
- HB 240** - Special Standing Committee on Urban Issues

- HB 244** - Agri-Business
- HB 246** - Ways and Means
- HB 249** - Financial Institutions
- HB 250** - General Laws
- HB 260** - Insurance Policy
- HB 266** - Crime Prevention and Public Safety
- HB 267** - Financial Institutions
- HB 268** - Judiciary
- HB 269** - General Laws
- HB 270** - Special Standing Committee on Corrections
- HB 271** - Financial Institutions
- HB 272** - Crime Prevention and Public Safety
- HB 273** - Judiciary
- HB 286** - Workforce Development and Workplace Safety
- HB 289** - Elections
- HB 310** - Retirement
- HB 317** - Health Care Policy
- HB 323** - Judiciary
- HB 327** - Government Oversight and Accountability
- HB 347** - Professional Registration and Licensing
- HB 355** - Tourism and Natural Resources
- HB 357** - Workforce Development and Workplace Safety
- HB 360** - Children, Families, and Persons with Disabilities
- HB 361** - Judiciary
- HB 365** - Crime Prevention and Public Safety
- HB 366** - Elementary and Secondary Education
- HB 367** - Workforce Development and Workplace Safety
- HB 368** - Children, Families, and Persons with Disabilities
- HB 369** - Economic Development
- HB 395** - General Laws
- HB 405** - Downsizing State Government
- HB 408** - Professional Registration and Licensing
- HB 417** - Local Government
- HB 426** - Financial Institutions
- HB 454** - Health Care Policy
- HB 456** - Veterans
- HB 459** - Economic Development
- HB 466** - Workforce Development and Workplace Safety
- HB 474** - General Laws
- HB 475** - Retirement
- HB 476** - Transportation
- HB 477** - Elementary and Secondary Education
- HB 482** - Veterans
- HB 483** - Professional Registration and Licensing
- HB 490** - Judiciary
- HB 491** - Crime Prevention and Public Safety
- HB 492** - General Laws

- HB 497** - Judiciary
- HB 506** - Health Care Policy
- HB 514** - Professional Registration and Licensing
- HB 516** - Children, Families, and Persons with Disabilities
- HB 517** - Children, Families, and Persons with Disabilities
- HB 518** - Health Care Policy
- HB 519** - Crime Prevention and Public Safety
- HB 520** - Workforce Development and Workplace Safety
- HB 523** - Local Government
- HB 529** - Children, Families, and Persons with Disabilities
- HB 530** - Local Government
- HB 534** - General Laws
- HB 537** - Tourism and Natural Resources
- HB 538** - Judiciary
- HB 546** - Ways and Means
- HB 547** - Judiciary
- HB 548** - Economic Development
- HB 550** - Crime Prevention and Public Safety
- HB 553** - Budget
- HB 554** - Judiciary
- HB 558** - Judiciary
- HB 559** - General Laws
- HB 560** - Special Standing Committee on Corrections
- HB 562** - Elementary and Secondary Education
- HB 563** - Elementary and Secondary Education
- HB 569** - Workforce Development and Workplace Safety
- HB 572** - Children, Families, and Persons with Disabilities
- HB 573** - Higher Education
- HB 576** - Judiciary
- HB 582** - General Laws
- HB 584** - Judiciary
- HB 592** - Crime Prevention and Public Safety
- HB 605** - Elections
- HB 615** - Judiciary
- HB 618** - Tourism and Natural Resources
- HB 619** - Judiciary
- HB 624** - Crime Prevention and Public Safety
- HB 629** - Higher Education
- HB 633** - General Laws
- HB 636** - Workforce Development and Workplace Safety
- HB 644** - Judiciary
- HB 645** - Veterans
- HB 646** - Elections
- HB 647** - Crime Prevention and Public Safety
- HB 648** - Health Care Policy
- HB 657** - Ways and Means
- HB 659** - Professional Registration and Licensing

- HB 660** - Elections
- HB 661** - Elections
- HB 662** - Special Standing Committee on Corrections
- HB 663** - Insurance Policy
- HB 664** - Judiciary
- HB 665** - Local Government
- HB 666** - Judiciary
- HB 672** - Transportation
- HB 676** - Professional Registration and Licensing
- HB 677** - Workforce Development and Workplace Safety
- HB 678** - Special Standing Committee on Corrections
- HB 680** - General Laws
- HB 682** - Elections
- HB 683** - Ways and Means
- HB 684** - Transportation
- HB 686** - Elections
- HB 687** - Insurance Policy
- HB 688** - Crime Prevention and Public Safety
- HB 694** - Crime Prevention and Public Safety
- HB 704** - Tourism and Natural Resources
- HB 705** - Health Care Policy
- HB 706** - Workforce Development and Workplace Safety
- HB 728** - Crime Prevention and Public Safety
- HB 731** - Health Care Policy
- HB 752** - Judiciary
- HB 753** - Judiciary
- HB 761** - Local Government
- HB 763** - General Laws
- HB 766** - Health Insurance
- HB 767** - Economic Development
- HB 768** - Elections
- HB 769** - Elections
- HB 772** - Retirement
- HB 777** - Health Care Policy
- HB 778** - Special Standing Committee on Corrections
- HB 779** - Utilities
- HB 780** - Financial Institutions
- HB 786** - Local Government
- HB 790** - Elementary and Secondary Education
- HB 791** - Elementary and Secondary Education
- HB 792** - Health Care Policy
- HB 793** - Economic Development
- HB 798** - Local Government
- HB 807** - Special Standing Committee on Corrections
- HB 815** - Crime Prevention and Public Safety
- HB 816** - General Laws
- HB 822** - Health Care Policy

- HB 823** - Ways and Means
- HB 825** - Crime Prevention and Public Safety
- HB 826** - Health Care Policy
- HB 839** - Government Oversight and Accountability
- HB 843** - Ways and Means
- HB 845** - Judiciary
- HB 858** - Elementary and Secondary Education
- HB 864** - Ways and Means
- HB 867** - Health Care Policy
- HB 868** - Financial Institutions
- HB 870** - Transportation
- HB 873** - Higher Education
- HB 877** - Emerging Issues in Agriculture
- HB 882** - Judiciary
- HB 883** - Financial Institutions
- HB 884** - Judiciary
- HB 889** - Elementary and Secondary Education
- HB 892** - Judiciary
- HB 893** - Ways and Means
- HB 894** - Ways and Means
- HB 895** - Ways and Means
- HB 896** - Government Oversight and Accountability
- HB 898** - Ways and Means
- HB 899** - Health Insurance
- HB 900** - Government Oversight and Accountability
- HB 901** - Utilities
- HB 902** - Agriculture Policy
- HB 903** - Children, Families, and Persons with Disabilities
- HB 904** - Elementary and Secondary Education
- HB 905** - Ways and Means
- HB 906** - Government Oversight and Accountability
- HB 907** - Ways and Means
- HB 908** - Government Oversight and Accountability
- HB 910** - General Laws
- HB 916** - Special Standing Committee on Small Business
- HB 918** - Veterans
- HB 919** - Judiciary
- HB 920** - Elementary and Secondary Education
- HB 922** - Professional Registration and Licensing
- HB 933** - Elementary and Secondary Education
- HB 934** - Economic Development
- HB 935** - Financial Institutions
- HB 937** - Government Oversight and Accountability
- HB 938** - Local Government
- HB 939** - Children, Families, and Persons with Disabilities
- HB 940** - Local Government
- HB 941** - Retirement

- HB 943** - Judiciary
- HB 945** - Judiciary
- HB 946** - Special Standing Committee on Corrections
- HB 965** - Tourism and Natural Resources
- HB 971** - Agriculture Policy
- HB 972** - Higher Education
- HB 973** - Children, Families, and Persons with Disabilities
- HB 974** - Government Oversight and Accountability
- HB 976** - Crime Prevention and Public Safety
- HB 977** - Government Oversight and Accountability
- HB 978** - Ways and Means
- HB 980** - Local Government
- HB 981** - Crime Prevention and Public Safety
- HB 982** - Tourism and Natural Resources
- HB 983** - Health Insurance
- HB 984** - Utilities
- HB 989** - Local Government
- HB 993** - Judiciary
- HB 994** - Judiciary
- HB 995** - Health Care Policy
- HB 996** - Children, Families, and Persons with Disabilities
- HB 997** - Crime Prevention and Public Safety
- HB 998** - Economic Development
- HB 999** - Ways and Means
- HB 1002** - Insurance Policy
- HB 1003** - Crime Prevention and Public Safety
- HB 1004** - Professional Registration and Licensing
- HB 1005** - Crime Prevention and Public Safety
- HB 1007** - Agriculture Policy
- HB 1008** - Elementary and Secondary Education
- HB 1009** - Local Government
- HB 1010** - Elementary and Secondary Education
- HB 1012** - Government Oversight and Accountability
- HB 1013** - Ways and Means
- HB 1018** - Transportation
- HB 1019** - Special Standing Committee on Urban Issues
- HB 1020** - Workforce Development and Workplace Safety
- HB 1027** - Special Standing Committee on Corrections
- HB 1037** - Judiciary
- HB 1039** - Government Oversight and Accountability
- HB 1040** - Elementary and Secondary Education

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

- SCR 3** - Special Standing Committee on Emerging Issues in Health Care
- SCR 4** - Elementary and Secondary Education

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

- SB 142** - Judiciary
- SCS SB 164** - General Laws
- SCS SBs 176 & 192** - Transportation
- SCS SB 226** - Health Care Policy
- SCS SB 378** - Higher Education
- SCS SB 411** - Transportation
- SS SCS SB 437** - Higher Education

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 432**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 702**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 715**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 89, as amended**, and has taken up and passed **HCS SCS SB 89, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SB 282, as amended**, and has taken up and passed **HCS SS SB 282**.

The Benediction was given by Representative John McCaherty.

Father, as we stand before You this evening, there are many things as well as many people that we need to thank. Mostly we thank You for Your guidance throughout this process. There is no aspect of this job that we are able to accomplish without the help, wisdom, and guidance from You and those with whom You have surrounded us with.

We thank You for our constituents who have trusted us to make decisions on their behalf, our leadership, our colleagues, even the press that fills our galleries reminding us of the freedoms of speech we enjoy as a nation; we truly live in the greatest Nation on earth. We also cannot forget to thank You for our families who have sacrificed in order for us to come and serve here in this chamber.

There have been many issues dealt with this session, and we ask that You would guide each decision that it would serve for the good of our people, and for Your glory. As we leave this place continue to guide us, keep us safe, and allow us the time to revive, regroup, and reignite the fire within ourselves that makes us love the work we do. Father, we ask all of this in Your name.

And the House says, "Amen."

ADJOURNMENT

On motion of Representative Diehl, the House adjourned until 12:00 p.m., Wednesday, May 22, 2013.

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, WEDNESDAY, MAY 22, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by D. Adam Crumbliss, Chief Clerk

Lord Our God:

What can happen in two years? As 161 lives were lost and a town destroyed, humanity seeks You, and I ask what can happen in two years?

Humanity seeks You as our travel to the heavens through the Space Shuttle program concluded. We seek You as the Higgs-Boson is recreated for the first time by human hands. Humanity seeks You as snowstorms bring the most advanced civilizations to a standstill. We seek You as an Arab spring rises and old dictatorships give way to new fledgling governments. We seek You as humanity surpasses seven billion but our capacities are unable to end hunger or prevent the casualties of a Japanese nuclear catastrophe. Humanity seeks You as earthquakes, bombings, hurricanes and collisions cease the lives of thousands. We seek You as nations witness the transitions of democratically-elected leaders with hesitancy, both foreign and domestic. Humanity seeks You as we search for common purpose through Olympic sport, a Diamond Jubilee, and the first solar-powered transcontinental flight. Humanity seeks You as we explore new depths in our worldly home at Challenger Deep. We seek You as a 35-year old Voyager 1 reaches the end of our solar system and passes into interstellar space. We seek You as the Mayan calendar reaches its natural end all the while our planet avoids cosmically-near collision with asteroids. Humanity seeks You as the Papal leadership transitions from one to another, as Benedict gives way to Francis. We seek You as we learn new things like sequestration and Benghazi, even as the Dow Jones surpasses 15,000. Humanity seeks You as the peaceful armistice of Korea is brought to an abrupt end and weapons of destruction are exercised.

Nearly two years to the day, another small God-fearing town was ripped to shreds by the winds of change, and I humbly ask again today what can happen in two years?

Lord, You spared my family that fateful day two years ago and I answer—the miracle of Your love has happened in these two years. Lord our God, You have restored Joplin and rebuilt a community. You have reminded the masses of our capacity to love. You have brought together a new hope; and on the eagles' wings of Joplin, You have brought us closer together. Though the flight has just begun, we soar higher together because of Your grace. We have all suffered loss and in You we abide. The school of life is hard, but our hope is high.

Thank You God for what can happen in only two years. Amen.

The Pledge of Allegiance to the flag was recited.

SIGNING OF HOUSE JOINT RESOLUTIONS

All other business of the House was suspended while **CCS#2 SS HCS HJR 11 & 7** and **SCS HJR 16** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS#2 SS HCS HJR 11 & 7** and **SCS HJR 16** were delivered to the Secretary of State by the Chief Clerk of the House.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **SCS HCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, SCS HCS HB 13, SCS HCS HB 17, SCS HB 18, SS SCS HCS HB 19, SS SCS HCS HB 28, SS#2 HB 34, SS HCS HB 58, HB 68, CCS SS SCS HCS HB 117, HB 133, SS SCS HB 142, SCS HB 148, HCS HB 159, SS SCS HCS HB 175, SCS HB 196, HB 212, SCS HCS HB 233, HCS HB 235, HB 278, SCS HB 301, SCS HCS HBs 303 & 304, CCS SS SCS HB 307, SS HCS HB 315, HB 316, SCS HB 329, SS HB 331, CCS SS HB 336, HB 339, SS SCS HCS HB 345, HCS HB 349, HB 400, HCS HB 418, SS SCS HB 428, HB 432, SCS HCS HB 436, HCS HBs 446 & 211, HB 451, HB 478, SCS HB 498, HB 510, SS SCS HB 542, HCS HB 656, HB 673, HCS HB 675, HB 702, HB 715 and SCS HCS HB 722** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HCS HB 1, CCS SCS HCS HB 2, CCS SCS HCS HB 3, CCS SCS HCS HB 4, CCS SCS HCS HB 5, CCS SCS HCS HB 6, CCS SCS HCS HB 7, CCS SCS HCS HB 8, CCS SCS HCS HB 9, CCS SCS HCS HB 10, CCS SCS HCS HB 11, CCS SCS HCS HB 12, SCS HCS HB 13, SCS HCS HB 17, SCS HB 18, SS SCS HCS HB 19, SS SCS HCS HB 28, SS#2 HB 34, SS HCS HB 58, HB 68, CCS SS SCS HCS HB 117, HB 133, SS SCS HB 142, SCS HB 148, HCS HB 159, SS SCS HCS HB 175, SCS HB 196, HB 212, SCS HCS HB 233, HCS HB 235, HB 278, SCS HB 301, SCS HCS HBs 303 & 304, CCS SS SCS HB 307, SS HCS HB 315, HB 316, SCS HB 329, SS HB 331, CCS SS HB 336, HB 339, SS SCS HCS HB 345, HCS HB 349, HB 400, HCS HB 418, SS SCS HB 428, HB 432, SCS HCS HB 436, HCS HBs 446 & 211, HB 451, HB 478, SCS HB 498, HB 510, SS SCS HB 542, HCS HB 656, HB 673, HCS HB 675, HB 702, HB 715 and SCS HCS HB 722** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **CCS#2 HCS SCS SB 9, SS SB 28, SS SCS SB 29, CCS SCS SB 33, CCS HCS SS SB 34, SB 35, CCS SCS SB 36, CCS HCS SCS SB 42, SCS SB 47, SB 58, SCS SB 69, SB 72, HCS SB 73, SB 77, HCS SCS SB 89, CCS HCS SB 100, CCS SCS SB 106, HCS SB 110, HCS SS SCS SB 116, CCS HCS SCS SB 117, HCS SCS SB 118, SS SCS SB 121, SS SCS SB 125, SCS SB 126, CCS HCS SB 127, SS SCS SB 129,**

HCS SB 148, CCS HCS SCS SB 157 & SB 102, SS SCS SB 159, CCS HCS SB 161, SB 170, HCS SCS SB 186, HCS SB 188, SB 197, HCS SB 205, SB 208, SB 216, CCS SCS SB 224, HCS SCS SB 229, SB 230, SB 236, CCS SCS SB 248, SS SB 251, HCS SS SB 252, SCS SB 254, CCS HCS SCS SB 256, SB 257, SCS SB 258, SB 265, SS SB 267, HCS SS SB 282, CCS SB 327, CCS#2 HCS SB 330, CCS HCS SB 342, SS SB 357 and SCS SB 381 were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

The following members' presence was noted: Curtis, Dugger, Fitzwater, Franklin, Gosen, Grisamore, Korman, Lynch, Miller, Muntzel, Roorda, Scharnhorst, Shull, Spencer and Wood.

ADJOURNMENT

On motion of Speaker Jones, the House adjourned until 9:00 a.m., Thursday, May 30, 2013.

JOURNAL OF THE HOUSE

First Regular Session, 97th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, THURSDAY, MAY 30, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HB 103, SCS HCS HB 110, SS#2 SCS HB 116, HCS HB 128, SCS HB 152, SS HB 184, SS SCS HCS HB 215, SS HB 253, CCS HCS HBs 256, 33 & 305, SCS HB 322, SCS HCS HB 351, CCS SS SCS HCS HBs 374 & 434, HCS HBs 404 & 614, SCS HCS HB 505, SCS HB 533, SCS HCS HB 611, SS SCS HB 650, SCS HCS HB 986 and CCS#2 SCS HCS HB 1035** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HB 103, SCS HCS HB 110, SS#2 SCS HB 116, HCS HB 128, SCS HB 152, SS HB 184, SS SCS HCS HB 215, SS HB 253, CCS HCS HBs 256, 33 & 305, SCS HB 322, SCS HCS HB 351, CCS SS SCS HCS HBs 374 & 434, HCS HBs 404 & 614, SCS HCS HB 505, SCS HB 533, SCS HCS HB 611, SS SCS HB 650, SCS HCS HB 986 and CCS#2 SCS HCS HB 1035** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **CCS HCS SS#2 SCS SB 1, CCS HCS SCS SB 17, CCS HCS SB 23, CCS HCS SB 43, CCS HCS SB 51, HCS SB 75, HCS SB 99, SCS SB 240 and CCS HCS SS SB 262** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

The following members' presence was noted: Franklin, Grisamore, Hicks, McGaugh, Miller, Muntzel, Redmon, Scharnhorst, Wieland and Wood.

ADJOURNMENT

On motion of Speaker Jones, the House of Representatives, 97th General Assembly, convened in the First Regular Session on January 9, 2013, adjourned as of midnight, May 30, 2013, in accordance with the Constitution.

TIMOTHY W. JONES
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

JOURNAL OF THE HOUSE

VETO SESSION

First Regular Session, 97th GENERAL ASSEMBLY

WEDNESDAY, SEPTEMBER 11, 2013

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

You have need of patience, so that you may do the will of God and receive the promise. (Hebrews 10:36)

O God of us all, in this quiet moment of prayer we come with humble and contrite hearts acknowledging our dependence upon You and praying that with You we may live through this critical veto session with courage and with faith. Give to us an inner greatness of spirit, an interior graciousness of heart, and a deep gentleness of mind that we may be more than a match for the challenges of these hours. Make us more patient with each other and understanding, for we do not know the battles other members are fighting nor the experiences they are facing.

We also pray for the men and women defending our freedom with their lives as we recall the horrible terror of a dozen years ago. Grant unto them strength in need, help in danger, healing in body, and courage of mind and heart. May their sacrifices not be vain. With them may we unite in proclaiming the life of liberty and the fruits of freedom now and forever. May God bless and protect the United States of America.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Mott and Maxwell Reed Jones.

A moment of silence was observed in recognition of September 11, 2001.

NOMINATION OF SPEAKER PRO TEM

Representative Gannon nominated Representative Denny Hoskins as Speaker Pro Tem of the House.

Representative Riddle seconded the nomination.

Representative Diehl moved that nominations cease and that Representative Hoskins be elected by acclamation.

Which motion was adopted.

The following committee was appointed to escort Representative Hoskins to the dais: Representatives Torpey, Keeney, Hinson, Hough, Dohrman, Redmon, Cierpiot, Zerr, Guernsey, Fraker, Ellington, Webb, Pace, and Kelly (45).

OATH OF OFFICE

Representative Hoskins subscribed to the oath of office which was administered by the Honorable Mary Rhodes Russell, Chief Justice of the Supreme Court of the State of Missouri.

Speaker Pro Tem Hoskins assumed the Chair and addressed the House.

ADDRESS BY SPEAKER PRO TEM DENNY HOSKINS

I first want to say thank you to my constituents for electing to me to be here and my House colleagues for selecting me as your new Speaker Pro Tem. It is an honor to serve my fellow state representatives and the citizens of the great State of Missouri in this position.

I also want to introduce my parents, Barry and Donna Hoskins, my son Cole, and my daughter Amelia. They sacrifice time with their dad so I can be here working with all of you towards a better Missouri.

I look forward to working with every House member on both sides of the aisle, as well as Speaker Tim Jones, Majority Floor Leader John Diehl and Minority Floor Leader Jake Hummel as we try to grow Missouri jobs, while adequately funding education and social service programs. Although we lead in different ways, each of us is a leader in our Districts and for the State of Missouri. I look forward to bringing my own brand of leadership to the General Assembly.

One of my strengths as a leader is thinking outside of the box. Not too long ago, I was at a groundbreaking ceremony at the University of Central Missouri. While talking with Dean Sluder, I saw a Professor, notorious for trying to make a scene, chomping at the bit to talk to me. This Professor has had previous run-ins with several elected officials, including my friend and former Democrat State Representative Joe Aull. Dean Sluder and I finished our conversation, and the Professor quickly approached. It was like the parting of the Red Sea; everyone scattered as the Professor confronted me and started yelling. I listened intently as the Professor screamed, tried to make a scene, and get me to do something out of character. Finally, I couldn't take any more of his loud, obnoxious behavior, so I reached out to him and said, "Professor, I need a hug". I hugged him for what seemed like hours, although in reality it was only several seconds. When I let go, he didn't say a word, just turned around and walked away. Again, sometimes a good leader has to think outside of the box.

Another strength I have is standing up for my beliefs and trying to do the right thing, even when it may not be the easiest option. Some of you may be struggling with the decisions you have to make today. As we have spent the interim back in our districts, meeting constituents, we've heard their voices loud and clear—Help us find jobs! Help keep jobs here in Missouri, so we can afford to educate our children, take care of our elderly, and provide for our most vulnerable!

When companies leave Missouri and go to other states, such as the one on our western border, we lose Missouri jobs and tax dollars Missouri families pay to fund vital programs such as education and social services—where the jobs go, the tax dollars follow. Missouri can ill afford for more jobs to bleed to neighboring states. We need a plan to ensure we remain competitive with other states and not place an increasing financial tax burden on companies and individuals who loyally remain in Missouri.

As your Speaker Pro Tem, I am excited about the responsibility and trust you have placed in me to help lead the General Assembly toward common sense solutions, ensuring Missouri is on the path to job growth and prosperity.

Thank you again for the opportunity to serve you in this new leadership role.

Speaker Jones resumed the Chair.

HOUSE RESOLUTION

Representative Diehl offered **HR 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2013 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Diehl, **HR 1** was adopted.

MESSAGE FROM THE SENATE

Mr Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

June 28, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 7.018

I hereby veto \$25,000 General Revenue for the maintenance of a community improvement district in Springfield. Community improvement districts are separate, local entities formed to use a variety of local funding options to provide local infrastructure, improvements and services. The formation and operation of community improvement districts is a local issue and state funds should not be used to support such entities.

Said section is vetoed in its entirety from \$25,000 to \$0 General Revenue.
Section 7.090

I hereby veto \$80,000 Missouri Arts Council Trust Fund for the Blues in Schools Program. This appropriation attempts to bypass the well-established process that is in place to ensure accountability and fairness in selecting recipients of Missouri Arts Council grants.

For the Blues in Schools Program
From \$80,000 to \$0 Missouri Arts Council Trust Fund
From \$9,670,975 to \$9,590,975 in total from Missouri Arts Council Trust Fund
From \$12,943,461 to \$12,863,461 in total for the section.

On June 28, 2013 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 28, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** entitled:

“AN ACT”

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2013 and ending June 30, 2014; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 10.215

I hereby veto \$30,000 General Revenue Fund for Boone County Legal Fees. These funds are unable to be expended because they do not qualify under Section 56.700, RSMo.

For distribution through the Office of Administration to counties pursuant to Section 56.700, RSMo, from \$162,550 to \$132,550 General Revenue Fund.

From \$742,550 to \$712,550 in total from General Revenue Fund.
From \$742,550 to \$712,550 in total for the section.

On June 28, 2013 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 28, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19** entitled:

“AN ACT”

To appropriate money for purposes for the several departments and offices of state government; for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2013 and ending June 30, 2015.

Section 19.006

I hereby veto \$1,000,000 Fair Share Fund for the reconstruction of the Pike-Lincoln Technical Center. Section 149.015.7, RSMo, states that, “Such moneys in the fair share fund shall be transferred monthly to the state school moneys fund and distributed to the school districts in this state as provided in Section 163.031.” Section 163.031 is the state Foundation Formula.

Said section is vetoed in its entirety from \$1,000,000 to \$0 Fair Share Fund.

On June 28, 2013 I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 19** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 12, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 110** entitled:

“AN ACT”

To repeal sections 115.027, 115.607, 473.730, 473.733, and 473.737, RSMo, and to enact in lieu thereof six new sections relating to the selection of public officials.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 110**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Committee Substitute for House Bill No. 110 establishes a process to be followed when a vacancy occurs in the office of lieutenant governor. However, Senate Committee Substitute for House Committee Substitute for House Bill No. 110 designs an ill-conceived process warranting my disapproval.

The lieutenant governor is a constitutional statewide officer. He serves as president of the senate and, upon a vacancy in the office of governor, becomes governor. The lieutenant governor serves on the Board of Public Buildings, Board of Fund Commissioners, Missouri Development Finance Board, Tourism Commission, Missouri Housing Development Commission, in addition to many others. Several of these boards issue bonds, distribute tax credits and otherwise incur debt on behalf of the state.

Under Senate Committee Substitute for House Committee Substitute for House Bill No. 110, when a vacancy occurs in the office of lieutenant governor, “the governor shall, within thirty days [of the vacancy], issue a writ of election to fill the vacancy for the remainder of the term in which such vacancy occurred...” That election would occur at the next general election.

During any period when a vacancy exists in the office of lieutenant governor, Senate Committee Substitute for House Committee Substitute for House Bill No. 110 states that the “chief administrative assistant of the vacating lieutenant governor shall perform all ministerial duties during the period of such vacancy.” The term “chief administrative assistant” is not defined in the legislation nor is there any process by which that person is to be identified or formally appointed to assume those duties. Instead, under the legislation, a nebulously described staffer of the exiting lieutenant governor would, by operation of law, assume the position until the next general election. Moreover, the legislation makes no provision in the event the “chief administrative assistant” is unwilling to serve or for replacing that person should he or she fail to fulfill those duties until the next general election. A statewide official, elected by the voters, should not be succeeded – even on a temporary and perhaps limited basis – by an individual who happens to hold an undefined, unelected staff position at the time of the vacancy. This is true if the vacancy occurs under benign circumstances but is even more problematic if the vacancy arises following a criminal investigation involving the office (and perhaps the “chief administrative assistant”) or is the result of an impeachment.

It is noted that the term “chief administrative assistant” is also found in Article IV, Section 11(c) of the Missouri Constitution. That provision provides that when a state officer, other than the lieutenant governor, is acting as governor, that officer’s regular elective office is not deemed vacant and the duties of that office are to be performed by the official’s “chief administrative assistant.” The term “chief administrative assistant” is not defined in the constitution. However, in an Article IV, Section 11(c) situation, the elected official serving as acting governor continues to hold his office, can identify and designate his chief administrative assistant and provide direction to that individual in the performance of the duties. None of that control would exist with a vacancy in the office of lieutenant governor under Senate Committee Substitute for House Committee Substitute for House Bill No. 110.

It is also concerning that the term “ministerial duties” is not defined in Senate Committee Substitute for House Committee Substitute for House Bill No. 110. Thus, the limits of the power of this staff member who would be acting

as lieutenant governor, without oversight or supervision, are unknown except that, according to the legislation, the staff member may not discharge the lieutenant governor's duties as president of the senate. As a result, it is left unresolved whether the staff member – who is neither elected nor appointed – would serve as a voting member on the various boards and commissions on which the lieutenant governor serves and thus be vested with the power to authorize bonds and other debt of the state. A staff member, anointed by happenstance to handle duties of a statewide elected official, should not be so empowered.

As mentioned above, Senate Committee Substitute for House Committee Substitute for House Bill No. 110 requires the president pro tempore to perform the duties of president of the senate when the office of lieutenant governor is vacant.

As directed by Article IV, Section 10 of the Missouri Constitution, in his role as president of the senate, the lieutenant governor has the duty to “cast the deciding vote on equal division in the [state] senate.” Senate Committee Substitute for House Committee Substitute for House Bill No. 110 dubiously assumes that a constitutional duty of the lieutenant governor can be so informally transferred to the president pro tempore, but even setting aside that infirmity, the delegation made by this legislation would apparently permit the president pro tempore to vote twice when a senate vote is tied.

Senate Committee Substitute for House Committee Substitute for House Bill No. 110 will also deprive voters of an important role in the process of filling a vacancy in the office of lieutenant governor. Under the bill, the governor is mandated, within thirty days of a vacancy, to issue a writ of election and that election shall be held at the “next general election.” There is no authority for the setting or conducting of a primary election. Thus, the nominee of each party will be selected not by the voters but rather by a narrow cast of party officials. If a statewide office is to be filled by election, the voters should have a meaningful role in determining their parties' candidates. Senate Committee Substitute for House Committee Substitute for House Bill No. 110 denies voters that opportunity.

Finally, Senate Committee Substitute for House Committee Substitute for House Bill No. 110 requires that the governor issue a writ of election regardless of when the vacancy occurs during the lieutenant governor's term. This causes a particularly odd result when the vacancy happens in the last two years of the lieutenant governor's term. In that situation, the election to fill the vacancy for the remainder of the term will happen at the same election that the voters will be electing the next lieutenant governor. The winner of the election to fill the vacancy will serve approximately two months - from the date the election is certified until early January - when the next lieutenant governor, elected on the same ballot, will be inaugurated. An election to select an individual to serve in office for such a short period of time is of extremely limited purpose and having the office of lieutenant governor appear twice on the same ballot would lead to voter confusion.

Empowering an undefined staff member of the vacating lieutenant governor or crafting a process that improperly transfers constitutional duties and requires unnecessary and confusing elections is a process that cannot receive my approval.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 110** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 5, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for House Bill No. 253** entitled:

“AN ACT”

To repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1712, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 143.011, 143.021, 143.071, 143.151, 143.221, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.070, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, 238.410, 644.032, RSMo, and to enact in lieu thereof seventy-nine new sections relating to taxation, with penalty provisions, effective dates for certain sections, and an emergency clause.

I disapprove of **Senate Substitute for House Bill No. 253**. My reasons for disapproval are as follows:

Senate Substitute for House Bill No. 253 is an ill-conceived, fiscally irresponsible experiment that would inject far-reaching uncertainty into our economy, undermine our state’s fiscal health, and jeopardize basic funding for education and vital public services. At the same time, the legislation would increase taxes on prescription drugs and college textbooks, provide special treatment for some businesses while discriminating against others, and make our tax code less economically efficient and less fair. For these reasons and to protect the long-term economic prosperity of our state, Senate Substitute for House Bill No. 253 does not receive my approval.

Over the past four and a half years, we have balanced our state budget and made strategic investments in economic development. We have enacted targeted tax cuts for small businesses that create good jobs, and we are eliminating the outdated franchise tax on employers and the income tax on military pensions for our veterans. But along with these targeted tax cuts, we have maintained steady, fiscal discipline by reducing spending to ensure balanced budgets. Not only has this protected our spotless AAA credit rating, Missouri families and businesses are reaping the benefits as our economy continues to grow. Our exports over the past two years set an all-time record, and the most recent jobs report showed Missouri employers added another 12,000 jobs, while our unemployment rate dropped to 6.6 percent—the forty-fourth consecutive month it has been at or below the national average. In every corner of our state, businesses large and small are deciding to invest and expand in Missouri because of our stable, predictable business climate and our skilled, productive workforce.

Senate Substitute for House Bill No. 253 would veer Missouri irretrievably off this steady course and abandon our strong tradition of fiscal discipline. With a premise based on unproven assumptions, careless drafting, and an utter disregard for long-term consequences, Senate Substitute for House Bill No. 253 would irreparably damage vital public services, including the very educational system that provides the skilled, productive workforce employers demand.

I. Missouri Is Already a Low Tax State

Like most Missourians, I support keeping taxes low and predictable. Indeed, I am proud that, with or without Senate Substitute for House Bill No. 253, Missouri will continue to have among the lowest taxes in the nation. In a September 2011 report, the State Auditor recognized that Missouri has the seventh-lowest state taxes as a percentage of personal income. In 2012, the Federation of Tax Administrators ranked Missouri the fifth-lowest in per capita state taxes in the country, representing a lower tax burden than all of our surrounding states. Moreover, a 2012 report by Ernst & Young and the Council on State Taxation ranked Missouri’s effective business tax rate as the eighth-lowest in the country. Not only are Missouri taxes among the lowest in the nation, our low tax climate is stable and predictable. This encourages businesses to grow and invest here with certainty that their tax burden will not constantly shift on the whim of policymakers testing out the latest fad. This stability also gives businesses and consumers the confidence that they will

not see higher property taxes or sales taxes to stave off cuts to education and vital public services when risky experiments with the income tax fail to live up to their billing.

II. The Fiscal Note Dramatically Understates the Cost of the Bill

The cost of Senate Substitute for House Bill No. 253 would be far greater than that estimated by the fiscal note. Although the fiscal note for the Senate Substitute assumes a cost of between \$492 and \$692 million annually when fully-phased in—a considerable amount—the bill’s true cost would exceed \$800 million annually. The fiscal note estimate failed to account for the full cost of the business income exemption because it only considered “self-employment income” reported on the federal 1040 form even though additional business income would also be exempt. In addition, the fiscal note estimate of \$344 to \$544 million annually in new sales tax revenue from enactment of the Federal Marketplace Fairness Act (FMFA) greatly exceeds even the highest estimate of \$210 million in published studies on the issue. When taking into account the drafting errors in the FMFA provision of Senate Substitute for House Bill No. 253, discussed more fully below, Missouri could see an immediate \$1.2 billion revenue loss in a single year. Perhaps even more significant than the overall cost of this experiment is the inability to undo the downward spiral Senate Substitute for House Bill No. 253 would set in motion, which could swallow even basic funding for the priorities Missourians share.

III. The Bill Would Irreparably Harm Education and Vital Public Services

Although Missourians expect to have low and predictable taxes, they also want good jobs, quality schools, and safe and healthy communities, and they are not willing to gamble these priorities on unproven experiments. With our taxes already among the lowest in the nation, the additional reductions called for by Senate Substitute for House Bill No. 253 would leave a gaping budget hole for decades to come, requiring cuts of such magnitude that meeting even our basic obligations for K-12 education, for our colleges and universities, for public safety and for other vital services would be out of reach.

The level of reductions necessary to accommodate Senate Substitute for House Bill No. 253 would be the equivalent of closing all of our state prisons, eliminating entirely the Department of Mental Health, or cutting all funding to our colleges and universities. Senate Substitute for House Bill No. 253 would undermine the very foundation of our long-term economic growth and our strongest economic development tool—our educational system. This bill could decimate vital public services like scholarships for high school seniors to attend college, affordable child care for Missouri working families, assistance for foster parents to provide abused and neglected children a loving home, the chance for children with severe disabilities to meet their full potential, home-delivered meals and transportation to doctor’s appointments for needy seniors, and the safety of Missourians, with fewer patrolmen and more violent criminals on our streets. This is the Missouri our children would inherit if Senate Substitute for House Bill No. 253 became law and foisted upon them with full force this fiscally irresponsible folly.

IV. The Bill Would Increase Taxes on Prescription Drugs

In addition to its staggering long-term consequences, the problems with Senate Substitute for House Bill No. 253 stemming from its careless and haphazard drafting would begin wreaking havoc immediately. One need look no further for evidence than its elimination of the long-standing sales tax exemption on prescription drugs. With this provision alone, the General Assembly has voted to impose a \$200 million tax increase on Missourians in need of prescription medication—Missourians who are suffering from cancer, from heart disease, and from other life-threatening conditions. In place since 1979, but eliminated in an instant, this exemption may have gone unnoticed by some members of the legislature in their haste to get this bill to my desk, but it will surely be noticed by the sick Missourians forced to pay the bill.

V. The Bill Would Increase Taxes on Textbooks

Senate Substitute for House Bill No. 253 would also add to the tax burden of Missouri families by eliminating the state sales tax exemption for college textbooks. This would increase the cost of college for Missouri students, when other provisions of the bill would reduce revenue available to fund our colleges and universities.

VI. The Bill's Revenue Triggers Do Not Apply To Two of the Most Costly Provisions

In response to concerns about the bill's overall cost and its impact on education and vital public services, proponents of Senate Substitute for House Bill No. 253 have pointed to various revenue "triggers" that must occur before tax reductions in the bill can take effect. Proponents claim that these triggers would protect against shortfalls because revenue collections would have to grow by more than \$100 million before taxes are cut. In other words, if state revenues do not grow enough, then no additional taxes are cut. This is simply not true. Two of the most expensive provisions in the bill—the tax reduction tied to enactment of the Federal Marketplace Fairness Act (FMFA) and the business income exemption—are not tied to any revenue trigger whatsoever and will begin reducing revenues regardless of whether revenue collections are going up or going down.

a. The Business Income Exemption Would Take Effect During Fiscal Year 2014

Senate Substitute for House Bill No. 253's exemption for pass-through entity business income is not subject to any trigger whatsoever and therefore would begin impacting education and vital public services in the fiscal year that will begin July 1, 2013. This provision alone would cost \$230 million annually by the fifth year and will occur regardless of whether revenue collections are going up or going down.

b. The FMFA Provision is Not Tied to Any Revenue and Applies Retroactively

Extremely troubling is Senate Substitute for House Bill No. 253's provision that would reduce the maximum income tax rate by .5% immediately upon enactment of the Federal Marketplace Fairness Act (FMFA). This immediate drop in the tax rate would force an estimated \$300 million cut to education and vital public services, regardless of whether revenues are otherwise increasing or decreasing, since this trigger has no tie to revenue collections whatsoever. While proponents of Senate Substitute for House Bill No. 253 estimate that the FMFA might ultimately generate additional sales tax revenue, any additional revenue from the FMFA would not occur simply upon federal passage of the FMFA; instead, Missouri would also have to meet all of the requirements of the FMFA, which could not occur until 2015 at the earliest, if at all. This means that while there would be an immediate loss of an estimated \$300 million annually upon enactment of the FMFA, any additional revenue to offset this decline could be years away.

Even more troubling are the drafting problems in this provision that allow the reduction in tax rates to apply retroactively to prior tax years. Specifically, the change in Section 143.011.2, RSMo, would require a .5% reduction to the maximum tax rate upon enactment of the FMFA for all tax tables in Section 143.011.1, RSMo. Intentional or not, the effect of this change to all tax tables in Section 143.011.1, RSMo, could enable taxpayers to seek refunds of taxes previously paid for up to three prior tax years (due to the three year statute of limitations for filing amended returns). All told, this could obligate the state to pay out tax refunds of approximately \$300 million per year for taxes paid during the last three tax years—for an additional fiscal impact of \$900 million—all coming in the same year as the immediate approximately \$300 million loss described above.

With both of the above issues, this single provision of Senate Substitute for House Bill No. 253, could reduce funding for education and vital public services by as much as \$1.2 billion in Fiscal Year 2014 if the FMFA were to pass this year. This significant additional cost is not reflected in the bill's fiscal note.

VII. The So-Called Revenue "Triggers" Provide Only A False Sense of Security

Even for provisions of the bill where revenue triggers would apply, they provide little protection from cuts to education and vital public services.

a. The Triggers Fail to Prevent Cuts During an Economic Downturn

The revenue triggers are drafted to allow for permanent changes in the tax code based on a prior year's increase in revenue collections. This is fiscally irresponsible because it could result in a reduction in tax rates even during the depths of an economic recession. For example, if Senate Substitute for House Bill No. 253 had been in effect at the time, the more than \$100 million revenue collection increase in Fiscal Year 2008 would have triggered tax rate reductions in Fiscal

Year 2009. This would have meant that tax rates would have been reduced despite the fact that there was a \$553 million reduction in revenue in Fiscal Year 2009 due to the economic recession. Had Senate Substitute for House Bill No. 253 been in effect, steep cuts to education and vital public services could not have been avoided, as the tax reductions would have continued blindly with no way to turn off the experiment once it had begun.

b. The Triggers Ignore Tax Refunds

The revenue triggers are drafted based on overall revenue “collections” and therefore fail to factor in tax refunds. This will further reduce available revenue because a significant amount of tax refunds would reduce any increase in collection to the point that very little new revenue would remain to offset the fiscal impact of the tax reduction triggered. Looking at actual historical collection data, there are a number of years where revenue *collections* may have increased by \$100 million, but the *actual revenue* available after refunds did not. For example, in Fiscal Year 2000, revenue collections increased by \$221 million, but, after refunds, actual revenues were up by only \$6 million. Nevertheless, if Senate Substitute for House Bill No. 253 were in effect at that time, tax reductions would have occurred despite the fact that the cost of the reductions would far exceed actual revenue available.

VIII. The Bill Rewards Economically Inefficient Activity

The business income exemption within Senate Substitute for House Bill No. 253 is fraught with problems that will reward tax avoidance activities even if they are economically inefficient.

First, the critical term “business income” is not adequately defined, which, in addition to enabling the cost of this exemption to be underrepresented in the bill’s fiscal note, would provide a strong incentive for creative accounting to game this new exemption by classifying as much income as possible as exempt, even to the point of forming a “business” simply to gain the new tax exemption. This rewards tax avoidance activity without concomitant economic activity and thereby makes our tax code less efficient.

Second, the exemption provides preferential treatment to select Missouri businesses, while discriminating against the majority of others based solely on the paperwork the businesses filed to organize. Businesses organized as “pass-through entities”—e.g. certain LLCs, partnerships—would see half their income exempt within five years, while the majority of business would see just a few tenths of a percent shaved off their tax rate over the next decade. Preferential tax treatment for selected businesses would create a perverse incentive for businesses to restructure solely for tax avoidance and not for economic efficiency. This kind of manipulation through the tax code unduly interferes with the free market by incentivizing economically inefficient behavior. There is simply no principled economic justification for the tax code to pick winners and losers based solely on elevating the form of a business’s organizational structure over its economic substance.

IX. The Bill Would Create Uncertainty For Existing Investments

Not only would the business income exemption lead to economically inefficient activity, the other reductions in Senate Substitute for House Bill No. 253 could undermine business confidence in investments that have relied on previously-authorized state incentives based on retained withholding tax. Reduced withholdings for employees as a result of a lowered personal income tax would lessen the value of such incentives and impact debt service on financing long-ago secured. Injecting this uncertainty into our economy at a time when our stable, predictable business climate and rock-solid fiscal discipline are paying dividends would undermine confidence in the investments businesses have already made and jeopardize our ability to effectively compete for additional investments in the future.

X. The Bill Would Make Our Tax Code Less Fair

Ultimately, one of the most striking aspects of Senate Substitute for House Bill No. 253 is its lack of fundamental fairness. No legislation that gives two individual taxpayers with identical incomes—one who owns a business and one who works at one—such drastically different tax exemptions can be called fair. No legislation that would gut K-12 education in exchange for letting LLC shareholders call half of their income exempt can be called fair. No legislation that would give the lobbyists who helped write the bill a 50% tax cut, while shaving just .5% off his mechanic’s tax rate over the next decade can be called fair.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for House Bill No. 253** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 1, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 278** entitled:

“AN ACT”

To amend chapter 9, RSMo, by adding thereto one new section relating to federal holidays.

I disapprove of **House Bill No. 278**. My reasons for disapproval are as follows:

House Bill No. 278 would prohibit governmental entities from regulating activities relating to “federal holidays.” The legislation would cover a wide scope of activities falling within the undefined terms of “practice” and “celebration.” House Bill No. 278 constitutes a direct assault on local government authority and curtails the flexibility that cities and counties need to address pressing public health and safety concerns. Indeed, House Bill No. 278 does not contain a public safety exception. As a result, local governments would be hampered in their efforts to enforce existing fireworks ordinances around July 4th. More troubling, House Bill No. 278 would greatly frustrate a ban on fireworks imposed during a period of severe fire risk. During 2012, as much of Missouri experienced drought conditions and large fires put Missourians and their property in peril, many jurisdictions prudently passed fireworks bans. If House Bill No. 278 were to become law, individuals would be permitted to circumvent such bans by simply claiming the fireworks were being used to celebrate July 4th or other federal holiday. Restricting local control in such a manner is harmful to public safety and cannot receive my approval.

The problems with House Bill No. 278 go beyond issues related to public safety. Indeed, under the broad language of the bill, public sector employees at the state and local level could demand leave from work in order to celebrate any federal holiday. This could cause staffing shortages for essential governmental functions including twenty-four hour institutions such as veterans homes, mental health facilities and county jails.

It also deserves noting that House Bill No. 278 is not limited to federal holidays celebrated in Missouri. For instance, in addition to the annual federal holidays, 5 U.S.C. 6103 also establishes January 20th in years when a president is inaugurated as a federal holiday in the District of Columbia and certain parts of Maryland and Virginia. Although presumably beyond its intent, the fact that House Bill No. 278 would grant sanctuary from reasonable restrictions to an individual celebrating an event occurring more than 800 miles from Missouri confirms the challenges created by this legislation.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 278** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 301** entitled:

“AN ACT”

To repeal sections 43.650, 160.261, 167.115, 167.171, 168.071, 188.023, 211.071, 211.447, 217.010, 339.100, 556.036, 556.037, 556.061, 558.018, 558.026, 559.115, 559.117, 566.020, 566.030, 566.031, 566.040, 566.060, 566.061, 566.070, 566.090, 566.093, 566.095, 566.100, 566.101, 566.224, 566.226, 589.015, 589.400, 589.402, 590.700, 632.480, 632.498 and 632.505, RSMo, and to enact in lieu thereof thirty-seven new sections relating to sex offenders, with penalty provisions for certain sections and with an emergency clause for certain sections.

I disapprove of **Senate Committee Substitute for House Bill No. 301**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Bill No. 301 contains several worthwhile provisions that have been approved as part of other legislation, but it also includes broadly crafted provisions that would reduce public safety and fail to protect the rights of victims, and therefore must be met with my objection.

Senate Committee Substitute for House Bill No. 301 would prevent any individual who committed a sex offense as a juvenile (under 18) from being placed on either the state or county sexual offender notification website, and would further require the immediate removal of the estimated 560 such sex offenders who are currently on the state and county sexual offender websites.

This language is considerably overbroad because it would grant this relief to juvenile sex offenders regardless of the sexual offense for which they were convicted, to include forcible rape, forcible sodomy, and child molestation. Moreover, the bill would deprive victims of sex offenses the opportunity to be heard before an offender is removed from the very websites that are designed to protect victims and other members of the public.

The bill would also allow this class of offenders, after five years from the later of when the offender was found guilty or the end of sentence, to petition a court for removal from the state sexual offender registry. The court would be required to grant the petition unless such person has been adjudicated of, or has charges pending for, failure to register or any additional offense which would require registration. This petition process eliminates judicial discretion and precludes a court from considering factors that could help inform whether those eligible for removal under this bill could be removed without jeopardizing public safety, such as whether the individual successfully completed any court required treatment. In addition, and similar to the process for removing juvenile sex offenders from the public notification websites, victims would not have an opportunity to object.

Senate Committee Substitute for House Bill No. 301 does not strike the appropriate balance between providing this relief to a limited class of juvenile sex offenders and the need to ensure public safety. Instead, the bill would reverse the significant steps that Missouri has taken to protect the rights of victims and would undermine the important public safety functions provided by the sexual offender registry and public notification websites, and for these reasons Senate Committee Substitute for House Bill No. 301 receives my disapproval.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 301** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 329** entitled:

“AN ACT”

To repeal sections 208.010, 361.160, 408.140, 408.590, 408.592, 408.600, and 513.430, RSMo, and to enact in lieu thereof six new sections relating to financial institutions.

I disapprove of **Senate Committee Substitute for House Bill No. 329**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Bill No. 329 would increase the fees that payday, title and consumer installment lenders can charge consumers. Current law limits origination fees to 5% of the principal up to \$75, but this bill would increase the fee to 10% of the principal up to \$75. This fee increase would most impact those consumers, often of limited means, seeking to take out short-term loans of under \$1,500. Because the fee could be charged each time the loan is rewritten, the increased cost to consumers could be substantial. Missourians need payday loan reform, not the expansion and higher fees provided in Senate Committee Substitute for House Bill No. 329, which will do nothing to help consumers trapped in a spiral of debt.

In addition, Senate Committee Substitute for House Bill No. 329 would authorize funds to be placed in a “personal funeral trust account” at a financial institution to be held in trust and used for funeral services. The bill specifies that no contract with any cemetery, funeral establishment or any provider or seller shall be required when a personal funeral trust account is established. This differs from the highly specific preneed funeral contract requirements established in Chapter 436 by House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 1 (2009), which was enacted as a result of the work by the legislature’s Interim Committee for Pre-Need Funeral Service Plans. This interim committee was formed in the wake of the 2008 collapse of Missouri’s largest preneed funeral plan seller, National Prearranged Services, Inc. (NPS), to develop policy recommendations to protect consumers from abuses like those perpetrated by NPS. Senate Committee Substitute for House Bill No. 329 could enable funeral licensees to enter into non-contractual preneed financial arrangements that would not be required to comply with Chapter 436, thereby creating a loophole in the strong consumer protections enacted in the wake of the NPS collapse. At the very least, this provision could create confusion among the public and funeral licensees as to whether or not a preneed funeral contract is required when a funeral licensee is named as the beneficiary of a personal funeral trust account.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Bill No. 329** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 3, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 339** entitled:

“AN ACT”

To amend chapter 303, RSMo, by adding thereto one new section relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law.

I disapprove of **House Bill No. 339**. My reasons for disapproval are as follows:

House Bill No. 339 would prohibit an “uninsured motorist” from having a cause of action or “otherwise collect[ing] for noneconomic loss” arising out of a motor vehicle accident if the uninsured motorist attempts to recover damages from a motorist who is in compliance with motor vehicle financial responsibility requirements. House Bill No. 339 cannot receive my approval because it is riddled with ambiguity that will generate excessive litigation over how and to whom its provisions would apply.

Significantly, House Bill No. 339 does not adequately define the term “uninsured motorist,” which is the very crux of the bill. An “uninsured motorist” is defined as “[a]n uninsured driver who is the owner of the vehicle; [a]n uninsured permissive driver of the vehicle; and [a]ny uninsured nonpermissive driver,” yet there is no definition of “uninsured.” Given the magnitude of barring an individual’s access to the courts, it is unacceptable to leave this key term open to interpretation.

The above ambiguity is exacerbated by the uncertainty as to whether House Bill No. 339 would bar an uninsured motorist from a cause of action in its entirety or simply from recovering a category of damages. Under Section 303.390.1 of the bill, an “uninsured motorist shall waive the ability to have a cause of action or otherwise collect for noneconomic loss,” which presumably contemplates that in some instances the motorist would be barred from bringing a cause of action altogether. Yet, Section 303.390.4 of the bill states that “[n]othing in this section shall be construed to preclude recovery against an alleged tort-feasor of benefits provided or economic loss coverage.” In addition, Section 303.390.3 of the bill provides for a reduction in damages equal to the portion of an award representing compensation for noneconomic losses. Read in conjunction, Sections 1, 3 and 4 of the proposed Section 303.390 presumably contemplate an action solely for “economic loss,” but that is far from clear.

It is also unclear as to how the exceptions to the waiver under Section 303.390.1 of House Bill No. 339 would work procedurally. Section 303.390.1 of the bill provides that the waiver does not apply “if it can be proven [sic]” that the other motorist was under the influence of drugs or alcohol, was convicted of involuntary manslaughter or assault in the second degree, and caused the accident in whole or in part. The foregoing are questions of fact, but the bill does not specify who is to be the finder of these facts. Although factual determinations are typically reserved to juries, under Section 303.390.3(2) of the bill, the trier of fact is prohibited from being informed of “such waiver.” If waiver is a legal determination, then that would be the province of the judge, yet that is not addressed in the bill.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 339** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 5, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 436** entitled:

“AN ACT”

To repeal sections 21.750, 571.030, 571.101, 571.107, 571.117, and 590.010, RSMo, and to enact in lieu thereof fourteen new sections relating to firearms, with a penalty provision.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 436**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Committee Substitute for House Bill No. 436 violates the Supremacy Clause of the United States Constitution as well as an individual's free exercise of speech protected by both the federal and state constitutions.

I. Violates the Supremacy Clause of the United States Constitution

Senate Committee Substitute for House Committee Substitute for House Bill No. 436 violates the Constitution of the United States, Article VI, Clause 2, commonly referred to as the Supremacy Clause. A conflicts-of-law provision, the Supremacy Clause was designed to provide a mechanism to enforce federal acts and to resolve discord between state and federal laws that touch upon the same subject, giving precedence to the laws of the nation over those of the respective states.

At the time of the Constitutional Convention, the framers proposed a number of ideas to resolve conflict between state and federal law, including the Virginia Plan where Congress would have been given the direct power to "negative" or veto state laws. Ultimately, however, the Supremacy Clause was adopted – an idea derived from Alexander Hamilton's Federalist Paper No. 33 and James Madison's Federalist Paper No. 44, but proposed for inclusion in the Constitution by Anti-Federalist Luther Martin. It states:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Supremacy Clause becomes relevant when a state law conflicts with a federal statute, or when it is impossible to comply with both state and federal law, or, as in the particular case of Senate Committee Substitute for House Committee Substitute for House Bill No. 436, when a state law "stands as an obstacle to the accomplishment and execution of the full purposes and objectives of Congress." *Hines v. Davidowitz*, 312 U.S. 52 (1941), see also *Crosby v. National Foreign Trade Council*, 530 U.S. 363 (2000). By seeking to declare certain federal acts null and void, Senate Committee Substitute for House Committee Substitute for House Bill No. 436 seeks to turn the hierarchy of our national framework of laws on its head in clear violation of Article VI of the U.S. Constitution.

In addition, Senate Committee Substitute for House Committee Substitute for House Bill No. 436 would deprive a federal agent of his or her authority to enforce certain federal acts within the state; indeed it would make such conduct a crime. The lineage of cases prohibiting this type of legislation dates back to 1819, when Chief Justice John Marshall, writing for a unanimous U.S. Supreme Court in *McCulloch v. Maryland*, solidified the principle that the Supremacy Clause prevents states from regulating, interfering with, or controlling federal instrumentalities. 17 U.S. 316 (4 Wheat.). Decades later, in *Tennessee v. Davis*, the Court reiterated this position: "No state government can exclude [a federal agency] from the exercise of any authority conferred upon it by the Constitution" (100 U.S. 257 (1879)). And, in 1890, the Court ruled that a state does not have criminal jurisdiction over a federal agent who commits an act in the performance of his official functions. *In re Neagle*, 135 U.S. 1.

Notwithstanding *McCulloch* and its progeny, states have, from time to time, attempted to resurrect the pre-Civil War concept of nullification, an argument that individual states, either through legislation or state court ruling, can decide for themselves if a federal law is constitutional, all in an effort to distance a state from the reach of Congress. Counted among such efforts is now Senate Committee Substitute for House Committee Substitute for House Bill No. 436, which seeks to not only prevent federal agents from performing their sworn duties within Missouri, but to exempt Missouri from a number of named and unnamed federal acts.

Of course, an individual state is not empowered to determine which federal laws it will comply with, nor is it empowered to declare a federal act to be unconstitutional. Under Article III of the U.S. Constitution, the authority to declare a federal act unconstitutional is within the sole province of the federal courts. See *Cohens v. Virginia*, 19 U.S. 264 (1821);

see also *Cooper v. Aaron*, 358 U.S. 1 (1958). Notably, the federal acts targeted in the bill for nullification have not been deemed unconstitutional by a federal court.

The doctrine of supremacy is as logically sound as it is legally well-established. Consider how our nation's efforts during the Second World War might have been frustrated if, following the passage of the Burke-Wadsworth Act, individual states could have exempted their citizens from selective service, or how one state's economic prosperity might have been diminished if one or more contiguous states opted out of the Federal Highways Act of 1956, thereby making it more difficult to bring goods and services to market.

Still, nullification advocates often reference the Kentucky and Virginia Resolutions of 1798 and 1799, in which Thomas Jefferson and James Madison asserted a state's right to nullify the Alien and Sedition Acts (though the respective states chose not to assert that right). Jefferson and Madison argued that states must have the final word because the Constitution had not expressly established an ultimate authority on constitutional matters. However, a few years later in *Marbury v. Madison*, the Supreme Court unanimously held that: "It is emphatically the province and duty of the judicial department to say what the law is." 5 U.S. 137 (1803).

Nonetheless, from the 1820s throughout the 2000s, nullification attempts periodically surfaced, but consistently failed. Shortly after *McCulloch*, the Ohio legislature passed a resolution rejecting Chief Justice Marshall's ruling and then legislatively imposed a tax on the federal bank. In response, the U.S. Supreme Court, in *Osborn v. Bank of the United States*, held that Ohio's tax was "repugnant to a law of the United States . . . and therefore void." 22 U.S. (9 Wheat.) 738 (1824).

More than a century later in *Cooper v. Aaron*, the Supreme Court, relying on the Supremacy Clause, rejected attempts by the state of Arkansas to ignore its direction to desegregate schools in *Brown v. Board of Education*, stating that nullification was not "a constitutional doctrine . . . [but] illegal defiance of constitutional authority." 358 U.S. 1 (1958). At the time of the *Brown* decision, the Missouri Constitution of 1945 contained a provision that required separate schools based on race (Art. IX, Sec. 1). However, Missouri properly recognized the legal authority of the United States Supreme Court and, soon after *Brown*, Attorney General John M. Dalton declared that the State Constitution and any statutes requiring segregation were "superseded by the decision of the Supreme Court of the United States and are, therefore, unenforceable" Daugherty, B.J. & Bolton, C.C. With all deliberate speed: Implementing *Brown v. Board of Education*, 179. University of Arkansas Press, 2008. Also, the state board of education adopted a resolution stating its intent to implement *Brown*, and Governor Phil M. Donnelly joined by stating that Missouri would follow *Brown*'s requirements.

Even recently, efforts to nullify federal law have continued without success. The Supreme Court of Montana, swayed by the unique character of its state, mimicked Ohio's defiance of *McCulloch* in upholding a state law that limited political contributions by corporations, despite the U.S. Supreme Court's ruling to the contrary in *Citizens United v. Federal Election Commission*. 558 U.S. 310 (2010). The U.S. Supreme Court, confronted with the question of whether *Citizens United* applied to state law, unequivocally affirmed the long-standing supremacy doctrine by stating: "There can be no serious doubt that it does." *American Trade Partnership, Inc. v. Bullock*, 132 S.Ct. 2490 (2012).

II. Violates the Free Exercise of Speech Protected by the State and Federal Constitutions

Senate Committee Substitute for House Committee Substitute for House Bill No. 436 would also infringe upon an individual's freedom of speech protected by the federal and state Constitutions by making it a crime to publish the name or other information of someone who owns a firearm.

There is no shortage of unacceptable scenarios that could result from this provision. As one example, newspapers around the state annually publish photos of proud young Missourians who harvest their first turkey or deer. Under this bill, doing so would be a crime. Also, and somewhat ironically, a reporter who prints a photo of a local rally being held in support of gun rights could face up to a year in jail or a thousand dollar fine, or both.

In addition, a reporter would be precluded from writing or tweeting the name of a burglary victim who had his or her firearm stolen, or even from doing a story on a candidate in an upcoming General Assembly election if that candidate

owns a firearm. Presumably, a reporter could not even attach her name to any story if she is herself a gun owner. Moreover, there is nothing in the bill's broad prohibitive language that would prevent criminal charges if a firearm owner is mentioned in court records or police reports, or even by a private citizen on a social networking site. Such a list of examples is conceivably endless. That said, and putting aside the perplexing paradox of seeking to protect one constitutional right by so significantly diminishing another, curtailing speech in such a manner clearly violates the free exercise of speech protected by the state and federal constitutions.

Conclusion

In light of Article VI, Clause 2, of the U.S. Constitution, the guarantee of an individual's freedom of speech contained in both the federal and state Constitutions, as well as the vast and enduring case law affirming the supremacy doctrine and invalidating the concept of nullification, it can safely be determined that Senate Committee Substitute for House Committee Substitute for House Bill No. 436 is, in multiple respects, constitutionally impermissible.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 436** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 611** entitled:

“AN ACT”

To repeal sections 285.300, 288.030, 288.040, 288.050, 288.100, and 288.380, RSMo, and to enact in lieu thereof six new sections relating to employment, with penalty provisions.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 611**. My reasons for disapproval are as follows:

This bill greatly expands the types of “misconduct” that can serve to disqualify terminated employees from receiving unemployment benefits. It is important to note that this is not a bill that changes whether or not employees may be terminated. Missouri employers can terminate employees for any reason (as long as it is not a legally impermissible reason such as race or gender). This bill does not in any way affect employers’ ability to do so.

Under current law, individuals may be denied unemployment benefits if they engaged in “misconduct” as defined in section 288.030.1(23) RSMo. The bill would expand the definition of misconduct to include activities occurring outside the workplace and outside of work hours. This bill would also broaden the definition of misconduct to include, among other things, “violation of an employer’s no-call, no-show policy” and “violation of an employer’s rule.”

The bill goes too far when it denies unemployment benefits in these circumstances. What employees do on their own time should not be used as a basis for denying unemployment benefits, except in the narrow circumstances already set forth in law. And employers should not be encouraged to adopt unreasonable rules to use as a basis for denying unemployment benefits.

Under the bill, the following situations would result in denial of unemployment benefits:

- An employer has a rule that all employees dress appropriately, both during work hours and during non-work hours. The office manager, while conducting the routine patrol of employees' social media presence that would be encouraged and rewarded by this bill, finds a picture of a female employee participating in a charity dance contest. He deems the costume she is wearing inappropriate and fires her. Under the bill, she would also be denied unemployment benefits.
- An employer requires employees to play on, or show up and cheer for, the company softball team every Wednesday evening after work. An employee who is a single mother of three needs to be home to take care of her children, so she does not to participate and is fired. Under the bill, she would also be denied unemployment benefits.
- An employer has a rule that salespeople should conduct themselves professionally at all times. A salesperson is overheard at his child's soccer game saying negative things about his boss. He does not identify his boss by name, but the person overhearing the comment knows where he works and who he reports to. When word gets back to the boss, he fires the employee for "unprofessional behavior." Under the bill, he would also be denied unemployment benefits.
- A mother has to rush her daughter to the emergency room but in the rush forgets to call her employer. She therefore violates the employer's "no-call, no show" policy and is fired. Under the bill, she would also be denied unemployment benefits.

In all of these instances, Missouri law already allows the employer to terminate the employee. However, this legislation goes a step further, also disqualifying the employees from receiving unemployment benefits while they look for other jobs.

The bill also creates nonconformity with federal law that could cost Missouri employers hundreds of millions of dollars. The unemployment benefits program is a federal program administered by states, subject to federal laws. By denying unemployment benefits for conduct occurring outside the workplace, Senate Committee Substitute for House Committee Substitute for House Bill No. 611 would place Missouri's unemployment laws at odds with federal law,¹ potentially jeopardizing the Federal Unemployment Tax Act (FUTA) credits Missouri employers receive, costing them an estimated \$859 million per year.

Unemployment benefits provide modest, temporary, but important assistance to individuals who become unemployed through no fault of their own. Not every Missourian is entitled to receive these benefits upon separation from work; in 2012, only 38 percent of Missourians who applied for unemployment actually received benefits. While not affecting an employer's ability to fire an employee, this bill would improperly deny Missourians unemployment benefits.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 611** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

¹ Under the Federal Unemployment Tax Act, "[c]ompensation shall not be denied to any individual ... for any cause other than discharge for misconduct connected with his work." 26 U.S.C. 3304(a)(10).

July 12, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 650** entitled:

“AN ACT”

To repeal sections 43.543, 60.185, 60.195, 60.301, 60.321, 60.451, 60.510, 60.530, 60.540, 60.550, 60.560, 60.570, 60.580, 60.590, 60.595, 60.600, 60.610, 60.620, 60.653, 60.670, 236.410, 253.090, 253.180, 253.185, 256.117, 258.010, 258.020, 258.030, 258.060, 258.070, 258.080, 260.200, 260.205, 260.235, 260.249, 260.262, 260.365, 260.379, 260.380, 260.390, 260.395, 260.434, 260.475, 261.023, 444.772, 621.250, 640.010, 640.012, 640.017, 640.075, 640.715, 640.725, 643.079, 644.051, 644.052, and 644.054, RSMo, and to enact in lieu thereof sixty-three new sections relating to the department of natural resources, with penalty provisions and an emergency clause for certain sections.

I disapprove of **Senate Substitute for Senate Committee Substitute for House Bill No. 650**. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for House Bill No. 650 contains a host of provisions that have been approved as part of other legislation, with the exception of the proposed Section 640.236, RSMo, which would exempt a select class of entities from punitive damages in certain instances and limit such damages in all other instances.

Current law establishes limitations on punitive damages at the greater of five hundred thousand dollars or five times the net amount of the judgment awarded against any one defendant (Sec. 510.265, RSMo). Senate Substitute for Senate Committee Substitute for House Bill No. 650, however, would exempt any civil action related to “underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975” from the existing limits on punitive damages. In these cases, defendants would not be subject to any punitive damages if they can show any evidence that they “have made or are making good faith efforts to remediate such sites.” If the defendant is unable to make such a showing, the amount of punitive damages that may be awarded would still be significantly reduced from what is currently available under existing Missouri law.

This effort to reduce the existing scope of damages is particularly egregious because Senate Substitute for Senate Committee Substitute for House Bill No. 650 seeks to apply the reduction retrospectively, not only against injuries that have already been sustained, but against actions that have already been filed. And it would do so after a judgment for damages has already been ordered against an entity that would be protected by this legislation, and on facts similar to those alleged in various other pending actions. If this provision became law, it could result in considerable inequities among individuals who may have been harmed by the same defendants under similar circumstances simply because certain parties were not as fast to the courthouse. Contrary to the damage limits imposed by this provision, citizens should have fair and unfettered access to the courts; they should be able to consult with counsel and be advised of the full scope of available remedies prior to commencing an action without having the proverbial goal posts moved after the fact.

Retrospectively attempting to decrease the liability exposure for a few select entities is not only inappropriate, it is legally impermissible. The State Constitution, Article I, Section 13, provides that “no . . . law . . . retrospective in its operation . . . can be enacted.” A law is retrospective in operation if it takes away or impairs vested or substantial rights acquired under existing laws or imposes new obligations, duties, or disabilities with respect to past transactions.” *Hess v. Chase Manhattan Bank*, 220 S.W.3d 758, 769 (Mo. banc 2007). In addition to this legal infirmity, enabling companies to legislate around liability would set a dangerous precedent.

In addition to these objections, the “fixed class” of beneficiaries created by Senate Substitute for Senate Committee Substitute for House Bill No. 650 would result in a special law prohibited by Article III, Section 40(30) of the Missouri Constitution, because a general law could be made applicable. Missouri courts have long recognized that a general law relates to “persons or things as a class,” whereas “a statute which relates to particular persons or things of a class is

special.” *Reals v. Courson*, 349 Mo. 1193 (1942); see also *City of Springfield v. Sprint Spectrum, L.P.*, 203 S.W.3d 177 (2006). Senate Substitute for Senate Committee Substitute for House Bill No. 650 would not benefit all defendants, or all defendants engaged in mining, or even a particular type of mining, but rather only those defendants that dealt in underground hard rock mining or hard rock milling sites that ceased operations prior to January 1, 1975. Because so few entities exist within these parameters, it can only be said that the limitation on punitive damages contained in Senate Substitute for Senate Committee Substitute for House Bill No. 650 would violate the constitutional prohibition against the enactment of special laws.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for Senate Committee Substitute for House Bill No. 650** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 12, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035** entitled:

“AN ACT”

To repeal sections 33.080, 67.457, 67.463, 67.469, 71.011, 99.845, 137.073, 137.090, 137.095, 137.115, 137.720, 138.431, 238.272, 360.045, and 374.150, RSMo, and to enact in lieu thereof seventeen new sections relating to political subdivisions, with an emergency clause for certain sections and an existing penalty provision.

I disapprove of **Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035**. My reasons for disapproval are as follows:

Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035 contains a number of worthwhile provisions, many of which have become law with my action on other pieces of legislation. However, Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035 cannot receive my approval because it would deprive voters of their right to be heard before their property is annexed into a city.

Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035 would authorize a city to annex an area by simply adopting an ordinance to do so, without an election by the people being annexed or a declaratory judgment from a court. Because this provision was not in any introduced bill and received no public hearing, individuals living in areas that could be annexed through this new procedure were given no opportunity to weigh in during the legislative process, just as they would have no opportunity to be heard during the annexation process if Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035 were to become law.

In accordance with the above stated reasons for disapproval, I am returning **Conference Committee Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1035** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

HOUSE BILLS VETOED FROM THE FIRST REGULAR SESSION

The Speaker read the following House Bills vetoed from the First Regular Session: **CCS SCS HCS HB 7, CCS SCS HCS HB 10** and **SS SCS HCS HB 19**.

SS SCS HCS HB 19, relating to appropriations, was taken up by Representative Kelly (45).

Representative Kelly (45) moved that **Section 19.006** of **SS SCS HCS HB 19** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 112

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Kelly 45
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Torpey	Walker	Webber
White	Wieland	Wilson	Wood	Wright
Zerr	Mr Speaker			

NOES: 047

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Englund	Fowler	Frame	Gardner	Harris
Hodges	Hummel	Kirkton	Kratky	LaFaver
Marshall	May	Mayfield	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schupp	Smith	Swearingen
Walton Gray	Webb			

PRESENT: 001

English

ABSENT WITH
LEAVE: 002

Ellington Newman

VACANCIES: 001

The Speaker read the following House Bills vetoed from the First Regular Session: **SCS HCS HB 110** and **SS HB 253**.

SS HB 253, relating to taxation, was taken up by Representative Berry.

Representative Berry moved that **SS HB 253** be passed, the objections of the Governor thereto notwithstanding.

Speaker Pro Tem Hoskins resumed the Chair.

Speaker Jones resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45

Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Berry again moved that **SS HB 253** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 094

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Fitzpatrick
Flanigan	Franklin	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Miller	Molendorp	Moon	Muntzel
Neely	Neth	Parkinson	Pike	Pogue
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Torpey	White
Wieland	Wilson	Zerr	Mr Speaker	

NOES: 067

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Entlicher	Fitzwater
Fowler	Fraker	Frame	Gannon	Gardner
Hampton	Harris	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Messenger	Mims	Mitten
Montecillo	Morgan	Morris	Nichols	Norr
Otto	Pace	Peters	Pfautsch	Phillips
Pierson	Redmon	Rizzo	Roorda	Rowland
Runions	Schieffer	Schupp	Smith	Swearingen
Thomson	Walker	Walton Gray	Webb	Webber
Wood	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following House Bill vetoed from the First Regular Session:
HB 278.

HB 278, relating to federal holidays, was taken up by Representative Brattin.

Representative Brattin moved that **HB 278** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 114

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown
Burlison	Cierpiot	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Elmer	Engler
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Frame	Franklin	Frederick	Funderburk
Gannon	Gatschenberger	Gosen	Grisamore	Guernsey
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Roorda	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Schieffer	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 045

Anders	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellinger	English
Englund	Gardner	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace
Peters	Rizzo	Runions	Schupp	Smith
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH
LEAVE: 003

Ellington Newman Pierson

VACANCIES: 001

The Speaker read the following House Bill vetoed from the First Regular Session:
SCS HB 301.

SCS HB 301, relating to sex offenders, was taken up by Representative Engler.

Representative Engler moved that **SCS HB 301** be passed, the objections of the Governor thereto notwithstanding.

Speaker Pro Tem Hoskins resumed the Chair.

The motion to pass **SCS HB 301**, the objections of the Governor thereto notwithstanding, was withdrawn.

The Speaker Pro Tem read the following House Bill vetoed from the First Regular Session: **SCS HB 329.**

SCS HB 329, relating to financial institutions, was taken up by Representative Dugger.

Speaker Jones resumed the Chair.

Representative Dugger moved that **SCS HB 329** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake

Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH
LEAVE: 002

Curtis	Newman
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VACANCIES: 001

The Speaker read the following House Bill vetoed from the First Regular Session:
HB 339.

HB 339, relating to the forfeiture of collecting noneconomic damages for failing to comply with the motor vehicle financial responsibility law, was taken up by Representative Wieland.

Representative Wieland moved that **HB 339** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	McKenna	Messenger	Miller
Molendorp	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream

Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	
NOES: 051				
Anders	Barnes	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
Englund	Fowler	Frame	Gardner	Haahr
Hodges	Hummel	Kelly 45	Kirkton	Kratky
LaFaver	Marshall	May	Mayfield	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Neth	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schupp	Smith
Swearingen	Torpey	Walton Gray	Webb	Webber
Wright				

PRESENT: 001

Conway 10

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following House Bill vetoed from the First Regular Session:
SCS HCS HB 436.

SCS HCS HB 436, relating to firearms, was taken up by Representative Funderburk.

Representative Funderburk moved that **SCS HCS HB 436** be passed, the objections of the Governor thereto notwithstanding.

Representative Keeney assumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth

Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Funderburk again moved that **SCS HCS HB 436** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Harris	Hicks	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Schieffer	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Thomson	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 049

Anders	Barnes	Black	Burns	Butler
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Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Gardner
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Runions	Schupp	Smith	Swearingen	Torpey
Walton Gray	Webb	Webber	Wright	

PRESENT: 003

Higdon	Mayfield	Roorda
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ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Speaker Jones resumed the Chair.

The Speaker read the following House Bill vetoed from the First Regular Session:
SCS HCS HB 611.

SCS HCS HB 611, relating to employment, was taken up by Representative Lant.

Representative Lant moved that **SCS HCS HB 611** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Entlicher	Fitzpatrick
Fitzwater	Fowler	Fraker	Franklin	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Guernsey	Haahr	Haefner	Hampton	Hansen
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeyer	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH
LEAVE: 004

Engler	Flanigan	Kelly 45	Newman
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VACANCIES: 001

Representative Lant again moved that **SCS HCS HB 611** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 054

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace

Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith	Solon	Swearingen
Walton Gray	Webb	Webber	Wright	

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 1

The Speaker read the following House Bill vetoed from the First Regular Session:
SS SCS HB 650.

SS SCS HB 650, relating to the department of natural resources, was taken up by Representative Ross.

Representative Ross moved that **SS SCS HB 650** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

Ayes: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McKenna	McManus	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Pierson

Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH
LEAVE:

Kelly 45	Newman
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VACANCIES: 001

Representative Ross again moved that **SS SCS HB 650** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 110

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Black	Brattin	Brown	Burlison
Butler	Cierpiot	Conway 104	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	English
Entlicher	Fitzpatrick	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hansen	Harris	Hicks	Hinson	Hoskins
Hough	Houghton	Hubbard	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	McKenna	Meredith	Messenger	Miller
Molendorp	Montecillo	Moon	Morris	Muntzel
Neely	Neth	Parkinson	Pfausch	Phillips
Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Roorda
Ross	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Sommer	Spencer	Stream
Swan	Thomson	Walker	Webb	White
Wieland	Wilson	Wood	Zerr	Mr Speaker

NOES: 050

Anders	Barnes	Burns	Carpenter	Colona
Conway 10	Cornejo	Curtis	Dunn	Ellinger
Ellington	Englund	Frame	Gardner	Grisamore
Haahr	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McManus	McNeil	Mims
Mitten	Morgan	Nichols	Norr	Otto
Pace	Peters	Pierson	Rizzo	Rowden
Runions	Schieffer	Schupp	Smith	Solon
Swearingen	Torpey	Walton Gray	Webber	Wright

PRESENT: 001

Higdon

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following House Bill vetoed from the First Regular Session:
CCS#2 SCS HCS HB 1035.

CCS#2 SCS HCS HB 1035, relating to political subdivisions, was taken up by Representative Kelley (127).

Representative Kelley (127) moved that **CCS#2 SCS HCS HB 1035** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 117

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 10	Conway 104	Cookson	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Ellington	Elmer
Engler	English	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mayfield	McCaherty
McGaugh	Messenger	Miller	Molendorp	Montecillo
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfausch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Roorda	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Shull
Shumake	Solon	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Webber	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 044

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Englund
Gardner	Harris	Hodges	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	Marshall
May	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Runions	Schieffer	Schupp
Smith	Walton Gray	Webb	Wright	

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

On motion of Representative Diehl, the House recessed until 8:45 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Jones.

HOUSE RESOLUTION

Representative Diehl offered **HR 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **CCS SCS HCS HB 7**, **CCS SCS HCS HB 10** and **SCS HCS HB 110** when the bills were called by the Speaker.

On motion of Representative Diehl, **HR 2** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SS SCS HCS HB 19**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SS SCS HCS HB 19**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **HB 278**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **HB 278**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SCS HB 329**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SCS HB 329**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **HB 339**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **HB 339**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **CCS#2 HCS SCS SB 9**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **CCS#2 HCS SCS SB 9**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SS SB 28**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SS SB 28**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **CCS HCS SS SB 34**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **CCS HCS SS SB 34**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **HCS SB 110**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **HCS SB 110**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SS SCS SB 129**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SS SCS SB 129**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SB 170**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SB 170**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SB 265**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SB 265**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SS SB 267**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that attached is a certified copy of the roll call on **SS SB 267**.

SENATE BILLS VETOED FROM THE FIRST REGULAR SESSION

The Speaker read the following Senate Bill vetoed from the First Regular Session: **CCS#2 HCS SCS SB 9**.

CCS#2 HCS SCS SB 9, relating to agriculture, was taken up by Representative Guernsey.

Representative Guernsey moved that **CCS#2 HCS SCS SB 9** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfausch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Ross	Rowden	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Curtis	Dunn	Ellinger	Ellington
English	Englund	Frame	Gardner	Harris
Hodges	Hubbard	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	May	Mayfield	McCann Beatty
McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo
Roorda	Runions	Schieffer	Schupp	Smith
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH
LEAVE: 004

Conway 10	Franklin	McKenna	Newman
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VACANCIES: 001

Representative Guernsey again moved that **CCS#2 HCS SCS SB 9** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 111

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pierson	Pike
Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Richardson	Riddle	Ross	Rowden
Rowland	Scharnhorst	Schatz	Schieber	Schieffer
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 050

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hummel	Kelly 45	Kirkton
Kratky	LaFaver	Marshall	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Rizzo	Roorda	Runions	Schupp	Smith
Swearingen	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following Senate Bill vetoed from the First Regular Session:
CCS HCS SS SB 34.

CCS HCS SS SB 34, relating to workers' compensation, was taken up by Representative Fraker.

Representative Fraker moved that **CCS HCS SS SB 34** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 090

Allen	Anderson	Austin	Bahr	Bernskoetter
Brattin	Brown	Burlison	Cierpiot	Conway 104
Cookson	Cornejo	Cox	Crawford	Cross
Davis	Diehl	Dohrman	Dugger	Elmer
Engler	Entlicher	Fitzwater	Flanigan	Fowler
Fraker	Franklin	Frederick	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	McGaugh	Messenger
Miller	Morris	Muntzel	Neely	Parkinson
Pfautsch	Phillips	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowland	Schatz	Shull	Shumake
Spencer	Stream	Swan	Thomson	Walker
White	Wieland	Wilson	Wood	Mr Speaker

NOES: 071

Anders	Barnes	Berry	Black	Burns
Butler	Carpenter	Colona	Conway 10	Curtis
Curtman	Dunn	Ellinger	Ellington	English
Englund	Fitzpatrick	Frame	Funderburk	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Korman	Kratky	LaFaver	Marshall
May	Mayfield	McCaherty	McCann Beatty	McDonald
McKenna	McManus	McNeil	Meredith	Mims
Mitten	Molendorp	Montecillo	Moon	Morgan
Neth	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Roorda
Rowden	Runions	Scharnhorst	Schieber	Schieffer
Schupp	Smith	Solon	Sommer	Swearingen
Torpey	Walton Gray	Webb	Webber	Wright
Zerr				

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following Senate Bill vetoed from the First Regular Session:
HCS SB 110.

HCS SB 110, relating to custody and visitation for military personnel, was taken up by Representative Davis.

Representative Davis moved that **HCS SB 110** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

The Speaker read the following Senate Bill vetoed from the First Regular Session:
SS SCS SB 129.

SS SCS SB 129, relating to volunteer health services, was taken up by Representative Burlison.

Representative Burlison moved that **SS SCS SB 129** be passed, the objections of the Governor thereto notwithstanding.

Representative Keeney resumed the Chair.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 004

Hough	Molendorp	Newman	Rhoads
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VACANCIES: 001

Representative Burlison again moved that **SS SCS SB 129** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl

Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Norr
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 053

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Scharnhorst
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Keeney read the following Senate Bill vetoed from the First Regular Session: **SB 170**.

SB 170, relating to the votes of public governmental bodies, was taken up by Representative Berry.

Representative Berry moved that **SB 170** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl

Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 051

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Nichols
Norr	Otto	Pace	Peters	Pierson
Rizzo	Roorda	Runions	Schieffer	Schupp
Smith	Swearingen	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH
LEAVE: 002

McManus Newman

VACANCIES: 001

Representative Berry again moved that **SB 170** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 125

Allen	Anders	Anderson	Austin	Bahr
Barnes	Bernskoetter	Berry	Brattin	Brown
Burlison	Butler	Cierpiot	Conway 10	Cornejo
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Elmer	Engler	English	Englund	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Frame	Franklin	Frederick	Funderburk	Gannon
Gatschenberger	Gosen	Grisamore	Guernsey	Haahr
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hurst
Johnson	Jones 50	Justus	Keeney	Kelley 127
Koenig	Kolkmeyer	Korman	Kratky	Lair
Lant	Lauer	Leara	Lichtenegger	Love
Lynch	McCaherty	McCann Beatty	McGaugh	McKenna
Meredith	Messenger	Miller	Mims	Molendorp

Montecillo	Moon	Morris	Muntzel	Neely
Neth	Parkinson	Peters	Pfautsch	Phillips
Pierson	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Shull
Shumake	Smith	Sommer	Spencer	Stream
Swan	Swearingen	Thomson	Torpey	Walker
Walton Gray	Webb	Webber	White	Wieland
Wilson	Wood	Wright	Zerr	Mr Speaker

NOES: 032

Black	Burns	Carpenter	Colona	Conway 104
Cookson	Curtis	Haefner	Harris	Hodges
Hummel	Kelly 45	Kirkton	LaFaver	Marshall
May	Mayfield	McDonald	McManus	McNeil
Mitten	Morgan	Nichols	Norr	Pogue
Rizzo	Roorda	Runions	Schieber	Schieffer
Schupp	Solon			

PRESENT: 004

Ellington	Gardner	Otto	Pace
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ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Keeney read the following Senate Bill vetoed from the First Regular Session: **SB 265**.

SB 265, relating to private property rights, was taken up by Representative Rowland.

Representative Rowland moved that **SB 265** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 106

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hoskins	Hough
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch

Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Riddle	Ross
Rowden	Rowland	Scharnhorst	Schatz	Schieber
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Thomson	Torpey	Walker
White	Wieland	Wilson	Wood	Zerr
Mr Speaker				

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 004

Elmer	Hinson	Newman	Richardson
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VACANCIES: 001

Representative Rowland again moved that **SB 265** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 107

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Franklin
Frederick	Funderburk	Gannon	Gatschenberger	Gosen
Grisamore	Guernsey	Haahr	Haefner	Hampton
Hansen	Hicks	Higdon	Hinson	Hoskins
Houghton	Hurst	Johnson	Jones 50	Justus
Keeney	Kelley 127	Koenig	Kolkmeier	Korman
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	Marshall	McCaherty	McGaugh
Messenger	Miller	Molendorp	Moon	Morris
Muntzel	Neely	Neth	Parkinson	Pfautsch
Phillips	Pike	Pogue	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Riddle
Ross	Rowden	Rowland	Scharnhorst	Schatz
Schieber	Shull	Shumake	Solon	Sommer
Spencer	Stream	Swan	Thomson	Torpey
Walker	White	Wieland	Wilson	Wood
Zerr	Mr Speaker			

NOES: 053

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn

Ellinger	English	Englund	Frame	Gardner
Harris	Hodges	Hough	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Roorda	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray
Webb	Webber	Wright		

PRESENT: 001

Ellington

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Keeney read the following Senate Bill vetoed from the First Regular Session: **SS SB 267**.

SS SB 267, relating to the laws of other countries, was taken up by Representative Curtman.

Representative Curtman moved that **SS SB 267** be passed, the objections of the Governor thereto notwithstanding.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Representative Curtman again moved that **SS SB 267** be passed, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 108

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 104	Cookson	Cornejo	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dohrman
Dugger	Elmer	Engler	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Houghton	Hurst	Johnson	Jones 50
Justus	Keeney	Kelley 127	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Marshall	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Parkinson
Pfautsch	Phillips	Pike	Pogue	Redmon
Rehder	Reiboldt	Remole	Rhoads	Richardson
Riddle	Roorda	Ross	Rowland	Scharnhorst
Schatz	Schieber	Shull	Shumake	Solon
Sommer	Spencer	Stream	Swan	Thomson
Torpey	Walker	White	Wieland	Wilson
Wood	Zerr	Mr Speaker		

NOES: 053

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Conway 10	Curtis	Dunn
Ellinger	Ellington	English	Englund	Gardner
Harris	Hodges	Hough	Hubbard	Hummel
Kelly 45	Kirkton	Kratky	LaFaver	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus
McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Norr	Otto	Pace
Peters	Pierson	Rizzo	Rowden	Runions
Schieffer	Schupp	Smith	Swearingen	Walton Gray

Webb Webber Wright

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

MOTION

Representative Scharnhorst, having voted on the prevailing side, moved that the vote by which **SS SCS SB 129** was defeated, be reconsidered.

Representative Roorda raised a point of order that final action was taken on **SS SCS SB 129**.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Scharnhorst again moved that the vote by which **SS SCS SB 129** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown	Burlison
Cierpiot	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Marshall
McCaherty	McGaugh	Messenger	Miller	Molendorp
Moon	Morris	Muntzel	Neely	Neth
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Scharnhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Black	Burns	Butler	Carpenter
Colona	Conway 10	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45

Kirkton	Kratky	LaFaver	May	Mayfield
McCann Beatty	McDonald	McKenna	McManus	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan
Nichols	Norr	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

Speaker Jones resumed the Chair.

SENATE BILLS VETOED FROM THE FIRST REGULAR SESSION

SS SCS SB 129, relating to volunteer health services, was again taken up by Representative Burlison.

Representative Burlison moved that **SS SCS SB 129** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Anderson	Austin	Bahr	Bernskoetter
Berry	Brattin	Brown	Burlison	Cierpiot
Conway 10	Conway 104	Cookson	Cornejo	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dohrman	Dugger	Elmer	Engler	Entlicher
Fitzpatrick	Fitzwater	Flanigan	Fowler	Fraker
Franklin	Frederick	Funderburk	Gannon	Gatschenberger
Gosen	Grisamore	Guernsey	Haahr	Haefner
Hampton	Hansen	Hicks	Higdon	Hinson
Hoskins	Hough	Houghton	Hurst	Johnson
Jones 50	Justus	Keeney	Kelley 127	Koenig
Kolkmeyer	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	McCaherty
McGaugh	Messenger	Miller	Molendorp	Moon
Morris	Muntzel	Neely	Neth	Norr
Parkinson	Pfautsch	Phillips	Pike	Pogue
Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Riddle	Ross	Rowden	Rowland
Schamhorst	Schatz	Schieber	Shull	Shumake
Solon	Sommer	Spencer	Stream	Swan
Thomson	Torpey	Walker	White	Wieland
Wilson	Wood	Zerr	Mr Speaker	

NOES: 052

Anders	Barnes	Black	Burns	Butler
Carpenter	Colona	Curtis	Dunn	Ellinger
Ellington	English	Englund	Frame	Gardner
Harris	Hodges	Hubbard	Hummel	Kelly 45
Kirkton	Kratky	LaFaver	Marshall	May
Mayfield	McCann Beatty	McDonald	McKenna	McManus

McNeil	Meredith	Mims	Mitten	Montecillo
Morgan	Nichols	Otto	Pace	Peters
Pierson	Rizzo	Roorda	Runions	Schieffer
Schupp	Smith	Swearingen	Walton Gray	Webb
Webber	Wright			

PRESENT: 000

ABSENT WITH
LEAVE: 001

Newman

VACANCIES: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **SS SCS HB 650**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the roll call on **SS SCS HB 650**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **CCS#2 SCS HCS HB 1035**, the objections of the Governor thereto notwithstanding.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the roll call on **CCS#2 SCS HCS HB 1035**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 9**.

SENATE RESOLUTION NO. 9

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 43; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 51; Senate Bill No. 60; House Committee Substitute for Senate Bill No. 73; Senate Bill No. 77; Conference Committee Substitute for Senate Committee Substitute for Senate Bill No. 224; Senate Committee Substitute for Senate Bill No. 240; Conference Committee Substitute for House Committee Substitute for Senate Bill No. 342 and Senate Bill No. 350 when the bills were called by the President.

ADJOURNMENT

On motion of Representative Diehl, the Veto Session of the Ninety-seventh General Assembly, First Regular Session, adjourned sine die pursuant to the Constitution.

TIMOTHY W. JONES
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

JOURNAL OF THE SENATE
NINETY-SEVENTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST EXTRA SESSION
OF THE
FIRST REGULAR SESSION

FIRST DAY—MONDAY, DECEMBER 2, 2013

The Senate was called to order in Extra Session by Lieutenant Governor Peter Kinder.

Senator Dixon offered the following prayer:

“Let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God’s work must truly be our own.” (John F. Kennedy)

Almighty God, You have chosen each of us to serve this state in the capacity of Senator and so we lead our people in ways that benefit their labor and efforts. Help us to do our best here, so with Your guidance, we may provide that which touches the needs before us and move their concerns into law that will assist Missourians to move forward and prosper. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

PROCLAMATION

WHEREAS, aerospace manufacturing and the supplier industry that aerospace manufacturing supports are vital to our State’s economy; and

WHEREAS, the State of Missouri has a long history in aerospace manufacturing and is home to a skilled workforce to produce aircraft now and for generations to come; and

WHEREAS, the aerospace industry is critical to our State’s economy, with aerospace manufacturers and suppliers located in communities throughout the State; and

WHEREAS, the development of new aerospace manufacturing opportunities within the State of Missouri is vital to continuing Missouri’s leadership in the aerospace industry; and

WHEREAS, in order to compete for next-generation aerospace manufacturing opportunities, Missouri’s economic development programs must be expanded to accommodate projects involving significant job creation and large capital investment; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for expanding certain existing economic development programs in order for the State of Missouri to compete for aerospace manufacturing projects is an extraordinary occasion envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Seventh General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 4:00 p.m., Central Standard Time, on December 2, 2013; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation authorizing large-scale aerospace projects to be funded under the Missouri Works Program (Sections 620.2000 to 620.2020, RSMo), Missouri Business Use Incentives for Large-Scale Development Act (BUILD) (Sections 100.700 to 100.850, RSMo), Missouri Works Training Program (Sections 620.800 to 620.809, RSMo), and the Real Property Tax Increment Allocation Redevelopment Act (Sections 99.800 to 99.865, RSMo) within a distinct annual funding cap established for such aerospace projects.
- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of November, 2013.

Jeremiah W. (Jay) Nixon
Governor

ATTEST:

Jason Kander
Secretary of State

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed	Nieves
Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf	Schaefer
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—30		

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Cunningham	Keaveny	LeVota—4
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Vacancies—None

The Lieutenant Governor was present.

Senator Richard announced that photographers from KOMU-TV, KRCG-TV, KPLR/KTVI, KMIZ-TV, Jefferson City News Tribune and KSDK-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, that the rules of the Senate, as adopted by the Ninety-seventh General Assembly, First Regular Session, be declared the rules of the First Extra Session of the First Regular Session.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 1—By Schmitt and Nasheed.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to aerospace industry job creation, with an emergency clause.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 25, 2013, while the Senate was not in session.

Marilynn J. Bradford, Independent, 4212A Willowlake Court, Jefferson City, Cole County, Missouri 65109, as a member of the Conservation Commission, for a term ending June 30, 2019, and until her successor is duly appointed and qualified; vice, Don R. Johnson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 31, 2013, while the Senate was not in session.

Ellen M. Burkemper, 243 Hill Creek Road, Troy, Lincoln County, Missouri 63379, as a member of the State Committee for Social Workers, for a term ending October 23, 2014, and until her successor is duly appointed and qualified; vice, Dushyanthi A. Mullegama, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Mariann Burnetti-Atwell, 1006 El Dorado Drive, Jefferson City, Cole County, Missouri 65101, as a member of the State Committee of Psychologists, for a term ending August 24, 2018, and until her successor is duly appointed and qualified;

vice, George R. Johnstone, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

Bradley Calvin, 157 Denise Court, Troy, Lincoln County, Missouri 63379, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Bassem F. Armaly, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Kevin B. Cantwell, Independent, 5568 Hennsley Circle, Weldon Spring, Saint Charles County, Missouri 63304, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2016, and until his successor is duly appointed and qualified; vice, Richard "Rick" Sullivan Jr., term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 30, 2013, while the Senate was not in session.

Bryan Chapman, 4400 Amberview Lane, Farmington, Saint Francois County, Missouri 63640, as a member of the Missouri Dental Board, for a term ending October 16, 2018, and until his successor is duly appointed and qualified; vice, Paul Titterington, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

William Compere, 1266 East Portland, Springfield, Greene County, Missouri 65804, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, Donald Cupps, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Roy E. Dameron, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Lisa J. Crandall, 607 Caspian Circle, Ashland, Boone County, Missouri 65010, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2014, and until her successor is duly appointed and qualified; vice, Bryon T. Koster, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn

State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed and qualified; vice, Diane Benetz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Wendy D. Davis, 1700 Forum Boulevard #2106, Columbia, Boone County, Missouri 65203, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2015, and until her successor is duly appointed and qualified; vice, Theodore E. "Tec" Chapman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2013, while the Senate was not in session.

Josef Denother, 7161 Delmar Boulevard, Saint Louis City, Missouri 63130, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice, RSMo 338.320.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 24, 2013, while the Senate was not in session.

Jerald A. Dickey, Republican, 26109 South Skyline Drive, Harrisonville, Cass County, Missouri 64701, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2018, and until his successor is duly appointed and qualified; vice, John W. McCulloch, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 12, 2013, while the Senate was not in session.

Tim Dollar, Democrat, 1079 Lake Point Court, Blue Springs, Jackson County, Missouri 64014, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Becky Plattner, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

Julie T. Donelon, 814 Rockwell Lane, Kansas City, Jackson County, Missouri 64112, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Margaret J. "Mitzi" Huffman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

David C. Dwyer, Independent, 16528 Thunderhead Canyon Court, Wildwood, Saint Louis County, Missouri 63011, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2014, and until his successor is duly appointed and qualified; vice, James Harig, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

Carol R. Fischer, 1025 Carol Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and

Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, James Cunningham, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Richard L. Fordyce, 31888 East 240th Avenue, Bethany, Harrison County, Missouri 64424, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Richard L. Fordyce, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2013, while the Senate was not in session.

Gene A. Forrester, 2400 Blackthorne Lane, Columbia, Boone County, Missouri 65201, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice, RSMo 338.320.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 11, 2013, while the Senate was not in session.

Virginia L. Fry, Republican, 2249 East Wildwood Circle Drive North, Springfield, Greene County, Missouri 65804, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, when her successor is duly elected or appointed and qualified; vice, Gordon A. Elliott, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Harry Ralph Gaw, Democrat, 31311 Highway 5, Tipton, Moniteau County, Missouri 65081, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Harry Ralph Gaw, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2013, while the Senate was not in session.

David L. Gourley, Republican, 3432 Coke Road, Mountain Grove, Wright County, Missouri 65711, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, David L. Gourley, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Rhonda K. Haight, 12020 Northeast 148th Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Mark A. Folsom, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 27, 2013, while the Senate was not in session.

Daniel Hall, Democrat, 7451 Chimney Ridge Road, Columbia, Boone County, Missouri 65203, as a member of the Public

Service Commission, for a term ending September 27, 2019, and until his successor is duly appointed and qualified; vice, Terry M. Jarrett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 30, 2013, while the Senate was not in session.

Douglas R. Kennedy, Democrat, 616 Pine Cone Road, Poplar Bluff, Butler County, Missouri 63902, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2015, and until his successor is duly appointed and qualified; vice, Craig Van Matre, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Annetta M. Vickers, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2013, while the Senate was not in session.

Sara Nell Lampe, Democrat, 702 East Stanford Street, Springfield, Greene County, Missouri 65807, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2017, and until her successor is duly appointed and qualified; vice, Alvin Carter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

John J. Larsen Jr., Democrat, 3842 Flora Place, Saint Louis City, Missouri 63110, as a member of the Labor and Industrial Relations Commission for a term ending June 27, 2018, and until his successor is duly appointed and qualified; vice, William Ringer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 13, 2013, while the Senate was not in session.

O. Victor Lenz Jr., Republican, 4628 Bridlewood Terrace, Saint Louis, Saint Louis County, Missouri 63128, as a member of the State Board of Education, for a term ending July 1, 2019, and until his successor is duly appointed and qualified; vice, Sybl Slaughter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

William L. Manes, 9384 Sandy Church Road, Hillsboro, Jefferson County, Missouri 63050, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2016, and until his successor is duly appointed and qualified; vice, Dorothy M. Creager, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Kenneth Markwell, 1719 Chelle Lane, Jefferson City, Cole County, Missouri 65101, as a member of the Board of Geologist

Registration, for a term ending April 11, 2014, and until his successor is duly appointed and qualified; vice, John Holbrook, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Kelley M. Martin, Republican, 5915 Northwest 96th Terrace, Kansas City, Platte County, Missouri 64154, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Rudolph E. Farber, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

Terri R. Marty, 7058 Greenwood Hills, Fulton, Callaway County, Missouri 65251, as a member of the State Committee for Social Workers, for a term ending October 28, 2016, and until her successor is duly appointed and qualified; vice, Terri R. Marty, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Ashley McCarty, Democrat, 17287 Jersey Trail, Novinger, Adair County, Missouri 63559, as a member of the Clean Water Commission, for a term ending April 12, 2016, and until her successor is duly appointed and qualified; vice, Samuel M. Hunter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

Arteveld J. McCoy II, Independent, 334 Reighley Place, Florissant, St. Louis County, Missouri 63033, as a member of the Harris-Stowe University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Charles H. Hoessle, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Joseph G. McCulloch, Democrat, 2013 Willow Trail, Saint Charles, Saint Charles County, Missouri 63303, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2017, and until his successor is duly appointed and qualified; vice, Joseph G. McCulloch, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 27, 2013, while the Senate was not in session.

John M. Miles, 1801 East 60th Terrace, Kansas City, Jackson County, Missouri 64130, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2018, and until his successor is duly appointed and qualified; vice, Jon Gray, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 31, 2013, while the Senate was not in session.

Kathie A. Miller, 1011 Specialty Drive, Dexter, Stoddard County, Missouri 63841, as a member of the State Committee

for Social Workers, for a term ending October 23, 2016, and until her successor is duly appointed and qualified; vice, Kathie A. Miller, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified; vice, Kristen Weber, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Donna L. Newman, 4122 Mercier, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Charles J. Gulas, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Edna Talboy, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Suzan Ponder-Bates, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2013, while the Senate was not in session.

Joseph E. Pierle, 1224 Rosner Hills Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice, RSMo 338.320.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2013, while the Senate was not in session.

Steven E. Renne, 1809 Blueridge Road, Columbia, Boone County, Missouri 65202, as a member of the Missouri Electronic

Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice, RSMo 338.320.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Gary Rogles, 10735 Gail Court, Saint Louis, Saint Louis County, Missouri 63123, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Wayne Mueller, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 23, 2013, while the Senate was not in session.

Sam P. Schaumann, Independent, 638 Lotus Road, Billings, Christian County, Missouri 65610, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Leon Kreisler, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Joseph Hunt, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 11, 2013, while the Senate was not in session.

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, Cathy Smith, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Craig W. Smith, Independent, 806 Legends View Drive, Eureka, Saint Louis County, Missouri 63025, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2016, and until his successor is duly appointed and qualified; vice, M. Elizabeth Kingsley, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Gregg C. Smith, Democrat, 1900 Countryside Drive, Clinton, Henry County, Missouri 64735, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Grace M. Nichols, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 31, 2013, while the Senate was not in session.

Sharon E. Sorrell, 2734 Barron Road, Poplar Bluff, Butler County, Missouri 63901, as a member of the State Committee

for Social Workers, for a term ending October 23, 2015, and until her successor is duly appointed and qualified; vice, Hal M. Agler, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 31, 2013, while the Senate was not in session.

Renee Stucky, 3441 South Hidden Hills Lane, Columbia, Boone County, Missouri 65203, as a member of the State Committee of Psychologists, for a term ending August 28, 2017, and until her successor is duly appointed and qualified; vice, Deborah Onken, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2013, while the Senate was not in session.

John Szturo, 15001 East 44th Street South, Independence, Jackson County, Missouri 64055, as a member of the Board of Geologist Registration, for a term ending April 11, 2016, and until his successor is duly appointed and qualified; vice, Don L. Warner, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 13, 2013, while the Senate was not in session.

Marvin O. Teer, Jr., 1508 La Hacienda, Jefferson City, Cole County, Missouri 65101, as a member of the Administrative Hearing Commission, for a term ending September 12, 2019, and until his successor is duly appointed and qualified; vice, Nimrod T. Chapel, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 1, 2013, while the Senate was not in session.

Jennifer Vernon, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, David Kierst, Jr., term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2013, while the Senate was not in session.

Timothy J. Viox, Independent, 5202 Thornbrook Parkway, Columbia, Boone County, Missouri 65203, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2016, and until his successor is duly appointed and qualified; vice, Sarah Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

Sandra Wedewer, 2924 Isle View Lane, Saint Charles, Saint Charles County, Missouri 63303, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2018, and until her successor is duly appointed and qualified; vice, Deborah S. Fritz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory

Committee for 911 Service Oversight, for a term ending April 9, 2016, and until his successor is duly appointed and qualified; vice, Alan H. Wells, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 22, 2013, while the Senate was not in session.

Deborah White, 4411 South East Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Cecilia Davis, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 9, 2013, while the Senate was not in session.

April S. Wilson, 1005 East Northtown Road, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Jennifer Tyus, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2013, while the Senate was not in session.

Vincil M. Wilt, Democrat, 225 Rock Road, Paris, Monroe County, Missouri 65275, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, Linda Hickam-Fountain, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 11, 2013, while the Senate was not in session.

Mayme E. Young, 119 Booneville Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2016, and until her successor is duly appointed and qualified; vice, Jeanne M. Serra, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 6, 2013, while the Senate was not in session.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, James H. Buford, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

December 2, 2013

To the Senate of the 97th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on December 2, 2013, for your advice and consent:

Marilynn J. Bradford, Independent, 4212A Willowlake Court, Jefferson City, Cole County, Missouri 65109, as a member of the Conservation Commission, for a term ending June 30, 2019, and until her successor is duly appointed and qualified; vice, Don R. Johnson, term expired.

Ellen M. Burkemper, 243 Hill Creek Road, Troy, Lincoln County, Missouri 63379, as a member of the State Committee for Social Workers, for a term ending October 23, 2014, and until her successor is duly appointed and qualified; vice, Dushyanthi A. Mullegama, resigned.

Mariann Burnetti-Atwell, 1006 El Dorado Drive, Jefferson City, Cole County, Missouri 65101, as a member of the State Committee of Psychologists, for a term ending August 24, 2018, and until her successor is duly appointed and qualified; vice, George R. Johnstone, term expired.

Bradley Calvin, 157 Denise Court, Troy, Lincoln County, Missouri 63379, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Bassem F. Armaly, term expired.

Kevin B. Cantwell, Independent, 5568 Hennsley Circle, Weldon Spring, Saint Charles County, Missouri 63304, as a member of the Regional Convention and Sports Complex Authority, for a term ending May 31, 2016, and until his successor is duly appointed and qualified; vice, Richard "Rick" Sullivan Jr., term expired.

Bryan Chapman, 4400 Amberview Lane, Farmington, Saint Francois County, Missouri 63640, as a member of the Missouri Dental Board, for a term ending October 16, 2018, and until his successor is duly appointed and qualified; vice, Paul Titterington, term expired.

William Compere, 1266 East Portland, Springfield, Greene County, Missouri 65804, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, Donald Cupps, term expired.

Mary D. Craig, 600 Lincoln Street, Green Castle, Sullivan County, Missouri 63544, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Roy E. Dameron, term expired.

Lisa J. Crandall, 607 Caspian Circle, Ashland, Boone County, Missouri 65010, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2014, and until her successor is duly appointed and qualified; vice, Bryon T. Koster, term expired.

Anna E. Crosslin, Democrat, 3651 Shenandoah, St. Louis City, Missouri 63110, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2019, and until her successor is duly appointed and qualified; vice, James H. Buford, term expired.

Bruce Darrough, Democrat, 3748 Cranberry Court, Florissant, St. Louis County, Missouri 63033, as a member of the Linn State Technical College Board of Regents, for a term ending December 29, 2013, and until his successor is duly appointed and qualified; vice, Diane Benetz, term expired.

Wendy D. Davis, 1700 Forum Boulevard #2106, Columbia, Boone County, Missouri 65203, as a member of the Missouri Planning Council for Developmental Disabilities, for a term ending June 30, 2015, and until her successor is duly appointed and qualified; vice, Theodore E. "Tec" Chapman, term expired.

Josef Denother, 7161 Delmar Boulevard, Saint Louis City, Missouri 63130, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice RSMo 338.320.

Jerald A. Dickey, Republican, 26109 South Skyline Drive, Harrisonville, Cass County, Missouri 64701, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2018, and until his successor is duly appointed and qualified; vice, John W. McCulloch, term expired.

Tim Dollar, Democrat, 1079 Lake Point Court, Blue Springs, Jackson County, Missouri 64014, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Becky Plattner, term expired.

Julie T. Donelon, 814 Rockwell Lane, Kansas City, Jackson County, Missouri 64112, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Margaret J. "Mitzi" Huffman, term expired.

David C. Dwyer, Independent, 16528 Thunderhead Canyon Court, Wildwood, Saint Louis County, Missouri 63011, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2014, and until his successor is duly appointed and qualified; vice, James Harig, withdrawn.

Carol R. Fischer, 1025 Carol Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, James Cunningham, term expired.

Richard L. Fordyce, 31888 East 240th Avenue, Bethany, Harrison County, Missouri 64424, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Richard L. Fordyce, reappointed.

Gene A. Forrester, 2400 Blackthorne Lane, Columbia, Boone County, Missouri 65201, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified; vice RSMo 338.320.

Virginia L. Fry, Republican, 2249 East Wildwood Circle Drive North, Springfield, Greene County, Missouri 65804, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, when her successor is duly elected or appointed and qualified; vice, Gordon A. Elliott, term expired.

Harry Ralph Gaw, Democrat, 31311 Highway 5, Tipton, Moniteau County, Missouri 65081, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Harry Ralph Gaw, reappointed.

David L. Gourley, Republican, 3432 Coke Road, Mountain Grove, Wright County, Missouri 65711, as a member of the

Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, David L. Gourley, reappointed.

Rhonda K. Haight, 12020 Northeast 148th Street, Liberty, Clay County, Missouri 64068, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Mark A. Folsom, term expired.

Daniel Hall, Democrat, 7451 Chimney Ridge Road, Columbia, Boone County, Missouri 65203, as a member of the Public Service Commission, for a term ending September 27, 2019, and until his successor is duly appointed and qualified; vice, Terry M. Jarrett, term expired.

Douglas R. Kennedy, Democrat, 616 Pine Cone Road, Poplar Bluff, Butler County, Missouri 63902, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2015, and until his successor is duly appointed and qualified; vice, Craig Van Matre, resigned.

Patricia L. Kohl, 2836 Manderly Drive, Brentwood, Saint Louis County, Missouri 63144, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Annetta M. Vickers, term expired.

Sara Nell Lampe, Democrat, 702 East Stanford Street, Springfield, Greene County, Missouri 65807, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2017, and until her successor is duly appointed and qualified; vice, Alvin Carter, term expired.

John J. Larsen Jr., Democrat, 3842 Flora Place, Saint Louis City, Missouri 63110, as a member of the Labor and Industrial Relations Commission for a term ending June 27, 2018, and until his successor is duly appointed and qualified; vice, William Ringer, term expired.

O. Victor Lenz Jr., Republican, 4628 Bridlewood Terrace, Saint Louis, Saint Louis County, Missouri 63128, as a member of the State Board of Education, for a term ending July 1, 2019, and until his successor is duly appointed and qualified; vice, Sybl Slaughter, term expired.

William L. Manes, 9384 Sandy Church Road, Hillsboro, Jefferson County, Missouri 63050, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2016, and until his successor is duly appointed and qualified; vice, Dorothy M. Creager, term expired.

Kenneth Markwell, 1719 Chelle Lane, Jefferson City, Cole County, Missouri 65101, as a member of the Board of Geologist Registration, for a term ending April 11, 2014, and until his successor is duly appointed and qualified; vice, John Holbrook, term expired.

Kelley M. Martin, Republican, 5915 Northwest 96th Terrace, Kansas City, Platte County, Missouri 64154, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Rudolph E. Farber, term expired.

Terri R. Marty, 7058 Greenwood Hills, Fulton, Callaway County, Missouri 65251, as a member of the State Committee for Social Workers, for a term ending October 28, 2016, and until her successor is duly appointed and qualified; vice, Terri R. Marty, reappointed.

Ashley McCarty, Democrat, 17287 Jersey Trail, Novinger, Adair County, Missouri 63559, as a member of the Clean Water Commission, for a term ending April 12, 2016, and until her successor is duly appointed and qualified; vice, Samuel M. Hunter, term expired.

Arteveld J. McCoy II, Independent, 334 Reighley Place, Florissant, St. Louis County, Missouri 63033, as a member of the Harris-Stowe University Board of Regents, for a term ending July 28, 2018, and until his successor is duly appointed and qualified; vice, Charles H. Hoessle, term expired.

Joseph G. McCulloch, Democrat, 2013 Willow Trail, Saint Charles, Saint Charles County, Missouri 63303, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2017, and until his successor is duly appointed and qualified; vice, Joseph G. McCulloch, reappointed.

John M. Miles, 1801 East 60th Terrace, Kansas City, Jackson County, Missouri 64130, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2018, and until his successor is duly appointed and qualified; vice, Jon Gray, term expired.

Kathie A. Miller, 1011 Specialty Drive, Dexter, Stoddard County, Missouri 63841, as a member of the State Committee for Social Workers, for a term ending October 23, 2016, and until her successor is duly appointed and qualified; vice, Kathie A. Miller, reappointed.

Larry B. Newcomb, 300 Chestnut Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until his successor is duly appointed and qualified;

vice, Kristen Weber, term expired.

Donna L. Newman, 4122 Mercier, Kansas City, Jackson County, Missouri 64111, as a member of the Advisory Commission for Physical Therapists, for a term ending October 1, 2015, and until her successor is duly appointed and qualified; vice, Charles J. Gulas, term expired.

Judith Grace O'Connor, Democrat, 3321 Steeple Hill, Saint Charles, Saint Charles County, Missouri 63301, as a member of the Missouri Health Facilities Review Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Edna Talboy, term expired.

Jill L. Patterson, 1741 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Suzan Ponder-Bates, term expired.

Joseph E. Pierle, 1224 Rosner Hills Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice RSMo 338.320.

J. Michael Ponder, Democrat, 3041 Keystone, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Steven E. Renne, 1809 Blueridge Road, Columbia, Boone County, Missouri 65202, as a member of the Missouri Electronic Prior Authorization Committee, for a term ending at the pleasure of the Governor, until his successor is duly appointed and qualified; vice RSMo 338.320.

Gary Rogles, 10735 Gail Court, Saint Louis, Saint Louis County, Missouri 63123, as a member of the Board of Boiler and Pressure Vessel Rules, for a term ending September 28, 2014, and until his successor is duly appointed and qualified; vice, Wayne Mueller, term expired.

Sam P. Schaumann, Independent, 638 Lotus Road, Billings, Christian County, Missouri 65610, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2014, and until his successor is duly appointed and qualified; vice, Leon Kreisler, term expired.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, St. Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Joseph Hunt, withdrawn.

James Kendall Seal, Democrat, 7845 Northwest Roanridge Drive, Apartment F, Kansas City, Platte County, Missouri 64151, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2019, when his successor is duly elected or appointed and qualified; vice, Cathy Smith, term expired.

Craig W. Smith, Independent, 806 Legends View Drive, Eureka, Saint Louis County, Missouri 63025, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2016, and until his successor is duly appointed and qualified; vice, M. Elizabeth Kingsley, withdrawn.

Gregg C. Smith, Democrat, 1900 Countryside Drive, Clinton, Henry County, Missouri 64735, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Grace M. Nichols, term expired.

Sharon E. Sorrell, 2734 Barron Road, Poplar Bluff, Butler County, Missouri 63901, as a member of the State Committee for Social Workers, for a term ending October 23, 2015, and until her successor is duly appointed and qualified; vice, Hal M. Agler, term expired.

Renee Stucky, 3441 South Hidden Hills Lane, Columbia, Boone County, Missouri 65203, as a member of the State Committee of Psychologists, for a term ending August 28, 2017, and until her successor is duly appointed and qualified; vice, Deborah Onken, term expired.

John Szturo, 15001 East 44th Street South, Independence, Jackson County, Missouri 64055, as a member of the Board of Geologist Registration, for a term ending April 11, 2016, and until his successor is duly appointed and qualified; vice, Don L. Warner, term expired.

Marvin O. Teer, Jr., 1508 La Hacienda, Jefferson City, Cole County, Missouri 65101, as a member of the Administrative Hearing Commission, for a term ending September 12, 2019, and until his successor is duly appointed and qualified; vice, Nimrod T. Chapel, term expired.

Jennifer Vernon, 9227 Southwest Josh Ridge Road, Trimble, Clinton County, Missouri 64492, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2014, and until her successor is duly appointed and qualified; vice, David Kierst, Jr., term expired.

Timothy J. Viox, Independent, 5202 Thornbrook Parkway, Columbia, Boone County, Missouri 65203, as a member of the Amusement Ride Safety Board, for a term ending April 17, 2016, and until his successor is duly appointed and qualified; vice, Sarah Jones, term expired.

Sandra Wedewer, 2924 Isle View Lane, Saint Charles, Saint Charles County, Missouri 63303, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2018, and until her successor is duly appointed and qualified; vice, Deborah S. Fritz, term expired.

Alan H. Wells, 1415 Highway H, Farmington, Saint Francois County, Missouri 63640, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2016, and until his successor is duly appointed and qualified; vice, Alan H. Wells, reappointed.

Deborah White, 4411 South East Highway 116, Dearborn, Buchanan County, Missouri 64439, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2015, and until her successor is duly appointed and qualified; vice, Cecilia Davis, term expired.

April S. Wilson, 1005 East Northtown Road, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2016, and until her successor is duly appointed and qualified; vice, Jennifer Tyus, term expired.

Vincil M. Wilt, Democrat, 225 Rock Road, Paris, Monroe County, Missouri 65275, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2014, and until his successor is duly appointed and qualified; vice, Linda Hickam-Fountain, term expired.

Mayme E. Young, 119 Booneville Road, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2016, and until her successor is duly appointed and qualified; vice, Jeanne M. Serra, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the above appointments be returned to the Governor per his request, which motion prevailed.

On motion of Senator Richard, the Senate adjourned until 1:00 p.m., Tuesday, December 3, 2013.

SENATE CALENDAR

SECOND DAY—TUESDAY, DECEMBER 3, 2013

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Schmitt and Nasheed

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

SECOND DAY—TUESDAY, DECEMBER 3, 2013

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“May the God of hope fill you with all joy and peace in believing so you may abound in hope by the power of the Holy Spirit.” (Romans 15:13)

Blessed Lord in the season of hope and anticipation we are called forth to make decisions that encourage our people that we care about them and the future of this state. So abide in us as we decide what is right so our decisions are helpful and effective. Help us give this sense of hope in what we do and say, so what is done here glorifies Your name. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Curls	Dempsey	Dixon	Emery	Holsman	Justus	Kehoe
Kraus	Lamping	Libla	McKenna	Munzlinger	Nasheed	Parson	Pearce
Richard	Romine	Rupp	Sater	Schaaf	Schaefer	Schmitt	Silvey
Wallingford	Walsh	Wasson—27					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Cunningham	Keaveny	Lager	LeVota	Nieves	Sifton—7
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Vacancies—None

RESOLUTIONS

Senator Richard offered Senate Resolution No. 3, regarding Allen Dougless, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 4, regarding Jordan Andrews, Baxter Springs, Kansas, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Justus offered Senate Resolution No. 5, regarding Pamela Rethmeyer, Florissant, which was adopted.

Senator Kehoe offered Senate Resolution No. 6, regarding Clayton “Clay” Keller, Russellville, which was adopted.

Senator Parson offered Senate Resolution No. 7, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Martens, Warsaw, which was adopted.

Senator Parson offered Senate Resolution No. 8, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Glen Baum, Climax Springs, which was adopted.

Senator Sater offered Senate Resolution No. 9, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Daniel “Dan” Chandler, Eagle Rock, which was adopted.

Senator Sater offered Senate Resolution No. 10, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Johnnie Saunders, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 11, regarding Monett High School, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 12, regarding Doniphan Neighborhood Assistance Program, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 13, regarding the Fiftieth Anniversary of the Junction Hill Pentecostal Church, West Plains, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 14, regarding Tom and Jennifer Chaligoj, Doniphan, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 15, regarding the 110th Anniversary of the Free Will Baptist Church, Myrtle, which was adopted.

On behalf of Senator Cunningham, Senator Richard offered Senate Resolution No. 16, regarding Susie Williams, Caulfield, which was adopted.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 1—Jobs, Economic Development and Local Government.

On motion of Senator Richard, the Senate recessed until 5:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Richard, the Senate adjourned until 9:00 a.m., Wednesday, December 4, 2013.

SENATE CALENDAR

THIRD DAY—WEDNESDAY, DECEMBER 4, 2013

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 1-Schmitt and Nasheed, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

THIRD DAY—WEDNESDAY, DECEMBER 4, 2013

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Prayer is faith passing into action.” (Richard Cecil)

We do what is required of us to move into action, to make decisions and vote as is appropriate and so we do so with prayer first and considerations to follow. So bless us and guide us this day, we pray to You O Lord, and may our actions be completed as You desire them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Justus	Keaveny
Kehoe	Kraus	Lager	Lamping	Libla	McKenna	Munzlinger	Nasheed
Nieves	Parson	Pearce	Richard	Romine	Rupp	Sater	Schaaf
Schaefer	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

Absent—Senators—None

Absent with leave—Senators

Cunningham	Holsman	LeVota—3
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Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 17, regarding Don Warnecke, which was adopted.

Senator Dixon offered Senate Resolution No. 18, regarding Dennis Kemper, which was adopted.

Senator Dixon offered Senate Resolution No. 19, regarding Vreni Jones, which was adopted.

Senator Dixon offered Senate Resolution No. 20, regarding LifeQuest Church, which was adopted.

Senator Dixon offered Senate Resolution No. 21, regarding Richard Napieralski, which was adopted.

Senator Dixon offered Senate Resolution No. 22, regarding Dee Ogilvy, which was adopted.

Senator Dixon offered Senate Resolution No. 23, regarding Phyllis Evans, which was adopted.

Senator Dixon offered Senate Resolution No. 24, regarding Pastor David Tice, which was adopted.

Senator Dixon offered Senate Resolution No. 25, regarding Cassandra Siperko, which was adopted.

Senator Dixon offered Senate Resolution No. 26, regarding Scott Gayer, which was adopted.

Senator Dixon offered Senate Resolution No. 27, regarding Candy Smith, which was adopted.

Senator Dixon offered Senate Resolution No. 28, regarding The Table on C-Street, which was adopted.

Senator Curls offered Senate Resolution No. 29, regarding Major Rosilyn D. Allen, which was adopted.

Senator Richard offered Senate Resolution No. 30, regarding Bunny Newton, Joplin, which was adopted.

Senator Sater offered Senate Resolution No. 31, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Rex Henderson, Purdy, which was adopted.

Senator Sater offered Senate Resolution No. 32, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Charles Thompson, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 33, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. William "Bill" Hubbard, Aurora, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 1**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 1**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 1**

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to aerospace industry job creation, with an emergency clause.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 1** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 1, Page 2, Section 620.2475, Line 28, by inserting immediately after said line the following:

“3. For any aerospace project receiving state benefits under this section, the department of economic development shall deliver to the general assembly an annual report providing detailed information on the state benefits received and projected to be received by the aerospace project.”.

At the request of Senator Schaaf, SA 1 was withdrawn.

Senator Schaaf offered SA 2, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 1, Page 2, Section 620.2475, Line 28, by inserting immediately after said line the following:

“3. For aerospace projects receiving state benefits under this section, no land may be acquired using eminent domain.”.

At the request of Senator Schaaf, the above amendment was withdrawn.

Photographers from KTVI-TV, KOMU 8 News and ABC 17 News were given permission to take pictures in the Senate Chamber.

Senator Schaaf offered SA 3, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 1, Page 2, Section 620.2475, Line 28, by inserting immediately after said line the following:

“3. For any aerospace project receiving state benefits under this section, the department of economic development shall deliver to the general assembly an annual report providing detailed information on the state benefits received and projected to be received by the aerospace project.”.

Senator Schaaf moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Chappelle-Nadal offered SA 1 to SA 3, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 1, Page 1, Line 7, by inserting after the word “project” the following: **“and shall also denote the number of minorities that have been trained under the Missouri works training program established under sections 620.800 to 620.809.”**

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

SA 3, as amended, was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Chappelle-Nadal offered SA 4, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bill No. 1, Page 2, Section 620.2475, Line 28, by inserting immediately after all of said line the following:

“3. Any aerospace project receiving benefits under this section shall annually report to the general assembly and the department of economic development their minority and women

employment outreach efforts.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bill No. 1, Page 2, Section 620.2475, Line 28, by inserting immediately after all of said line the following:

“3. For aerospace projects receiving benefits under this section, in no event shall disbursements of new state revenues under sections 99.800 to 99.865 be made to satisfy bond obligations incurred for improvements that do not directly benefit such project.

4. For aerospace projects receiving benefits under this section, in the tenth year following the approval of a notice of intent under sections 620.2000 to 620.2020, the department of economic development shall determine the net fiscal benefit to the state resulting from such project and shall take any action necessary to ensure a positive net fiscal benefit to the state by no later than the last year in which the aerospace project receives benefits under this section.”.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SCS** for **SB 1**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SB 1**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed for 10 minutes.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 1**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Richard requested unanimous consent of the body to suspend Senate Rule No. 52 for the purpose of taking up **SCS** for **SB 1** for third reading and final passage, which request was granted.

THIRD READING OF SENATE BILLS

SCS for **SB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to aerospace industry job creation, with an emergency clause.

Was taken up by Senator Schmitt.

Copies of perfected **SCS** for **SB 1** were distributed.

On motion of Senator Schmitt, **SCS** for **SB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Justus	Keaveny	Kehoe	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—23	

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	Nieves	Schaaf	Schaefer—8
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Absent—Senators—None

Absent with leave—Senators

Cunningham	Holsman	LeVota—3
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Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Justus	Keaveny	Kehoe	Libla
McKenna	Munzlinger	Nasheed	Parson	Pearce	Richard	Romine	Rupp
Sater	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson—23	

NAYS—Senators

Brown	Emery	Kraus	Lager	Lamping	Nieves	Schaaf	Schaefer—8
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Absent—Senators—None

Absent with leave—Senators

Cunningham	Holsman	LeVota—3
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Vacancies—None

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

On motion of Senator Richard, the Senate adjourned until 9:00 a.m., Friday, December 6, 2013.

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

FOURTH DAY—FRIDAY, DECEMBER 6, 2013

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

RESOLUTIONS

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 34, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Pat Chapman, Pierce City, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 35, regarding the Class 5 State Champion Lee's Summit West High School football program, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 36, regarding Class 6 State Champion Blue Springs High School football program, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 37, regarding the Davis farm, Doniphan, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 38, regarding Tanner R. Stephens, Lee's Summit, which was adopted.

On behalf of Senator Libla, Senator Kehoe offered Senate Resolution No. 39, regarding Rob Callahan, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Senate that the House duly convened in the First Extraordinary Session of the First Regular Session on Monday, December 2, 2013, and is convened in full session and ready for consideration of its business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

WHEREAS, Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly was received by the Missouri House of Representatives on December 4, 2013, with the title “relating to aerospace industry job creation, with an emergency clause”; and

WHEREAS, the Missouri House of Representatives first read Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly by title and number on December 4, 2013; and

WHEREAS, the Missouri House of Representatives second read Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly by title and number on December 5, 2013; and

WHEREAS, the Secretary of the Senate delivered a message on December 6, 2013, to the Missouri House of Representatives including a corrected copy of Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly; and

WHEREAS, the Missouri Senate acknowledges that the proper language of Senate Amendment No. 5 for Senate Committee Substitute for Senate Bill No. 1 was properly printed in the Journal of the Missouri Senate for the Third Day of the First Extraordinary Session of the Ninety-Seventh General Assembly on Pages 30 through 32 on Wednesday, December 4, 2013; and

WHEREAS, by printing a corrected copy of Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly, the Senate has properly enrolled a bill correctly encompassing the language contained within Senate Amendment No. 5 as adopted by the Senate as a body on December 4, 2013:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, acknowledge that the corrected Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Senate and as first read and second read by the Missouri House of Representatives during the First Extraordinary Session of the Ninety-Seventh General Assembly accurately reflects the proposed statutory language; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution to be delivered to the President Pro Tem of the Missouri Senate and Governor of the State of Missouri.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 1**.

Emergency clause adopted.

Bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 1**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SB 1**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become

law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SB 1**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kehoe, the Senate of the First Extraordinary Session of the First Regular Session of the 97th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of Senate

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Journal of the House

NINETY-SEVENTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI
FIRST EXTRAORDINARY SESSION

FIRST DAY, MONDAY, DECEMBER 2, 2013

Speaker Jones in the Chair.

Prayer by Representative Stream.

Words from our Heavenly Father:

Walk peacefully with Me through this day. You are wondering how you will cope with all that is expected of you. You must traverse this day like any other: one step at a time. Instead of mentally rehearsing how you will do this or that, keep your mind on My Presence and on taking the next step. The more demanding your day, the more help you can expect from Me. This is a training opportunity, since I designed you for deep dependence on your Shepherd-King. Challenging times wake you up and amplify your awareness of needing My help.

When you don't know what to do, wait while I open the way before you. Trust that I know what I'm doing, and be ready to follow My lead. *I will give strength to you, and I will bless you with Peace.* (Exodus 33:14; Deuteronomy 33:25; Hebrews 13:20-21; Psalm 29:11)

Amen.

The Pledge of Allegiance to the flag was recited.

MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Jeremiah W. (Jay) Nixon.

PROCLAMATION

WHEREAS, aerospace manufacturing and the supplier industry that aerospace manufacturing supports are vital to our State's economy; and

WHEREAS, the State of Missouri has a long history in aerospace manufacturing and is home to a skilled workforce to produce aircraft now and for generations to come; and

WHEREAS, the aerospace industry is critical to our State's economy, with aerospace manufacturers and suppliers located in communities throughout the State; and

WHEREAS, the development of new aerospace manufacturing opportunities within the State of Missouri is vital to continuing Missouri's leadership in the aerospace industry; and

WHEREAS, in order to compete for next-generation aerospace manufacturing opportunities, Missouri's economic development programs must be expanded to accommodate projects involving significant job creation and large capital investment; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for expanding certain existing economic development programs in order for the State of Missouri to compete for aerospace manufacturing projects is an extraordinary occasion envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Seventh General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 4:00 p.m., Central Standard Time, on December 2, 2013; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation authorizing large-scale aerospace projects to be funded under the Missouri Works Program (Sections 620.2000 to 620.2020, RSMo), Missouri Business Use Incentives for Large-Scale Development Act (BUILD) (Sections 100.700 to 100.850, RSMo), Missouri Works Training Program (Sections 620.800 to 620.809, RSMo), and the Real Property Tax Increment Allocation Redevelopment Act (Sections 99.800 to 99.865, RSMo) within a distinct annual funding cap established for such aerospace projects.
- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 29th day of November, 2013.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Secretary of State

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1, introduced by Representative Zerr, relating to economic development for aerospace projects.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-seventh General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

COMMUNICATION

December 2, 2013

Adam Crumbliss
Chief Clerk, Missouri House of Representatives
State Capitol, Room 317 A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to RSMo. 21.090, I hereby submit my resignation, effective immediately, as state representative for the 67th District.

Sincerely,

/s/ Steve Webb
67th District

The following members' presence was noted: Anderson, Austin, Bahr, Barnes, Berry, Black, Brattin, Brown, Burlison, Burns, Butler, Cierpiot, Conway (10), Cookson, Cornejo, Cox, Crawford, Cross, Curtis, Curtman, Davis, Diehl, Dohrman, Dugger, Dunn, Ellinger, Ellington, Elmer, Engler, English, Entlicher, Fitzpatrick, Fitzwater, Flanigan, Fowler, Fraker, Frame, Franklin, Funderburk, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hansen, Harris, Hicks, Higdon, Hinson, Hoskins, Hough, Houghton, Hubbard, Hummel, Hurst, Johnson, Jones (50), Justus, Keeney, Kelley (127), Kolkmeier, Korman, Lair, Lant, Lauer, Leara, Love, Lynch, Marshall, Mayfield, McCann Beatty, McGaugh, McKenna, Meredith, Messenger, Miller, Mims, Mitten, Montecillo, Moon, Morris, Muntzel, Neely, Neth, Norr, Otto, Peters, Pfautsch, Phillips, Pike, Pogue, Redmon, Reiboldt, Rhoads, Riddle, Rizzo, Roorda, Ross, Rowden, Rowland, Scharnhorst, Schatz, Schieffer, Shull, Shumake, Smith, Sommer, Spencer, Swan, Swearingen, Thomson, Torpey, Walker, White, Wieland, Wilson, Wood and Zerr.

ADJOURNMENT

On motion of Representative Jones (110), the House adjourned until 10:00 a.m., Tuesday, December 3, 2013.

COMMITTEE HEARINGS

ECONOMIC DEVELOPMENT

Tuesday, December 3, 2013, Upon Adjournment of the Senate Jobs, Economic Development and Local Government Committee Hearing or 7:00 PM, whichever is later, House Hearing Room 3.

Public hearing and possible executive session to be held on legislation relating to the Governor's proclamation on aerospace industry job creation.

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Wednesday, December 4, 2013, 9:30 AM, Senate Conference Room 1.

This will be a work session of the full committee. No public testimony will be taken at this meeting.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, December 10, 2013, 8:00 AM, House Hearing Room 7.

Business meeting. Some portions of the meeting may be closed pursuant to Section 610.021.

HOUSE CALENDAR

SECOND DAY, TUESDAY, DECEMBER 3, 2013

HOUSE BILLS FOR SECOND READING

HB 1 - Zerr

JOURNAL OF THE HOUSE

First Extraordinary Session, 97th GENERAL ASSEMBLY

SECOND DAY, TUESDAY, DECEMBER 3, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILL

The following House Bill was read the second time:

HB 1, relating to economic development for aerospace projects.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1 - Economic Development

The following members' presence was noted: Austin, Barnes, Berry, Black, Brown, Burns, Butler, Carpenter, Cierpiot, Colona, Conway (10), Cookson, Cornejo, Curtis, Curtman, Dunn, Ellinger, Ellington, English, Englund, Fitzwater, Flanigan, Fraker, Frame, Funderburk, Grisamore, Haahr, Haefner, Hansen, Harris, Hicks, Higdon, Hubbard, Hummel, Hurst, Kelley (127), Kratky, LaFaver, Lair, Lant, Lauer, Lynch, Marshall, Mayfield, McCann Beatty, McKenna, Miller, Mims, Mitten, Montecillo, Muntzel, Neth, Norr, Otto, Peters, Pike, Pogue, Reiboldt, Rhoads, Richardson, Riddle, Rizzo, Roorda, Rowden, Rowland, Runions, Scharnhorst, Schieffer, Shull, Smith, Sommer, Spencer, Swearingen, Torpey, White, Wieland, Wood and Zerr.

ADJOURNMENT

On motion of Representative Jones (110), the House adjourned until 10:00 a.m., Wednesday, December 4, 2013.

COMMITTEE HEARINGS

BUDGET

Monday, December 9, 2013, 8:00 AM, House Hearing Room 3.

Budget Transparency

ECONOMIC DEVELOPMENT

Wednesday, December 4, 2013, 7:30 PM, House Hearing Room 3.

Executive session will be held: HB 1

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Wednesday, December 4, 2013, Upon Morning Recess or adjournment, Senate Conference Room 1.

This will be a work session of the full committee. No public testimony will be taken at this meeting.

AMENDED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, December 10, 2013, 8:00 AM, House Hearing Room 7.

Business meeting. Some portions of the meeting may be closed pursuant to Section 610.021.

MISSOURI ORAL CHEMOTHERAPY PARITY INTERIM COMMITTEE

Wednesday, December 11, 2013, 11:00 AM, House Hearing Room 6.

RULES

Wednesday, December 4, 2013, 8:00 PM, House Hearing Room 7.

Public hearing will be held: HB 1

Executive session will be held: HB 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 97th GENERAL ASSEMBLY

THIRD DAY, WEDNESDAY, DECEMBER 4, 2013

The House met pursuant to adjournment.

Representative Flanigan in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 2, introduced by Representative Curtis, relating to economic incentives.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1**, entitled:

An act to amend chapter 620, RSMo, by adding thereto one new section relating to aerospace industry job creation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMUNICATION

December 3, 2013

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am an employee of The Boeing Company, an aerospace engineering and manufacturing firm that has locations within the state of Missouri.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Doug Funderburk
State Representative
District 103

The following members' presence was noted: Barnes, Black, Burns, Butler, Carpenter, Cierpiot, Colona, Conway (10), Cox, Curtis, Dunn, Ellinger, Ellington, Elmer, English, Englund, Fitzwater, Fraker, Frame, Gardner, Gosen, Grisamore, Guernsey, Harris, Hubbard, Hummel, Jones (50), Jones (110), Justus, Kelley (127), Kirkton, Kolkmeier, Kratky, LaFaver, Lair, Lant, Lauer, Leara, May, Mayfield, McCann Beatty, McDonald, McKenna, McNeil, Mims, Mitten, Montecillo, Muntzel, Norr, Otto, Peters, Pierson, Pogue, Reiboldt, Riddle, Rizzo, Rowden, Runions, Scharnhorst, Schieffer, Shumake, Smith, Swearingen, Torpey, Wilson, Wood and Zerr.

ADJOURNMENT

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Thursday, December 5, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Wednesday, December 18, 2013, 10:00 AM, Negro Leagues Baseball Museum, 1616 E 18th St., Kansas City, MO.

Public testimony and discussion on bond legislation for 2014 session.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Wednesday, December 18, 2013, 2:00 PM, Missouri Western University, Blum Student Union Room 220, 4525 Downs Dr., St. Joseph, MO.

Public testimony and discussion on bond legislation for 2014 session.

BUDGET

Monday, December 9, 2013, 8:00 AM, House Hearing Room 3.

Budget Transparency

ECONOMIC DEVELOPMENT

Thursday, December 5, 2013, 12:00 PM, House Hearing Room 3.

Executive session may be held on any matter referred to the committee.

Public hearing and possible executive session to be held on SCS SB 1, pending referral.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, December 10, 2013, 8:00 AM, House Hearing Room 7.

Business meeting. Some portions of the meeting may be closed pursuant to Section 610.021.

MISSOURI ORAL CHEMOTHERAPY PARITY INTERIM COMMITTEE

Wednesday, December 11, 2013, 11:00 AM, House Hearing Room 6.

RULES

Thursday, December 5, 2013, 1:00 PM or thirty minutes following adjournment of the House Committee on Economic Development, whichever is later, House Hearing Room 7.

Executive session for SB 1

HOUSE CALENDAR

FOURTH DAY, THURSDAY, DECEMBER 5, 2013

HOUSE BILLS FOR SECOND READING

HB 2

HOUSE BILLS FOR PERFECTION

HCS HB 1 - Zerr

SENATE BILLS FOR SECOND READING

SCS SB 1

JOURNAL OF THE HOUSE

First Extraordinary Session, 97th GENERAL ASSEMBLY

FOURTH DAY, THURSDAY, DECEMBER 5, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Timothy W. Jones, Speaker of the Missouri House of Representatives.

Words from our Heavenly Father:

Let My presence override everything you experience. Like a luminous veil of Light, I hover over you and everything around you. I am training you to stay conscious of Me in each situation you encounter.

When the patriarch Jacob ran away from his enraged brother, he went to sleep on a stone pillow in a land that seemed desolate. But after dreaming about heaven and angels and promises of My Presence, he awoke and exclaimed: "Surely the Lord is in this place, and I was not aware of it." His discovery was not only for him but for all who seek Me. Whenever you feel distant from Me, say: "Surely the Lord is in this place!" Then, ask Me to give you awareness of My Presence. This is a prayer that I delight to answer. (*Psalm 31:20; Genesis 28:11-16*)

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILL

The following House Bill was read the second time:

HB 2, relating to economic incentives.

SECOND READING OF SENATE BILL

The following Senate Bill was read the second time:

SCS SB 1, relating to aerospace industry job creation.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 1 - Economic Development

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(34)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Riddle reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1**, begs leave to report it has examined the same and recommends that it **Do Pass**.

SUPPLEMENTAL CALENDAR

THURSDAY, DECEMBER 5, 2013

SENATE BILLS FOR THIRD READING

SCS SB 1, E.C. - Zerr

COMMITTEE CHANGES

December 5, 2013

The Honorable Timothy Jones, Speaker
Missouri House of Representatives
201 W. Capitol Avenue, Room 308
Jefferson City, Missouri 65101

Dear Mr. Speaker:

I would like to notify you of the following changes to the current Issue Development Standing Committees:

- Representative Ron Hicks removed from the Issue Development Standing Committee on Workers Freedom effective December 4, 2013.

Sincerely,

/s/ Representative Dwight Scharnhorst
Administration and Accounts Chair
District 98

December 5, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints Representative Mike Moon and Representative Kurt Bahr to the Committee on Professional Registration and Licensing.

If you have any questions, please let me know.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

The following members' presence was noted: Anderson, Austin, Bahr, Barnes, Berry, Black, Brown, Burns, Butler, Carpenter, Cierpiot, Colona, Conway (10), Cookson, Cornejo, Cox, Crawford, Cross, Curtis, Davis, Diehl, Dohrman, Dugger, Dunn, Ellinger, Ellington, Elmer, Engler, English, Englund, Entlicher, Fitzwater, Flanigan, Fraker, Frame, Funderburk, Gannon, Gardner, Gatschenberger, Gosen, Grisamore, Guernsey, Haahr, Haefner, Hampton, Hansen, Harris, Higdon, Hodges, Houghton, Hummel, Hurst, Johnson, Jones (50), Justus, Kelley (127), Kirkton, Kratky, LaFaver, Lair, Lant, Lauer, Leara, Lynch, May, Mayfield, McCaherty, McCann Beatty, McDonald, McKenna, McNeil, Meredith, Miller, Mims, Mitten, Molendorp, Montecillo, Morgan, Morris, Muntzel, Nichols, Norr, Otto, Pace, Peters, Pfautsch, Pierson, Pike, Pogue, Redmon, Reiboldt, Remole, Rhoads, Richardson, Riddle, Rizzo, Roorda, Rowden, Rowland, Runions, Scharnhorst, Schieber, Schupp, Shull, Smith, Solon, Sommer, Swan, Swearingen, Thomson, Torpey, Walker, Walton Gray, White, Wieland, Wilson, Wood and Zerr.

ADJOURNMENT

On motion of Representative Jones (110), the House adjourned until 9:00 a.m., Friday, December 6, 2013.

COMMITTEE HEARINGS

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Wednesday, December 18, 2013, 10:00 AM, Negro Leagues Baseball Museum, 1616 E. 18th St., Kansas City, MO.

Public testimony and discussion on bond legislation for 2014 session.

APPROPRIATIONS - INFRASTRUCTURE AND JOB CREATION

Wednesday, December 18, 2013, 2:00 PM, Missouri Western University, Blum Student Union Room 220, 4525 Downs Dr., St. Joseph, MO.

Public testimony and discussion on bond legislation for 2014 session.

BUDGET

Monday, December 9, 2013, 8:00 AM, House Hearing Room 3.

Budget Transparency - Department of Elementary and Secondary Education, Office of Administration, Department of Social Services (Medicaid), Insurance

AMENDED

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Tuesday, December 10, 2013, 8:00 AM, House Hearing Room 7.

Business meeting. Some portions of the meeting may be closed pursuant to Section 610.021.

MISSOURI ORAL CHEMOTHERAPY PARITY INTERIM COMMITTEE

Wednesday, December 11, 2013, 11:00 AM, House Hearing Room 6.

HOUSE CALENDAR

FIFTH DAY, FRIDAY, DECEMBER 6, 2013

HOUSE BILLS FOR PERFECTION

HCS HB 1 - Zerr

SENATE BILLS FOR THIRD READING

SCS SB 1, E.C. - Zerr

JOURNAL OF THE HOUSE

First Extraordinary Session, 97th GENERAL ASSEMBLY

FIFTH DAY, FRIDAY, DECEMBER 6, 2013

The House met pursuant to adjournment.

Speaker Jones in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord with all thine heart; and lean not unto thine own understanding. (Proverbs 3:5)

Eternal God, unfailing source of light and life, we thank You for Your presence which gives power to Your people and courage to Your representatives. With You may we find strength in the time of trouble, deliverance in the hour of temptation, and serenity in the moment when we wrestle with worry.

Teach us to love You with all our hearts and our fellow citizens as ourselves on this St. Nicholas Day. Give us such a measure of Your spirit that we may be used by You to usher in a greater day for our state and a better day for all.

We lift up to You the memory of the late President Nelson Mandela of South Africa who taught us all a lesson of national reconciliation and unity despite personal pain and suffering. May all peoples in all countries let this example burn into their hearts!

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journals of the first, second, third and fourth days were approved as printed.

HOUSE RESOLUTION

Representative Diehl offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-seventh General Assembly, First Regular Session, inform the Senate that the House duly convened in the First Extraordinary Session of the First Regular Session on Monday, December 2, 2013, and is convened in full session and ready for consideration of its business.

On motion of Representative Diehl, **House Resolution No. 1** was adopted.

THIRD READING OF SENATE BILL

SCS SB 1, relating to aerospace industry job creation, was taken up by Representative Zerr.

Speaker Pro Tem Hoskins assumed the Chair.

Speaker Jones resumed the Chair.

SCS SB 1 was laid over.

MESSAGE FROM THE SENATE

December 6, 2013

Mr. Speaker: I hereby transmit to you the “Corrected” Perfected **Senate Committee Substitute for Senate Bill No. 1** as third read and finally passed by the Senate on Wednesday, December 4, 2013 as such action is reflected in the Senate Journal for that day.

Respectfully submitted,

/s/ Terry L. Spieler
Secretary of the Senate

A corrected copy of **SCS SB 1** was distributed on the members’ desks.

HOUSE RESOLUTION

Representatives Diehl and Hummel offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

WHEREAS, Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly was received by the Missouri House of Representatives on December 4, 2013, with the title “relating to aerospace industry job creation, with an emergency clause”; and

WHEREAS, the Missouri House of Representatives first read Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly by title and number on December 4, 2013; and

WHEREAS, the Missouri House of Representatives second read Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly by title and number on December 5, 2013; and

WHEREAS, the Secretary of the Senate delivered a message on December 6, 2013, to the Missouri House of Representatives including a corrected copy of Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly; and

WHEREAS, the Missouri Senate acknowledges that the proper language of Senate Amendment No. 5 for Senate Committee Substitute for Senate Bill No. 1 was properly printed in the Journal of the Missouri Senate for the Third Day of the First Extraordinary Session of the Ninety-Seventh General Assembly on Pages 30 through 32 on Wednesday, December 4, 2013; and

WHEREAS, by printing a corrected copy of Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Missouri Senate during the First Extraordinary Session of the Ninety-Seventh General Assembly, the Senate has properly enrolled a bill correctly encompassing the language contained within Senate Amendment No. 5 as adopted by the Senate as a body on December 4, 2013:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-seventh General Assembly, acknowledge that the corrected Senate Committee Substitute for Senate Bill No. 1 as perfected and third read by the Senate and as first read and second read by the Missouri House of Representatives during the First Extraordinary Session of the Ninety-Seventh General Assembly accurately reflects the proposed statutory language; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution to be delivered to the President Pro Tem of the Missouri Senate and Governor of the State of Missouri.

On motion of Representative Diehl, **House Resolution No. 2** was adopted.

THIRD READING OF SENATE BILL

SCS SB 1, relating to aerospace industry job creation, was again taken up by Representative Zerr.

On motion of Representative Zerr, **SCS SB 1** was truly agreed to and finally passed by the following vote:

Ayes: 127

Allen	Anders	Austin	Bernskoetter	Berry
Black	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Comejo
Crawford	Cross	Curtis	Curtman	Davis
Diehl	Dohrman	Dugger	Dunn	Ellinger
Engler	English	Englund	Entlicher	Fitzpatrick
Fitzwater	Flanigan	Fowler	Fraker	Frame
Funderburk	Gannon	Gardner	Gatschenberger	Gosen
Grisamore	Haahr	Haefner	Hampton	Hansen
Harris	Hicks	Higdon	Hinson	Hoskins
Hough	Houghton	Hummel	Hurst	Jones 50
Justus	Kelley 127	Kolkmeier	Korman	Kratky
LaFaver	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	May	Mayfield
McCaherty	McCann Beatty	McDonald	McGaugh	McKenna
McNeil	Meredith	Miller	Mims	Mitten
Molendorp	Montecillo	Morgan	Morris	Muntzel
Neth	Nichols	Norr	Otto	Pace
Peters	Pfautsch	Phillips	Pierson	Pike
Redmon	Reiboldt	Remole	Rhoads	Richardson
Riddle	Rizzo	Roorda	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp

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Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Wieland	Wood	Wright
Zerr	Mr Speaker			

Noes: 20

Anderson	Bahr	Barnes	Brattin	Burlison
Cox	Ellington	Elmer	Guernsey	Johnson
Keeney	Kirkton	Marshall	Pogue	Rehder
Ross	Schieber	Webber	White	Wilson

Present: 2

Parkinson	Smith
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Absent with Leave: 12

Conway 104	Franklin	Frederick	Hodges	Hubbard
Kelly 45	Koenig	McManus	Messenger	Moon
Neely	Newman			

Vacancies: 2

Speaker Jones declared the bill passed.

The emergency clause was adopted by the following vote:

Ayes: 127

Allen	Anders	Austin	Bernskoetter	Berry
Black	Brown	Burns	Butler	Carpenter
Cierpiot	Colona	Conway 10	Cookson	Comejo
Crawford	Cross	Curtis	Davis	Diehl
Dohrman	Dugger	Dunn	Ellinger	Engler
English	Englund	Entlicher	Fitzpatrick	Fitzwater
Flanigan	Fowler	Fraker	Frame	Frederick
Funderburk	Gannon	Gatschenberger	Gosen	Grisamore
Haahr	Haefner	Hampton	Hansen	Harris
Hicks	Higdon	Hinson	Hoskins	Hough
Houghton	Hummel	Hurst	Jones 50	Justus
Kelley 127	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Leara	Lichtenegger
Love	Lynch	May	Mayfield	McCaherty
McCann Beatty	McDonald	McGaugh	McKenna	McNeil
Meredith	Miller	Mims	Mitten	Molendorp
Montecillo	Morgan	Morris	Muntzel	Neth
Nichols	Norr	Otto	Pace	Peters
Pfautsch	Phillips	Pierson	Pike	Redmon
Reiboldt	Remole	Rhoads	Richardson	Riddle
Rizzo	Roorda	Ross	Rowden	Rowland
Runions	Scharnhorst	Schatz	Schieffer	Schupp
Shull	Shumake	Solon	Sommer	Spencer
Stream	Swan	Swearingen	Thomson	Torpey
Walker	Walton Gray	Wieland	Wood	Wright
Zerr	Mr Speaker			

Noes: 19

Anderson	Bahr	Barnes	Brattin	Burlison
Cox	Ellington	Elmer	Guernsey	Johnson
Keeney	Kirkton	Marshall	Pogue	Rehder
Schieber	Webber	White	Wilson	

Present: 3

Gardner	Parkinson	Smith
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Absent with Leave: 12

Conway 104	Curtman	Franklin	Hodges	Hubbard
Kelly 45	Koenig	McManus	Messenger	Moon
Neely	Newman			

Vacancies: 2

RECESS

On motion of Representative Diehl, the House recessed until such time that **SCS SB 1** is signed and then stand adjourned.

The hour of recess having expired, the House was called to order by Speaker Jones.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SCS SB 1** was read at length and was signed by the Speaker to the end that the same may become law.

Representative Bahr offered an objection to **SCS SB 1**, which was appended to the bill.

CONSTITUTIONAL OBJECTION

Mr. Speaker:

My honor and duty to my sworn oath to support and defend the Missouri state Constitution compels me to raise a constitutional objection to Senate Bill 1. It is my opinion that the bill is unconstitutional for the following reasons:

1. SB 1 violates Article I, Section 2 of the Missouri Constitution by denying equal protection under the laws of Missouri through its treatment of Missouri businesses and other taxpayers differently based on the geographic region and industries they serve.

2. SB 1 further violates Article I, Section 2 of the Missouri Constitution by providing a competitive advantage to some citizens through state supplied subsidies for the development of new enterprises at the expense of citizens who have already made investments in competing projects. The result is state sponsored diminution of their property and the state's failure to "give security" to the "gains of their own industry".

3. SB 1 further violates Article I, Section 2 of the Missouri Constitution by providing preferential and unequal treatment to some citizens, who would receive state supplied subsidies for the development of new enterprises, over

other citizens who might otherwise seek development of new enterprises in competition with them in an open and free marketplace.

4. SB 1 violates Article III, Section 36 of the Missouri Constitution, because it has the effect of “divert[ing]” money from the treasury independent of the appropriation process.

5. SB 1 violates Article III, Section 38(a) of the Missouri Constitution, which states that “The general assembly shall have no power to grant public money or property, or lend or authorize the lending of public credit, to any private person, association or corporation...”

The potential for public benefit does not remediate the fatal flaws in this bill, for as the Missouri Supreme Court pointed out in 1987, “Accordingly, in our application of Article III, Section 38(a) of the Missouri Constitution, we have held grants with a primarily private effect to be unconstitutional, despite the possible beneficial impact upon the economy of the locality and of the state.” *Curchin v. Missouri Indus. Development Bd.*, 722 SW 2d 930 (Mo: Supreme Court 1987)

6. SB 1 violates Missouri Constitution's Article III, Section 40 prohibition of “special laws” in several ways, notably those in Section 40(30) which forbids the General Assembly from passing a local or special law where a general law can be made

Article I, Section 2 of the Missouri Constitution provides guidance for all that the state would task itself with – it defines the role of Missouri government, what it calls its “principal office”. That section was brought forward from our 1875 constitution and it was explained eloquently when introduced to the body of delegates during the 1875 Constitutional Convention:

“It [in the Bill of Rights] is then declared that the main office of government is the security of life, liberty and property - the protection of those things - not protection in the sense in which capital is employed in thousands of industries in order to render bloated one or two in some favored locality - not protection in that sense, but equal protection to all, so that every man may sit secure under the shadow of his own vine and fig tree, and have none to make him afraid.” Debates of the Missouri Constitutional Convention, 1875 – Volume I, P. 430 at 24 (emph. added)

As a duly elected Representative of the great state of Missouri, I have taken an oath to support and defend the Constitution from which these principles emanate. While I have a responsibility to consider guidance from the Courts, I also have a personal responsibility to understand our Constitution and apply my understanding in the execution of my duties. In the present instance, both the preponderance of guidance from the courts and my understanding are in agreement.

Accordingly, I conclude that Senate Bill 1 is unconstitutional for the above-stated reasons and should not be agreed to or passed by this body and in the event it is finally passed by both houses of the legislature, should not be signed by the governor.

Respectfully,

/s/ Rep. Kurt M. Bahr
District 102

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2 - Economic Development

COMMITTEE CHANGES

December 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Mike Moon to the Committee on Appropriations – Agriculture and Natural Resources.

If you have any questions regarding this communication, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

December 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

The Speaker hereby appoints Representative Bart Korman to the Committee on Budget.

If you have any questions, please let me know.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

December 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Noel Torpey from the Committee on Fiscal Review and appoint Representative Scott Fitzpatrick.

If you have any questions regarding this communication, please let me know.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

December 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

The Speaker hereby appoints Representative Mike Moon to the Committee on Higher Education.

If you have any questions, please contact my office.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

December 6, 2013

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 317A
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Bart Korman from the Committee on Professional Registration and Licensing and appoint Representative Kathy Swan.

If you have any questions, please let me know.

Very truly yours,

/s/ Timothy W. Jones
Speaker of the House

The following member's presence was noted: Hodges.

ADJOURNMENT

Speaker Jones declared the House of Representatives of the Ninety-seventh General Assembly, convened in the First Extraordinary Session of the First Regular Session on December 2, 2013, adjourned.

TIMOTHY W. JONES
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House